

**BEFORE THE NATIONAL GREEN TRIBUNAL
AT PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO: 781 OF 2024**

IN THE MATTER OF:

MANISH JAIN

... APPLICANT

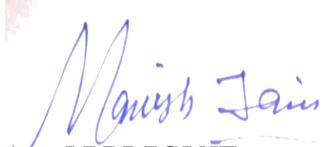
VERSUS

UNION OF INDIA & Others

...Respondents

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2.	Annexure A/1: Inspection Reports by Ms. Jaismin and Mr. Aryan.	
3.	Annexure A/2: Photographs of the area in question.	
4	Proof of service to respondents	


APPLICANT

Delhi

Dated: 04.08.2025

Vikash Kumar Verma & Manish Jain
Chamber No. 222, Civil Side,
Tis Hazari Courts,
Delhi - 110054

Email: vk28verma@gmail.com
manish.bk09@gmail.com

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**REPLICATION OF CPCB, DPCC, DDA, I&FCD and STATUS
REPORT AND AFFIDAVIT FILED BY MCD QUA RESPONDENT
NO. 3 ON 12.11.2024 AND 09.07.2025 RESPECTIVELY.**

Respectfully Submitted:

1. That the applicant, to found actual position of the area under consideration, instructed his three Law interns to visit the site and inspect/check the ground reality and prepare a report as well as click photographs on the spot.

Annexure A/1: Inspection Reports. Colly

Annexure A/2: Photographs. Colly

2. The report and affidavit filed by the Municipal Corporation of Delhi (MCD) are highly objectionable and factually incorrect. The applicant is a nearby resident of the stretch of the Yamuna riverbed from Ram Ghat to Shyam Ghat alongside of Pusta Road mentioned in the application and is well aware of the ground realities. Contrary to the claims made in the affidavit, no genuine or substantial work has been carried out at the site. No Poclain (excavator) machine or other heavy machinery is operational there and is falsely asserted by the MCD. On the contrary, the condition of the Yamuna riverbed

is deteriorating with each passing day, due to neglect and inaction by the concerned authorities.

3. MCD is trying to shifting their responsibilities onto other departments qua DDA herein, failing to comply with the directions of higher authorities, and engaging in minimal, superficial work merely to create an illusion of action and accountability. Non-compliance of the directions, given by this Hon'ble Tribunal, by MCD amounts contempt of court.
4. The Municipal Corporation of Delhi (MCD) has provided a misleading account of actions purportedly taken and is attempting to evade its own responsibilities by concealing the true state of affairs.
5. During VIP programs or movements, the Municipal Corporation of Delhi (MCD) engages in superficial and cosmetic activities merely to appease their senior officials, rather than undertaking genuine efforts for the benefit of the general public at large.
6. The ground reality remains deeply disturbing — no sincere or effective action has been taken by the concerned civic authorities along Pusta Road, Wazirabad. The condition of the riverbed from Ram Ghat to Shyam Ghat has deteriorated to such an extent that even a layperson can witness the filth, neglect, and environmental degradation. Shockingly, what is plainly visible to the public eye appears to be deliberately ignored by those entrusted with public duty. This blatant apathy amounts not just to administrative failure, but a dereliction of constitutional responsibility, and reflects the

utter disregard of civic authorities toward the right of citizens to a clean and healthy environment.

7. That Near Kalighat, opposite Gali No. 3, wazirabad there exists a noticeable height difference of approximately 7 to 10 feet between the ground level of the Yamuna riverbed and the Pusta Road. This huge gap has been indiscriminately filled with garbage and solid waste over time, as clearly evident in Photographs annexed. The visual evidence speaks volumes about the extent of encroachment and neglect by the responsible authorities.
8. **DDA in its short reply** dated 09.07.2025 stated in Para 4 that *“the banks of the river Yamuna near Pusta Road and its Ghats near Wazirabad and Jagatpur Village does not come under the jurisdiction of Yamuna Biodiversity Park NZ. It is further submitted that the stretch from Ramghat to Shyamghat also does not come under the jurisdiction of the answering Respondent, for any maintenance or cleaning purposes.”*
9. **DPCC in its reply** dated 09.07.2025 stated in Para 4 that *“the bank of river Yamuna near Pusta Road and its Ghats near Wazirabad and Jagatpur village comes under O-Zone within the Jurisdiction of DDA.*
 - Further in Para 6 stated that *“Answering respondent issued a letter dated 03.03.2025 to DDA, Urban Development Department-GNCTD, MCD, I&FC, DJB, Delhi Police & District Magistrate (Central) to take necessary action pertaining to them on the basis of Judgment dated 13.01.2015 passed by this Hon'ble Tribunal in O.A. No. 06/2012 (Manoj Mishra vs GNCTD and Others) and provide action taken report.”*
 - In Para 7, *“as no action taken report has been received, therefore a reminder letter was issued on 11.06.2025.”* Copy of the letters dated 03.03.2025 and 11.06.2025 are enclosed herewith as ANNEXURE-1(Colly). No response has

been received by any of the Authorities, therefore, an email was issued to all the authorities required to work on ground on 19.06.2025.

10. Respondents herein successfully trying to shift responsibility onto one another, but no actual work is being done.
11. It is truly shocking that even the MCD (Municipal Corporation of Delhi) and the DPCC (Delhi Pollution Control Committee) are unaware of which department has jurisdiction over the 'O' Zone. If such key authorities themselves are unclear, how can from a common citizen be expected to determine which department is responsible for that area?
12. **CPCB in its reply** dated 05.03.2025 stated in para 11 that: *“CPCB sent a letter dated 23.12.2024 to Delhi Pollution Control Committee (DPCC) requesting to coordinate with concerned authorities and furnish status cum action taken report latest by 03/01/2025 regarding the issues raised in the matter. Further, a reminder letter was also issued on dated 07/01/2025 seeking status cum action taken report at the earliest.”* However, response from DPCC has not been received till date.
13. **IRRIGATION & FLOOD CONTROL DEPARTMENT, GOVT. OF NCT OF DELHI** in its reply dated 09.07.2025 stated in Para 1 that: *“the O-Zone (Flood Plain Area) along the river Yamuna. This area does not fall under the direct administrative jurisdiction of Irrigation & Flood Control Department (I&FCD)”* and committed to support all coordinated efforts being undertaken by the concerned authorities for rejuvenation of the area.
14. Respondent Nos. 1, 2, 4, and 8 have shown complete disregard towards this serious matter.
15. The present stretch of the Yamuna River referred in the present application is severely contaminated with solid waste, including filth, garbage, commercial waste, and uncounted Polythene, resulting in significant public and ecological nuisance. These conditions adversely affect not only the local residents but also the general public who traverse the area.

More critically, the ecological integrity of the Holy Yamuna River is under serious threat due to continued environmental degradation.

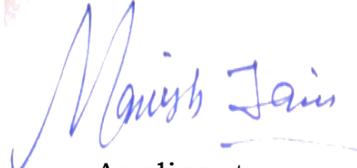
16. Despite the persistent and worsening situation, the concerned authorities/departments have failed to take any meaningful or effective action and remained confined to procedural formalities only. It is pertinent to note that the Hon'ble National Green Tribunal (NGT) has issued not only just one but several orders. However, instead of ensuring on-ground implementation, the concerned departments are appearing to be preoccupied with bureaucratic paperwork and legislative discussions, thereby evading their statutory obligations.
17. This inaction has resulted in the continued violation of environmental laws and the ignorance of fundamental right given to its citizens to have a clean and healthy environment as guaranteed under Article 21 of the Constitution of India.

Prayer

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to pass the following directions:

- A. Issue appropriate directions to the concerned authorities for immediate and effective action to ensure the cleaning and restoration of the Yamuna riverbed alongside Pusta Road in Wazirabad, in strict compliance with environmental norms and public health standards.

- B. Direct initiation of strict disciplinary and legal action against the officials and authorities found responsible for dereliction of duty and failure to comply with their statutory obligations towards maintaining cleanliness and preventing illegal dumping along the Yamuna riverbed.
- C. Pass any other or further orders/directions as this Hon'ble Tribunal may deem just and proper in the interest of justice for ensuring the cleanliness and environmental protection of the Yamuna River alongside Pusta Road, Wazirabad.


Applicant

Delhi

Through

Dated: 04.08.2025



Manish Jain & Vikash Kumar Verma
Chamber No. 222, Civil Side,
Tis Hazari Courts, Delhi – 110054
9911092646, 7042983890
Manish.bk09@gmail.com

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... Respondents

AFFIDAVIT

I, Manish Jain S/O Shri Bijender Jain Age 44 Address Chamber No. 222, Civil Side, Tis Hazari Court Complex, Delhi - 110054 do hereby solemnly affirm and states:

1. That deponent filed the present petition for rejuvenation/cleanliness of bank of river Yamuna nearby Pusta Road and its nearby Ghats at wazirabad and Jagatpur village and is well conversant with the facts of the case and is competent to swear this affidavit.
2. That deponent is filling Rejoinder along with Annexures before the Hon'ble Tribunal the contents from para 1 to last have been drafted myself and colleague advocate.
3. I say that the submissions made above are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

Manish Jain
DEPONENT

VERIFICATION:

I, the above named deponent do hereby verified contents of paras above are true and correct and no material fact has been concealed.

Signed & Verified at Delhi on this August, 2025.

04 AUG 2025

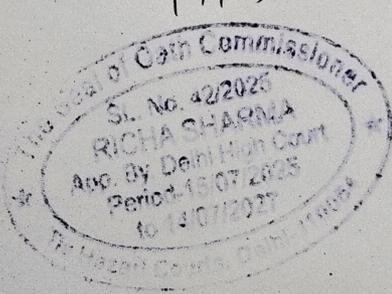
04 AUG 2025

DEPONENT
Manish Jain

CERTIFIED THAT THE DEPONENT
 Shri/Smt./Mra. *Manish Jain*
 S/o. M/o. D/o. *Bijender Jain*
 R/o.
 Identified by Shri/Smt. *Self*
 has solemnly affirmed before me at Delhi
 On *04 AUG 2025* Sr No.
 That the contents of the affidavit which have been
 read & explained to him/her are true & correct to
 his/her knowledge.

Oath Commissioner, Tis Hazari Courts, Delhi

Self
I do hereby the deponent who has signed
put thumb impression in my presence.



97/13

04 AUG 2025

Report on Condition of Yamuna River Bed
from Ram Ghat to Shyam Ghat in
Wazirabad, Delhi

As per the instructions of my Senior Advocate Manish Jain we three intern namely Myself, Aryan and Vanshdeep On 28th July 2025, visited at Wazirabad, Delhi to assess the condition of Yamuna Riverbed and status of garbage management in the area. During the visit, several issues were observed concerning the improper disposal of waste, negligence by both the authorities and the residents. The residents of the area are facing serious challenges due to inadequate waste collection services, which have resulted in adverse impacts on public health and the environment.

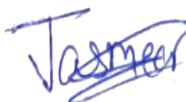
Observations from the site visit.

Improper waste Disposal:

1. Large quantities of garbage are seen dumped along roadsides/Pusta Side and in open areas towards Yamuna.
2. Residents are not using dustbins, either due to their unavailability, frequent overflow, or lack of awareness.
3. Streets, empty plots, and drains are filled with domestic waste, plastic materials, and decaying food items both the side of Pusta Road.

Animal waste Disposal:

1. In several areas, animal remains and body parts are dumped in Yamuna Side spaces. Observations indicate that local butchers are responsible for discarding animal waste on the roadside and Yamuna Side.
2. This not only creates an unbearable odor but also attracts stray animals, significantly increasing the risk of infections and the spread of diseases.



Absence of Government Action:

1. Despite repeated complaints by local residents, no action has been taken by the local authorities, police, MLA, or Nigam Parshad Ms.Parmila Gupta.
2. The lack of response and accountability from these officials has worsened the situation and prolonged the public nuisance.

Local Resident's Testimonies:**1. Rambir (Local Resident):**

Gali No. 3, Near Ram Ghat, Wazirabad (Resident for 26 Years):

- i. We have lodged multiple complaints with the "MCD", "Nigam Parshad Ms. Parmila Gupta", "local police (SI)", and the "MLA", but no action has been taken by any authority.
- ii. Due to the continued negligence of Govt. officials, we are forced to clean the garbage ourselves, without any support from the government.
- iii. We have even installed a "hand pump" to maintain basic hygiene and cleanliness in the area.
- iv. Additionally, we have taken the initiative to "plant trees and promote greenery" in our surroundings to improve the environment and create a healthier atmosphere for the community.

2. Raj beer (Care taker):

Gali No. 3, Near Kali Ghat, Wazirabad (Resident for 20 Years):**

- i. "Budh Park," in our area, situated in Yamun, was developed 10-12 years ago by local residents without any government support. It is still being maintained and taken care of by us. However, people continue to dump garbage within the park premises.

Jasmeer

- ii. This is primarily because “no permanent or temporary dustbins” have ever been installed by any authorized authority. The “MCD garbage van visits only twice a week”, however residents with no option but to dump waste in open spaces.
- iii. Even when we request the MCD Karamchari to collect additional garbage, they often respond by saying “we will take it later,” but no further action is ever taken.
- iv. The situation is even worse at the “local crematorium”, where garbage is dumped along the roadside. Shockingly, “there is not even a public toilet” available at the cremation site, causing severe inconvenience and distress to grieving families and visitors.

3. Rajender Gupta (Repairing shop TV):

Gail no.3 near Kali Ghats’s wazirabad (Resident for 12 years)

- i. People bring garbage here from other areas and dump it openly. When we try to stop them, they respond by saying, ‘Where else are we supposed to throw it?’
- ii. Some even burn the waste, which creates heavy smoke and a strong foul smell, making it extremely difficult for everyone to breathe.
- iii. During the summer, the garbage often catches fire on its own, leading to severe air pollution and health hazards for local residents and in Monsoon due to garbage water contaminated and reached at ground water.

4. Raghu veer (local resident):

Gail no.3 near Kali Ghat wazirpur (Resident for 25 years)

- i. Even after the park was built by the residents, people did not stop dumping garbage in the area. So, we built a small “Mata Mandir” (temple) nearby, hoping that the presence of a place of worship would discourage people from throwing waste there.



- ii. Instead of stopping, people simply started dumping the garbage a few steps away from the temple. When we try to explain or stop them, they all say the same thing — ‘The MCD workers don’t come, and we can’t keep garbage inside our homes forever. We have to throw it somewhere, don’t we?’

5. Suresh (local resident):

Gali No. 9, Hanuman Chowk, Wazirpur (Resident for 22 Years):

- i. Although a dustbin has been placed in the area, people continue to throw garbage outside it rather than using it properly. When residents try to intervene, they are told that the dustbin is already full.
- ii. Many people have pointed out, “How much waste can one dustbin hold?” and have emphasized the need for “additional dustbins”. They believe the authorities should be informed and requested to provide more bins to ensure proper waste disposal.
- iii. A “major concern” in the locality is the dumping of “leftover animal parts” after meat cutting. This occurs frequently, as the area has a “large population of Muslim families” and several nearby “butcher shops”.
- iv. The “stench from the decaying animal waste” is unbearable and causes significant discomfort to residents, especially during the summer. The situation has become so severe that people are often forced to “cover their faces or wear masks” just to walk through the area.

6. Imran (local shopkeeper):

Gali No. 9, Hanuman Chowk, Wazirpur (Resident for 20 Years):

- i. People openly throw garbage on the roadside and in vacant plots. When we try to stop them, they often respond rudely, saying, “We’re not throwing it in front of your shop, we’re throwing it on the roadside and empty plots. Why does it bother you?”

Jasmeer

- ii. Some individuals even become aggressive and try to start arguments. Because of this, we've stopped saying anything. We have to work here, and it's not worth getting into conflicts.
- iii. "Vegetable vendors" also dump leftover vegetables and waste in the area after the market closes. Since no agency comes to collect the garbage regularly, the "foul smell becomes unbearable".
- iv. "Plastic waste is often burned", and in some cases, even "trees are deliberately set on fire", causing severe "air pollution" and leading to "serious health issues" for residents and workers in the area.

7. Consequences of Inaction:

- i. **Public Health Risk:** Increased chances of diseases like cholera, dengue, and typhoid etc. all time.
- ii. **Environmental Degradation:** Pollution of land, drains, and contaminated water reached in groundwater.
- iii. **Civic Breakdown:** Loss of faith in public institutions and growing unrest among the Local Residents.
- iv. **Legal Implications:** Violation of basic public health norms and the right to a clean and safe environment under Article 21 of the Indian Constitution.

8. Conclusion:

- The situation in 'Wazirabad' is a clear reflection of 'Govt. institutional failure' and the 'negligence of elected officials'. While residents have shown commendable initiative by self-organizing and addressing the issues on their own, such efforts "cannot replace the responsibility of the authorities" and are "not a sustainable long-term solution".

Jasmeer

- The “right to live in a clean and healthy environment” is a “constitutional guarantee”, and it is the “duty of the state and local governing bodies” to ensure this right is upheld. This report stands as “formal documentation” of the ongoing crisis and serves as an “urgent call for intervention, systemic reform, and accountability” at all levels of governance.



Report Prepared by:

Jasmeen,

Final Year LL.b Student

28th July 2025,

Physical inspection of these Ghats,

Wazirabad Delhi,

Report On Garbage Dump Issues And Local Governance in Wazirabad Pushta Area.

Date: 28.07.2025

Area covered Covered: Ram ghat, kali ghat, Hanuman Chowk, Shaam Ghat

As per the instructions of my Senior, Advocate Manish Jain we three intern namely Myself, Jaismin and Vanshdeep On 28th July 2025, visited at Wazirabad, Delhi to assess the condition of Yamuna Riverbed.

Today we covered 4 locations and also had conversations with the local residents of that area.

1. Significant accumulation of garbage was observed near various parts of wazirabad Pushta. Heaps of unmanaged garbage was dumped openly on the streets, empty plots and near residential areas.
2. The waste included household garbage, organic waste, plastic waste and construction debris and also waste materials of butcher shops were also there.

Foul Odour And Environmental Impact:

3. The stench in the area was extremely unpleasant and constant, making it difficult to stand nearby for even a few minutes for anyone.
4. The Odor (heavy) smell of rotting dead bodies of animals or any other beings was also there.
5. The smell was especially severe during mid-day due to heat and decomposition, affecting air quality.
6. Flies, mosquitos and stray animals were seen around the dump

Ajay Singh

sites, increasing the risk of disease transmission.

7. Wazirabad Pushta erected to prevent locals from floods of Yamuna River.
8. Dumping of garbage and animal remains poses risk of toxic leaching into groundwater and river systems.
9. In case of monsoon flooding, this waste could enter the Yamuna, exacerbating pollution and harming aquatic ecosystems.
10. This violates existing **NGT orders on Yamuna Action Plan**.

Health Hazards Reported by Locals:

11. Residents complained of frequent health issues believed to be caused by the garbage and air pollution. Respiratory problems especially among children and elderly.
12. Skin infections and allergies, gastrointestinal disease like diarrhea and food poisoning. Vector borne diseases such as dengue and malaria due to stagnant water near garbage.
13. In many areas, children walk to school or play near these dump sites, exposing them to serious health risks.

Community Concerns:

14. Locals claimed that municipal authorities are inactive and fail to carry out regular garbage collection and the *kudewali gadi* only takes garbage from houses once a week or sometimes twice a week. Allegations were made that local police ignore complaints and are complicit in allowing illegal dumping near Pushta area.
15. Even the garbage trucks of MCD and other authorities dump their waste at that place and when the locals warn them, they

Ajay Singh

say that police won't do anything to them.

16. Residents are forced to hire private cleaners or workers to remove waste and maintain basic cleanliness.
17. No display of public warnings, no "No Dumping" signs, nor waste segregation awareness from civic authorities.

Recommendations

18. Immediate sanitation drive by MCD or other Authorities Concerned with support from police to remove accumulated garbage and sanitize affected areas.
19. Strict enforcement of anti-dumping laws with fines for illegal disposal, including MCD vehicles.
20. Daily garbage collection services with proper scheduling and monitoring.
21. Installation of community waste bins with proper segregation (dry/wet).
22. Deployment of local sanitation workers with check-ins by supervisory officers.
23. Drainage and fogging measures to prevent vector breeding.
24. Awareness campaigns in localities on proper waste disposal and disease prevention.
25. Grievance redressal mechanism (toll-free helpline or ward officer contact made public).
26. Strict compliance made people aware and clean Yamuna river.

Ajay Singh

Conclusion:

The Yamuna River at Wazirabad pushta area is suffering from a serious sanitation crisis with significant public health risks.

The failure of local governance both in waste management and law enforcement is pushing the burden onto residents, many of whom cannot afford ongoing private cleanup efforts.

This is not just a matter of waste management — it is about public dignity, health rights, environmental protection, and accountability. Immediate, transparent, and community-led intervention is no longer an option — it is a necessity.

Report Prepared By:



Aryan

LL.B Students from DU

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 GPS Map Camera



Delhi, Delhi, India

P6fh+26h, Wazirabad Rd, Wazirabad, Delhi, Delhi 110084, India

Lat 28.722698° Long 77.228828°

28/07/2025 11:32 AM GMT +05:30

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 GPS Map Camera



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D-99-gf, Street No. 9, Wazirabad, Delhi, Delhi 110084, India

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Delhi, Delhi, India

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Google



GPS Map Camera

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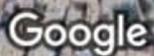
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New Delhi, Delhi, India

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New Delhi, Delhi 110084, India

Lat 28.732233° Long 77.224946°

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GPS Map Camera

New Delhi, Delhi, India

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110084, India

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Google



 GPS Map Camera



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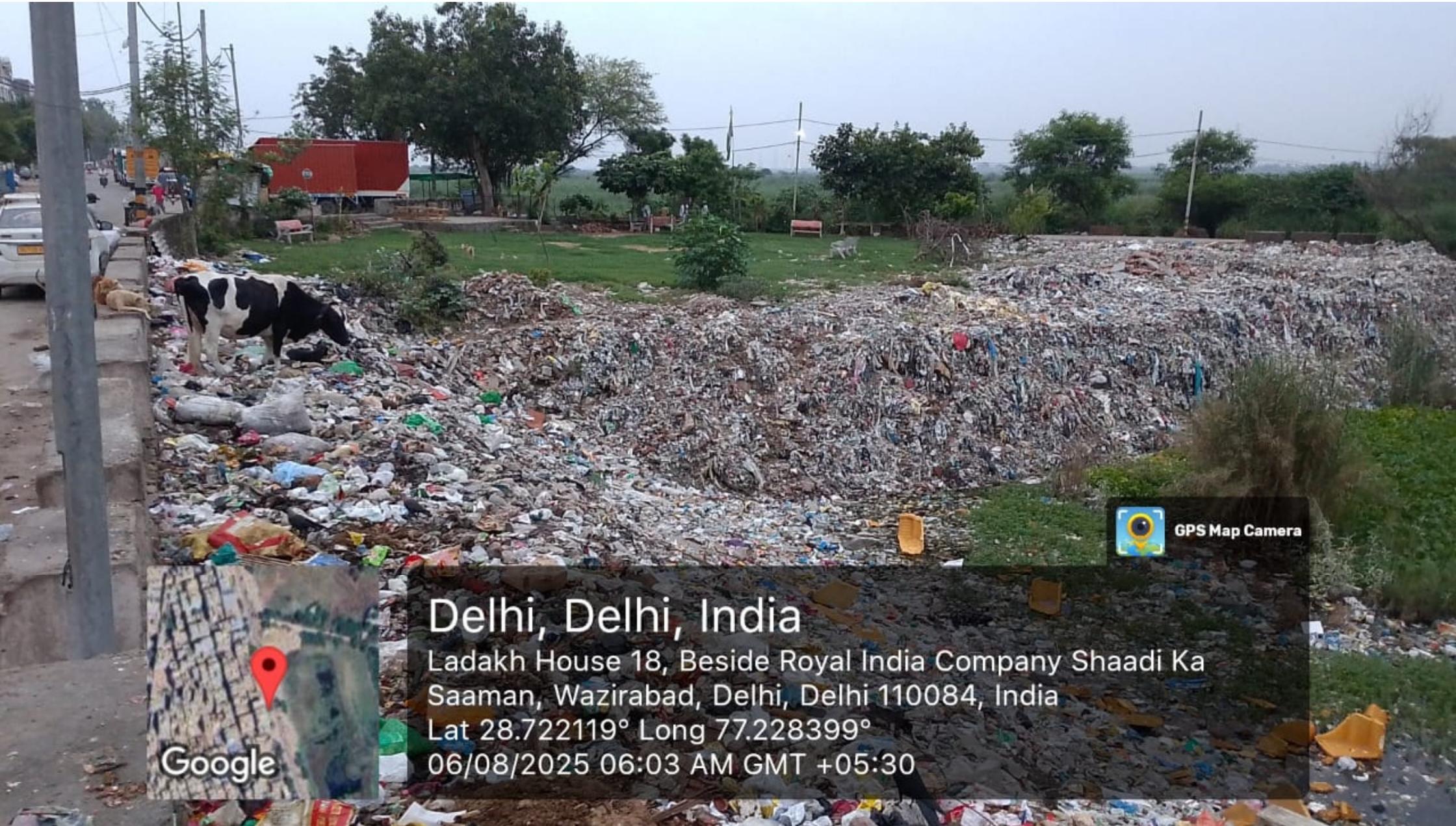
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New Delhi, Delhi, India

H-16/117-116-115/a, Gali No. 1, Jagatpur Extension, Wazirabad, New Delhi, Delhi 110084, India

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Delhi, Delhi, India

Ladakh House 18, Beside Royal India Company Shaadi Ka Saaman, Wazirabad, Delhi, Delhi 110084, India

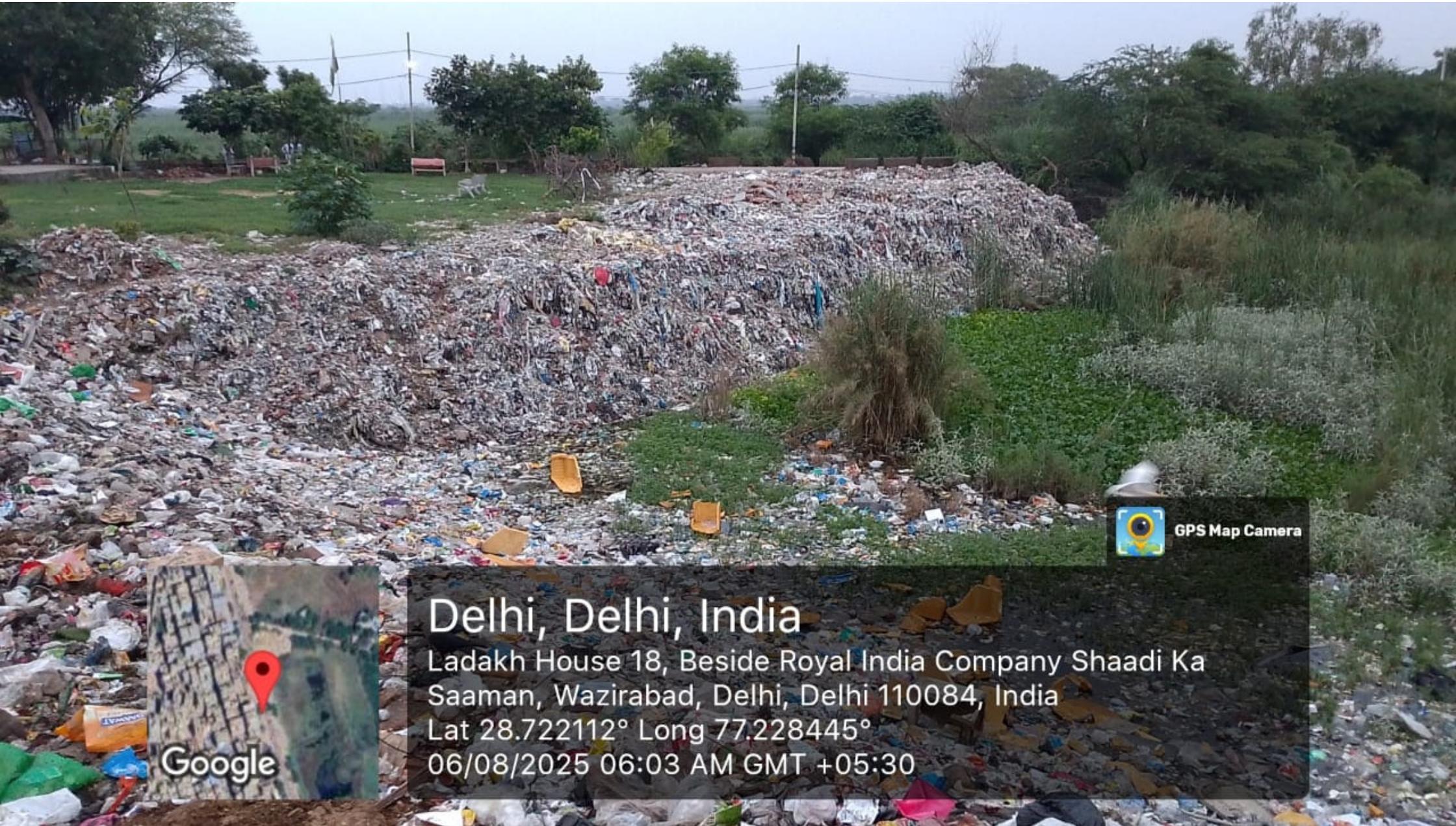
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GPS Map Camera

Delhi, Delhi, India

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Lat 28.722112° Long 77.228445°

06/08/2025 06:03 AM GMT +05:30





bk manish <manish.bk09@gmail.com>

OA NO. 781/2024 - REPLICATION OF CPCB, DPCC, DDA, I&FCD and STATUS REPORT AND AFFIDAVIT FILED BY MCD QUA RESPONDENT NO. 3 ON 12.11.2024 AND 09.07.2025

2 messages

bk manish <manish.bk09@gmail.com>

Tue, Aug 5, 2025 at 5:06 PM

To: secy-moef@nic.in, Singh.anilkr@nic.in, commissioner@mcd.nic.in, secydws@nic.in, mscb.cpcb@nic.in, msdpcc@nic.in, ceifcd@gmail.com, dcnorth@nic.in, deeksha.kakar@scladi.com, jmalawoffices@gmail.com

Dear Sir/Madam

Please acknowledge REPLICATION in OA NO. 781/2024 OF CPCB, DPCC, DDA, I&FCD and STATUS REPORT AND AFFIDAVIT FILED BY MCD ON 12.11.2024 AND 09.07.2025.

Date of Hearing 12.08.2025

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-- Regards --

Manish Jain
Advocate by Profession
Delhi High Court
9911092646

Legal Services To Settle Emotional Issues With Professional Approach.

 **Rejoinder.pdf**
5730K

bk manish <manish.bk09@gmail.com>

Wed, Aug 6, 2025 at 6:49 AM

To: secy-moef@nic.in, Singh.anilkr@nic.in, commissioner@mcd.nic.in, secydws@nic.in, mscb.cpcb@nic.in, msdpcc@nic.in, ceifcd@gmail.com, dcnorth@nic.in, deeksha.kakar@scladi.com, jmalawoffices@gmail.com

Dear Sir/Madam

Please ignore the previous rejoinder sent on 05.08.2025 and acknowledge this rejoinder in OA NO. 781/2024 OF CPCB, DPCC, DDA, I&FCD and Status Report and Affidavit filed by MCD on 12.11.2024 and 09.07.2025.

Date of Hearing 12.08.2025

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