

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

Original Application No. 1287 OF 2024

In the matter of:

News Item titled "how this 'river' of filth claimed teen's life" appearing
in the Times of India dated 09.11.2024

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4.	Annexure- II A copy of Reminder letter dated 27.12.2024 issue by CPCB to Irrigation and Food Control Department, Delhi .	

Srinivas Vishven

Filed by Adv. Srinivas Vishven

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New Delhi-110048
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On behalf of Central Pollution Control Board

Place: Delhi

Dated:08.01.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, DELHI

ORIGINAL APPLICATION NO. 1287/2024

In the matter of:

NEWS ITEM TITLED "HOW THIS 'RIVER' OF FILTH CLAIMED TEEN'S LIFE" APPEARING IN THE TIMES OF INDIA DATED 09.11.2024.

REPLY ON BEHALF OF THE RESPONDENT NO. 2 CENTRAL POLLUTION CONTROL BOARD (CPCB)

1. That, Hon'ble NGT vide order dated 12.11.2024 has sought the reply of Central Pollution Control Board (hereinafter referred as CPCB) in the instant matter. Thereby, the reply is made in succeeding paragraphs. The Copy of the Order dated 12.11.2024 is annexed herewith as **Annexure No.- I.**
2. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and control of Pollution) Act 1974 (hereinafter Water Act), The Air (Prevention and control of Pollution) Act, 1981 (hereinafter Air Act) and The Environment (Protection) Act, 1986.
3. That, it is humbly submitted that the State Pollution Control Boards/Pollution Control Committees (hereinafter referred as SPCBs/PCCs) have been constituted in States/Union Territories under Water Act, 1974 and Air Act, 1981 are empowered to perform the functions and implement the provisions of these Acts in respect of their territorial Jurisdiction.



4. That, the present matter is related to death of a thirteen-year-old boy by drowning in the open drain filled with garbage and filth in Rajender Nagar Extension, Delhi. The article highlights that the boy slipped into the drain from the bridge connecting the two parts of the area. The article also mentions the resident's demand of the safety barriers and regular maintenance of the drain for the safety of residents especially children.
5. That, CPCB vide letters dated 10.12.2024 and 27.12.2024 communicated with the Delhi Pollution Control Committee (hereinafter referred as DPCC) and the Irrigation and Flood Control Department (hereinafter referred as IFCD) of Delhi, for status report/ action-taken reports regarding the maintenance, monitoring, and safety measures undertaken for the subject drain. These letters are attached as **Annexure No. II & III** respectively.
6. That, the answering Respondent is yet to receive the requested status report/action taken report from the aforementioned authorities.
7. The answering respondent craves leave of this Hon'ble Tribunal for filing additional reply, if required, in future.
8. That, in light of the above submission, it is respectfully submitted that this Answering respondent i.e. CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble tribunal in the instant OA and render justice.




Vishal Gandhi
Scientist- 'E'
Central Pollution Control Board


VERIFICATION

Verified at New Delhi on this day of U 8 JAN 2025 2025 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis- stated.


DEPONENT



विराजल गंधी / Vishal Gandhi
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

ATTESTED

NOTARY PUBLIC
GOVT. OF INDIA
U 8 JAN 2025

विराजल गंधी / Vishal Gandhi
वैज्ञानिक 'ई' / Scientist 'E'
केंद्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(Ministry of Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Item No. 29

Court No. 1

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

Original Application No. 1287/2024

News Item titled "how this 'river' of filth claimed teen's life" appearing in the Times of India dated 09.11.2024

Date of hearing: 12.11.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

ORDER

1. This original application is registered *suo-motu* on the basis of the news item titled "how this 'river' of filth claimed teen's life" appearing the Times of India dated 09.11.2024

2. The matter relates to the death of a 13 year old boy by drowning in an open drain filled with garbage and filth in Rajendra Nagar Extension area of Delhi. As per the article, despite efforts by passersby to rescue him, the thick layer of sludge made it impossible to reach him. The article reports that the foul-smelling drain with murky green water hadn't been cleaned for months

3. The news item further highlights that all along the drain, the land is covered by layers of silt and muck that had dried up over time and garbage had been thrown over the silt at many places. The article alleges that despite repeated complaints to the local authorities, no action has been taken to cover the drain. Furthermore, it is alleged that this is not the first such incident and both humans and animals have perished in the drain but there is still no action from the authorities to prevent such tragedies.

4. The above matter indicates violation of the Solid Waste Management Rules, 2016 and the Environment Protection Act, 1986.

5. The news item raises substantial issue relating to compliance of the environmental norms and implementation of the provisions of scheduled enactment.

6. Power of the Tribunal to take up the matter *suo-motu* has been recognized by the Hon'ble Supreme Court in the matter of "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897.

7. Hence, we implead the following as respondents in the matter:

- i. Delhi Pollution Control Committee (DPCC), Through its Member Secretary
4th Floor, ISBT Building, Kashmere Gate, Delhi - 110006
- ii. Central Pollution Control Board (CPCB), Through its Member Secretary
Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi - 110032
- iii. Irrigation and Flood Control Department, Delhi, Through its Additional Chief Secretary
4th Floor, Vikas Bhawan, Civil Lines, Delhi - 110054
- iv. Municipal Corporation of Delhi (MCD), Through its Commissioner
3rd Floor, Civic Centre, Minto Road, New Delhi - 110002
- v. District Magistrate (West Delhi)
Office of the District Magistrate, District Court Complex, Janakpuri, Delhi - 110058

8. Issue notice to the above respondents for filing their response/reply by way of affidavit at least one week before the next date of hearing. If any respondent directly files the reply without routing it through his advocate then the said respondent will remain virtually present to assist the Tribunal.

9. List on 13.01.2025

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 12, 2024
O.A. No. 1287/2024
HB..



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Annexure-II

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Speed Post /Email

F. No. A-14011/2024-WQM-I/ (OA No 1287 of 2024) /736

Dated: 10.12.2024

To

The Chief Engineer (Zone-I)
Irrigation and Flood Control Department
L.M. Bund Office Complex, Shastri Nagar,
Delhi-110031
ceifcd@gmail.com

Sub: Hon'ble NGT (PB) order dated 12.11.2024 in the matter of OA No. 1287/2024 on News Item titled "How this 'river' of filth claimed teen's life" appearing in the Times of India dated 09.11.2024

Sir,

Enclosed please find a copy of Hon'ble NGT (PB) order dated 12.11.2024 in the matter of OA No. 1287/2024 along with clip of news item titled "How this 'river' of filth claimed teen's life". The Hon'ble NGT issued the following direction in Paragraph 2 & 3 of the said order:

2. The matter relates to the death of a 13 year old boy by drowning in an open drain filled with garbage and filth in Rajendra Nagar Extension area of Delhi. As per the article, despite efforts by passersby to rescue him, the thick layer of sludge made it impossible to reach him. The article reports that the foul-smelling drain with murky green water hadn't been cleaned for months.
- 3 The news item further highlights that all along the drain, the land is covered by layers of silt and muck that had dried up over time and garbage had been thrown over the silt at many places. The article alleges that despite repeated complaints to the local authorities, no action has been taken to cover the drain. Furthermore, it is alleged that this is not the first such incident and both humans and animals have perished in the drain but there is still no action from the authorities to prevent such tragedies.

In this regard it is hereby requested to provide the status report of the drain in question, i.e. drain along Rajendra Nagar Extension.

Yours faithfully,

(Vishal Gandhi)
Scientist-E, WQM-I Division

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली - 110032.
Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in



Speed Post /Email

F. No. A-14011/2024-WQM-I/ (OA No 1287 of 2024) /736

Dated: 10.12.2024

To

**The Member Secretary
Delhi Pollution Control Committee
5th Floor, ISBT Building,
Kashmere Gate, Delhi-110006
msdpcc@nic.in**

Sub: Hon'ble NGT (PB) order dated 12.11.2024 in the matter of OA No. 1287/2024 on News Item titled "How this 'river' of filth claimed teen's life" appearing in the Times of India dated 09.11.2024

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Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट /Website: www.cpcb.nic.in



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Annexure-III

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA

Speed Post /Email

F. No. A-14011/2024-WQM-I/ (OA No 1287 of 2024) 752

Reminder I
Dated: 27.12.2024

To

The Chief Engineer (Zone-I)
Irrigation and Flood Control Department
L.M. Bund Office Complex, Shastri Nagar,
Delhi-110031
ceifcd@gmail.com

Sub: Hon'ble NGT (PB) order dated 12.11.2024 in the matter of OA No. 1287/2024 on News Item titled "How this 'river' of filth claimed teen's life" appearing in the Times of India dated 09.11.2024

Ref: (i) CPCB Letter No. A-14011/2024-WQM-I/(OA No. 1287 of 2024)/ 736 dated 10.12.2024

Sir,

Kindly refer to our earlier letter of even dated 10.12.2024 wherein it was requested to provide the status report of the concerned drain in Rajender Nagar Extension mentioned directions of Hon'ble NGT orders dated 12.11.2024. However, the reply is still awaited.

In this context, it is further requested to provide the status report of the drain in in Rajender Nagar Extension an early date, preferably by 01.01.2025

Yours faithfully,


(Vishal Gandhi)
Scientist-E, WQM-I Division

Encl: As above

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड
CENTRAL POLLUTION CONTROL BOARD
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
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