

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

EA. No. 40 / 2023 in OA
NO. 137/2022

IN THE MATTER OF:-

Pradeep Norula

... Applicant

Versus

Haryana State Pollution Control Board and Others

... Respondents

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Place: Gurugram

Dated: 24.01.2024

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

EA No. 40 of 2023 in OA No. 137/2022

In the matter of:

Pradeep Norula

...Petitioner

Versus

Haryana State Pollution Control Board and Others.

...Respondents

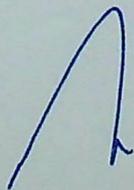
**Reply on behalf of Respondent No. 2 i.e Municipal Corporation,
Gurugram.**

1. That above subjected Execution Application has been filed seeking Execution of Order dated 29.04.2022, concluding paragraphs of which are reproduced below:

"6. The applicant in person states that the problem of dumping of garbage is of recurring nature. It is further stated that tractors are being used for transporting Malba illegally for which appropriate action needs to be taken in coordination with the Transport Department.

7. In view of report of the Municipal Corporation, Gurgaon that adequate action is being taken on regular basis, no further order is necessary. Day to day management of affairs has to be by the executive authorities, micromanagement being not viable for an adjudicatory body. However, Municipal Corporation may explore developing an App to receive Public Grievances and their redressal, if no such system exists so far.

8. The applicant is free to represent to the concerned authorities in accordance with law, including the transport authority about misuse of tractors meant for agricultural use for non agricultural purposes, as alleged.”
2. That it is most respectfully submitted that the applicant has failed to point out the particular direction which was passed by this Hon'ble Tribunal to answering respondent but was not complied with. It is humbly submitted that applicant himself has admitted the action taken and waste lifted by the answering respondent from time to time. The applicant himself has admitted the erection of wall as undertaken vide affidavit dated 09.09.2022 in EA No. 20/2022 in OA NO 137/2022. The complaints/grievances are being received through sameer App/SMGT (Social Media Grievance tracker) & CM Window portal. The grievances are regularly monitored and regularly monitored and resolved by the designated team of MCG. The details of complaints of zone -3 relating to C&D waste received and their redressal for the period of 01.10.2023 to 10.01.2024 is attached **Annexure R-1**. As such, the present execution application is not maintainable and is liable to be dismissed against the answering respondent.
3. That dumping of C&D waste as alleged in the Execution Application is not done by the answering respondent. Neither it has authorized any one to dump C&D Waste on land in question nor it identified the land in question as collection point. The applicant has neither impleaded any individual involved in dumping of C&D waste, in his original application nor mentioned their names in present Execution petition.
4. The answering respondent has taken every possible step to stop dumping of waste on land in question and in case of dumping of C&D Waste, same is being lifted immediately and shifted to designated site

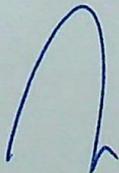


for processing. Infact, answering respondent has already put a mechanism in place for collection, transportation and processing of Construction & Demolition waste generated in Gurugram. This Hon'ble Tribunal considering the steps taken by answering respondent for compliance of Construction & Demolition Waste Management Rules, 2016 and mechanism of processing in place, vide order dated 07.11.2022 disposed of the Execution Application No.20/2022 (Annexure-2 of Execution Application).

5. That without prejudice to submissions made herein above, answering respondent wish to submit the steps taken by the answering respondent for compliance of the Rules of 2016.
6. That answering respondent has entered into an agreement with M/s IL&FS Environmental Infrastructure and Services Limited (now, Indo Enviro Integrated Solutions Limited) on 13.12.2016 (subsequently amended vide addendum agreement dated 10.03.2022) for the period of 20 years.

In furtherance of such agreement, the Concessionaire has established the C&D Waste Processing Facility at Village Basai (Gurugram) for proper disposal of construction & demolition waste generated in municipal limits of Gurugram. The construction & demolition waste is being lifted and sent to this designated site for scientific disposal.

7. That there are 15 designated sites. Apart from collecting C & D Waste from these sites, the agency also collects waste from other sites whenever any complaint or request is received to MCG. Regular monitoring of the city is carried out by the designated team. Thereafter, as per the inspection of site C & D Waste is removed. The Malba/Waste material is being removed from site in question also and no malba is presently lying on the spot/site. The photographs of the site depicting



the latitude and longitude along with date are attached as **Annexure R-2**.

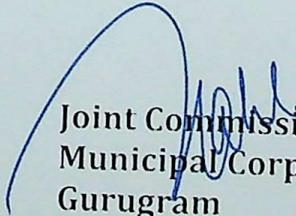
8. That vehicles/offenders carrying illegal malba being challaned. Area under Gurugram Municipal Limits has been divided into 4 number of Zones. The area in question falls under Zone-3 vehicle carrying C&D waste unauthorized is being drove to office of zone 3, MCG at and is being released only after deposit of challan amount. During the period between 01.11.2023 to 10.01.2024, 30 number of vehicles/offenders have been challaned amounting to Rs 4,65,000 /-. The challan data is attached as **Annexure R-3**. The challan structure is mentioned in the table below:-

| Sr. No. | Number of Violation | Challan Amount |
|---------|---------------------|----------------|
| 1. | First | Rs. 10,000 /- |
| 2. | Second | Rs. 25,000 /- |
| 3. | Third | Rs. 35,000 /- |
| 4. | Fourth | Rs. 50,000 /- |

9. That Municipal Corporation, Gurugram (MCG) is taking proactive action to deal with C & D Waste in the jurisdiction of MCG and is committed to safeguard the interest of public at large.

It is, therefore, respectfully prayed that in view of the above mentioned submissions, the present application may kindly be dismissed in the interest of justice.

Place: Gurugram
Dated: 24.01.2024


Joint Commissioner (SBM),
Municipal Corporation,
Gurugram

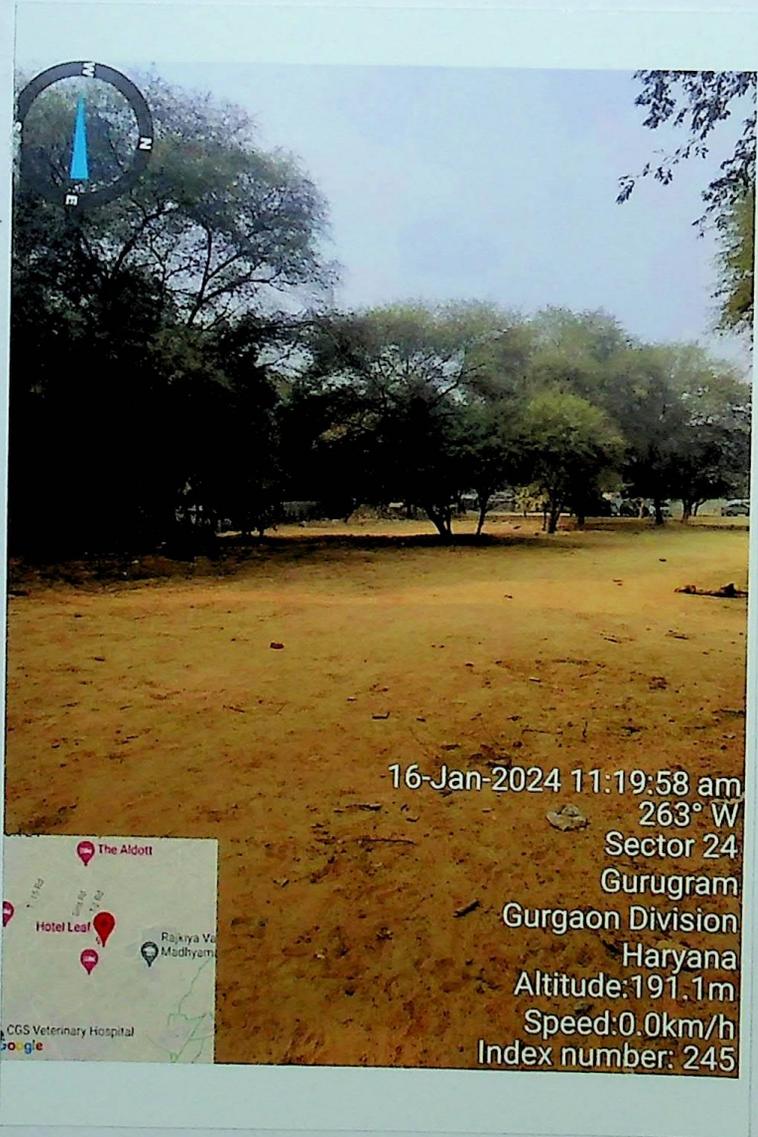
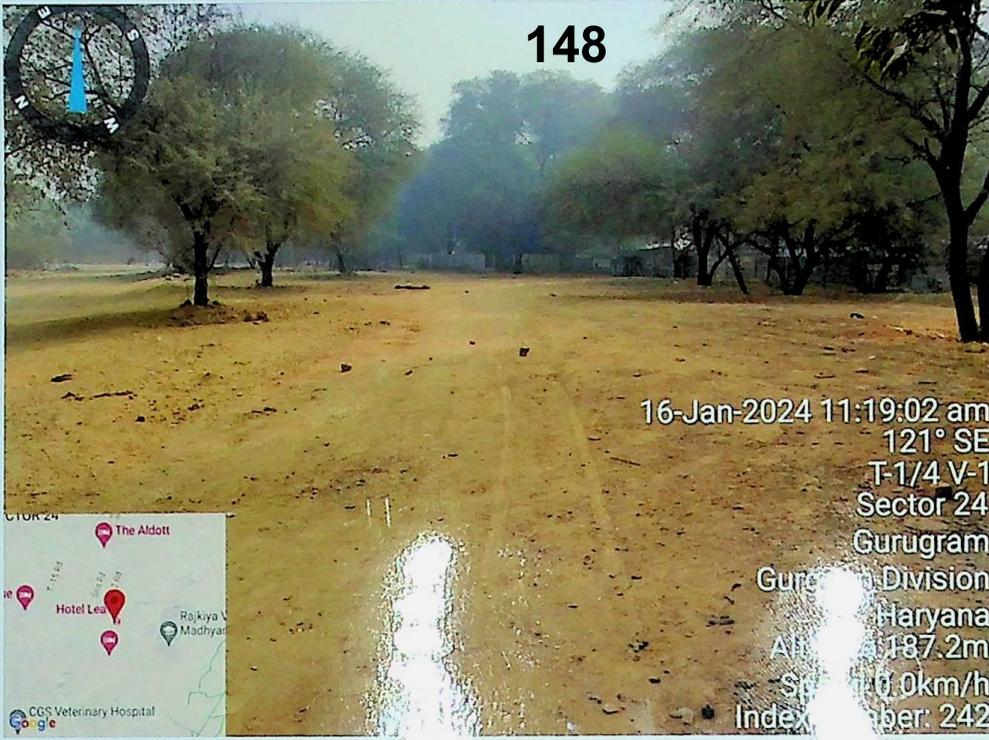
| Sr. No. | Complaint ID | Complaint Type | Detail | Status | Date |
|---------|--|----------------|--|----------|------------|
| 1 | 744676 | Twitter | Ticket number: 744676 @MunCorpGurugram throughout sec-38 there are huge mounds of construction material left in open by builders with no regard for pollution. Winters & rising AQI is right around the corner, will you take a proactive step in prevention? Citizen Name : Mr Chintit Karmyogi Address: Sec - 38, Gurugram | Resolved | 12.10.2023 |
| 2 | 462438 | Twitter | Ticket Number : 462438 can authorities awake and act to remove from opp. IILM Hostel in Sector-55, Gurgaon and make a rule to issue CC after getting cleaned adjoining plots. The open construction materials and debris is creation air pollution. Citizen Name : Mr Ashok Khandelwal Address: A-49, Sushant Lok-2, Sector-55, Near IILM Boys Hostel, Gurugram | Resolved | 20.10.2023 |
| 3 | 627597 | Twitter | Ticket Number: 627597 Sector-55 (A-75 Sushant Lok -2) construction site all building materials spread on road & green belt from last six months site construction close but not remove after many request no gain please do the needful Citizen Name: Mr Kumar Address: A-75, Sector-55, Sushant Lok -2, Gurugram | Resolved | 21.10.2023 |
| 4 | Complaint ID- TW 21-10172. | Twitter | Complaint ID- TW 21-10172. Open Construction site in prime residential area opp Devinder vihar Sector 56 Gurugram Haryan. 5 complains no action taken yet. Citizen Name: Mr Kumar Address: opp Devinder vihar Sector -56 , Gurugram | Resolved | 26.10.2023 |
| 5 | Complaint ID- TW 21-10177. Complaint ID- TW 21-10187. | Twitter | Complaint ID- TW 21-10177. Open Construction site in prime residential area opp Devinder vihar plot no 126/56 Sector 56 Gurugram Haryana please take action. Severe Pollution around Citizen Name: Mr Kumar Address: Plot no. 126/56, opp Devinder vihar Sector -56 , Gurugram | Resolved | 26.10.2023 |

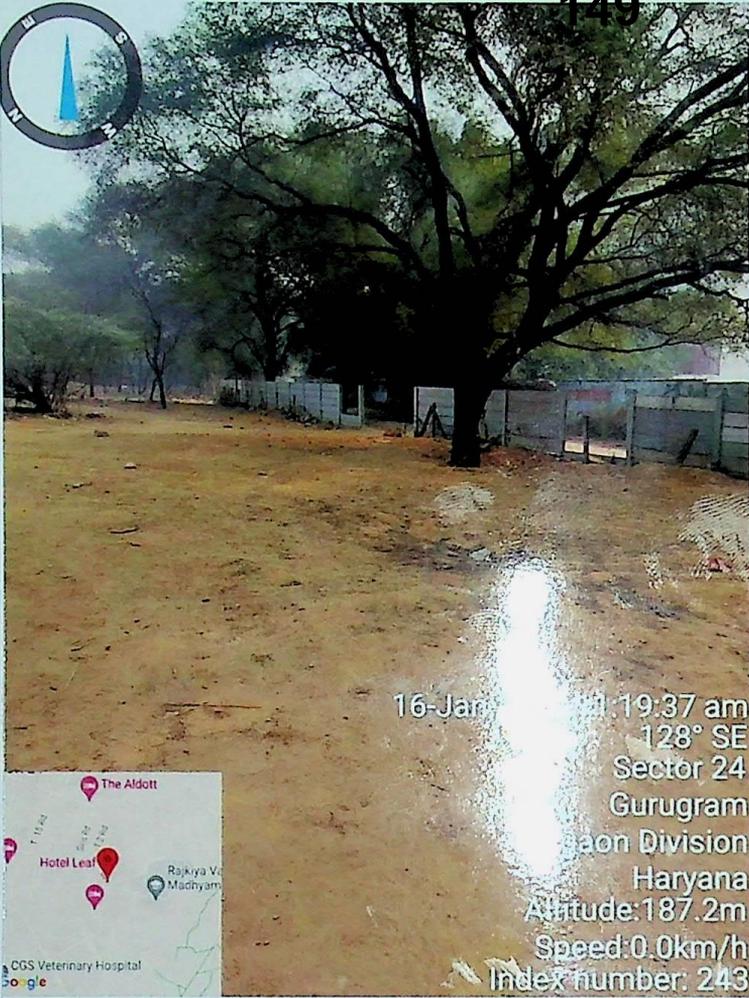
| | | | | | |
|----|----------------------------|---------|--|----------|------------|
| 6 | Complaint ID- TW 21-10188. | Twitter | Complaint ID- TW 21-10188. Open Construction site Hewo 2 opp More market sec 56 Gurugram Citizen Name: Mr Kumar Address: Hewo 2, Sector -56 , Gurugram | Resolved | 26.10.2023 |
| 7 | Complaint ID- TW 21-10253. | Twitter | Complaint ID- TW 21-10253. Open Construction site in prime residential area opp More market HeVO 2 society Sector 56 Gurugram Haryana please take action. Severe Pollution around Citizen Name: Mr Kumar Address: Hewo 2, Sector -56 , Gurugram | Resolved | 26.10.2023 |
| 8 | Complaint ID- TW 21-10263. | Twitter | Complaint ID- TW 21-10263. Open Construction site in prime residential area, Construction activity at 8.30 PM !! Severe duty pollution @HsvpHaryana Near plot no 126/56 sector 56 Opp Devinder vihar Gurugram Citizen Name: Mr Kumar Address: Near plot no 126/56, sector 56 Opp, Devinder vihar , Gurugram | Resolved | 26.10.2023 |
| 9 | Complaint ID- TW 21-11875. | Twitter | Complaint ID- TW 21-11875. A big pile of construction sand lying uncovered & neither it's in a wet state-adding to air borne dust pollution. #TauDevilalBiodiversityPark sec 52. Pls #comply with rules & set example. Protect health of walkers & joggers. @CAQM_Official Citizen Name: Mr Kumar Address: Tau Devi lal Biodiversity Park, Sec- 52, Gurugram | Resolved | 30.10.2023 |
| 10 | Complaint ID- TW 21-11883. | Twitter | Complaint ID- TW 21-11883. C&D waste, Garbage dump in vacant Govt land no action only diseases spreading. Near Bishnoi bhawan, behind ISKCON temple, sector 31, Gurugram. Citizen Name: Mr Naveen Address: Near Bishnoi bhawan, behind ISKCON temple, sector 31, Gurugram | Resolved | 30.10.2023 |

| | | | | | |
|----|----------------------------|---------|---|----------|------------|
| 11 | 639672 | Twitter | <p>Ticket Number : 639672 @MunCorpGurugram throughout sec-38 there are huge mounds of construction material left in open by builders with no regard for pollution. Winters & rising AQI is right around the corner, will you take a proactive step in prevention? Citizen Name : Mr Chintit Karmyogi Address: 289, Sector-38 Gurgaon</p> | Resolved | 02.11.2023 |
| 12 | Complaint ID- TW 21-12598. | Twitter | <p>Complaint ID- TW 21-12598. There are no guide lines followed by pvt builders in suncity sec 54.NO TIN SED COVER as G 737, E and F 41 @CPCB_OFFICIAL Citizen Name: Mr Vishwa Mohan Kumar Singh. Address: G 737, E and F 41, Suncity, Sector 54, Gurugram</p> | Resolved | 06.11.2023 |
| 13 | 433697 | Twitter | <p>Ticket Number : 433697 Demolition work going on at above addresses house no C 37, C 100, C 101 in South City 1 in violations of restrictions imposed. Of GRAP 1111 President RWA South city Residents welfare Association phone no 9811023511 Citizen Name : Mr Raj Chopra Address: House no C 37, C 100, C 101 in South City 1, Gurugram</p> | Resolved | 08.11.2023 |
| 14 | Complaint ID- TW 21-12814. | Twitter | <p>Complaint ID- TW 21-12814. Pic clicked at 8.30 AM Harish Bakery METRO WORLD sector 56 Gurugram Open Construction material Citizen Name : Mr Kumar Address: Harish Bakery, METRO WORLD, sector 56, Gurugram</p> | Resolved | 15.11.2023 |

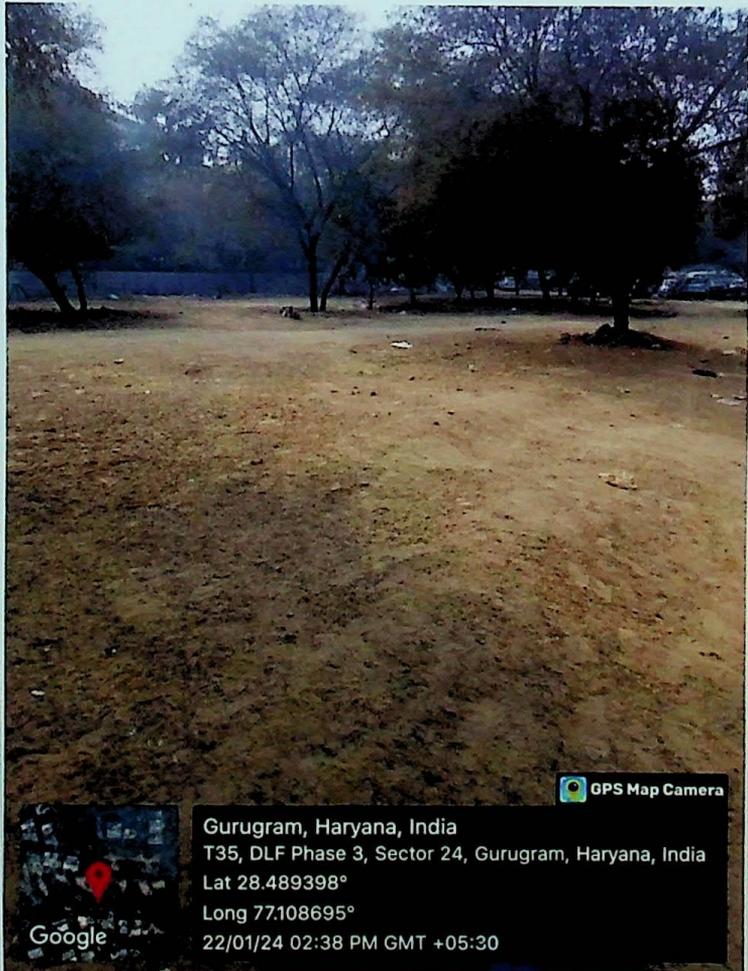
| | | | | | |
|----|----------------------------|---------|--|----------|------------|
| 15 | Complaint ID- TW 21-12826. | Twitter | Complaint ID- TW 21-12826. MLA Housing plots Wazirabad, Sector 52, Gurugram, Haryana 122022 Open Construction site. Pic clicked today at 11 Am Citizen Name : Mr Kumar Address: MLA Housing plots, Wazirabad, Sector 52, Gurugram | Resolved | 20.11.2023 |
| 16 | Complaint ID- TW 21-12817. | Twitter | Complaint ID- TW 21-12817. Construction is ongoing despite the National Green Tribunal (NGT) orders to ban non-essential construction work sector 51 gurugram Citizen Name : Mr Aviral Address: C-3 sector 51, Gurugram | Resolved | 20.11.2023 |
| 17 | Complaint ID- TW 21-12865. | Twitter | Complaint ID- TW 21-12865. GRAP 3 ? Harish-Bakery Opp Metro World Open Construction material. No one cares for @nishantyadavIAS 144 notice !! Citizen Name : Mr Kumar Address: Opp Metro World, District Centre, Huda Market Rd, Block B, Sector 56, Gurugram | Resolved | 22.11.2023 |
| 18 | | Twitter | Attention @MunCorpGurugram ! The attached image and video shows the dire situation of the area behind #TataRaisinaResidency, which has become a dumping ground. Our health is at risk. Please address this issue promptly for a cleaner, safer Sector 59. #swachhbharat #cleanindia Citizen Name : Mr Vithika Yadav Address: Revenue raasta, right behind the rear gate of Tata Raisina Residency, Sector 59, Gurugram | Resolved | 30.11.2023 |

| C&D CM Window Grievances in Action to till date | | | | | |
|---|--------------------------------------|-----------------|--------------------|----------------|---|
| Sr. No. | Complaint ID | Registered Date | Name with mob. No | Complaint Type | Specification |
| 1 | CMOFF/N/2023/107127 2 Reminder(s) | 23.08.2023 | UMESH KUMAR | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| 2 | CMOFF/N/2023/131879 2 Reminder(s) | 10.10.2023 | VED PRAKASH | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| 3 | CMOFF/N/2023/149232 | 20.11.2023 | Jai Bhagwan Sharma | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| 4 | CMOFF/N/2023/161465 | 18.12.2023 | SHIVAM | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| 5 | CMOFF/N/2023/163915 | 21.12.2023 | DEVENDER | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| Additional Marking | | | | | |
| 6 | CMOFF/N/2021/087795 | 24.09.2021 | Satish Sharma | CM Window | To Director Mr run Yadav Mob 9899102690 owner of H no 209/3 Gopal nagar Gurugram to Cover the open plot adjacent to bus stand and bus stand parking to avoid major Mishappening |
| 7 | CMOFF/N/2022/039196 | 12.04.2022 | Kashyap Sharma | CM Window | Please take the action of my Complaint |
| 8 | CMOFF/N/2022/134734 | 08.12.2022 | Manoj Kumar | CM Window | Please take the action of my Complaint |
| 9 | CMOFF/N/2023/046217 | 23.06.2023 | YASHIKA | CM Window | Please take the action of my Complaint |
| 10 | CMOFF/N/2023/079079 | 23.06.2023 | YASHIKA | CM Window | Please take the action of my Complaint |
| 11 | CMOFF/N/2023/080155 | 27.06.2023 | सुरजीत | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| 12 | CMOFF/N/2023/083001 | 03.07.2023 | जयराज | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| 13 | CMOFF/N/2023/094810 | 28.07.2023 | Rajendra Jha | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| 14 | CMOFF/N/2023/112822 | 04.09.2023 | चन्द्र पाल | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |
| 15 | CMOFF/N/2023/118159 | 14.09.2023 | LAXMI DEVI | CM Window | PLEASE TAKE THE ACTION OF MY COMPLAINT |





16-Jan-2024 11:19:37 am
 128° SE
 Sector 24
 Gurugram
 Gurgaon Division
 Haryana
 Altitude: 187.2m
 Speed: 0.0km/h
 Index number: 243

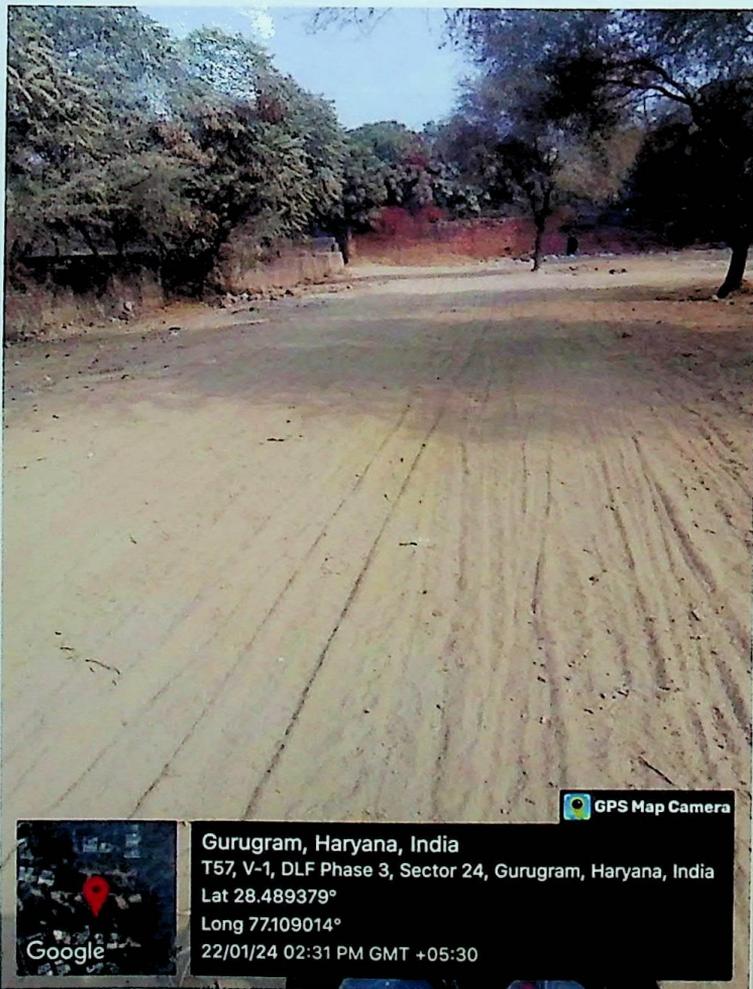
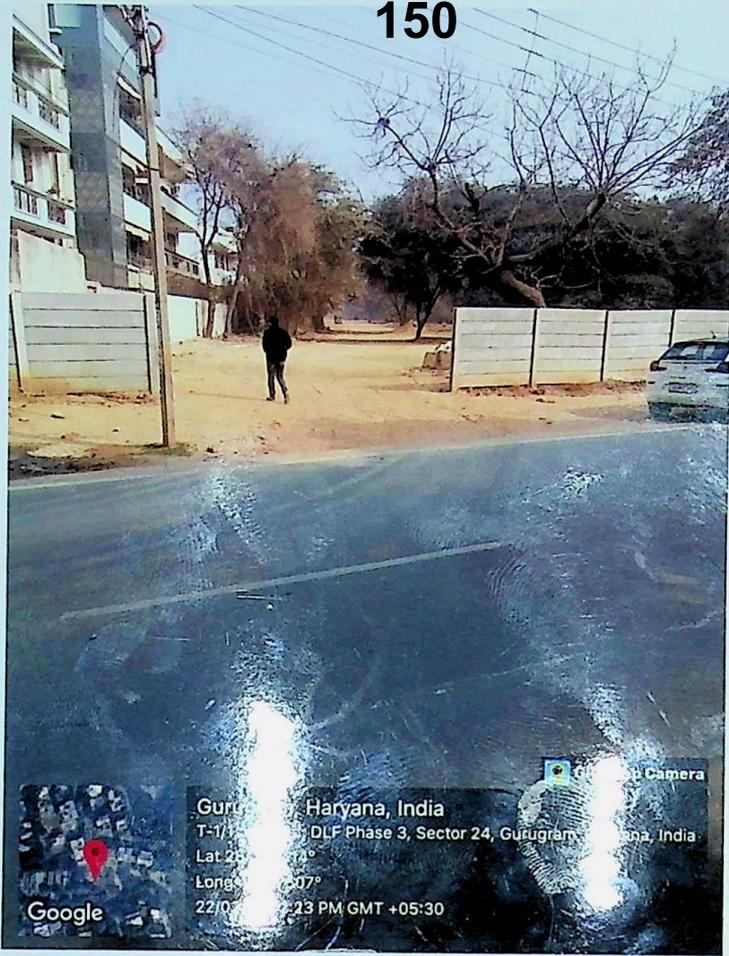


GPS Map Camera



Gurugram, Haryana, India
 T35, DLF Phase 3, Sector 24, Gurugram, Haryana, India
 Lat 28.489398°
 Long 77.108695°
 22/01/24 02:38 PM GMT +05:30

150



| S. N. | Offender Name | Offender Address | Headname | Username | User T | Dated | Challan Ar |
|-------|-----------------|-----------------------------------|-----------------------|--------------|--------|------------|------------|
| 1 | manoj | sec 29 near open air therator gur | Fine of C and D waste | Tilak Sharma | JE | 03.11.2023 | 10000 |
| 2 | Anil Lather | Wazirabad dhani sec.52 | Fine of C and D waste | Tilak Sharma | JE | 04.11.2023 | 25000 |
| 3 | Talim (Vikrant) | near police station sec 29 | Fine of C and D waste | Tilak Sharma | JE | 04.11.2023 | 25000 |
| 4 | bhupender | sec 29 gurugram | Fine of C and D waste | Tilak Sharma | JE | 14.11.2023 | 25000 |
| 5 | kalu | sec 29 ggn | Fine of C and D waste | Tilak Sharma | JE | 16.11.2023 | 10000 |
| 6 | Amit kumar | faridabad village mangar | Fine of C and D waste | Tilak Sharma | JE | 17.11.2023 | 10000 |
| 7 | mam chand | sec 29 gurugram | Fine of C and D waste | Tilak Sharma | JE | 21.11.2023 | 25000 |
| 8 | nasib | sec 65 ggn | Fine of C and D waste | Tilak Sharma | JE | 29.11.2023 | 25000 |
| 9 | rupi | sec 29 ggn | Fine of C and D waste | Tilak Sharma | JE | 30.11.2023 | 10000 |
| 10 | umesh | sec 29 ggn | Fine of C and D waste | Tilak Sharma | JE | 30.11.2023 | 10000 |
| 11 | Amit | Village mangar post dhauj. | Fine of C and D waste | Tilak Sharma | JE | 02.12.2023 | 25000 |
| 12 | vineet | sec 29 ggn | Fine of C and D waste | Tilak Sharma | JE | 04.12.2023 | 10000 |
| 13 | shubham | Village mangar | Fine of C and D waste | Tilak Sharma | JE | 05.12.2023 | 25000 |
| 14 | naresh | sec 29 mcg | Fine of C and D waste | Tilak Sharma | JE | 05.12.2023 | 25000 |
| 15 | akbhar | sec 42 red light mcg | Fine of C and D waste | Tilak Sharma | JE | 05.12.2023 | 25000 |
| 16 | lala ram | spr road near vatika chowk unde | Fine of C and D waste | Tilak Sharma | JE | 05.12.2023 | 10000 |
| 17 | chander bhan | ullawas ggn | Fine of C and D waste | Tilak Sharma | JE | 11.12.2023 | 10000 |
| 18 | bharat | Village bhandwadri ggn | Fine of C and D waste | Tilak Sharma | JE | 12.12.2023 | 10000 |
| 19 | rahul | wazirabad gurugram | Fine of C and D waste | Tilak Sharma | JE | 14.12.2023 | 10000 |
| 20 | Ankit | sector 55 | Fine of C and D waste | Tilak Sharma | JE | 15.12.2023 | 10000 |
| 21 | ikbal | Village ghata | Fine of C and D waste | Tilak Sharma | JE | 15.12.2023 | 10000 |
| 22 | Ankit | sector 55 gurugram | Fine of C and D waste | Tilak Sharma | JE | 15.12.2023 | 10000 |
| 23 | rohit | Village ghata | Fine of C and D waste | Tilak Sharma | JE | 15.12.2023 | 25000 |
| 24 | ved | Village ullawas ggn | Fine of C and D waste | Tilak Sharma | JE | 16.12.2023 | 10000 |
| 25 | umesh | Village chakkarpur | Fine of C and D waste | Tilak Sharma | JE | 21.12.2023 | 10000 |
| 26 | manish mangar | mangar ggn | Fine of C and D waste | Tilak Sharma | JE | 2.12.2023 | 10000 |
| 27 | mam Chand | 166 dharamshala teh kaman bha | Fine of C and D waste | Tilak Sharma | JE | 24.12.2023 | 25000 |
| 28 | rajinder kumar | kalbeliya basti baliya khera | Fine of C and D waste | Tilak Sharma | JE | 24.12.2023 | 10000 |
| 29 | KHILAL SINGH | Village ullawas | Fine of C and D waste | Tilak Sharma | JE | 09.01.2024 | 10000 |
| 30 | kalu ram | village wazirabad ggn | Fine of C and D waste | Tilak Sharma | JE | 12.01.2024 | 10000 |