

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
O.A. NO. 413 OF 2022**

IN THE MATTER OF:-

PREM PRAKASH PRAJAPATI

.....APPLICANT

VERSUS

NORTH DELHI MUNICIPAL  
CORPORATION & ORS.

.....RESPONDENTS

L.D.O.H. 25.04.2023

N.D.O.H. 09.11.2023

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RESPONDENT

*R. Menaka*  
7/8/2023

**R. MENAKA, IAS**  
DISTRICT MAGISTRATE (NORTH)

**R. MENAKA, IAS**  
D.M./D.C./Registrar (North)  
G.T. Karnal Road, Allpur, Delhi-36

DELHI  
DATED: 07.08.2023

IN THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
O.A. NO. 413 OF 2022

IN THE MATTER OF:-

PREM PRAKASH PRAJAPATI .....APPLICANT

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.....RESPONDENTS

L.D.O.H. 25.04.2023

N.D.O.H. 09.11.2023

**FACTUAL AND ACTION TAKEN REPORT ON BEHALF  
OF DISTRICT MAGISTRATE (NORTH)**

1. That the above noted case is pending adjudication before this Hon'ble Tribunal and the same is fixed for 09.11.2023
2. That this Hon'ble Tribunal vide its order dated 14.12.2022 directed the respondent to convene a meeting of the concerned Officers of MCD, DDA and any other Department whose presence may be considered to be necessary and take appropriate remedial action in implementation of the recommendations thereof.
3. That in compliance of directions issued by this Hon'ble Tribunal, the undersigned held a meeting with DC, MCD (Narela Zone), EE (DEMS), MCD (Narela Zone), Assistant Engineer (Narela Zone), MCD, SDM (Alipur), District North, Sr. Environmental Engineer, DPCC, Assistant Engineer (DDA) and a representative from DPCC through



R.H. →

video conferencing on 29.12.2022 at 4 pm, wherein it was informed that all possible land parcels available with MCD have not been found suitable for the construction of Fixed Compactor Transfer Station (FCTS), therefore, another land has been identified in village Bakhtawarpur for this purpose. Further, it was informed that the village Bakhtawarpur is an urbanized village and all land belonging to Gram Sabha has been handed over to DDA. **Copy of Minutes of Meeting is annexed herewith as Annexure-A.**

4. That after discussion made in the meeting as mentioned above, it was decided that the SDM (Alipur) shall provide the details of the Gram Sabha Land including Khasra No. and Area that may be used for the construction of Fixed Compactor Transfer Station (FCTS). The DC (MCD), Narela Zone shall make an application to Commissioner (Land), DDA for NOC/ allotment of land for the said purpose. In compliance thereof, the SDM (Alipur) vide its letter dated 24.01.2023 informed that a joint inspection was held by revenue staff with officials from MCD, Narela Zone on 29.12.2022 for identification of land for FCTS. Khasra No. 76/21/2 of village Bakhtawarpur was identified as per the joint inspection. Since the said land has been already allotted to Health & Family Welfare Department, GNCTD, additional locations were to be identified and verified. **Copy of Letter No. 2530/SDM/ALP/2023/56763-64 dated 24.01.2023 is annexed herewith as Annexure-B.**



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5. Joint inspection were carried out on 18.01.2023 by officials of SDM (Alipur), BDO (North) and MCD (Narela Zone). Various land parcels in Village Bakhtawarpur and Tigipur were visited. However, these land parcels were not found feasible by MCD (Narela Zone).
6. The Ex. Engineer (DEMS), Narela Zone with the approval of competent authority i.e. DC-Narela Zone has issued a letter of allotment & authorization to M/s IP MSW Solution Pvt. Ltd. Bawana, Narela Zone, Delhi for construction of a "Portable Compactor Transfer Station" within an area of 90 feet x 30 feet at the land situated near M&CW Centre, Ward No. 5, Village Bakhtawarpur, Delhi. **Copy of Letter No. EE(DEMS)/2022-23/0-47 dated 02.02.2023 is annexed herewith as Annexure-C.**
7. The Ex. Engineer (DEMS), Narela Zone informed that the construction of FCTS could not be materialized at the abovementioned site due to heavy public hindrance and objection of PWD that the land in question is in R.O.W. (Right of Way). Therefore, a joint inspection of the area of village Khampur, Near NH-44 was carried out on 31.07.2023 by the officials of Revenue Department, DPCC and MCD (Narela Zone). During inspection, it was observed that two bins (1100 Ltrs. Capacity each) were placed in the village by MCD for garbage collection to avoid open dumping.
8. It was informed by the MCD officials that FCTS at Tarzan Colony (secondary collection point for servicing the



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Khampur village) has been constructed recently and is located in the vicinity of the village (approx. 03 Km.). Further, it was informed that primary collection of MSW by door to door service through tippers is carried out regularly and being transported to FCTS constructed at Tarzan Colony (secondary collection point for servicing the Khampur village).MCD (Narela Zone) has been informed to take necessary action and to keep vigil to avoid open dumping.**Copy of Joint Inspection Report dated 31.07.2023 alongwith Geo-tagged photographs are annexed herewith as Annexure-D (Colly).**

The above Status Report/ Action Taken Report may please be taken on record.

**Encl.** As above



RESPONDENT

*R. Menaka*  
7/8/2023

**R. MENAKA, IAS**  
**DISTRICT MAGISTRATE (NORTH)**

**R. MENAKA, IAS**  
**D.M./D.C./Registrar (North)**  
**G.T. Karnal Road, Allpur, Delhi-36**

DELHI

DATED: 07.08.2023

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE DISTRICT MAGISTRATE (NORTH)  
D.M. NORTH OFFICE COMPLEX, G.T. KARNAL ROAD  
ALIPUR, DELHI-110036

No.F.1(7)/PA/DM(N)/2022/02-15

Dated:- 03.01.2023

MINUTES OF MEETING

A meeting was held under the Chairpersonship of District Magistrate (North) through VC on 29.12.2022 at 4pm, in view of the directions of the Hon'ble NGT dated 14.12.2022.

The list of participants is enclosed at Annexure-A.

In matter of Prem Prakash Prajapati V/s North Delhi Municipal Corporation &Ors. (OA no. 413/2022), Hon'ble NGT vide order dated 14.12.2022 directed the District Magistrate "to convene a meeting of the concerned officers of MCD, DDA and any other Department whose presence may be considered to be necessary and take appropriate remedial action in implementation of the recommendations thereof."

Accordingly this meeting was called to discuss the feasibility of allotment of land for Fixed Compactor Transfer Station by MCD.

The following points were discussed:-

1. DC (MCD), Narela zone informed that grievance of the petitioner was to construct a DHALAV in village Bakhtawarpur for waste management. However, as per the present policy decision no DHALAVS are being constructed. Instead Fixed Compactor Transfer Stations are being constructed.
2. All possible land parcels available with MCD have been examined. They have not been found feasible.
3. Therefore, another land has been identified in Bhakhtawarpur belonging to the Gram Sabha for this purpose.
4. SDM (Alipur) informed that since Bhakhtawarpur is an urbanised village, all land belonging to Gram Sabha has been handed over to DDA.
5. Asst. Engineer, DDA informed that the proposal for NOC/allotment of land can be submitted to Commissioner (Land), DDA.

*[Handwritten signature]*  
2/1/23



Based on the discussions, the following decisions were taken:-

1. SDM (Alipur) shall provide the details of the land found suitable for the construction of Fixed Compactor Transfer Station (Khasra No., area etc).
2. DC (MCD), North shall make an application to Commissioner (Land), DDA for NOC/allotment of land for construction of Fixed Compactor Transfer Station.

It was decided to hold the next review meeting on 06.01.2023 at 4pm.

Meeting ended with vote of thanks to the Chair.

*[Handwritten Signature]*  
3/1/23

**S.O (COORDINATION)  
DISTRICT (NORTH)**

No.F.1(7)/PA/DM(N)/2022/02-15

Dated:-03/01/2023

Copy to:-

1. PS to DM (North)
2. PS to DC (MCD), Narela Zone
3. **AA** to SDM(Alipur), North
4. Sr. Environmental Engineer, DPCC, Delhi
5. Asst. Engineer (MCD)
6. Asst. Engineer (DDA)



*[Handwritten Signature]*  
3/1/23

**S.O (COORDINATION)  
DISTRICT (NORTH)**

Annexure-AList of participant of meeting dt. 29.12.2022 at 4pm

1. Ms. R. Menaka, DM (North) - In Chair
2. Ms. Anjali Shehrawat, DC (MCD), Narela Zone
3. Atthar Ahmad, EE (DEMS), MCD, Narela Zone
4. Ms.Navneet Maan, SDM(Alipur), North
5. Sh. Sunil Kumar, Sr. Enviornmental Engineer, DPCC, Delhi
6. Sh. Tilak Raj, Asst. Engineer (MCD)
7. Sh. Mukesh Goyal, Asst. Engineer (DDA)
8. Sh. Vikas, representative from DPCC



*Handwritten signature*  
8/1/23

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (ALIPUR)  
D.M. NORTH OFFICE COMPLEX, G.T. KARNAL ROAD, ALIPUR, DELHI  
TEL: 011-27703773, E-MAIL-[sdmalipur@gmail.com](mailto:sdmalipur@gmail.com)

F. No. 2530/SDM/ALP/2023/ 56763-64

Dated 24/01/2023

To,

The DC (Municipal Corporation of Delhi),  
Zonal Building, Narela, Delhi-40

Sub: Regarding NGT Matter "Prem Prakash Prajapati v/s North MCD & Others".  
Case.OA/NO./413/2022.

Ma'am,

This is in compliance with the meeting on 29.12.2022 held by office of the District Magistrate (North) regarding above matter. A joint inspection was held by revenue staff with officials from MCD Narela Zone on 29.12.2022 for identification of land for FCTS.

Khasra No. 76/21/2 of village Bakhtawarpur was identified as per the joint inspection. As per revenue record, the said khasra no. is 'Gram Sabha' land. (Halka Patwari Report along with copy of revenue record enclosed). Since village Bakhtawarpur has been urbanized u/s 507, DMC Act vide notification dated 20.11.19, the land has been already landed over to DDA.

Moreover, BDO (North) has also stated vide letter F.No. PIO/BDO(N)/2022-23/10244 dated 02.01.2023, that the said land has been allotted to Health & Family Welfare Department, GNCTD vide letter no. 498-508 dated 17.05.20212 (letter of BDO (N) enclosed).

In the meantime, additional locations are being identified and verified. Submission for your kind perusal and necessary action please.

Encls: As above

*Navneet Mann*  
24/01/23  
(NAVNEET MANN, IAS)  
SDM (ALIPUR)

F. No. 2523/SDM/AP/2022/ 56763-64

Copy to

1. PA to DM (N).

Dated:  
24/01/2023



*Navneet Mann*  
24/01/23  
(NAVNEET MANN, IAS)  
SDM (ALIPUR)



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Annexure - C

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MUNICIPAL CORPORATION OF DELHI  
OFFICE OF THE EX. ENGINEER (DEMS) NARELA  
ZONAL OFFICE, NARELA, DELHI-110040

No. EE(DEMS)/2022-23/0-47

Dated:-.....02/02/23

To,

Ms IP MSW Solution Pvt. Ltd  
Bawana, Narela Zone  
Delhi

**Subject:- Letter of allotment & authorization.**

This is to confirm that pursuant to the Concession Agreement dated 19<sup>th</sup> January, 2022 entered into between the North Delhi Municipal Corporation and IP MSW Solution Private Limited ("The Concessionaire") the land situated near M&CW center ,village Bhaktawarpur (Ward No.5) which belongs to MCD is hereby handed over to you.

You are hereby authorized to construct a "Portable Compactor Transfer Station" within an area of 90 feet x 30 feet. You are also authorized for construction of "Portable Compactor Transfer Station" point and other infrastructure as per terms and conditions of agreement, and for that purpose, to apply for and obtain all approvals, licenses and permits required therein and to avail the utilities such as electricity/power, water, telecommunication and any other incidental utilities or services required in connection therewith.

This issues with prior approval of competent authority i.e. DC-Narela Zone.

Ex. Engineer(DEMS)  
Narela Zone

Copy to:-

1. DM-North for kind information please
2. DC-Narela Zone for kind information please
3. SE(DEMS-I) Narela Zone for kind information please
4. ADC-Narela Zone for kind information please
5. AAO(DEMS) Narela Zone
6. AE/JE( DEMS) to pursue the matter
7. Office copy



Ex. Engineer(DEMS)  
Narela Zone

JOINT INSPECTION REPORT

Reference No.:- OA No. 413/2022 in the matter of "Prem Prakash Prajapati Vs. North Delhi Municipal Corporation & Ors".

A joint inspection of the area village Khampur, near NH-44 was carried out today i.e. on 31.07.2023 by the officials of Revenue Department, DPCC and MCD. Observation/findings of inspection are as under:

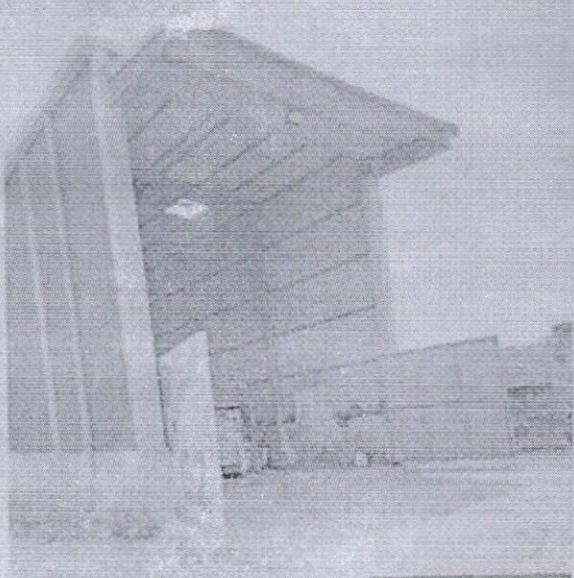
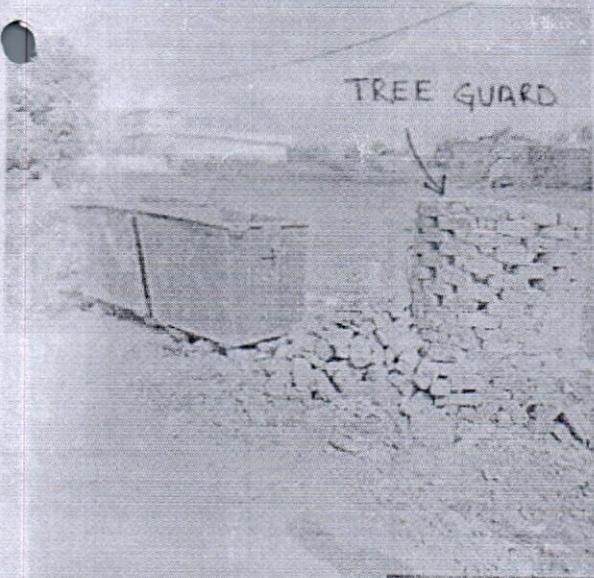
- 1) During inspection, the two bins (capacity of 1100 ltrs each, as reported) found placed by MCD at the location (Lat: 28.82521 Long: 77.13435) for garbage to avoid open dumping. However some bricks found lying near to it due to construction activity nearby.
- 2) It was told by the MCD official that FCTS at Tarzan colony (secondary collection point for servicing the Khampur village) has been constructed recently and is located in the vicinity of the village (approx. 03Km). Further it was informed that primary collection of MSW by door to door service through tippers is carried out regularly and being transported to FCTS constructed at Tarzan colony (secondary collection point for servicing the Khampur village).
- 3) MCD representative was asked for taking necessary action and keeping vigil to avoid open dumping.
- 4) Geo-tagged photographs are attached herewith.

*(Signature)*  
31/7/23  
(HD go Punjab)

*(Signature)*  
31/7/23  
JE (DEM) / NEZ

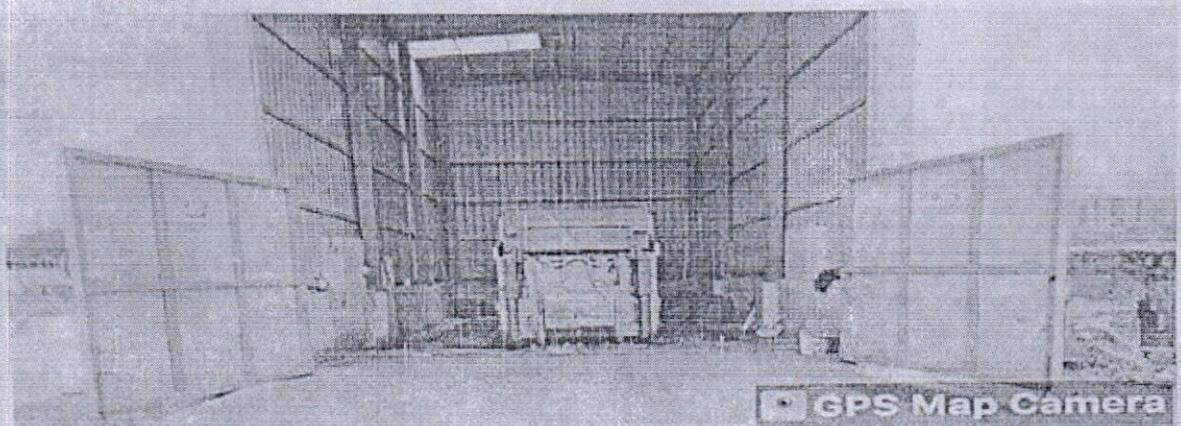
*(Signature)*  
31/7/23  
JEE, DPCC





Delhi, Delhi, India  
 HNO - 19 YPO, Khampur, Delhi, 110030, India  
 Lat 28.825213°  
 Long 77.154353°  
 31/07/23 01:01 PM GMT +05:30

Delhi, Delhi, India  
 R4000661, Sector B-2, Tikri Khurd, Delhi, 110040, India  
 Lat 28.842599°  
 Long 77.118185°  
 31/07/23 01:17 PM GMT +05:30



Delhi, Delhi, India  
 A126 Tarjiet camp Tikri khurd Narela 110040, behind Inderprasth crfb pump, Sector B-2, Narela, Delhi, 110040, India  
 Lat 28.840599°  
 Long 77.117918°  
 31/07/23 01:10 PM GMT +05:30

FCTS at Tarzan colony

*(Handwritten signature)*

by 21/7/23

31/07/23  
 JEE, DCC

Holographic JECDEMS/1/HR2

