

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

Original Application No. 413/2022

In the matter of:

Prem Prakash Prajapati

...Applicant

Versus

North Delhi Municipal Corporation

...Respondents

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Filed by:

(Delhi Pollution Control Committee)

Respondent

New Delhi:

Dated: 08.08.2022

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

Original Application No. 413/2022

In the matter of :

Prem Prakash Prajapati

.....Petitioner

Vs

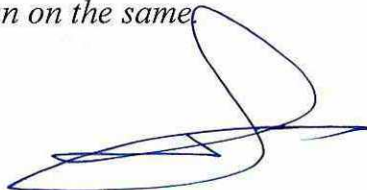
North Delhi Municipal Corporation & Ors.

.....Respondent

**FACTUAL AND ACTION TAKEN REPORT ON BEHALF OF
DELHI POLLUTION CONTROL COMMITTEE**

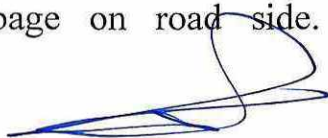
1. That This Hon'ble Tribunal vide its order dated 30.05.2022 was pleased to pass the following directions:

"...1. Mr. Prem Prakash Prajapati resident of 15A, Nai Basti, Gali No. 1, Khampur, Delhi has sent the present letter petition complaining that village Khampur, which is situated near National Highway-44, has a population of about 3000 persons but till date no DHALAV has been provided by NDMC, Narela Zone for implementing the Solid Waste Management Rules 2016. In the absence of DHALAV, the residents of village Khampur are dumping the household garbage on the link road which lies scattered and emits foul smell. The applicant has further submitted that out of 78 villages in Narela Zone only 56 villages have Dhalav and there is no DHALAV in 22 villages. The District Magistrate, North Delhi, Alipur has also not performed the statutory duties of providing suitable land for Dhalav and reviewing the performance of the local bodies. The applicant sent letter dated 20.02.2022 to District Magistrate, North Delhi, Alipur but no action has been taken on the same.



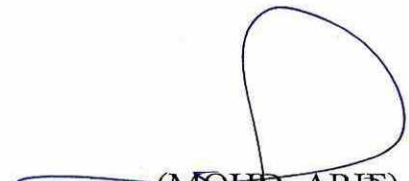
2. *On due consideration of the matter, we are of the view that the allegations made in the present application require due verification and immediate remedial action. Accordingly, we constitute a Joint Committee of representatives of Commissioner, Delhi Municipal Corporation, DPCC and District Magistrate, North Delhi and direct the Joint Committee to meet within four weeks, undertake site visits, look into the grievances of the applicant and take requisite remedial action by following due process of law. The DPCC will be the Nodal agency for coordination and compliance. Factual and action taken report may be furnished within three months by e-mail at judicial-ngt@gov.in....”*

2. That a joint inspection by a team of DPCC, MCD and Revenue Department officials was conducted on 26.07.2022. Copy of said Inspection Report dated 26.07.2022 is annexed as **Annexure-A**.
3. That during the inspection, Garbage/ mixed C&D waste was found dumped at two locations 1) Roadside near H.No. 164 & CN 524/25 (Latitude: 28.8227, Longitude: 77.1329) on NHAI road 2) Roadside near TPDDL Pole no. 517-16/20/14 (Latitude: 28.8250, Longitude: 77.1336) near agricultural land.
4. That MCD representatives was asked for taking necessary action to remove the dumped waste from the site and submit Action Taken Report accordingly.
5. That the Executive Engineer (DEMS), Narela Zone vide its letter No. EE(DEMS)/Narela/2022/15 dated 02.08.2022 submitted its Action Taken Report and informed that Auto tippers are deployed for door to door collection of garbage and are being sent to Dalao near Physical Centre Bakhtawarpur. However, some locals throw the garbage on road side. The same is being removed



immediately. As on 02.08.2022, there is no garbage lying as per photograph attached.

6. That the Executive Engineer (DEMS), Narela Zone vide its letter No. EE(DEMS)/Narela/2022/15 dated 02.08.2022 also submitted that one open dumping site is adjacent to NHAI and other one is adjacent to Agriculture Land. At present, there is no land available for construction of new dhalao. Therefore, it is proposed by them to provide Two Big Bins at this location to avoid open dumping. Copy of Action Taken Report along with its enclosure is annexed as **Annexure-B.Colly.**
7. That the above status report/ action taken report may please be taken on record.

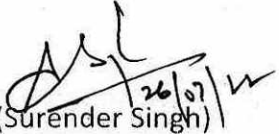

(MOHD. ARIF)
SR. ENV. ENGINEER

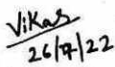
JOINT INSPECTION REPORT


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

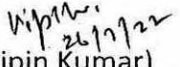
A joint inspection of the area village Khampur, near NH-44 was carried out today i.e. on 26.07.2022 by the officials of Revenue department, MCD and DPCC. Observations/findings of inspection are as under:

- 1) Garbage/mixed C&D waste was found dumped at two locations:
 - a) Roadside near H.No 164 & CN 524/25 (Latitude: 28.8227, Longitude: 77.1329) on NHAI road.
 - b) Roadside near TPDDL Pole no. 517-16/20/14 (Latitude: 28.8250, Longitude: 77.1336) near agricultural land.
- 2) MCD representative was asked for taking necessary action to remove dumped garbage/waste from the site.

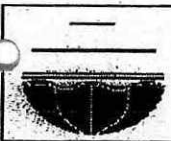

(Surender Singh)
Assistant Env. Engineer
DPCC


(Vikas)
Jr. Env. Engineer
DPCC


(Kuldeep Singh)
Tehsildar
Alipur Sub-division

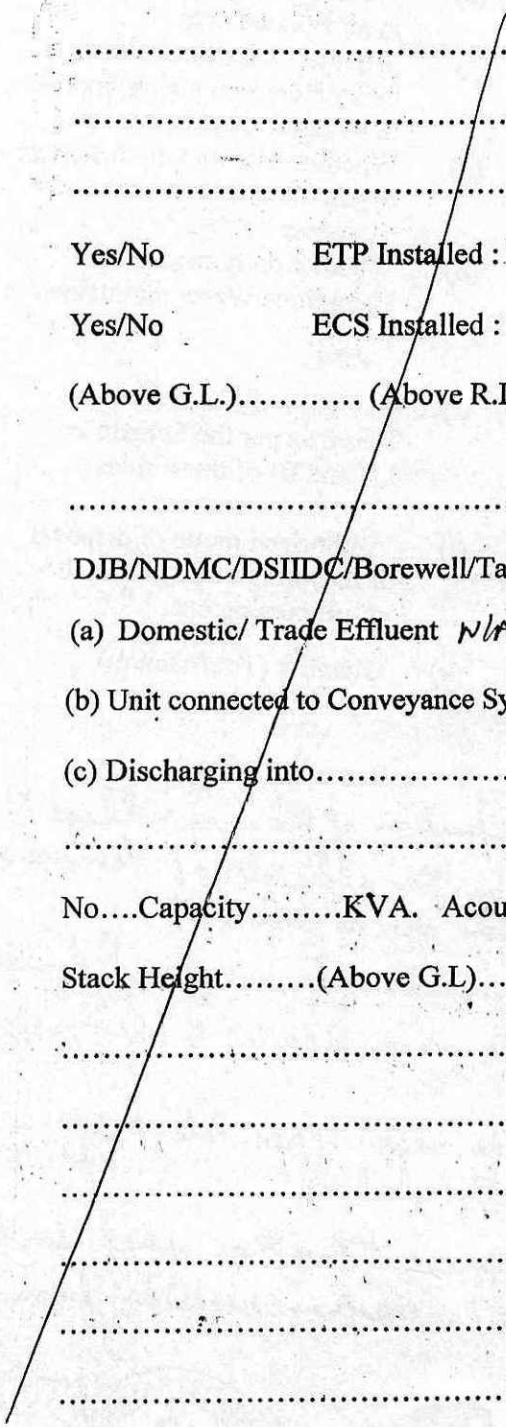

(Vipin Kumar)
EE, DEMS
Narela Zone, MCD





Inspection Report

1. Name & Address of the Unit : M/s Owner Occupiers
Village Khampur, Near
N-44, Delhi
2. Owner/ Partner's Name & Contact Details(Phone & E-mail) :
3. Date of Inspection : 26/07/22
4. Name & Designation of the Persons contacted at the industry :
5. Kind of Industry :
6. Product & Capacity :
7. Main Raw Materials :
8. Water Polluting : Yes/No ETP Installed : Yes/No
9. Air Pollution : Yes/No ECS Installed : Yes/No
10. Details of Stack Height (Furnace/Boilers/Others) : (Above G.L.)..... (Above R.L.).....
11. Type of Fuel Used :
12. A. Source of Water Supply : DJB/NDMC/DSIIDC/Borewell/Tankers/Others
 B. Effluent Discharge : (a) Domestic/ Trade Effluent N/A
 (b) Unit connected to Conveyance System: Yes/No
 (c) Discharging into.....
13. Status of Consent {If Any} :
14. D.G. Set(s) {if Any} : No....Capacity.....KVA. Acoustic: Yes/No
 Stack Height.....(Above G.L.).....(Above RL)
15. Plot Area :
16. Labour :
17. Machinery :



18. Detail of Power Connection :
19. Whether Unit found in Operation : Yes/No
20. Status of Registration under Plastic Waste Management Rules, 2016 :
21. Whether Generating Hazardous Waste : Yes/No
22. Details about Hazardous Waste :
- (a) Status of Authorization {if any} :
- (b) Display Board Provided : Yes/No
- (c) Whether Hazardous Waste is stored in Leak proof container : Yes/No
- (d) Whether container marked with specified label : Yes/No
- (e) Whether container stored kept in an isolated area : Yes/No
- (f) Whether Hazardous Waste is being stored on pucca floor & in covered area : Yes/No
- (g) Whether date on which storage began indicated on each container : Yes/No
- (h) Whether daily record of Hazardous Waste maintained in Form-3 : Yes/No
- (i) Category of Hazardous Waste as per the Schedules I, II and III of these rules :
- (j) Authorized mode of disposal or recycling or utilization or co-processing etc. :
- (k) Quantity (Ton/Annum) :

N/A

Remarks (if Any)

A joint inspection of the area village Khamapur, Near NH-44 was carried out today i.e on 26/07/22 by the officials of Revenue department, MCD and DPCC. Observations/ findings of inspection are as under:-

1) Garbage /mixed waste was found dumped at two locations:-

(a) Roadside near H.No. 164 & CN-524/25 (Latitude: 28.8227°, Longitude: 77.1329°) on NHA1 road.

(b) Roadside near TPDDL Pole No. 517-16 (Latitude: 28.8250°, Longitude: 77.1336°) near agricultural land. 20/14

2) MCD representative was asked for taking necessary action to remove dumped garbage/waste from roadside, from the site.

Vipin Kumar
26/7/22
EE7/DEMC



(Signature)

Vikas
JEE, DPCC
26/7/22

Signatures, Name & Designation of inspecting officials.

(Signature)
26/07/22
(Sunder Singh)
AEE, DPCC

**NORTH DELHI MUNICIPAL CORPORATION
OFFICE OF THE EXECUTIVE ENGINEER (DEMS) NARELA
ZONAL OFFICE BUILDING
NARELA DELHI-110048**

No. EE (DEMS)/Narela/2022/15

Dated:02/08/22

Sub:-ATR for Joint Inspection Report in OA No.413/2022 in the matter of "Prem Parkash v/s North Delhi Municipal Corporation

With respect to above caption OA, it is stated that a joint inspection was conducted with officials of DPCC and Revenue Department on 26/07/2022 at village Khampur. On inspection, the Garbage/Mixed C&D was found at following locations was found at following two locations:

1. Road side near H.No.164
2. Road side near TPDDL Pole No.517-16/20/14

It is stated that the Auto tippers are deployed for door to door collection of garbage and are being sent to Dalao near Physical Centre Bakhtawarpur. However, some locals throw the garbage on road side. The same is being removed immediately. As on 02/08/2022, there is no garbage lying. (Report of SI and Photograph is attached herewith as Annexure 'A')

It is further submitted that one open dumping site is adjacent to NHAI and other one is adjacent to Agriculture Land. At present, there is no land available for construction of new dhalao. Therefore, it is proposed to provide Two Big Bins at this location to avoid open dumping.

**Executive Engineer (DEMS)
Narela Zone**

IN
दिल्ली नगर निगम

विषय :- ATR WRT Inspection conducted on 26/7/2022 in OA No. 413/2022 in the matter of Sh. Prem Prakash Parapati vs North Delhi Municipal Corporation.

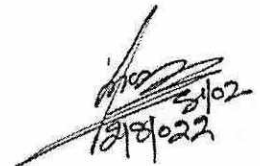
In this regard it is submitted that Garbage/mix CND waste found at two location

1. Road Side Near H No 164
2. Road Side Near TPDDL Pole No. 517-16/20/814

It is stated that at this stage there is no garbage laying at the above location's it is further submitted that Door to Door collection of Garbage has been done on daily basis. However if the garbage has been thrown by locals then it is removed immediately from above this location's

It is further submitted that no land is available for construction of Dhalao there for it is proposed to provide the Two big bins at this location to avoid dumping of garbage in open place.

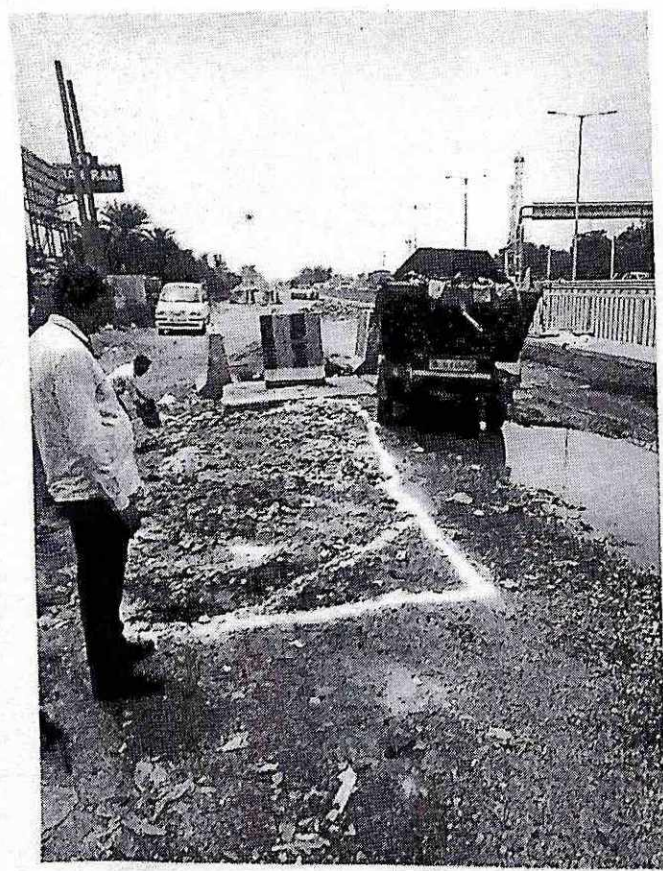
Submitted please.


28/02/22

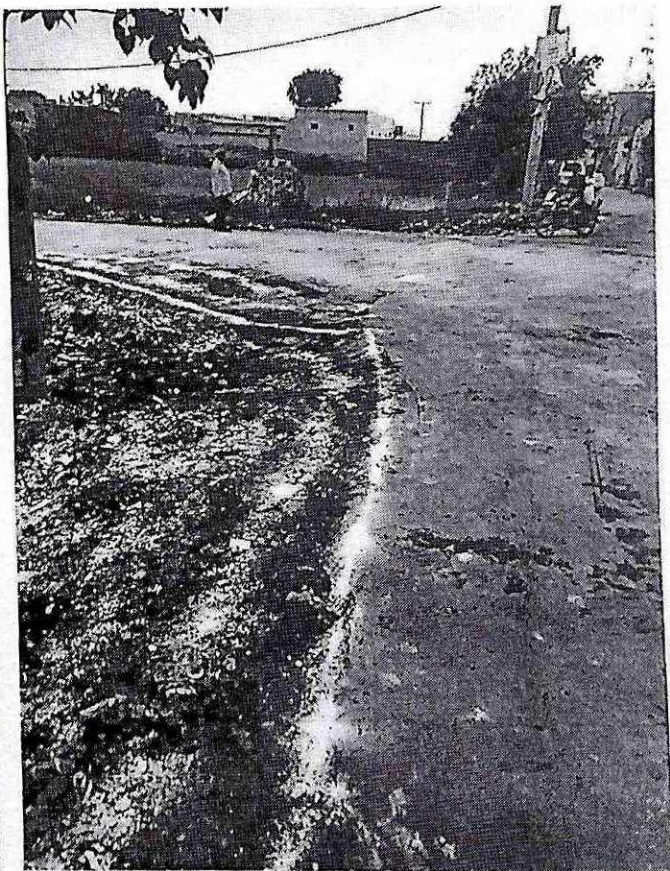
M.C.D.

KHAM PUR VILLAGE (NARELA)

①



Road Side Near HNo. 164



Road Side Near TPDDL POLL No 517-16/20/14