

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

**Original Application No. 895/2024**

**In the matter of:**

Owais Khan

.... Appellant

Versus

Govt. of NCT of Delhi.....Respondent

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Filed by

*M. P. Singh*

(Delhi Pollution Control Committee)

Dated: 31<sup>st</sup> 12.2024

Place:

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

Original Application No. 895/2024

**In the matter of:**

Owais Khan

.... Appellant

Versus

Govt. of NCT of Delhi.....Respondent

**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION  
CONTROL COMMITTEE WITH RESPECT TO THE ORDER  
DATED 04.09.2024.**

I, M.S. Rawat, Sr. Environmental Engineer, Delhi Pollution Control Committee, 3th Floor, Block-B, IT Park, Shastri Park, Delhi- 110053, do hereby solemnly affirm and state as under:

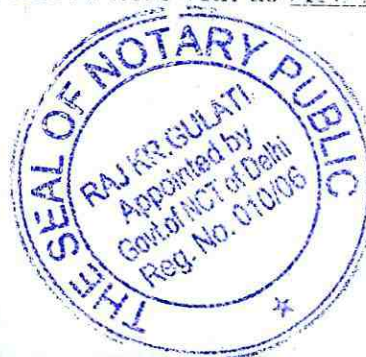
1. That, I am working as Sr. Environmental Engineer, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.
2. That, the Hon'ble National Green Tribunal taken up the matter on 04.09.2024 on the basis of the letter dated 31.10.2024 registered by applicant. The grievance of the applicant herein is about dumping of



②

garbage one meter away from B-56, DDA Colony, New Jafrabad, Near  
New Welcome Police Station, Shahdara, Delhi.

3. That This Hon`ble Tribunal took up this matter on 04.09.2024 pleased to direct DPCC and MCD to file the action taken report.
4. That, in compliance with order dated 04.09.2024, DPCC issued letter on 04.11.2024 to MCD and directed to take necessary preventive measures for immediate removal and stoppage of illegal dumping of MSW at the allege site and to submit the compliance report within 15 days. Copy of the letter dated 04.11.2024 is enclosed herewith as ANNEXURE-1. Further a reminder was issued on 09.12.2024. Copy of the reminder letter dated 09.12.2024 is enclosed herewith as ANNEXURE-2.
5. That a meeting was taken by Member Secretary-DPCC on 23.12.2024, as compliance report from MCD was awaited. During the meeting MCD officials apprised its action and informed that cleaning efforts has been undertaken by its staff like removal of garbage, painting of compound wall, plantation of saplings etc. to prevent recurrence of dumping of waste/garbage. MCD officials also provided its Action Taken Report dated 18.12.2024 along with the geo-tagged photographs of the alleged site. MCD officials also informed that the applicant (Sh. Owais Khan) has also been contacted and he is satisfied with the cleaning work undertaken by their department. Copy of the action taken report dated 18.12.2024 provided by MCD is enclosed herewith as ANNEXURE-3.



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6. It is therefore requested to this Hon'ble Tribunal that the present status report may kindly be taken on record.

*[Signature]*  
DEPONENT

VERIFICATION

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

31 DEC 2024

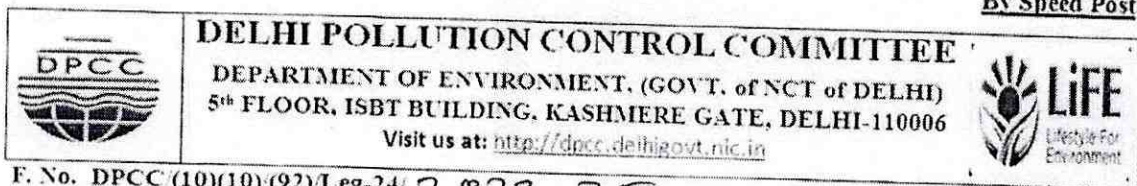
Verified at New Delhi on this \_\_\_ day of December, 2024.

*[Signature]*  
DEPONENT

ATTESTED  
*[Signature]*  
NOTARY PUBLIC  
GOVT OF NCT OF DELHI  
31 DEC 2024



By Speed Post



F. No. DPCC (10)(10)(92)/Leg-24/ 3873-75

Dated: 04/11/2024

To,

The Deputy Commissioner,  
 MCD (Shahdara-North),  
 Keshav Chowk, GT Rd,  
 Near Shyam Lal College, Shahdara,  
 Delhi- 110032.

**Sub: Regarding compliance of Solid Waste Management Rules, 2016 as directed by NGT in OA No. 895/2024 in matter of "Owais Khan Vs Govt. of NCT of Delhi".**

**Reference:** Hon'ble NGT order dated 04.09.2024 matter in OA No. 895/2024 of "Owais Khan Vs Govt. of NCT of Delhi".

Sir,

This is in reference to the above mentioned Hon'ble NGT order dated 04.09.2024 matter in OA No. 895/2024 of "Owais Khan Vs Govt. of NCT of Delhi". Hon'ble NGT vide order dated 04.09.2024 has directed as:

- .....We accordingly, dispose of this Original Application by directing Municipal Corporation, Delhi, to look into the matter and ensure compliance with the Solid Waste Management Rules, 2016, with regard to handling, processing, and disposal of solid waste. They shall ensure that no solid waste is dumped unauthorizedly at any place, here and there, in violation of the above rules.
- We also direct Delhi Pollution Control Committee (hereafter referred to as 'DPCC') to ensure compliance with SWM Rules, 2016 by Delhi Municipal Corporation and in case appropriate remedial action is not taken by local body concerned responsible for such observance/ compliance with the rules appropriate punitive, preventive, and remedial action shall be taken by DPCC, in accordance with the law, against the violator(s).....

Whereas, CPCB has published Solid Waste Management (SWM) Rules, 2016 in The Gazette of India on 08.04.2016, highlighting the duties and roles of various departments in managing the Solid Municipal Waste generated. Same may be referred on website of CPCB. (Website Link: [https://cpcb.nic.in/uploads/MSW/SWM\\_2016.pdf](https://cpcb.nic.in/uploads/MSW/SWM_2016.pdf) and

5

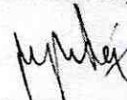
<https://cpcb.nic.in/rules-2/>).

And whereas, Principal Secretary, Urban Development Department, GNCTD framed "State Policy and Solid Waste Management Strategy for Delhi" and same was published in public domain through Delhi Gazette on 06.11.2017. Point 7.8 of this notification clearly highlights the various roles of major support functionary departments/ authorities of G N C T D . (Website Link:<https://www.dpcc.delhigovt.nic.in/uploads/pdf/StatePolicySWMStrategypdf6c76442a187a2b1c5b072f25a76c60ea.pdf> )

And whereas, the issue raised by the applicant **Sh. Owais Khan** in this present matter is related to illegal dumping of substantial quantity of garbage in front of his residence at **B-56, DDA Colony, New Jafrabad, near New Welcome Police Station, Shahdara, Delhi.**

In view of the above, you are requested to ensure compliance of Solid Waste Management Rules, 2016 and take necessary preventive measures for immediate removal and stoppage of illegal dumping of MSW at the alleged site and to submit the compliance report to DPCC with before and after geo-tagged photographs of the alleged site within 15 days of issuance of this letter so that report can be filed before Hon'ble NGT in time bound manner.

Yours sincerely





**M.S. Rawat**  
**SEE, CFC-1**

**Copy to:**

1. The Commissioner, MCD, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 100002.
2. Master File-CFC-I.

By Speed Post

	<p align="center"><b>DELHI POLLUTION CONTROL COMMITTEE</b>  DEPARTMENT OF ENVIRONMENT, (GOVT. of NCT of DELHI)  5<sup>th</sup> FLOOR, ISBT BUILDING, KASHIMERE GATE, DELHI-110006  Visit us at: <a href="http://dpcc.delhigovt.nic.in">http://dpcc.delhigovt.nic.in</a></p>	
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F. No. DPCC/(10)(10)(92)/Leg-24/4/49-51

Dated: 09/12/2024

**Reminder-1**

To,

The Deputy Commissioner,  
MCD (Shahdara-North),  
Keshav Chowk, GT Rd,  
Near Shyam Lal College, Shahdara,  
Delhi- 110032.

**Sub: Regarding compliance of Solid Waste Management Rules, 2016 as directed by NGT in OA No. 895/2024 in matter of "Owais Khan Vs Govt. of NCT of Delhi".**

**Reference:**

- i. DPCC letter F.No. DPCC/(10)(10)/(92)/Leg-24/3873-75 dated 04.11.2024. (Copy enclosed)

Sir,

This is in reference to the above mentioned Hon'ble NGT order dated 04.09.2024 of OA No. 895/2024 in the matter of "Owais Khan Vs Govt. of NCT of Delhi" and DPCC letter dated 04.11.2024. Hon'ble NGT vide order dated 04.09.2024 has directed as:

- a. ....We accordingly, dispose of this Original Application by directing Municipal Corporation, Delhi, to look into the matter and ensure compliance with the Solid Waste Management Rules, 2016, with regard to handling, processing, and disposal of solid waste. They shall ensure that no solid waste is dumped unauthorisedly at any place, here and there, in violation of the above rules.
- b. We also direct Delhi Pollution Control Committee (hereafter referred to as 'DPCC') to ensure compliance with SWM Rules, 2016 by Delhi Municipal Corporation and in case appropriate remedial action is not taken by local body concerned responsible for such observance/ compliance with the rules appropriate punitive, preventive, and remedial action shall be taken by DPCC, in accordance with the law, against the violator(s).....

Whereas, CPCB has published Solid Waste Management (SWM) Rules, 2016 in The Gazette of India on 08.04.2016, highlighting the duties and roles of various departments in managing the Solid Municipal Waste

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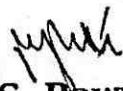
And whereas, Principal Secretary, Urban Development Department, GNCTD framed "State Policy and Solid Waste Management Strategy for Delhi" and same was published in public domain through Delhi Gazette on 06.11.2017. Point 7.8 of this notification clearly highlights the various roles of major support functionary departments/ authorities of GNCTD. (link: <https://www.dpcc.delhigovt.nic.in/uploads/pdf/StatePolicySWMStrategy.pdf> )

And whereas, the issue raised by the applicant **Sh. Owais Khan** in this present matter is related to illegal dumping of substantial quantity of garbage in front of his residence at **B-56, DDA Colony, New Jafrabad, near New Welcome Police Station, Shahdara, Delhi.**

In this regard, DPCC vide letter F. No. DPCC/(10)(10)/(92)/Leg-24/3873-75 dated 04.11.2024 (copy enclosed) had requested to take necessary action regarding compliance of Solid Waste Management Rules, 2016 and to submit Action Taken Report to this office within 15 days. However, no reply is received so far.

In view of the above, you are again requested to take necessary action for compliance of Solid Waste Management Rules, 2016 at alleged site and submit Action Taken Report to this office at the earliest.

Yours sincerely

  
M.S. Rawat  
SEE, CFC-1

Enc. As above.

Copy to:

1. The Commissioner, MCD, Dr. S.P.M. Civic Centre, Minto Road, New Delhi - 100002.
2. Master File.



31  
Municipal Corporation of Delhi  
Office of Executive Engineer EMS SHN  
3<sup>rd</sup> Floor, Room No.314, Zonal Office  
Delhi-110032



Annexure-3



No.: EE/EMS/SNZ/MCD/2024-25/ 150

Dated 18/12/2024

Subject:- Compliance of the order of Hon'ble NGT Principal Branch in O.A.No. 895/2024

In reference of O.A.No. 895/2024 by the Hon'ble NGT Principal Branch New Delhi in respect of Owais Khan, R/o B-56, DDA Colony New Jafrabad, New Welcome Police Station Shahdara Delhi. The said O.A. was disposed off on 04.09.2024 with direction to maintain the Solid Waste including statutory regulatory and ensure compliance of the solid waste management rules, 2016 at the said location/area. A compliance report was also to be submitted to DPCC within two months..

In this regard it is submitted that as per the compliance of said order by the DPCC, the site has been cleared by Municipal Corporation of Delhi on regular basis. Latest photo is attached with this letter.

*cleaning has been undertaken regularly followed by painting of compound wall & plantation of saplings to prevent recurrence of dumping. A collection tipper has been deployed for regular waste collection.*

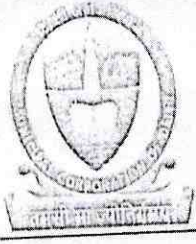
Sh. M.S.Rawat,SEE,CMC-I  
DPCC, Govt of NCT of Delhi  
1<sup>st</sup> Floor, E-Block, Vikas Bhawan-II  
Upper Bela Road, Civil Line, Delhi-54

*tipper no (9632) for daily collection. The applicant has been contacted & his satisfied with work.*

Copy to:-

1. SE(EMS), Shahdara North Zone
2. Office Copy

Enclos:- 18 pages.



Municipal Corporation of Delhi  
Office of the Executive Engineer(EMS)  
Zonal Office, Keshav Chowk  
Delhi-110032

18/C  
9



No. EE(EMS)/SHN/2024-25/D- 141

Dated 04/12/2024

Subject:- Compliance of the order of H'onble NGT Principal Bench in O.A. No. 895/2024.

A complaint registered in the form of of O.A. No. 895/2024 by the H'onble NGT Principal Bench New Delhi from Owais Khan, Resident of B-56 DDA Colony New Jaffrabad, New Welcome Police station, Shahdara Delhi. The said O.A. has been disposed off and passed the order at point no. 1 to 8 which is enclosed herewith.

In view of above order, SS(SHN) is directed to maintain the Solid Waste including statutory regulatory and ensure compliance of the solid waste management rules, 2016 at the said location/area.

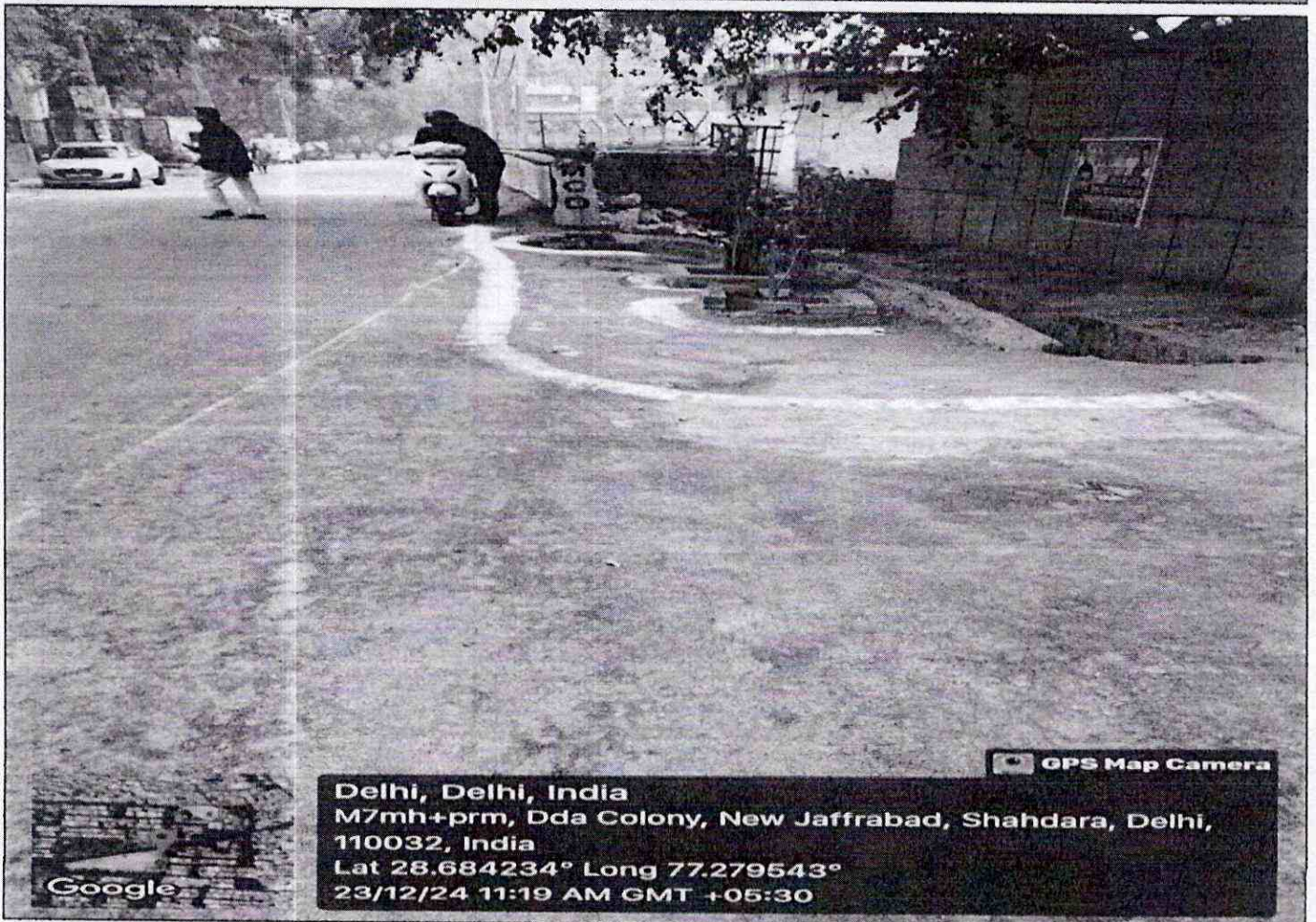
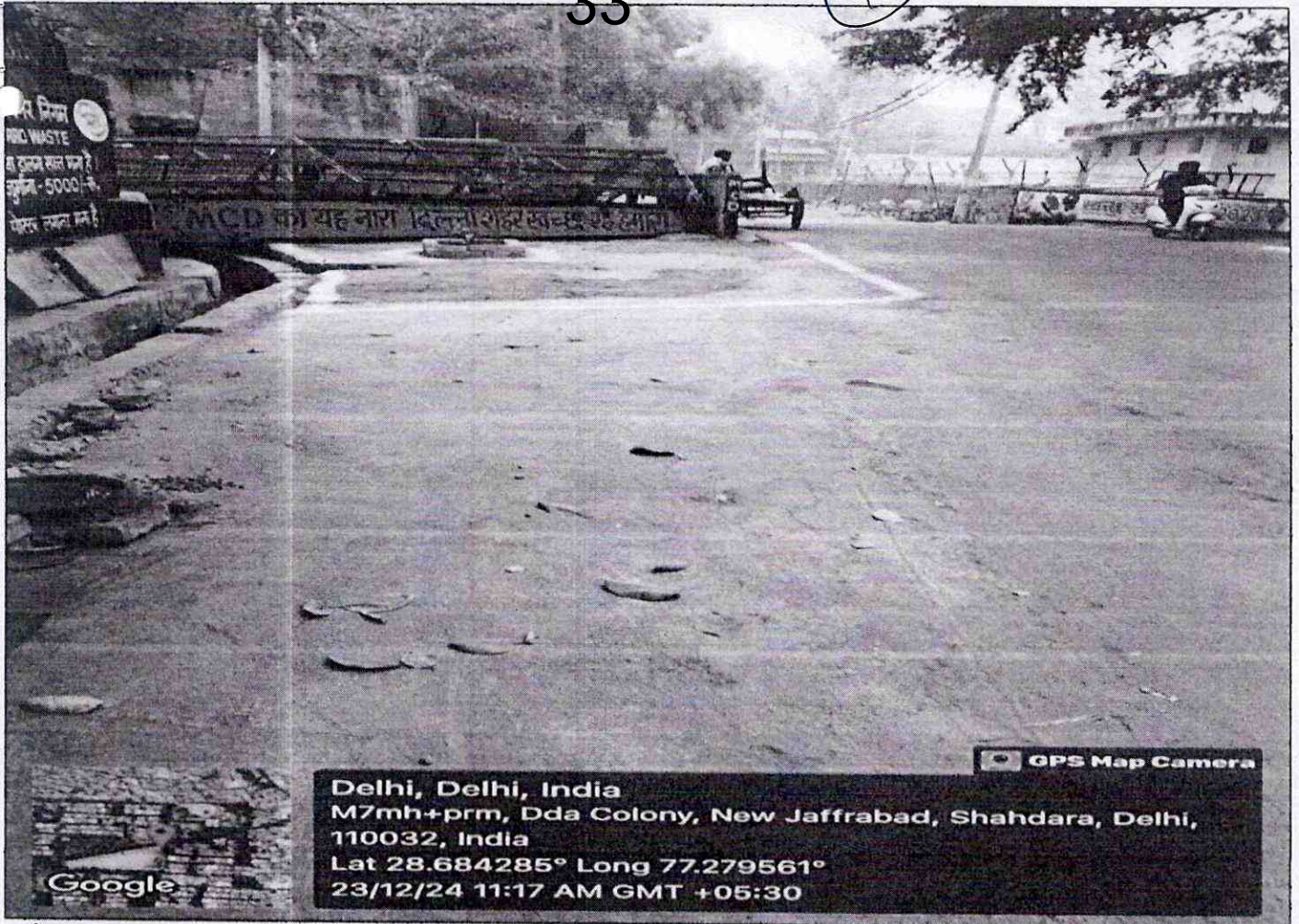
EE(EMS)

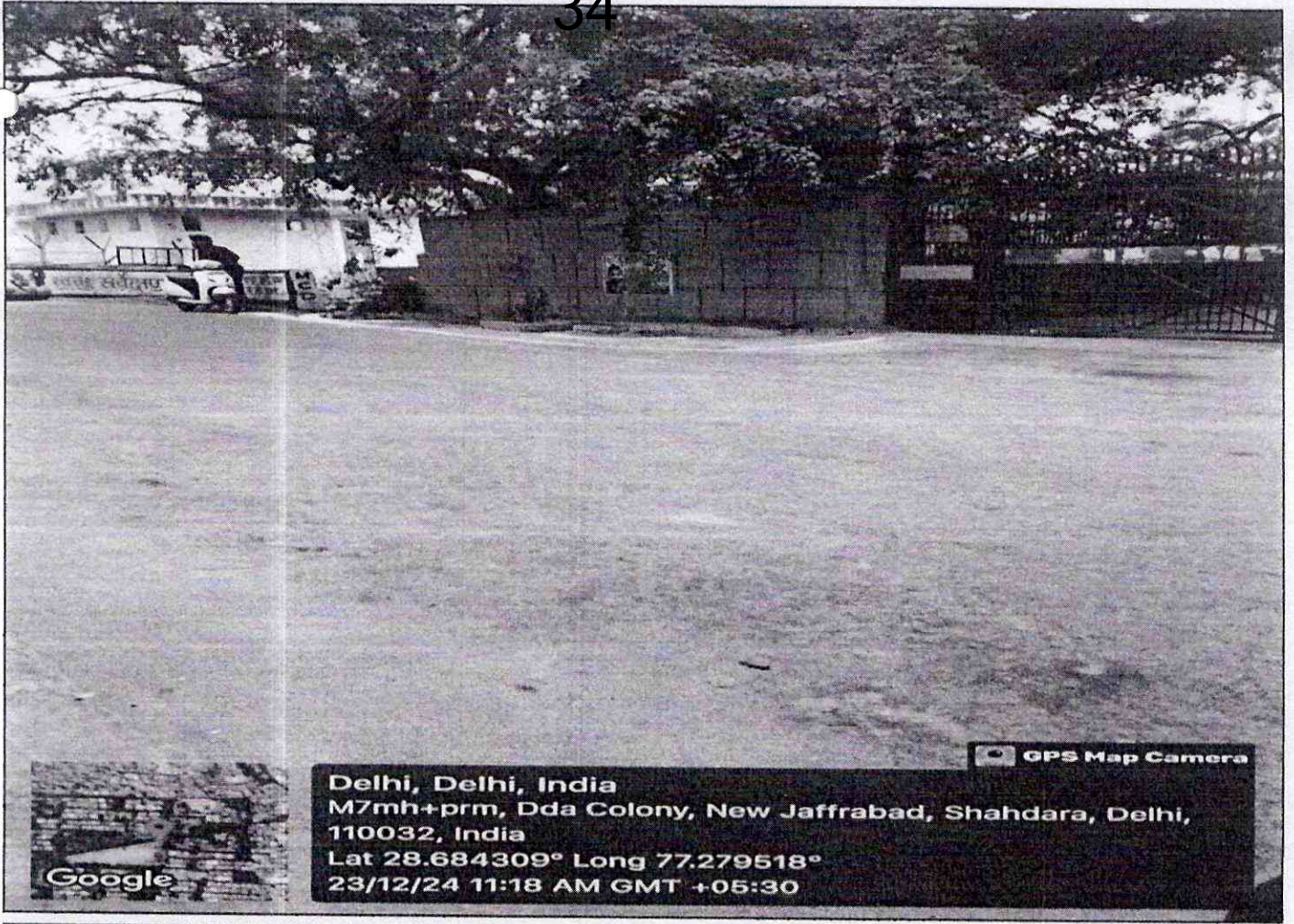
Shahdara North

4 Sanitation Superintendent, SNZ

Copy to:-

1. SE-(EMS) for kind information
2. Office Copy





Google

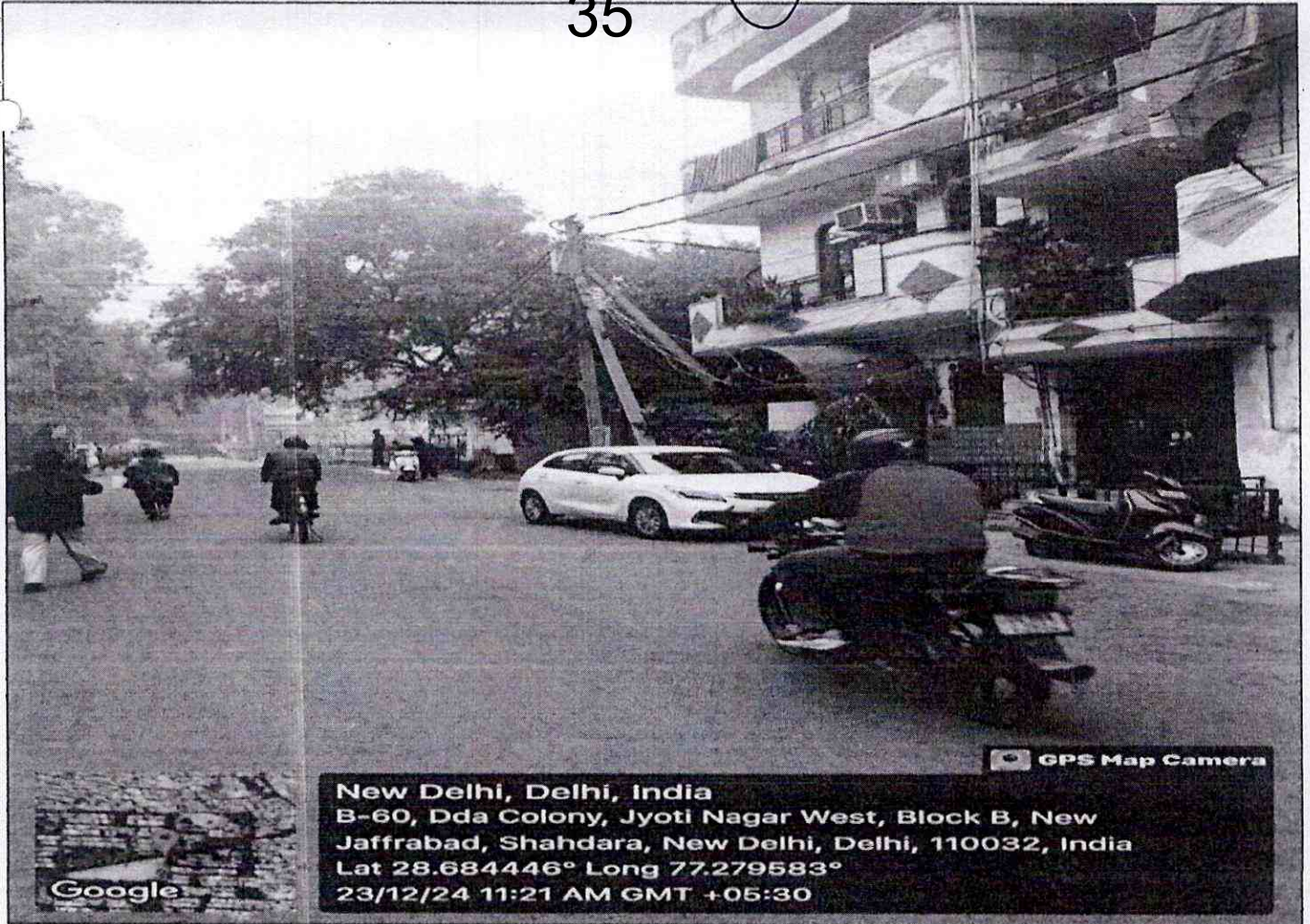
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 23/12/24 11:18 AM GMT +05:30



Google

22 Dec 2024 08:55:07  
 81° E  
 Shahdara  
 Delhi Division  
 Delhi  
 Altitude: 155.2m  
 Speed: 0.0km/h  
 Index number: 2294



GPS Map Camera  
 New Delhi, Delhi, India  
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 Jaffrabad, Shahdara, New Delhi, Delhi, 110032, India  
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 23/12/24 11:21 AM GMT +05:30



GPS Map Camera  
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 110032, India  
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 23/12/24 11:19 AM GMT +05:30

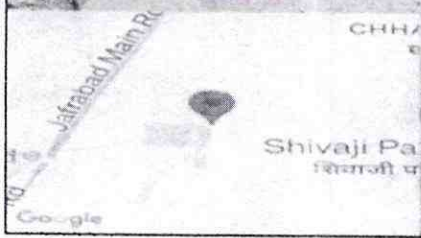
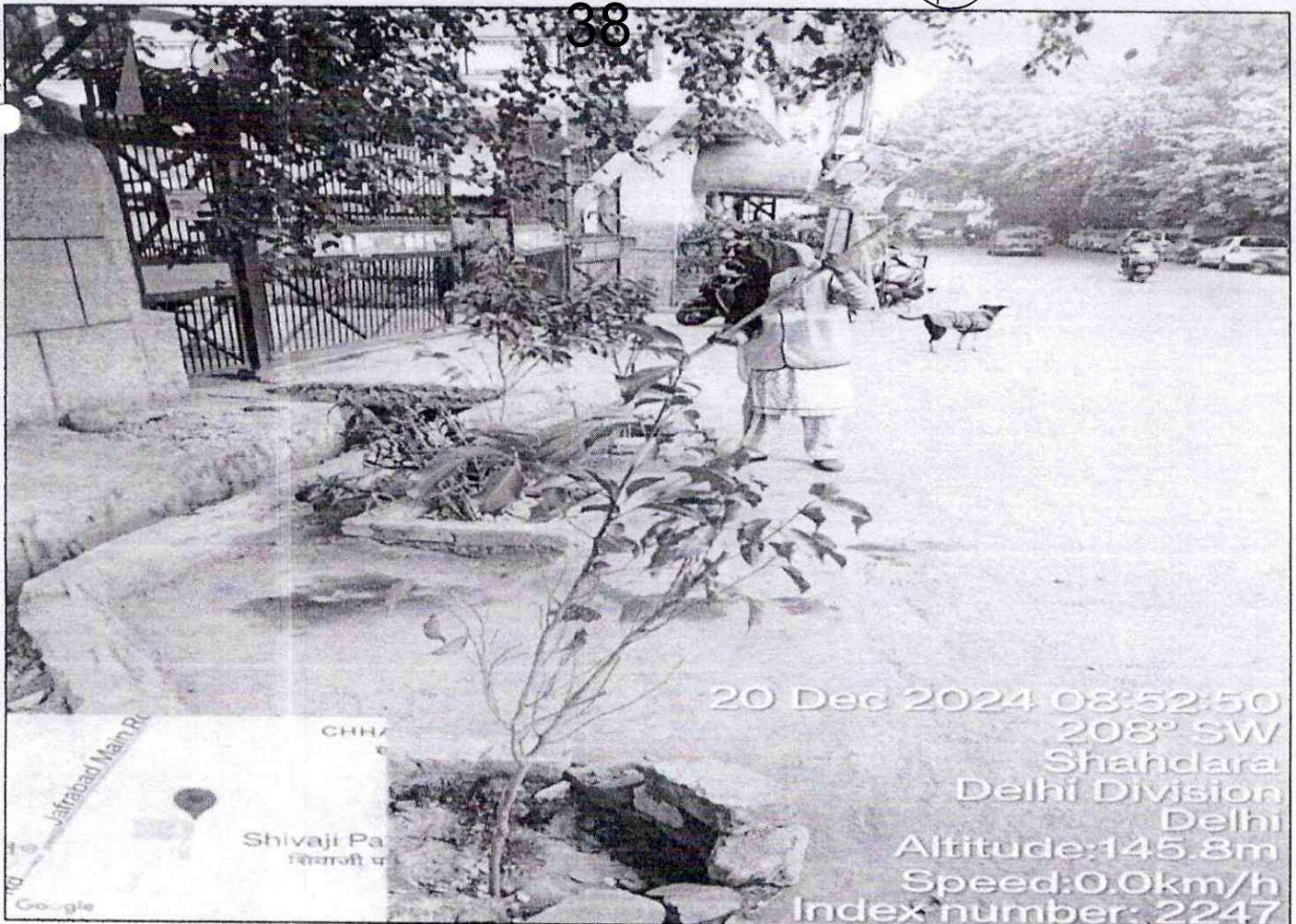


22 Dec 2024 08:52:35  
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Delhi  
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Speed: 0.0km/h  
Index number: 2293

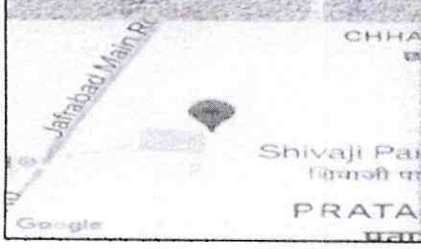


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Shahdara  
New Delhi  
Delhi Division  
Delhi  
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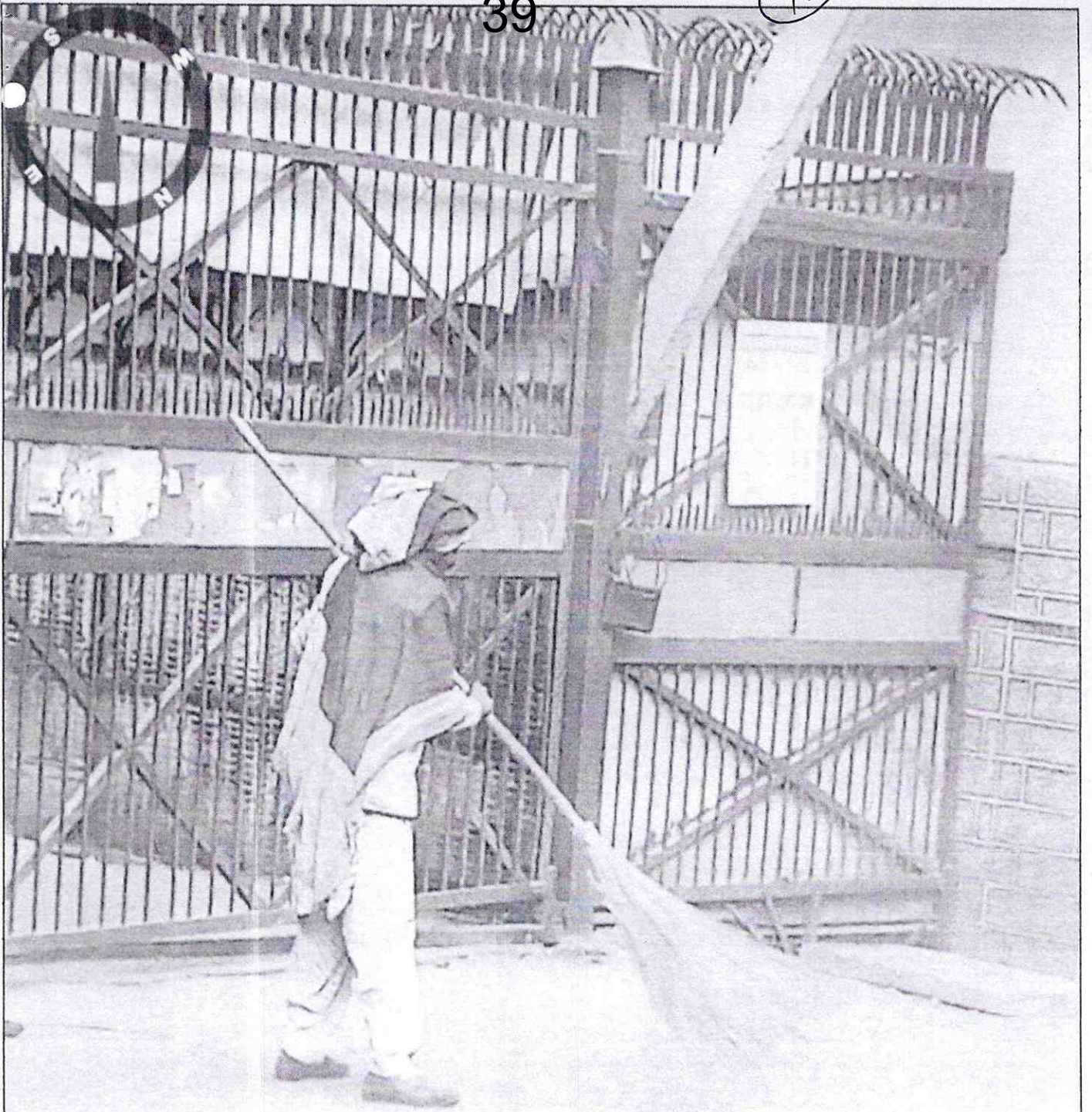




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 Delhi Division  
 Delhi  
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 Index number: 2247

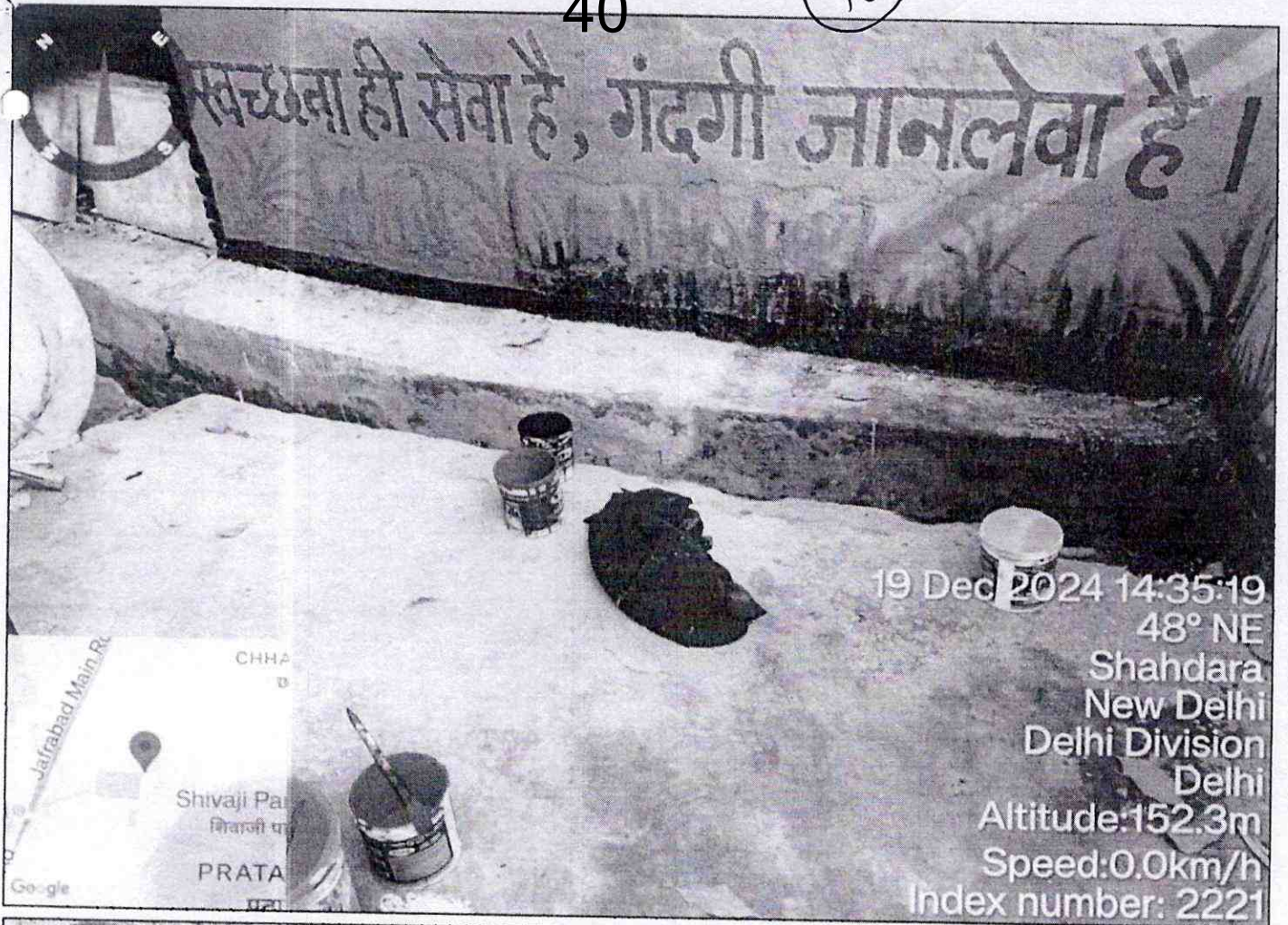


20 Dec 2024 08:37:51  
 190° S  
 Shahdara  
 Delhi Division  
 Delhi  
 Altitude:161.0m  
 Speed:0.3km/h  
 Index number: 2245



20 Dec 2024 08:31:17  
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 Shahdara  
 Delhi Division  
 Delhi  
 Altitude: 162.8m  
 Speed: 3.1km/h  
 Index number: 2241

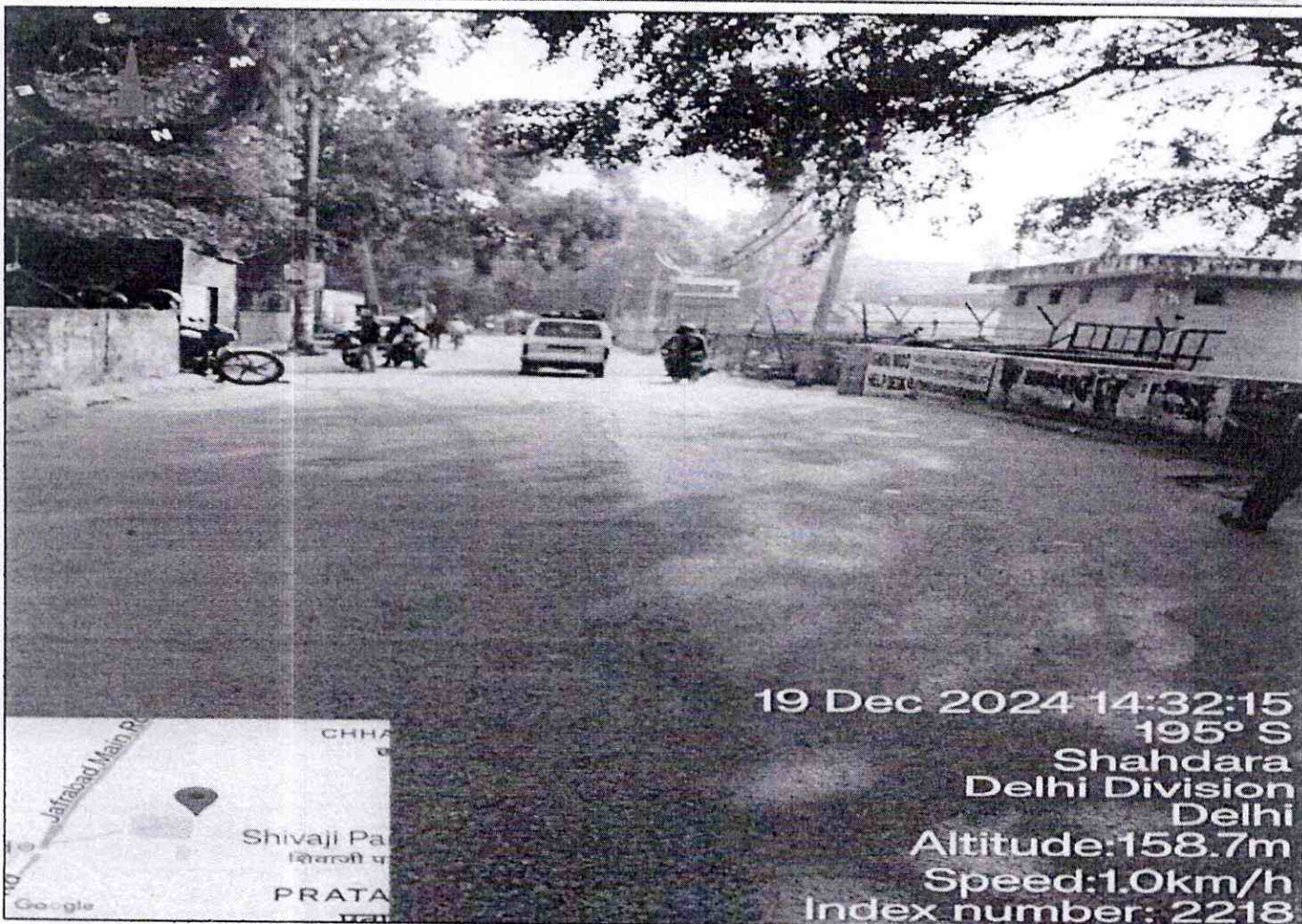


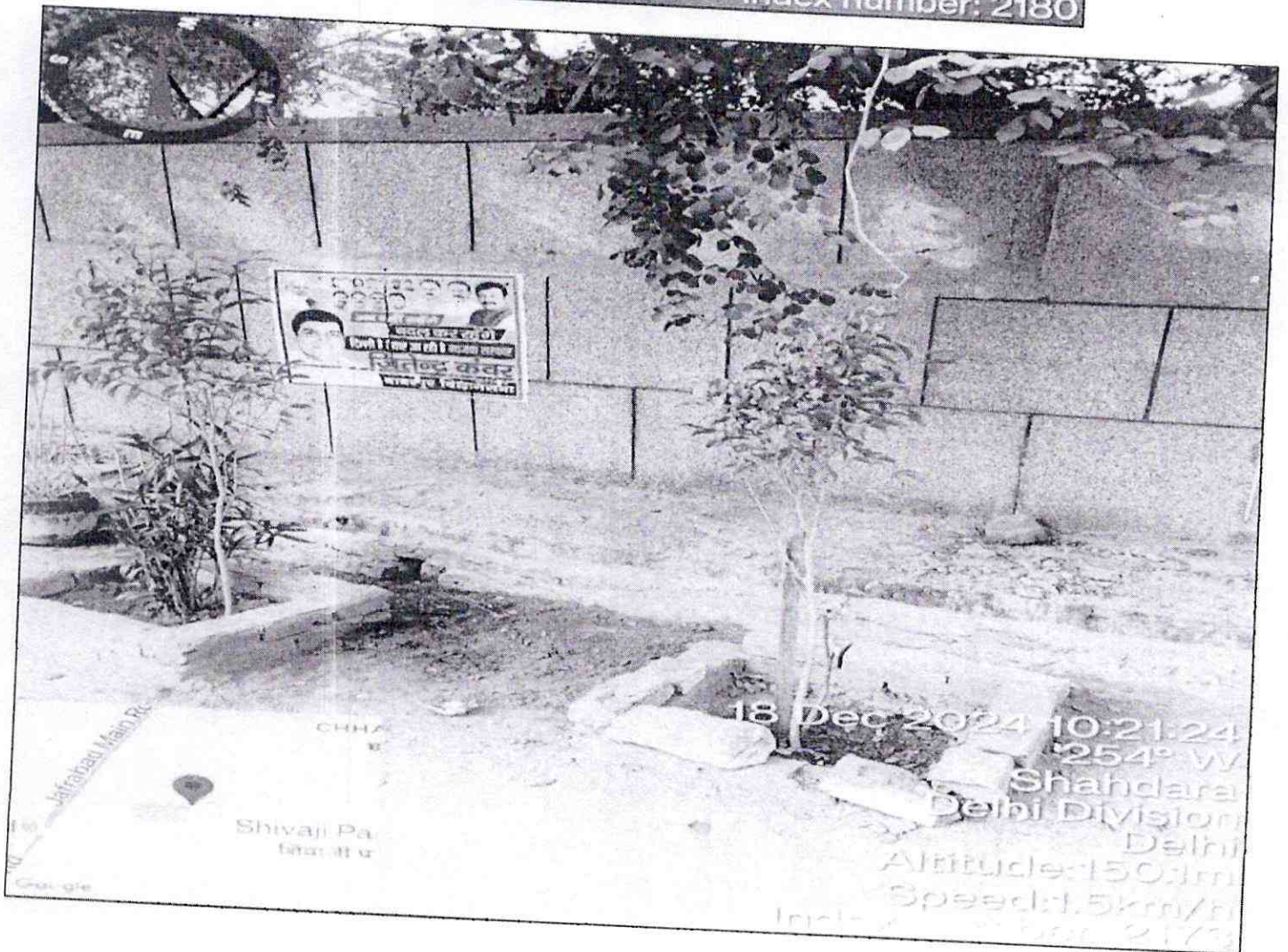
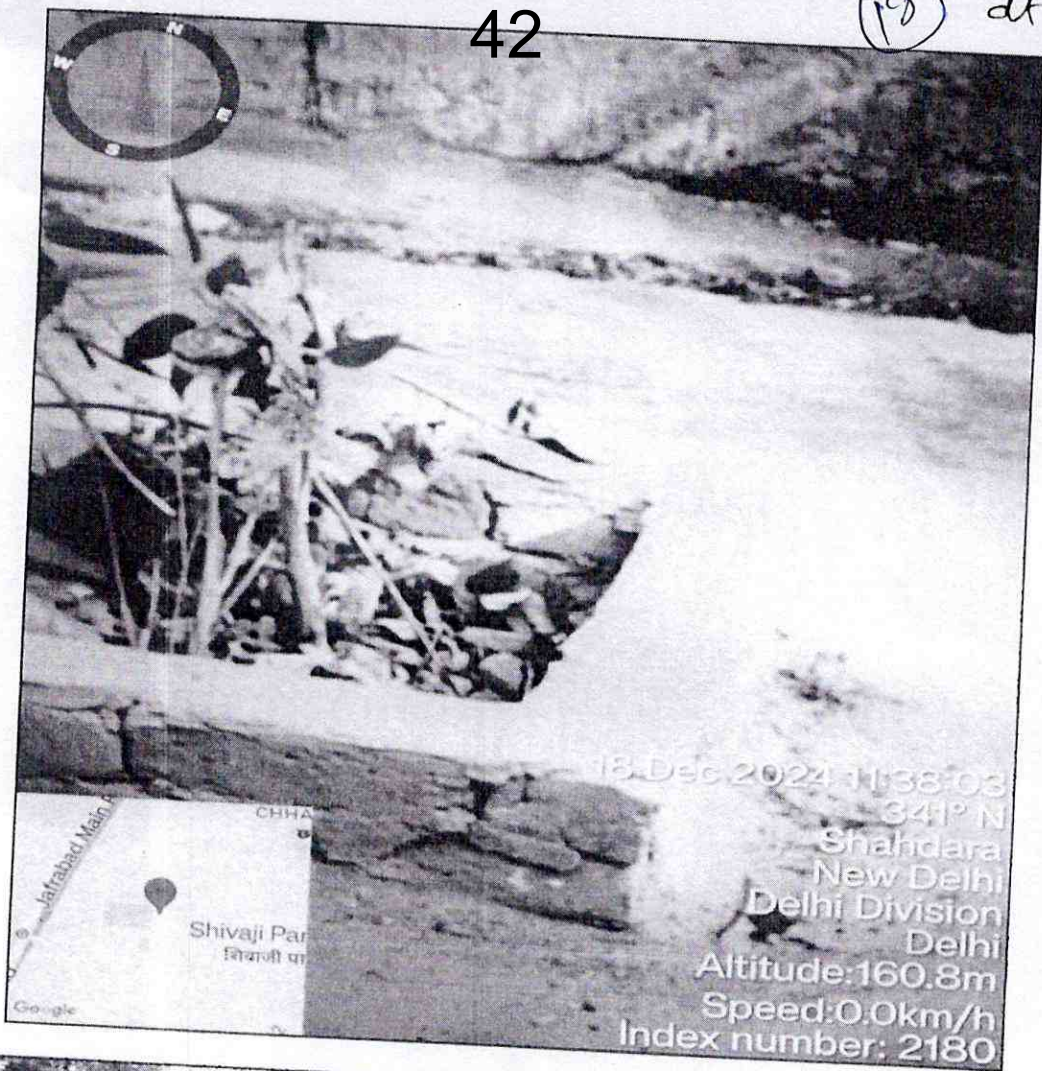


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41C







GPS Map Camera

Delhi, Delhi, India  
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17/12/24 03:03 PM GMT +05:30