

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH NEW DELHI

OA NO. 521/2024

IN THE MATTER OF:

News item titled "A Sangam of filth and apathy this wasteland actually exists in Delhi" appearing in 'The Times of India' dated 07.03.2024.

INDEX

S NO.	PARTICULARS	PAGE NO.
1	STATUS REPORT ON BEHALF OF THE RESPONDENT /MUNICIPAL CORPORATION OF DELHI.	1-4
2	ANNEXURE R-1 COPY OF THE ORDER OF UD DEPARTMENT DATED 23.10.2017 IS ANNEXED HEREWITH.	5-11

Through

**PUJA KALRA**

Advocate for the RESPONDENT NDMC

Standing Counsel for MCD

ENR- D/1278/1999

Off:-38/5 East Patel Nagar, New Delhi-8

Mobile no. 9312839323

NEW DELHI
DATED 23/08/2024

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. 521/2024

In the matter of:

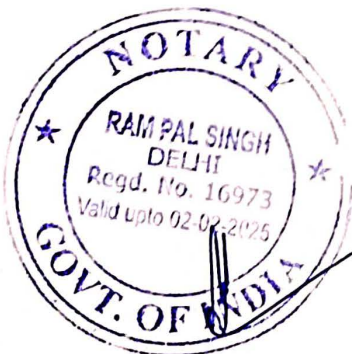
News item titled "A Sangam of filth and apathy this wasteland actually exists in Delhi" appearing in 'The Times of India' dated 07.03.2024.

STATUS REPORT ON BEHALF OF THE RESPONDENT
/MUNICIPAL CORPORATION OF DELHI.

I, Rahul Saraswat S/o Sh. SC Sharma, Age about 54 years, Executive Engineer, EMS Department, Central Zone, Municipal Corporation of Delhi, on behalf of the Municipal Corporation of Delhi.

I, the above named deponent do hereby solemnly affirm and declare as under:-

1. That I am presently posted and Executive Engineer, EMS Department, Central Zone, MCD, New Delhi and is conversant with the facts of the case based on the official records maintained by the department, am as such competent to depose thereto.
2. That the deponent being aware of the facts of the case on the basis of record available in the office and having read and understood the contents of the aforesaid Petition, is competent to depose by way of the present status report in my official capacity as state above.
3. That the present matter is registered *suo-motuo* on the basis of the News item titled "A Sangam of filth and apathy this wasteland actually exists in Delhi" appearing in 'The Times of India' dated 07.03.2024 and the matter relates to the slow sewer work, poor condition of internal roads, and lack of garbage collection in Sangam Vihar, Delhi. As per the article, in the area internal lanes are broken, garbage is strewn nonchalantly on vacant lands, and a pervasive foul smell is in the air and roads. The article alleges that these residential areas lack good roads, clean drinking water, working sewage systems, medical facilities and security.

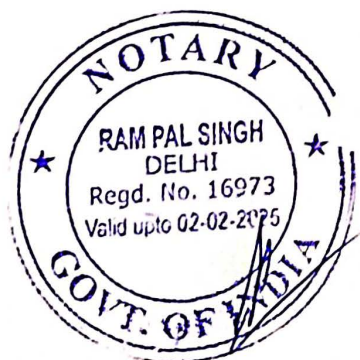


4. The article further states every monsoon the drains are chocked and road get flooded with dirty, stinking water. The garbage vans do not come sometimes for three to four weeks. It states that the rampant unplanned constructions have left SangamVihar congested and the main road of Mangal Bazar is a nightmare for pedestrians. The article also alleges that the drains in the area have not been desilted and hence the water flows into the shops.
5. That it is submitted that the construction and maintenance of sewer does not fall in the domain of MCD, as the same lies with DJB, as per Delhi Water Board Act 1998. As regards to development works i.e. construction of roads/lanes etc. in unauthorized colonies lies within the domain of Irrigation & Flood Control (I&FC) and Delhi State Industrial and Infrastructure Development Corporation Ltd. (DSIIDC) as per order of UD department dated 23.10.2017. Copy of the order of UD department dated 23.10.2017 is annexed herewith as **Annexure-A.**

As regard to Collection and Transportation of MSW, the response of MCD is as under: -

SangamVihar is an unauthorized colony consisting of three wards namely:-

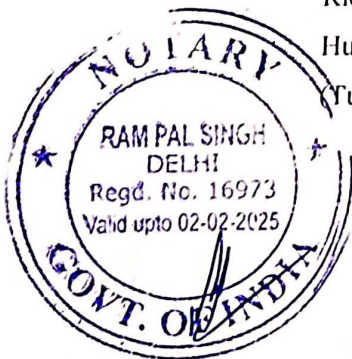
1. 168 (SangamVihar-C)
 2. 169 (SangamVihar-B)
 3. 170 (G-Block SangamVihar, Part of Tuglakabad Extension)
6. The MSW generated in all these wards of SangamVihar is about 35-40 MTD. It is worth mentioning that there is no Dhalao/FCTS/Secondary Collection Point in ward 168 & 169 due to space crunch as such lifting and disposal of MSW poses a great threat to MCD.
 7. The nearby Fixed Compactor Transit Station (FCTS) is at MB Road in adjoining ward no. 170. The detail of Men & Machinery deployed by MCD in SangamVihar for Transportation and collection of MSW is as under: -



S. No.	Ward No.	No. of Tippers deployed	No. of Sanitation Workers
1	168	14	102
2	169	13	95
3	170 (Part)	4	40
Total		31	237

8. That in narrow lanes and by lanes, garbage is being collected on daily basis through Auto Tippers and through manual rickshaw of private rag pickers/garbage collectors. As there is no open land available in Sangam Vihar as such there is no Secondary Collection Point in the area. Placing of bins is also not possible as emptying the same requires Refuse Collection Cum Compactor Vehicle (RCV) and the movement/maneuvering of the same is not feasible in narrow lanes of Sangam Vihar. The collected garbage through auto tippers is transported to the nearby FCTS located near Jamia Humdard University, MB Road falling in ward no. 170. (Tuglakabad Extension), where the segregation is carried out i.e. Glass, Plastic etc. is segregated. The dry waste is transported to the Waste to Energy Plant (WTE) Tehkhand and the wet waste is transported to the compost plant Okhla.

9. That auto tippers also deployed in second shift wherever required, as per the requirement of work. As there is no MCD land available for Dhalao/Dustbin/FCTS and for placement of garbage bins hence there is no Secondary collection point in the area. Entire garbage collected through Auto Tippers/ Manual Rickshaw is transferred to the FCTS existing near Jamia Humdard University, MB Road falling in ward no. 170. (Tuglakabad Extension).



10. That after carrying out the survey in the area an open land of DDA measuring 1000 sqm was identified at shooting range road between G Block MC Primary School and DDA Nursery for construction of Fixed Compactor Transit Station (FCTS), Material Recovery Facility (MRF) and Waste Composting Units (WCUs). In this regard letters bearing no. EE (EMS) CNZ/SDMC/2021-22/381 dated 17.12.2021 (Annexure-B) & EE (EMS) CNZ/MCD/2022-23/270 dated 26.10.2022 (Annexure-C) have been issued regarding the same. Further letter from Addl.Comm.(Engg.)/MCD addressed to the Vice Chairman, DDA bearing no. Addl.Comm.(Engg.)/MCD/2024/D-47 dated 23.02.2024 (Annexure-D) has also been issued. A letter from DC/CNZ addressed to the Commissioner (Land Disposal), DDA has also been issued vide no. 192/DC/CNZ/MCD/2024-25 dated 27.07.2024 (Annexure-E) for issuance of NOC for construction of the above facilities by MCD.

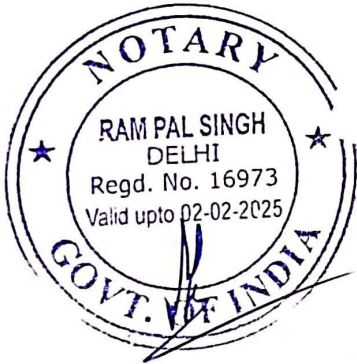
11. That in spite of the constraints and hardships being faced in Sangam Vihar area all possible efforts are being made by MCD for proper upkeep of the area and to maintain proper hygienic conditions.

23 AUG 2024

RESPONDENT
DEPONENT

Verified at Delhi on this day of August-2024 that the contents of the above affidavit are true and correct to the best of my knowledge and nothing material has been concealed there from.

RESPONDENT
DEPONENT



By Kabe
I Identify the Dependent who has signed in my presence

CERTIFIED THAT THE DEPONENT
 Sd/- *RANUL SIKHRA A.P.*
 Sd/- *SG SHARMA*
Pudh...
 have
 true and correct to my knowledge.

Notary Public (INDIA)

23 AUG 2024

05/07/18

15/c

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF URBAN DEVELOPMENT
(UNAUTHORISED COLONIES CELL)
10th LEVEL DELHI 'C' WING DELHI SACHIVALAYA
IP ESTATE NEW DELHI-110002

F. No. 1-33/UC/UD/Policy/Part File/ 3030-3044

Dated: 23/10/2017

ORDER

Pursuant to approval of Cabinet vide decision No. 2506 dated 06/09/2017, it is decided to entrust the development works in Unauthorized Colonies to Irrigation & Flood Control Department (I&FC) in addition to Delhi State Industrial and Infrastructure Corporation Ltd (DSIIDC) in a partial modification of Order No. F. No.1-33/UC/UD/Policy/ 07/ Part File/ CD- 021297485/350-361 dated 10/03/2016 vide which development works in Unauthorized Colonies were allocated to the DSIIIDC as sole agency for execution of all development works in the Unauthorized Colonies.

Rest of the contents of the Order dated 10/03/2016 will remain the same.

This issues with prior approval of Hon'ble Lt. Governor, Delhi.

Se.
23/10/17

(Lakshmi Krishnan)
Deputy Secretary (UC Cell)

Copy to:-

1. The Secretary, I&FC Department, 5/9 Under Hill Road, Delhi.
2. The Managing Director, DSIIIDC, Connaught Place, New Delhi.
3. The Principal Secretary, PWD, 5th Level, Delhi Sectt., Delhi.
4. The Commissioner, SDMC, Civic Centre, Minto Road, New Delhi.
5. The Commissioner, NDMC, Civic Centre, Minto Road, New Delhi.
6. The Commissioner, EDMC, Udyog Bhawan, Patparganj, Delhi.
7. The CEO, Jal Board, Varunalaya Jhandewalan, Delhi
8. The CEO, NDPL, Kingsway Camp, Delhi.
9. The CEO, BSFS, Nehru Place, New Delhi.
10. The CEO, BYPL, Karkardooma, New Delhi.
11. The Deputy Director (Plg) UD Department, GNCT of Delhi.

Copy for information to:

1. The Principal Secretary to Hon'ble Lt. Governor, Raj Niwas, Delhi.
2. The Special Secretary to Hon'ble Chief Minister, Govt. of NCT of Delhi.
3. The Secretary to Hon'ble Minister UD, 7th level, Delhi Sectt., New Delhi.
4. The PS to Principal Secretary, UD, 9th level, Delhi Sectt., New Delhi.

Se.
23/10/17

(Lakshmi Krishnan)
Deputy Secretary (UC Cell)


TRUE COPY



South Delhi Municipal Corporation
Office of the Executive Engineer (EMS), Central Zone
Room No. 504, Zonal Office Building, Lajpat Nagar, New Delhi



No. EE (EMS)/CNZ/SDMC/2021-22/381

Dated: - 17/11/21

To,

The Commissioner (Land Management)
Delhi Development Authority
2nd floor, Vikas Sadan, INA Market
New Delhi

Subject: - Construction of Fixed Compactor Transfer Stations (FCTS) at shooting range road between G Block SDMC primary school and DDA Nursery for managing the garbage of the area.

Sir,

"South Delhi Municipal Corporation" is under statutory obligation of providing basic amenities to the people of Delhi. Hygienic and sanitary conditions are one of the basic amenities. SDMC is trying all its best efforts to make Delhi Clean under, "Swachh Bharat Mission" as per Municipal Solid Waste (MSW) handling rules 2016.

It is reported that a huge quantity of garbage generating from Sangam Vihar Ward 83, 84 & 85 of Central Zone SDMC. The collected garbage is presently being removed and disposed off to Waste-to-Energy Plant/SLF site by SDMC. However, the quantum of garbage and irregular timing of garbage generation makes garbage removal process quite cumbersome. To upkeep the area in a befitting manner, SDMC proposes to construct Fixed Compactor Transfer Stations (FCTS) for efficient collection of garbage and for proper disposal of MSW from the area.

In this regard, an inspection of Ward 83-S (Sangam Vihar C) was carried out by Deputy Commissioner Central Zone on 9-08-2021. During the inspection it was found that there is an open site of garbage at shooting range road between SDMC primary school and DDA Nursery, and due to the huge quantity of garbage at this site, the garbage spills over the road. It is submitted that a huge quantity of garbage generating from Sangam Vihar Wards 83, 84 & 85, however there is no any FCTS and Dhalao in this area to manage the garbage.

It has been observed that to make hygienic condition & further proper disposal of MSW from the area, it will be appropriate to construct FCTS at the above mentioned location i.e. at shooting range road between G Block SDMC primary school and DDA Nursery. The concept of FCTS is a new concept and results in the garbage getting collected in a concealed box wherein the garbage is not visible to the public as well as its surroundings in the box/container also results in a neat and clean area.

Since the said land belongs to DDA and no other suitable SDMC land is available in the nearby area, it is requested that NOC for construction of FCTS at the portion of area about 500 Sqm of DDA land between G-Block SDMC primary school and DDA Nursery at shooting range road be given to SDMC, in larger interest of public.

EE (EMS) CNZ

Copy to:-

1. PS to Commissioner SDMC, for kind information
2. Addl. Commissioner (Engg/DEMS), SDMC, for kind information
3. E-in-C/ SDMC, for kind information
4. Director/DEMS, for kind information
5. DC/CNZ, for kind information
6. SE (EMS), for kind information
7. EE/Project-1/CNZ, with request to direct the project staff to pursue with DDA
8. AE (EMS) CNZ
9. Office copy

EE (EMS) CNZ

TRUE COPY

ANNEX-C

-4/C-



Municipal Corporation of Delhi
Office of the Executive Engineer (EMS), Central Zone
Room no. 504, Zonal Office Bldg, Lajpat Nagar, New Delhi



No. EE (EMS)/CNZ/MCD/2022-23/ 270

Dated: - 26/10/2022

To,

The Commissioner (Land Management)
Delhi Development Authority
2nd Floor, Vikas Sadan, INA Market
New Delhi

Subject: - Construction of Fixed Compactor Transfer Stations (FCTS) at shooting range road between G Block MCD primary school and DDA Nursery for managing the garbage of the area.

Sir,

"Municipal Corporation of Delhi", is under statutory obligation of providing basic amenities to the people of Delhi. Hygienic and sanitary conditions are one of the basic amenities. MCD is trying all its best efforts to make Delhi Clean under, "Swachh Bharat Mission" as per Municipal Solid Waste (MSW) handling rules 2016.

It is reported that a huge quantity of garbage generating from Sangam Vihar Ward 83, 84 & 85 of Central Zone MCD. The collected garbage is presently being removed and disposed off to Waste-to-Energy Plant/SLF site by MCD. However, the quantum of garbage and irregular timing of garbage generation makes garbage removal process quite cumbersome. To upkeep the area in a befitting manner, MCD proposes to construct Fixed Compactor Transfer Stations (FCTS) for efficient collection of garbage and for proper disposal of MSW from the area.

It has been observed that to make hygienic condition & further proper disposal of MSW from the area, it will be appropriate to construct FCTS at the above mentioned location i.e at shooting range road between G Block MCD primary school and DDA Nursery. The construction of FCTS would result in the garbage getting collected in a concealed box whereby the garbage is not visible to the public as well as its surroundings in the box/container also results in a neat and clean area.

Since the said land belongs to DDA, accordingly, a letter bearing this office no. EE (EMS)/CNZ/MCD/2021-22/381 dated 17-12-2021, was sent to DDA, to provide NOC for construction of FCTS at DDA land between G-Block MCD primary school and DDA Nursery at shooting range road.


It is submitted that, the joint inspection of the said site was carried out by the MCD & DDA officials on 15-02-2022, DDA officials gave assurance for prompt action in reference to provide NOC to MCD for the said land. The copy of joint site inspection report is enclosed herewith for your reference. However, in this context no official communication has been received from DDA till date.

In this regard, an inspection of Shooting Range Road was carried out by Commissioner/MCD on 25-10-2022. During the inspection it has been observed that, the FCTS may be constructed at shooting range road between G Block MCD primary school and DDA Nursery, to overcome the current Air Pollution in the surroundings, for better management of garbage collection and to maintain the area neat & clean.

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In view of the above, it is again requested that the NOC for construction of FCTS at DDA land between G-Block MCD primary school and DDA Nursery at shooting range road be given to MCD, in larger interest of public. The ownership of the land shall remain to DDA itself and in case, the above said land/ any piece of land is required back for some other activities by the DDA then the MCD shall return back the same.


EE (EMS) CNZ

Encl: As above.

Copy to:-

1. PS to Commissioner, for kind information
2. Addl. Commissioner/ DEMS, for kind information
3. E-in-C-II, for kind information
4. CE (DEMS)/CNZ, for kind information
5. DC/CNZ, for kind information
6. SE (DEMS)/CNZ, for kind information
7. AE/JE (EMS) CNZ, for necessary action
8. Office Copy


26/10/10
EE (EMS) CNZ


TRUE COPY



MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE ADDL. COMMISSIONER (ENGG./DEMS)
Dr. Shyam Prasad Mukherjee Civic Centre, I-I Block (5th Floor),
Jawaharlal Nehru Marg, New Delhi-110002

No. Addl. Comm. (Enng.)/MC/D/2022/D.117

Date: 23/02/2022

To,
The Vice-Chairman
Delhi Development Authority (DDA)
2nd Floor, Vikas Sadan, INA Market,
New Delhi - 110023

Subject: - Issuance of NOC from DDA for construction of FCTS, Wet Waste Composting Units and MRF Centre on DDA land admeasuring 1000sqm at shooting range road between G-Block MC Primary School and DDA nursery in Tuglakabad Extension, Ward No. 170, Central Zone.

Respected Sir,

Municipal Corporation of Delhi (MCD) is under statutory obligation of providing basic amenities to the people of Delhi. Hygienic and Sanitary Conditions, management and handling of MSW are one of the basic amenities. MCD is putting all of its best efforts to make Delhi Clean under, or "Swachh Bharat Mission" as per Municipal Solid Waste (MSW) management and handling Rules 2016.

It is reported that, huge quantity of garbage generating from Sangam Vihar an Un-authorized Colony area of Central Zone is being collected at above mentioned open DDA land. The collected garbage is presently being removed and disposed off to waste to energy plant/SLF sites of MCD. However the huge quantum of garbage and irregular timing of garbage generation makes garbage removal process quite cumbersome.

To upkeep the area in a hygienic condition and due to huge quantum of garbage generation and collection/disposal of MSW, MCD proposes to construct twin bins fixed compactor transfer station (FCTS), Wet Waste Composting Unit and MRF Centre for efficient collection and proper disposal of MSW from the Sangam Vihar area on DDA land at shooting range road in between G-Block MCD Primary School and DDA Nursery. In this regard, a joint inspection of the said site was carried out by the MCD and DDA officials on 15.02.2022.

Since the said land belongs to DDA and there is no other suitable and appropriate land available in the nearby area, it is requested that NOC for construction of FCTS, WCU and MRF Centre at the above mentioned locations, having area about 1000sqm, be given to MCD, in larger interest of public.

In case the above said land/any piece of land is required back for some other activities by DDA then the MCD shall return back the same. The ownership of this land will remain with the DDA. Rough sketch of the location is also attached.

TRUE COPY

Yours sincerely

(Sankshi Mittal)
Addl. Commissioner (Enng.) MCD



Municipal Corporation of Delhi
Office of the Deputy Commissioner, Central Zone
Zonal Office Bldg, Lajpat Nagar-I, Delhi-110024



No. 192 /DC/CNZ/MCD/2024-25

Dated 27/7/24

To,

The Commissioner (Land Disposal)
Delhi Development Authority (DDA)
2nd Floor, Vikas Sadan, INA Market,
New Delhi - 110023

Subject: - Issuance of NOC from DDA for construction of FCTS, Wet Waste Composting Units and MRF Centre on DDA land admeasuring 1000sqm at shooting range road between G-Block MC Primary School and DDA nursery in Tuglakabad Extension, Ward No. 170, Central Zone.

Municipal Corporation of Delhi (MCD) is under statutory obligation of providing basic amenities to the people of Delhi. Hygienic and Sanitary Conditions, management and handling of MSW are one of the basic amenities. MCD is putting all of its best efforts to make Delhi Clean under, or "Swachh Bharat Mission" as per Municipal Solid Waste (MSW) management and handling Rules 2016.

It is reported that, huge quantity of garbage is generated from Sangam Vihar an Unauthorized Colony area of Central Zone on a daily basis. The collected garbage is presently being removed and disposed off to waste to energy plant/SLF sites of MCD. However the huge quantum of garbage and irregular timing of garbage generation makes garbage removal process quite cumbersome considering that both wards of 168 & 169 don't even have a single dhalao between them.

To upkeep the area in a hygienic condition and due to huge quantum of garbage generation and collection/disposal of MSW, MCD proposes to construct twin bins fixed compactor transfer station (FCTS), Wet Waste Composting Unit and MRF Centre for efficient collection and proper disposal of MSW from the Sangam Vihar area on DDA land at shooting range road in between G-Block MCD Primary School and DDA Nursery. In this regard, a joint inspection of the said site was carried out by the MCD and DDA officials on 15.02.2022.

Since the said land belongs to DDA and there is no other suitable and appropriate land available in the nearby area, it is requested that NOC for construction of FCTS, WCU and MRF Centre at the above mentioned locations, having area about 1000sqm, be given to MCD, in larger interest of public.

Hon'ble LG also inspected the Sangam Vihar area on 04.03.2024 and direct the MCD regarding proper cleanliness and take corrective measure to lift the garbage in time bound manner.

[Handwritten Signature]
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It is pertinent to mentioned that a letter dated 23.02.2024 under the signature of Addl. Commissioner/Engg./MCD was addressed to the Vice Chairman, DDA regarding above issue

In case the above said land/any piece of land is required back for some other activities by DDA then the MCD shall return back the same. The ownership of this land will remain with the DDA. Rough sketch of the location is also attached.

Angel Bhati.
Dr. Angel Bhati Chauhan (IAS)
DC/Central Zone

Copy to:-

1. Commissioner/MCD, for kind information
2. Addl. Commissioner/MCD, for kind information
3. E-in-C-II, for kind information
4. CE (DEMS)-II, for kind information
5. SE (DEMS) CNZ, for kind information
6. EE (EMS) CNZ, to pursue
7. Office copy

Angel Bhati
Dr. Angel Bhati Chauhan (IAS)
DC/Central Zone

Dr
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