

In the matter of:

Rajaram C. Iyer

...Applicant

Versus

Govt. of NCT of Delhi

...Respondents

NDOH: 01.08.2024INDEX

S.L. No.	Particulars	Page No.
1.	Status report on behalf of the Delhi Pollution Control Committee with respect to order dated 07.07.2023.	1 - 2
2.	<u>Annexure -1(Colly)</u> Copy of the inspection report dated 06.04.2023 alongwith photographs.	3 - 7
3.	<u>Annexure -2 (Colly)</u> Copy of the inspection report dated 02.04.2024 alongwith photographs.	8 - 11
4.	<u>Annexure -3 (Colly)</u> Letter dated 15.07.2024 to MCD and Horticulture Division, DDA.	12 - 13

Filed by



(M.S. Rawat)

Sr. Environmental Engineer

Dated: 16th July, 2024Place: Delhi

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

Original Application No. 152/2023

In the matter of:

Rajaram C. Iyer

...Applicant

Versus

Govt. of NCT of Delhi

...Respondents

**STATUS REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE (RESPONDENT NUMBER-5) WITH
RESPECT TO ORDER DATED 07.07.2023.**

IT IS MOST RESPECTFULLY SHOWETH:

1. That, it was alleged by the applicant herein that Buddha Park adjoining Pocket-I, Metro Station (Pink Line) is being illegally used for organizing various social events, functions and weddings in connivance with the MCD, and the organizers are using Diesel Generators for supplying electricity and play loud music and causing noise pollution beyond permissible limits. This Hon'ble Tribunal vide order dated 07.07.2023 was pleased to issue notice to all respondents to file the reply.
2. That, an inspection of the site was carried out on 06.04.2023 by the DPCC official. During the inspection it was observed that:
 - i. No social event, functions or wedding is observed.
 - ii. The said park is maintained by MCD.
 - iii. Sh. Devdutt, Park Caretaker informed that the park is being allotted for organising the social events, functions or wedding events by MCD.

Copy of the inspection report dated 06.04.2023 alongwith photographs are enclosed herewith as **ANNEXURE-1(Colly)**.



3. That this Hon`ble Tribunal taken up the issue of illegal and unregulated use of parks for commercial purposes in OA No. 519/2019 titled as “ President Budhela Welfare Association Vs GNCTD” and passed detailed directions on 04.02.2021. This Order was challenged by Municipal Authorities before the Hon`ble Supreme Court in Civil Appeal Diary No. 15182/2021 and 15754/2021. Hon`ble Supreme Court pleased to stay the order passed by this Hon`ble Tribunal on 02.08.2021.
4. The DDA has handed over the park to MCD in the year of 2021.
5. As during the inspection although there is admission by MCD that functions are being organized by individuals. As no function was organized during inspection, hence no action was initiated by DPCC.
6. Further, re-inspection of the said site was carried out on 02.04.2024 and during inspection :
 - i. No social event, functions or wedding was observed during inspection.
 - ii. The said park is being maintained by MCD.
 - iii. No concerned official is available.

Copy of the inspection report dated 02.04.2024 alongwith photographs are enclosed herewith as **ANNEXURE-2(Colly)**.

7. DPCC has issued letter dated 15.07.2024 to MCD and Horticulture Division, DDA to adhere to the environmental laws in respect of handling municipal solid waste generation and pollution etc. if any. **ANNEXURE-3(Colly)**.
8. It is therefore requested to this Hon`ble Tribunal that the present status report may kindly be taken on record.

(M.S. Rawat)
Sr. Environmental Engineer

Delhi

Dated 16th July, 2024

INSPECTION REPORT

With respect to NGT matter "Rajaram C. Iyer Vs GNCTD & Ors." vide OA No. 152/2023, an inspection is carried out by DPCC officials on 06.04.2023 at Buddha Park adjoining Pocket-I Mayur Vihar Metro Station (Pink Line), Delhi-110091 to ascertain the facts and during inspection following observations are made -

- i. No social event, functions or wedding is observed during inspection.
- ii. The said park is maintained by MCD.
- iii. As informed by Sh. Devdutt, Park Caretaker the said park is used in social events, functions or wedding and the park is being given on rent for social events by MCD.

Sunilkumar
06/04/2023
JEE, DPCC

Amrikumar
06/04/2023
JEE, DPCC

8527096753 507700/10017



Visit us at: www.mcoonline.gov.in

Form GBA
EAST DELHI MUNICIPAL CORPORATION

ED 127109

Block / Date
Part / Department
Area / Zone

Block / Date
Part / Department
Area / Zone

Particulars	Amount
1300000	5000.00
500.00	500.00
270.00	270.00
13.00	13.00
Total	6780.00

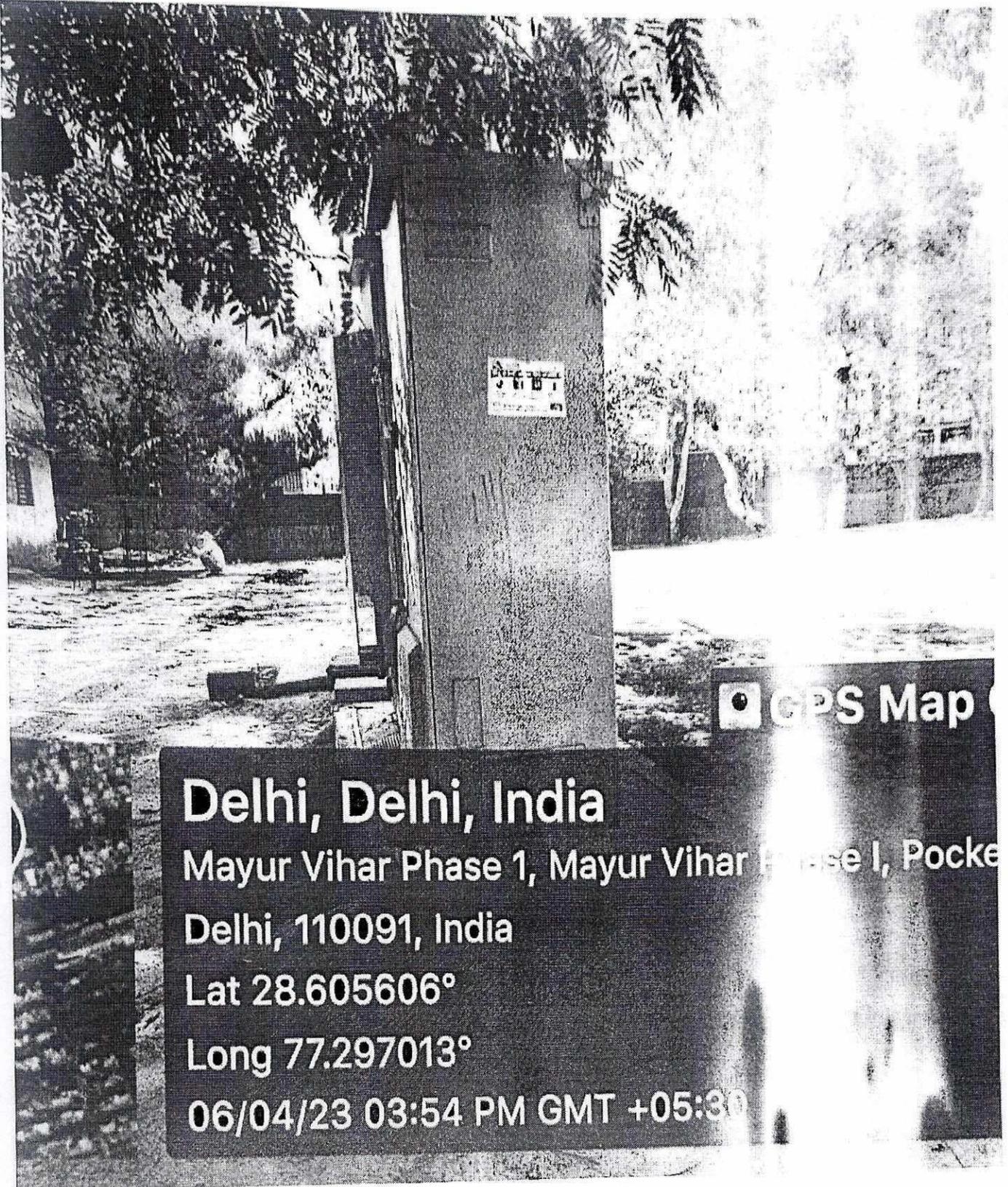
Rupees Six Thousand Seven Hundred Eighty Only

Total:

Park ID: FS/SHS/209/2
Shahadra South/Bhanu Pratap

ED127109

This is a computerised receipt, does not require authorised signature.
Cheque subject to realisation/authorisation.



Delhi, Delhi, India

Mayur Vihar Phase 1, Mayur Vihar Phase I, Pocket

Delhi, 110091, India

Lat 28.605606°

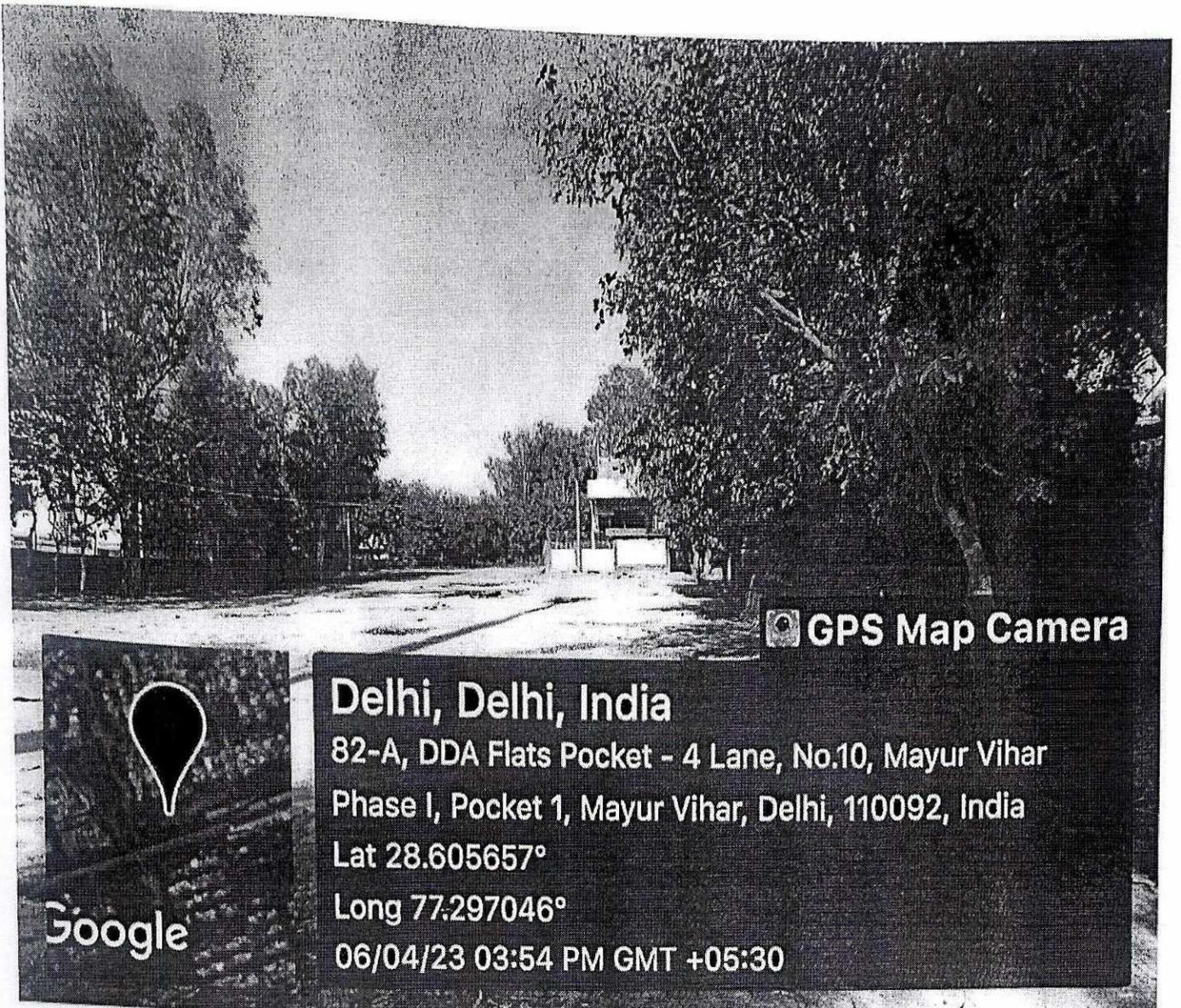
Long 77.297013°

06/04/23 03:54 PM GMT +05:30

GPS Map

6

6



GPS Map Camera

Delhi, Delhi, India

82-A, DDA Flats Pocket - 4 Lane, No.10, Mayur Vihar

Phase I, Pocket 1, Mayur Vihar, Delhi, 110092, India

Lat 28.605657°

Long 77.297046°

06/04/23 03:54 PM GMT +05:30

Google

7

5



Annexure-2 (Copy)

INSPECTION REPORT

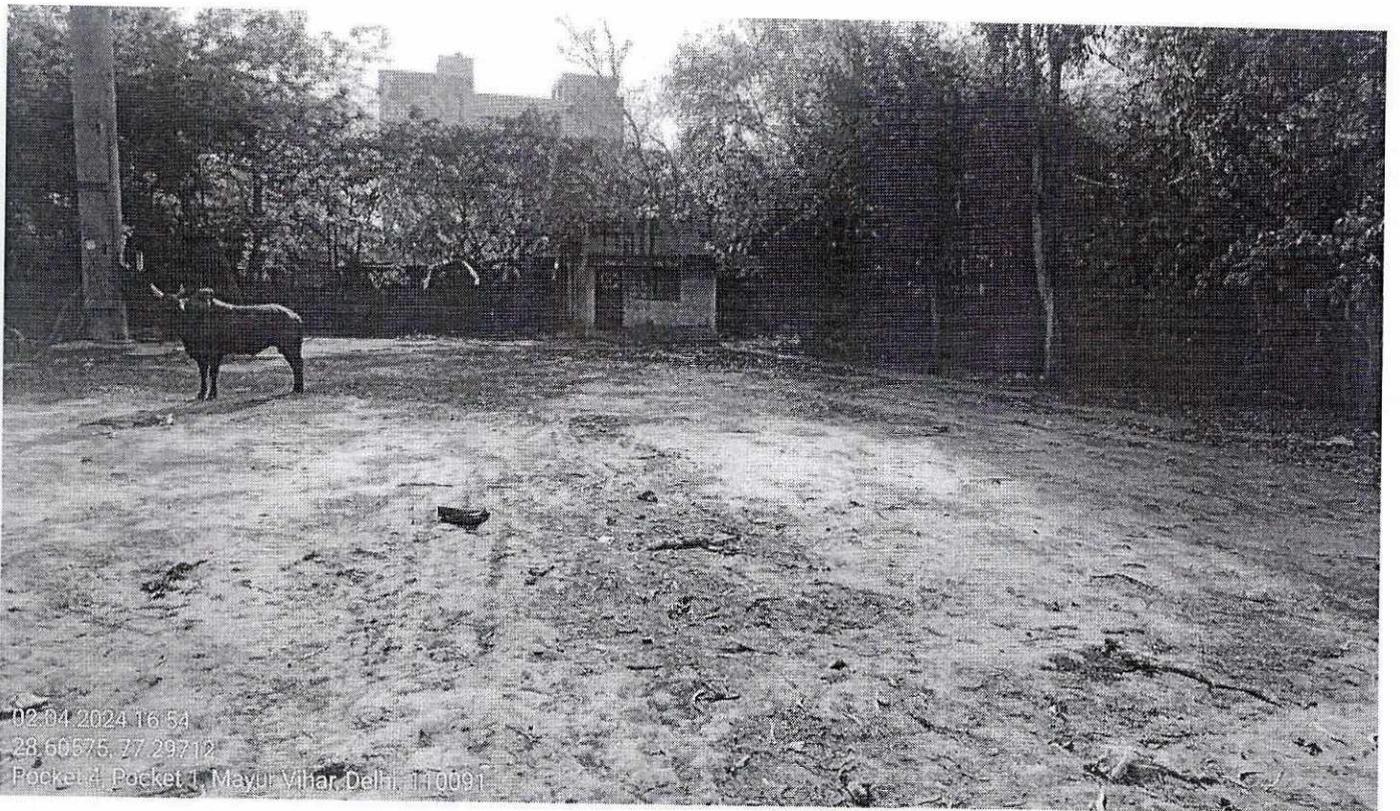
With respect to Hon'ble NGT matter "Rajaram C. Iyer Vs GNCTD & Ors." vide OA No. 152/2023, an inspection is carried out by the DPCC official on 02.04.2024 at Buddha Park adjoining Pocket-I Mayur Vihar Metro Station (Pink Line), Delhi-110091 to see the current status of the site and during inspection following observations are made -

- i. No social event, functions or wedding is observed during inspection.
- ii. The said park is maintained by MCD.
- iii. No concerned official is present.

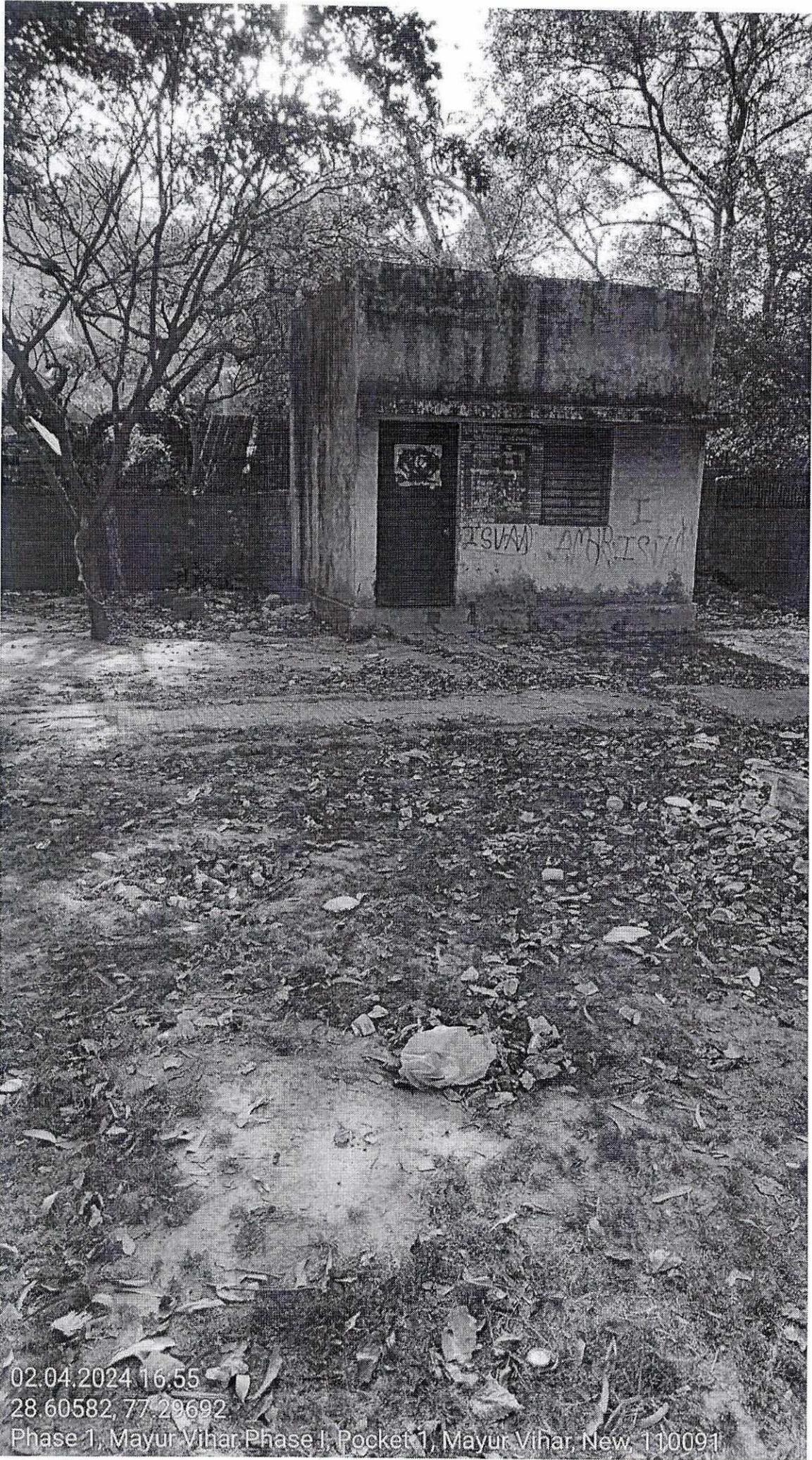
Amritinder
02/04/2024JCB, CMC-1
DPCC

2





02.04.2024 16:54
28.60575, 77.29712
Pocket 4, Pocket 1, Mayapuri Vihar, Delhi, 110091



02.04.2024 16:55

28 60582, 77 29692

Phase 1, Mayur Vihar Phase I, Pocket 1, Mayur Vihar, New, 110091

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 5TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 visit us at : http://dpcc.delhigovt.nic.in</p>	
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DPCC/CMC-1/NGTOANo.152/2023 / 144-146

Dated: 15/07/2024

To,

**1. The Commissioner,
Municipal Corporation of Delhi,
DR. S.P.M. Civic Centre Minto Road,
New Delhi-100002**

Annexure-3 (Copy)

**2. The Dy. Director,
Office of the Dy. Director,
Horticulture Division No. VII,
DDA Seed Bed Park Shakarpur, Delhi-92**

**Sub: Hon'ble NGT in OA No. 152/2023 in the matter of "Rajaram C. Iyer Vs
GNCTD & Ors."**

Sir,

This has reference to Hon'ble NGT matter in OA No. 152/2023 "Rajaram C. Iyer Vs GNCTD & Ors." wherein the applicant had complained that Buddha Park adjoining Pocket-I, Metro Station (Pink Line) is being illegally used for organizing various social events, functions and weddings in connivance with the MCD, mafia and the organisers use Diesel Generators for supplying electricity and play loud music for entertainment causing noise pollution beyond permissible limits disturbing and adversely affecting the residents particularly infants and aged people living in the area.

As per the status report filed by MCD in Hon'ble NGT it is mentioned that the said park is available for booking for marriages and party functions.

Further, Hon'ble NGT vide order dated 04.04.2024 (copy enclosed) had directed that:

"The applicant seeks time to examine the information furnished in the reports while pointing out that SoPs have been prepared and mechanism has been created for compliance with the terms and conditions incorporated in the SoP but due to deficiencies in implementation residue is still left over in the parks and remedial measures are required to be taken.

The DDA and the MCD are directed to look into this aspect and take appropriate remedial measures for ensuring that the persons booking the parks for various social functions and also the caterers and florists providing their services for the same manage and dispose of all the solid and liquid waste in accordance with the rules and terms and conditions of booking agreement. For this purpose SoP may be amended by inclusion of specific stipulation for imposition of high amount of penalty on the defaulters and also earmarking of specific part of the booking amount for utilization for remediating the environmental damage caused.

Applicant is directed to file his objections/suggestions to the reports filed by the MCD and the DDA within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

Replies/responses by the respondents, who have not yet filed the same, may be filed within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF and no further adjournment will be granted for this purpose."

In view of above, you are requested to comply with the said orders of Hon'ble NGT dated 04.04.2024 and adhere to the environmental laws in respect of handling municipal solid waste generation and pollution etc. if any.

This is being issued with the approval of the Competent Authority, DPCC.

Yours sincerely,



M.S. Rawat
SEE, CMC-I

Encl: as above

Copy to:

1. Master File
2. Office Copy