

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

E.A. No. 10/2023
In
O.A. No. 214/2021

In the matter of:

Shailesh Singh

...Applicant

Versus

CPCB &Ors.

....Respondents

INDEX

S. No.	Particulars	Page Nos.
1.	Status Report on behalf of Respondent No. 3- Municipal Corporation of Delhi	304- 307
2.	Annexure A True copy of DPCC's letter dt. 06.07.2022	308
3.	Annexure B True copy of Order dt. 25.07.2024 in Mayor, MCD v. Office of Lieutenant Governor &Anr. W.P.(C) 73/2023	309
4.	Proof of Service	310

RESPONDENT NO. 3

REPRESENTED BY:


MANU CHATURVEDI,

Standing Counsel for Municipal Corporation of Delhi

B-30, Hill View Apartment, Vasant Vihar, New Delhi-110057

Place: New Delhi

Date: 26/07.2024

E.: manuchaturvedi@gmail.com

M.: +919315827955

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

E.A. No. 10/2023
In
O.A. No. 214/2021

In the matter of:

Shailesh Singh

...Applicant

Versus

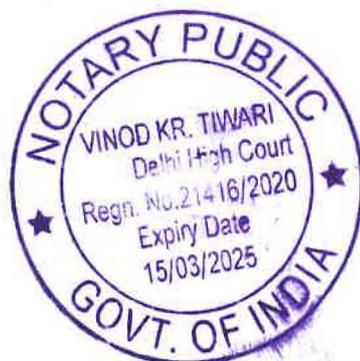
CPCB &Ors.

....Respondents

**STATUS REPORT ON BEHALF OF RESPONDENT NO. 3- MUNICIPAL CORPORATION
OF DELHI**

Affidavit of Dr Akhilesh Kamal S/o Dr D.C. Keim, Aged about 53 years, Deputy Director, Ghazipur Slaughter House on behalf of Respondent No.03/MCD, New Delhi.

1. That presently I am working presently as Deputy Director, Ghazipur Slaughter House and fully conversant with the fact of the case on the basis of record maintained and made available in this regard and as such am competent to depose and swear the present affidavit on behalf of Respondent /MCD.
2. The status report is being filed pursuant to order dated 16.04.2024 of this Hon'ble Court.
3. The instant Status Report is being filed in compliance with this Hon'ble Tribunal's Order dt. 16.04.2024 *vide* which the answering Respondent was directed to disclose the status of progress relating to the tender floated for setting up a Bio-Methanation/Ingesta/Dung-Drying Plant.
4. By way of a brief background, it is submitted that the DPCC *vide* its letter dt. 06.07.2022 directed the answering Respondent to apply for the renewal of CTO for the Ghazipur slaughter house, as well as establish a Bio-Methanation/Ingesta/Dung-Drying Plant at the earliest. A copy of the DPCC's letter dt. 06.07.2022 is annexed herewith and marked as **Annexure-A.**



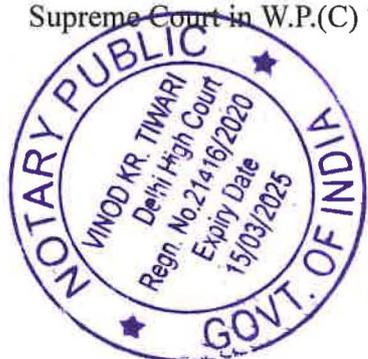
5. In pursuance of the DPCC's letter dt. 06.07.2022, the answering Respondent made strenuous efforts to set up the Bio-Methanation/Ingesta/Dung-Drying Plant. The answering Respondent being a local authority had to follow the statutory procedure under which the answering Respondent was required to float tenders for the establishment of such a plant. Moreover, given the technical nature and infrastructure involved in the establishment of a Bio-Methanation/Ingesta/Dung-Drying Plant- a specialized agency with the trained expertise and technological know-how was required to undertake such an endeavour.
6. The answering Respondent floated 4 (four) tenders between 22.05.23 to 23.09.2023- all of which had to be re-tendered for various reasons. Details of these 4 (four) tenders are provided herein below:

<i>S. No.</i>	<i>Tender No.</i>	<i>Date of Tender</i>	<i>Reasons for Re-tendering</i>
1.	EE(E&M)/MCD/Engg./2023-24/03	22.05.2023	No bidder participated in the given tender, thus, there was a need for re-tendering by way of floating a separate tender.
2.	EE(E&M)/MCD/Engg./2023-24/07	30.06.2023	Two bidders participated in the given tender. However, both were technically disqualified, and thus a new tender had to be floated.
3.	EE(E&M)/MCD/Engg./2023-24/10	23.08.2023	There was only one bidder that was technically qualified. The answering Respondent re-tendered the same after taking necessary approval from the Competent Authority in an



			attempt towards wider participation.
4.	EE(E&M)/MCD/Engg./2023-24/11	23.09.2023	In this tender, only a single bid was received by the answering Respondent. Thus, the same had to be re-tendered.

7. In light of the above, it is humbly submitted that the answering Respondents made continuous efforts to float a tender and find a successful, technically qualified bidder and begin the process for establishing the Bio-Methanation/Ingesta/Drying-Dung Plant.
8. Subsequently, in the 5th tender (Tender No. EE(E&M)/MCD/Engg./2023-24/15) floated by the answering Respondent dt. 26.10.2023, 2 (two) bids were received, and after the necessary technical evaluation, the tender was finalized and M/s Food Processing Equipments Co. Pvt. Ltd. emerged as the successful L-1 bidder on dt. 28.02.2024.
9. It is pertinent to note that while the aforementioned tender has been finalized and M/s Food Processing Equipments Co. Pvt. Ltd. has emerged as the successful L-1 bidder, the Standing Committee of the answering Respondent constituted under Section 45 of the Delhi Municipal Corporation Act, 1957 [DMC Act, 1957] needs to approve the rate and agency of the subject work, as per the statutory scheme under Section 49 of the DMC Act, 1957. The Standing Committee's approval in this regard is a pre-condition for the concerned department of the answering Respondent to award and direct commencement of the works to be executed.
10. It may be noted that the Standing Committee has not been constituted for the last 18 months, and the matter for the constitution of the Standing Committee is now sub-judice before the Hon'ble Supreme Court in *Mayor, Municipal Corporation of Delhi v. Office of Lieutenant Governor of Delhi & Anr.* [W.P.(C) 73/2024]. A copy of the last Order of the Hon'ble Supreme Court in W.P.(C) 73/2024 is annexed herewith and marked as **Annexure-B**.



11. It is submitted that as soon as the Standing Committee is constituted, the answering Respondent undertakes to obtain the Standing Committee's approval of the rate and agency of the subject work to commence the establishment and setting up of the Bio-Methanation/Ingesta/Dung-Drying Plant at the earliest.

12. The answering Respondent undertakes to assist this Hon'ble Tribunal in all ways required and to submitted additional affidavits, Status Reports and any other documents and details as may be directed by this Hon'ble Tribunal.

msg
I identified the Deponent who has signed/Thumb impression before me

VERIFICATION:

26 JUL 2024

[Signature]
DEPONENT
Dr. Akhilesh Kamal
Dy. Director (VS)
Incharge, Ghazipur Slaughter House
Municipal Corporation of Delhi

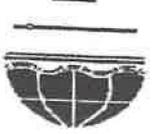
Verified at New Delhi on this 26 day of July, 2024 that the contents of the above affidavit are true and correct to my knowledge, and nothing material has been concealed thereof.

[Signature]
DEPONENT
Dr. Akhilesh Kamal
Dy. Director (VS)
Incharge, Ghazipur Slaughter House
Municipal Corporation of Delhi



CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT EXECUTANT WHO IS SEEMED PERFECTLY TO UNDERSTAND AFFIRMED & DEPOSED BEFORE ME AT NEW DELHI
[Signature]
IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE
VINOD KUMAR TIWARI, Advocate, Reg. No. 21416/2020
NOTARY PUBLIC (NEW DELHI)

26 JUL 2024

	<p style="text-align: center;">DELHI POLLUTION CONTROL COMMITTEE DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI) 4TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6 (visit us at website : http://dpcc.delhigovt.nic.in/)</p>
---	--

F. No. DPCC/WMC-III/2021/3920-3921

Dated: 06.07.2022

To,

The Director,
Department of Veterinary Services,
Municipal Corporation of Delhi,
17th Floor, Dr. SPM Civic Centre,
JLN Marg, New Delhi-110002.

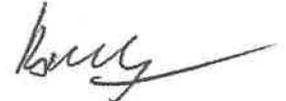
Sub: Compliance of Hon'ble NGT order dated 04.07.2022 in OA No. 214/2021 - Consent to Operate (CTO) of Slaughter House, Ghazipur, Delhi -Reg.

Sir,

In compliance with the order of the Hon'ble NGT dated 04.07.2022, in OA No. 214/2021 and on the basis of the report of the Joint Committee (enclosed), the slaughter house at Ghazipur which already has Consent to Operate (CTO) valid up to 13.09.2022 is allowed to operate with immediate effect.

However, MCD should

1. Establish system of 100% recycling of the treated water using RO/nano-filtration as per the guidelines of CPCB within a period of six months.
2. Establish "Biomethanation Plant"/"Ingesta/ Dung Drying Plant" at the earliest in terms of the advice of the technical experts in this regard.
3. Apply for renewal of Consent to operate well within time, which is expiring on 13.9.2022.



(Dr. BMS Reddy)
Incharge, WMC-III

Copy to: Incharge, Ghazipur Slaughter House, Delhi Food Processing Complex, Municipal Corporation of Delhi, Pocket-B, Ghazipur, Delhi-110096.

T.C
a

ITEM NO.3

COURT NO.1

ANNEXURE-B
SECTION X

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

309

Writ Petition (Civil) No.73/2024

MAYOR, MUNICIPAL CORPORATION OF DELHI

Petitioner(s)

VERSUS

THE OFFICE OF THE LIEUTENANT GOVERNOR OF
DELHI & ANR.

Respondent(s)

Date : 25-07-2024 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Shadan Farasat, AOR
Mr. Amit Bhandari, Adv.
Mr. Siddharth Seem, Adv.
Mr. Aman Naqvi, Adv.
Mr. Harshit Anand, Adv.
Ms. Natasha Maheshwari, Adv.
Ms. Mreganka Kukreja, Adv.
Mr. Abhishek Babbar, Adv.
Mr. Shadab Azhar, Adv.
Mr. Prannv Dhawan, Adv.
Ms. Niharika Srivastava, Adv.

For Respondent(s) Mr. Sanjay Jain, Sr. Adv.
Mr. Mukesh Kumar Maroria, AOR
Ms. Bani Dikshit, Adv.
Mr. Arkaj Kumar, Adv.

UPON hearing the counsel the Court made the following
O R D E R

- 1 List the Petition on 29 July 2024.

Signature Not Verified
Digitally signed by
CHETAN KUMAR
Date: 2024.07.25
16:11:35 IST
Reason:

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar

T.C
o

310



Dheeraj baudhh <dheerajbaudhh@gmail.com>

Proof of Service. Filing - Status Report on behalf of MCD(Shailesh Singh Vs. CPCB & Ors. E.A No. 10/2023)

Dheeraj baudhh <dheerajbaudhh@gmail.com>
Draft To: preeti singh <preetisingh1324@gmail.com>

26 July 2024 at 16:55

Dear Sir (s)

Please find attached a Draft of the Status Report in the above captioned matter.

Manu Chaturvedi
Advocate
Standing Counsel for MCD

D2579/2012 BA.LL.B.(Hons.) (NUJS.Kolkata)
LL.M.(Dean's List) (Univ. of California,
Berkeley Fulbright Scholar)

Office: B-30 Hill View Apartment Vasant Vihar-110057
Ph.:931582795
E: manuchaturvedi@gmail.com

 **Shailesh Singh.pdf**
2539K