

**117**  
**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH: NEW DELHI**

M.A. No. 64/2024

In

O.A. No. 581/2023

(I.A. No. 231/2025)

**TRIBUNAL ON ITS MOTION**

**D.O.H:- 25/08/2025**

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Through



Puja Kalra  
(Advocate)

Standing Counsel for MCD  
Ch. No. 430/431, Lawyers Chambers  
Delhi High Court, New Delhi.

Date: 22/8/25  
Place: New Delhi.

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

M.A. No. 64/2024

In

O.A. No. 581/2023

(I.A. No. 231/2025)

TRIBUNAL ON ITS MOTION

**STATUS REPORT ON BEHALF OF RESPONDENT  
MUNICIPAL CORPORATION OF DELHI (MCD)  
IN COMPLIANCE OF ORDER DATED 23/07/2025  
PASSED BY THIS HON'BLE TRIBUNAL.**

I, Ashwani Kumar, aged about 57 years, presently posted as Commissioner, Municipal Corporation of Delhi, having office at 9<sup>th</sup> Floor, Dr. S.P.M. Civic Centre, Minto Road, New Delhi on the basis of officials record maintained by the Respondent Municipal Corporation of Delhi (MCD) do hereby solemnly affirm and declare as under :

1. I am well conversant with the facts and circumstances of the present case. I have perused the record of the Respondent – MCD that I am fully authorised and competent to sign, swear and depose this affidavit on behalf of Respondent – MCD.
2. That the instant status report/ affidavit is being filed pursuant to order dated 23/07/2025 of this Hon'ble National Green Tribunal.
3. That vide order dated 23/07/2025, the Hon'ble Tribunal passed mainly the following directions in respect of Respondent – MCD :



“  
\_\_\_\_\_

10. Hence, we find that the MCD, authority responsible for maintaining the pond, has failed to take appropriate steps for keeping the pond clean and complying with the earlier orders of the Tribunal. Therefore, we require the Commissioner, MCD to file affidavit disclosing the reasons for not taking steps to keep the pond clean and failing to restore the pond and not complying with the orders of the Tribunal. Let this affidavit be filed within four weeks.
11. List on 25.08.2025.

4. That upon having the knowledge of the aforesaid order, the matter was discussed with the Deputy Commissioner (South Zone), MCD along with senior MCD engineers of Maintenance Division-IV and a report was also sought regarding the status of the alleged pond at Aya Nagar along with requisite actions taken by the department to keep the same clean and improve its water quality.
5. That on receiving the said report, the same has been perused and verified on the basis of the documents attached therewith. The copy of the report containing the steps taken by the department for keeping the pond in question clean and to improve its water quality along with supporting documents and photographs is annexed herewith as **Annexure –A (Colly)**.
6. That it can be observed from the said report that even prior to receipt of letter dated 04/06/2025 from DPCC, the concerned Engineering Maintenance Division –IV of South Zone – MCD had already initiated the process of tendering of de-silting and cleaning of said pond and subsequently the work was also awarded.



7. That in response to the said letter as received by the department, upon taking the requisite steps to keep the pond clean and to improve its water quality, a response has also been sent to DPCC vide letter bearing No.EE-M(IV)/SZ/2025-26/D-288 dated 19/08/2025.
8. That to apprise this Hon'ble Tribunal, regarding updated status about the site position of the said pond, the latest photographs taken in this regard are also annexed herewith as **Annexure –B (Colly)** for kind perusal please.
9. It is submitted that the Johad mainly recharge ground water. The drains carrying the sewage from the surrounding habitation which has a problem due to absence of sewerage system, have been disconnected. Due to lack of civic sense, people in surrounding habitation also throw solid waste in this pond. For this, enforcement as well as IEC (Information, Education and Communication) activities is also undertaken and further steps will be taken for better community engagement. Zonal authorities have been directed to issue challans to the violators who throw solid waste/garbage in the pond even after IEC activities. Solid Waste Biomass has over a period of time, got deposited in the pond. There is no fresh water flow in the pond except rainy season. The months of April to June are summer months and severely hot and they are also exposed to sunlight, the fresh rainwater does not flow, resulting in making the water in pond still



and therefore moss/algae cover over the parts of water, which gives bad odor, though floating material is lifted continuously. As the water in the pond is contaminated, hence, Maintenance Division of MCD has decided to clean the pond completely. The filth accumulated is being desilted and consequently improve its water quality. Considering the same, as stated above, the department has already awarded the work for desilting and cleaning of the said pond and the same is in progress. Also, more number of fresh water channels will be created in the catchment area of the park to divert the water from the surrounding park. A plantation drive has also been planned on 27.08.2025.

10. Although Khasra No.1704/Aya Nagar, which includes this pond, was originally handed over to MCD by the Revenue Department, GNCTD, in 2018 for five years, which has been expired in 2023. The DDA is not taking over Khasra No.1704/Aya Nagar (including the Pond) in spite of repeated requests by MCD, hence, MCD has decided to own up the park as well as the pond and maintain it at its own level to avoid confusion over jurisdiction issue between DDA and MCD. Hon'ble Tribunal may kindly be pleased to pass an order in this regard to give effect to this.



11. That it is humbly submitted that the Respondent – MCD has the highest regard for the orders passed by this Hon'ble Tribunal and can never think of not

complying with any orders passed by this Hon'ble Tribunal. The orders passed by this Hon'ble Tribunal are being duly complied with time and again in its letter and spirit by the Respondent – MCD.

12. That it is further submitted that in terms of the directions passed by this Hon'ble Tribunal, all endeavor shall be made, to keep the pond in question at Aya Nagar, New Delhi clean and to improve its water quality, by the Respondent – MCD.

13. It is humbly prayed that MCD owns the responsibility to maintain this pond in future.

*[Signature]*  
21/8/25  
Deponent

*Pooja Kulkarni*  
*Ashu*  
I Identify the Executant/Deponent  
Who has Signed in my Presence

VERIFICATION:

22 AUG 2025

Verified at Delhi on this 22 day of August – 2025, that the contents of the above affidavit are true and correct to my knowledge derived from the official records maintained by the MCD and I believe the same to be true and correct.

*[Signature]*  
21/8/25  
Deponent



CERTIFIED THAT THE DEPONENT  
Shri/Smt/Km. *A. Kumar* Age *57*  
S/o, W/o, D/o, Sh. *Somanth*  
Identified by *Pooja Kulkarni* MCD  
has solemnly affirmed before me at Delhi  
on 22 AUG 2025 at Sl. No. 3/37  
that the contents of the affidavit which have  
been read & explained to me are true and  
correct to his Knowledge.

*[Signature]*  
NOTARY

ANNEXURE - A  
123

6

I/N

## दक्षिणी दिल्ली नगर निगम

**Subject: Request for allocation of budget for desilting of Aya Nagar Water Body Johad / Talab (16-02) along with removal of vegetation by deploying labour and machinery in Khasra No. 1704, Aya Nagar.**

The Khasra No. 1704 / Water Body was with the Revenue Department however for the development of park, this Khasra No. 1704, Johad, Aya Nagar was handed over by Revenue Department to the Horticulture department, MCD in 2018 vide Order No. F. No. BDO (South)/2017/505 dated 19.02.2018 (copy placed at page no. 11/C to 12/C) for a period of **05 years on temporary basis** with the condition that ownership of this Gaon Sabha Land will remain with the Revenue Department.

As per the requisition of Horticulture Department vide letter No. 1692 dated 26.08.2022 (copy placed at page no. 5/C), the Engineering Department carried out work of boundary wall with grills, walk way etc for the park developed by Horticulture Department, MCD.

Meanwhile Gaon Sabha Land is vested with DDA in compliance of Gazette notification (Govt. of India: Extraordinary) Part II-Section 3-Sub-Section (ii) vide No. 2951 New Delhi, Friday, September 25, 2020, thus DDA become the owner of above said Khasra along with the Water Body. Accordingly EE (M)-IV/South Zone requested to DDA to do maintenance and cleaning work in this Water Body through the following letters:

1. Letter No. EE(M)-IV/SZ/2024-25/D-78 dated 27.05.2024
2. Letter No. EE(M)-IV/SZ/2024-25/D-110 dated 20.06.2024
3. Letter No. EE(M)-IV/SZ/2024-25/D-406 dated 26.11.2024
4. Letter No. EE(M)-IV/SZ/2024-25/D-596 dated 11.03.2025

The Horticulture Department, MCD was also requested to facilitate the immediate handing over Water Body of Aya Nagar in Khasra No. 1704 to DDA for its proper maintenance and cleaning vide note dated 19.03.2025 and letter vide No. EE M)-IV/SZ/2025-26/D-121 dated 21.05.2025.

Meanwhile the Hon'ble National Green Tribunal (NGT), in its own motion under Miscellaneous Application No. 64/2024 in Original Application No. 581/2023 has taken cognizance regarding illegal dumping of garbage etc, washing of cows and cattle in the park and discharge such water in the pond and discharge of waste water / sewage through open drain in the pond due to non-existence of sewage system in the locality (copy placed at page no. 1/C to 2/C).

Hon'ble NGT in MA No.64/2024 in original application No. 581/2023 (Tribunal on its motion) passed the order dated 24.03.2025. The salient para of the orders for given below:

**Para No. 4:**

MCD submitted that *land at Khasra No. 1704 was handed over to the MCD by DDA in pursuance to the letter dated 19.02.2018, annexure A (at page No. 52) for a period of five years and the said period has not been extended thereafter and MCD is writing to the DDA to take back the said khasra No. but DDA has not taken back the possession of the land.*

**Para No. 5:**

DDA submitted that now this issue will be resolved by DDA but she is unable to give any timeline for the same. Hence, we direct the DDA to resolve the issue within a period of six weeks.

**Para No. 10**

The issue of maintenance of the pond cannot be kept pending on account of any dispute between the DDA and MCD without the action to clean it.

S.D.M.C.

**Para No. 11**

Hence, we direct the MCD to continue the cleaning of the pond as has been reflected in the letter dated 20.03.2025 and in that process DDA will extend the requisite co-operation.

**Para No. 12**

We direct the DPCC to carry out the inspection for the pond and collect the water samples and submit the water sample analysis report along with the status of the pond within six weeks.

**Next date of hearing: 23.07.2025**

It is pertinent to mention here that the responsibility of maintaining the pond / johad / water body and park lies with the land-owning agency and in this case land owning agency is DDA because this land was handed over on temporary basis to MCD by Revenue Department, Govt. of NCTD for 05 years only which has already been elapsed on 18.02.2023. As per *kabza karwahi report Gram Aya Nagar Sahrikrit (in hindi)* i.e. handing over / taking over between Revenue Department GNCTD of Delhi and DDA on 10.06.2021, this khasra No. 1704 stood handed over to DDA.

Horticulture Department, MCD vide letter No. DDH/SZ/MCD/2025-26/436 dated 27.05.2025 requested to Executive Engineer, Delhi Development Authority that *the Delhi Development Authority kindly take immediate physical possession of the land and assume full responsibility for its management and protection against encroachment or misuse. The Horticulture Department is prepared to hand over the land at the earliest convenience and requests confirmation of the date and time for the same.*

As such DDA is now owner of above khasra No. 1704 and DDA should maintain this khasra including pond / johad / Water Body etc. The VC / DDA should be requested to direct concerned officers to formally take over this land from Horticulture, MCD to maintain and clean the Water Body / pond.

In reference to **Para no. 10 and Para no. 11 of the Hon'ble court directions dated 24.03.25, it is imperative to clean the pond.**

Accordingly the pond has been inspected and estimate has been prepared based on DSR-2019. The detail of work is as under:-

S. No	Name of work	Amount (in Rs.)
1	Desilting of Aya Nagar pond along with removal of vegetation by deploying labour and machinery, Aya Nagar, W. No. 157, SZ.	Rs. 7,77,200/-

In view of above, the proposal may be forwarded to the competent authority for allocation of budget amounting to Rs. 7,77,200/- under appropriate head of account in current financial year 2025-26.

Submitted please.

Executive Engineer (M-IV)/SZ

A.E-III

SE-II/SZ

RAMESH KUMAR  
SE-II/SZ/MCD

**Budget Slip Issued**

ACA (ENGG.)  
DCA (ENGG.)

AAO (ENGG.)

CE(South)

E-in-C-II/MCD

DCA(E)-I



Aloradi



125

8

**MUNICIPAL CORPORATION OF DELHI OFFICE**  
**OF EXECUTIVE ENGINEER**  
**EE(M-SZ-IV)[EE XXIV]**

W.O.No.: EE(M-SZ-IV)[EE XXIV]/SYS/2025-2026/9

Dated : 17-07-2025

Agency M/S Saras Associates  
G-414, Phase-6, Aya Nagar, new delhi-47

MB No.: 19625

Name Of Work: Desilting of Aya Nagar Pond along with removal of vegetation by deploying labour and Machinery  
Aya Nagar Ward No.157/SZ

FTC No. :25/66/XL-V-A-I/CR-41/03/157/MS-IV/07

Tender Amount : Item Rate

Contractual Amount :749760 /-

Time Of Completion: 2 Months

Head Of Account : XL-V-A-(i)

Earnest Monev : 0

Tender No.: 2025 MCD 238933 1

NIT NO: 11/01 dt.17.06.2025

Remark: Remarkes H/A XL-V-A-I, Item Rate-Rs.4249/-per day, 2. Rs.849/-per day, 3. Rs.7449/-per day, 4.Rs.7680/-per day

Dear

1. Your tender for the work as mentioned above has been accepted of behalf on the commissioner MCD as detail above along with terms and condition of the tender.

2.You are further directed to attend this office to complete the formal agreement with in seven days of the receipt of this letter or Communication received in this regard by any means like phone, fax,mail etc.whichever is earlier.

3. You are also directed to start the work at once. Please note that time allowed to carryout the work as entered in the tender shall be reckoned from the DOS.

4. It should be noted-- (a) That as and when orders are given for the execution of any extra/substitute item prior orders from the Competent Authority be obtained before execution of the same to avoid any further complications.(b) That contractor has to submit his RA/Final bill with measurement otherwise nothing will be consider due on account of work execution.

5. It shall be your responsibility to provide deep hand pump/Tube well/Municipal water at the site of the work and same shall be fit for construction purposes and provide safe drinking water free from contamination to the labour engaged.

6. You shall be responsible for correctness/genuineness of all the documents what so ever submitted by the you.

7. All the circular issued by MCD applicable to the instant nature of work will have to be complained by the contractor. Total Quantity of Cement -  
Note. Expenditure will not exceed to Rs 749760/

Copy To.

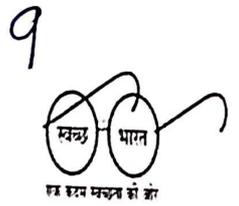
1. S.E (QC)for Information alongwith copy of Schedule & Justification
2. SE ( ) for kind Information Please
3. A.E Concerned for information and necessary action
4. Actt ( )with account file
5. Copy to Mpl. Councillor Ward
6. D.C.A ( )
7. Office Copy

  
(Shadab Alam)

EE(M-SZ-IV)[EE XXIV]



**126**  
MUNICIPAL CORPORATION OF DELHI  
OFFICE OF THE EXECUTIVE ENGINEER-M-IV  
SOUTH ZONE, SEC-IV, PUSHP VIHAR,  
NEW DELHI 110017



No. EE-M(IV)/SZ/2025-26/D- 288

Date:- 19.08.2025

To,

EE, CMC-I,  
Delhi Pollution Control Committee  
Department of Environment (GNCTD)  
3<sup>rd</sup> Floor, Block-I, DMRC IT Park Building  
Shastri Park, Delhi-53.

**Subject: Step taken regarding Aya Nagar Pond in reference to letter dated 04.06.2025.**

**Ref. No.:-** Hon'ble NGT order dated 24.03.2025 in MA No. 64/2024 in OA No. 581/2023.

Sir,

In reference to your above-mentioned letter, the following steps have been taken for keeping the pond clean and to improve its water quality: -

1. **Tendering & Award of Work:** Prior to receipt of your letter, this Division had already i.e. on 10.06.2025 initiated the process of tendering for desilting and cleaning of Aya Nagar Pond. Subsequently, the work was awarded on 17.07.2025 and labourers along with required machinery have been deployed at site.
2. **Sewer Inflow:-** During the inspection no sewage from any point has been found inflowing into the pond.
3. **Removal of Contaminated Water:-** To ensure fresh water in the pond, we have engaged pumps to empty the pond. The contaminated water has been pumped out, thereby creating provision for replenishment with fresh water.
4. **Cleaning of Pond:-** All vegetation and garbage inside the pond have been removed. Plan has been made to engage poclain in the pond to remove silt. For this a JCB has been engaged for making path to maneuvering of poclain.
5. **Awareness Measures:-** Display boards with deterrent messages have been installed around the pond to discourage residents from throwing garbage into the pond. Dustbins have also been fixed around the area for proper waste disposal.
6. **Future Safeguards:-** We will ensure that the water quality of the pond is not contaminated in future.
7. **Beautification Measures:** A plan has been made to plant trees around the pond to improve the environment and aesthetics of the area.

This is submitted for your kind perusal and record

Encl.:- Photographs showing the latest status of pond.

EE(M-IV)/SZ  
SHADAB ALAM  
Executive Engineer (M-IV)/sz  
Municipal Corporation of Delhi



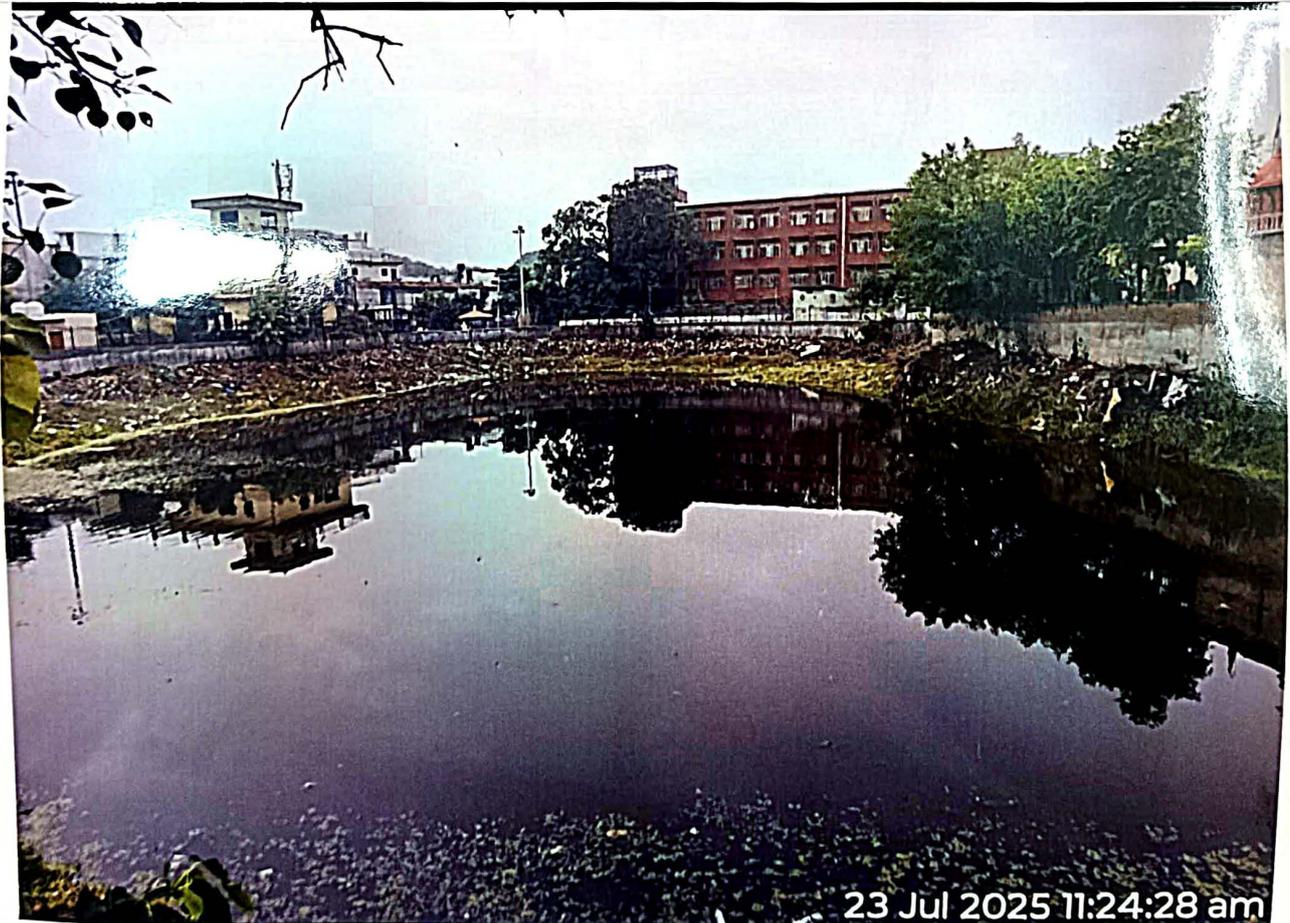
During cleaning of Pond.

See Photo  
(143) (144)



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 New Delhi  
 Delhi Division  
 Delhi

Before



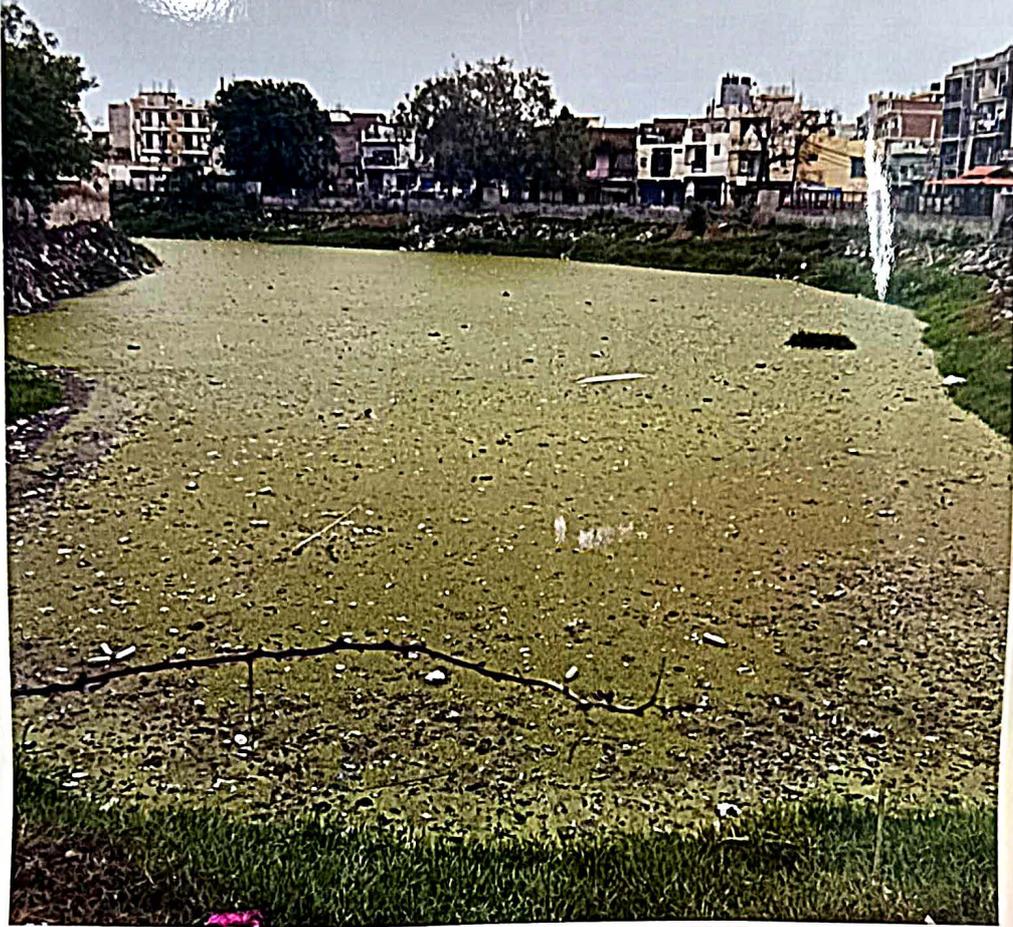
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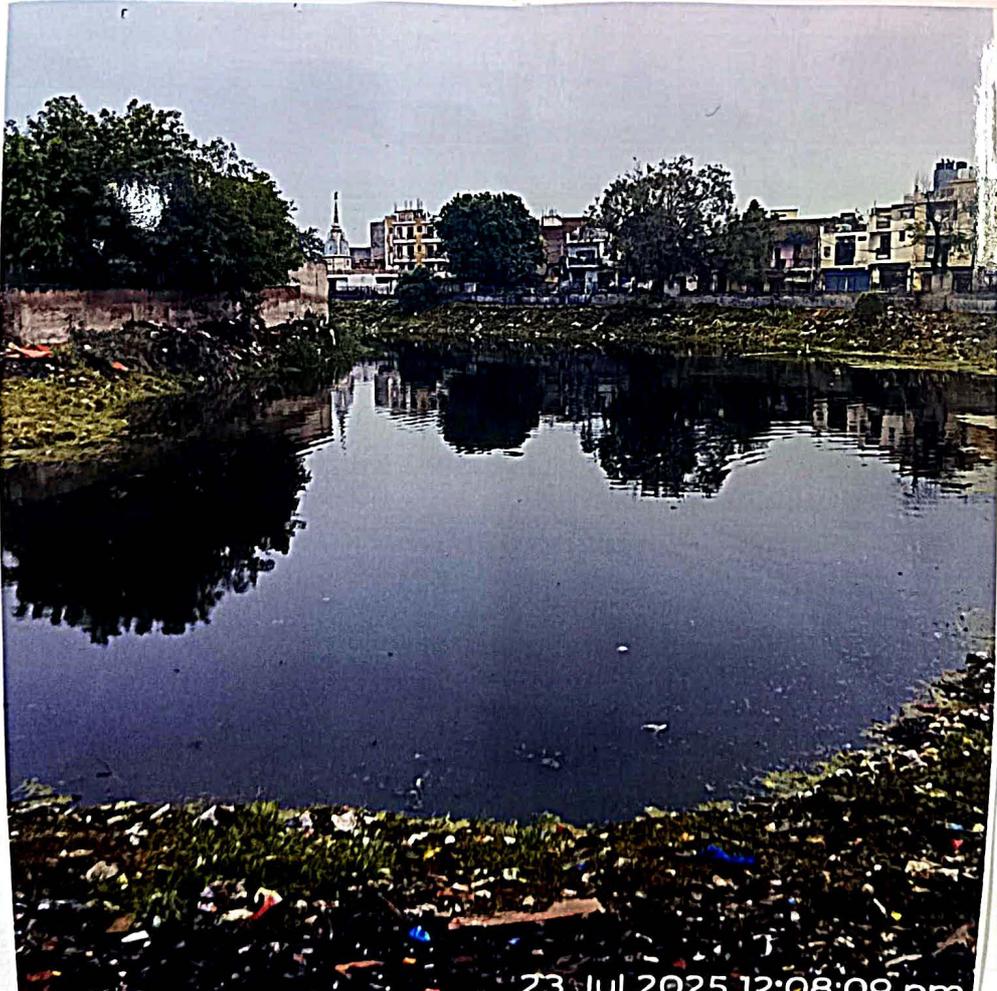
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 (TE)

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Before



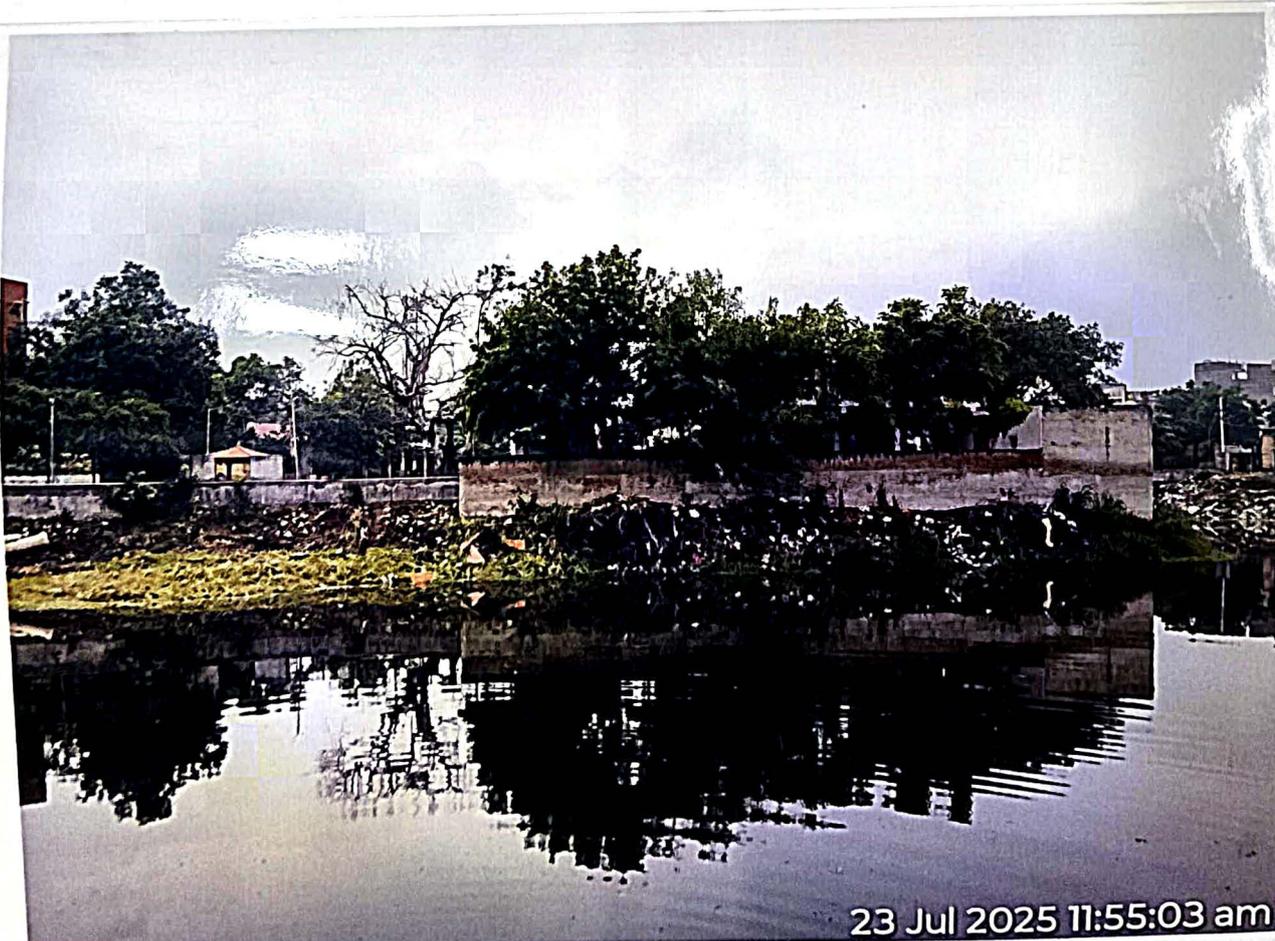
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Before

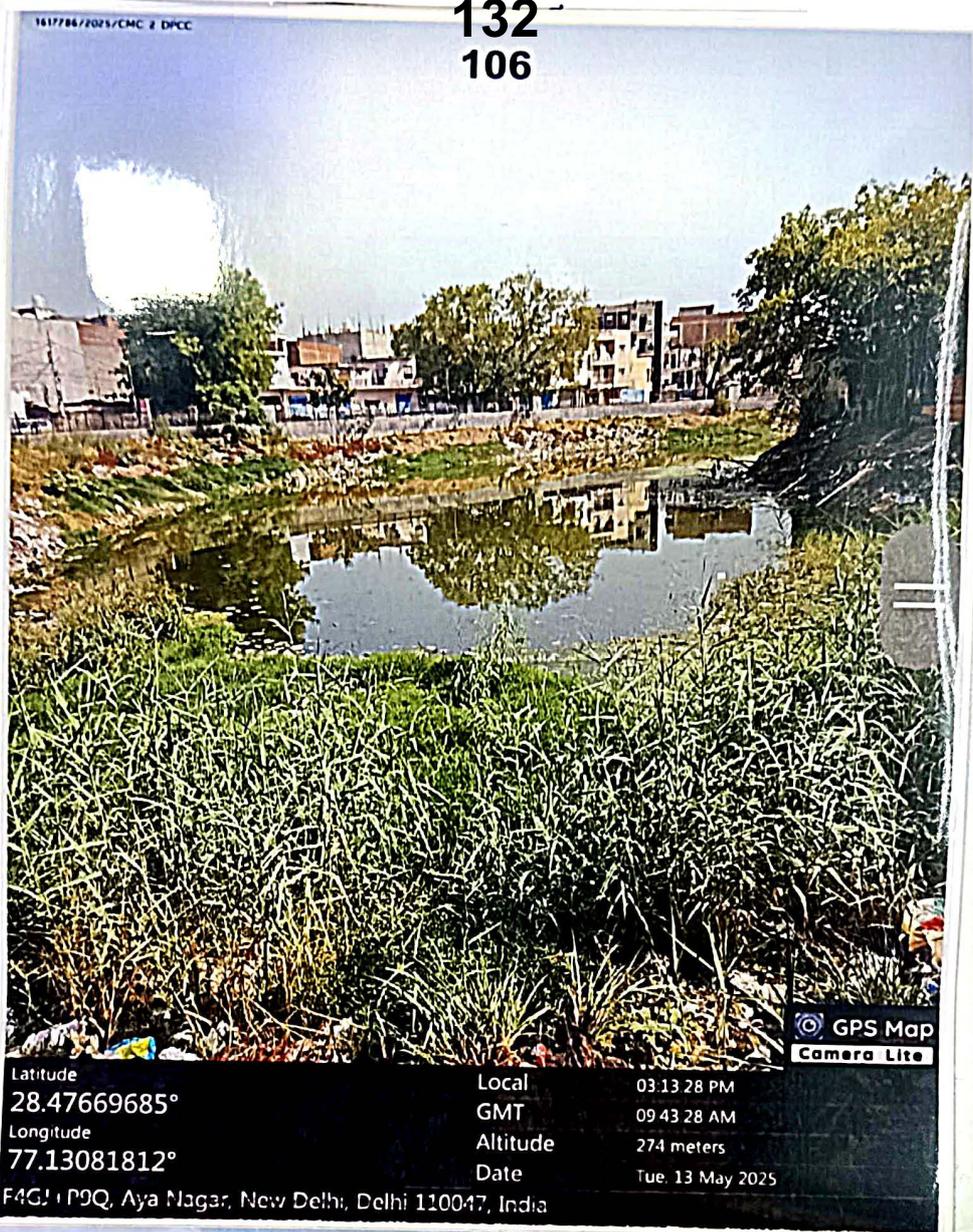


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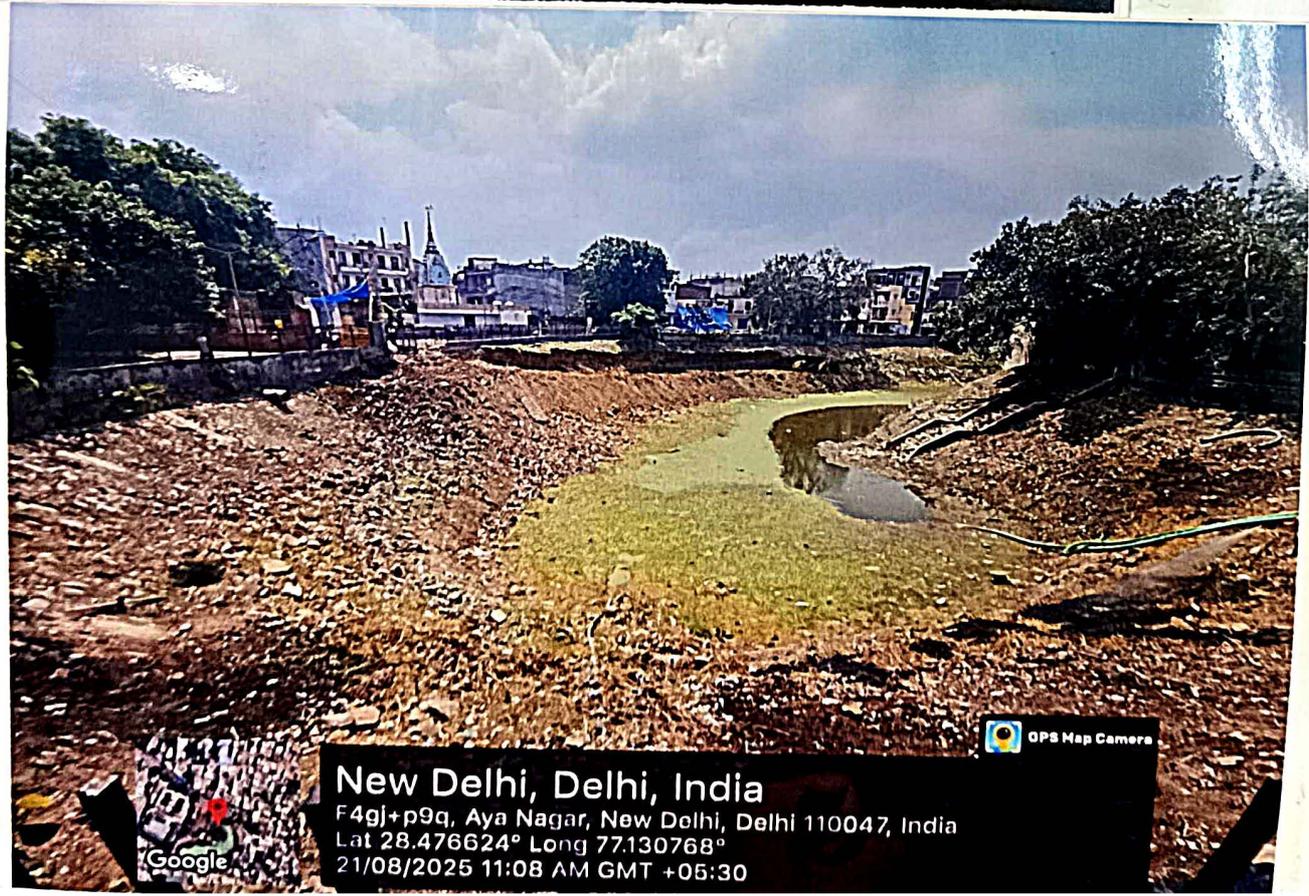
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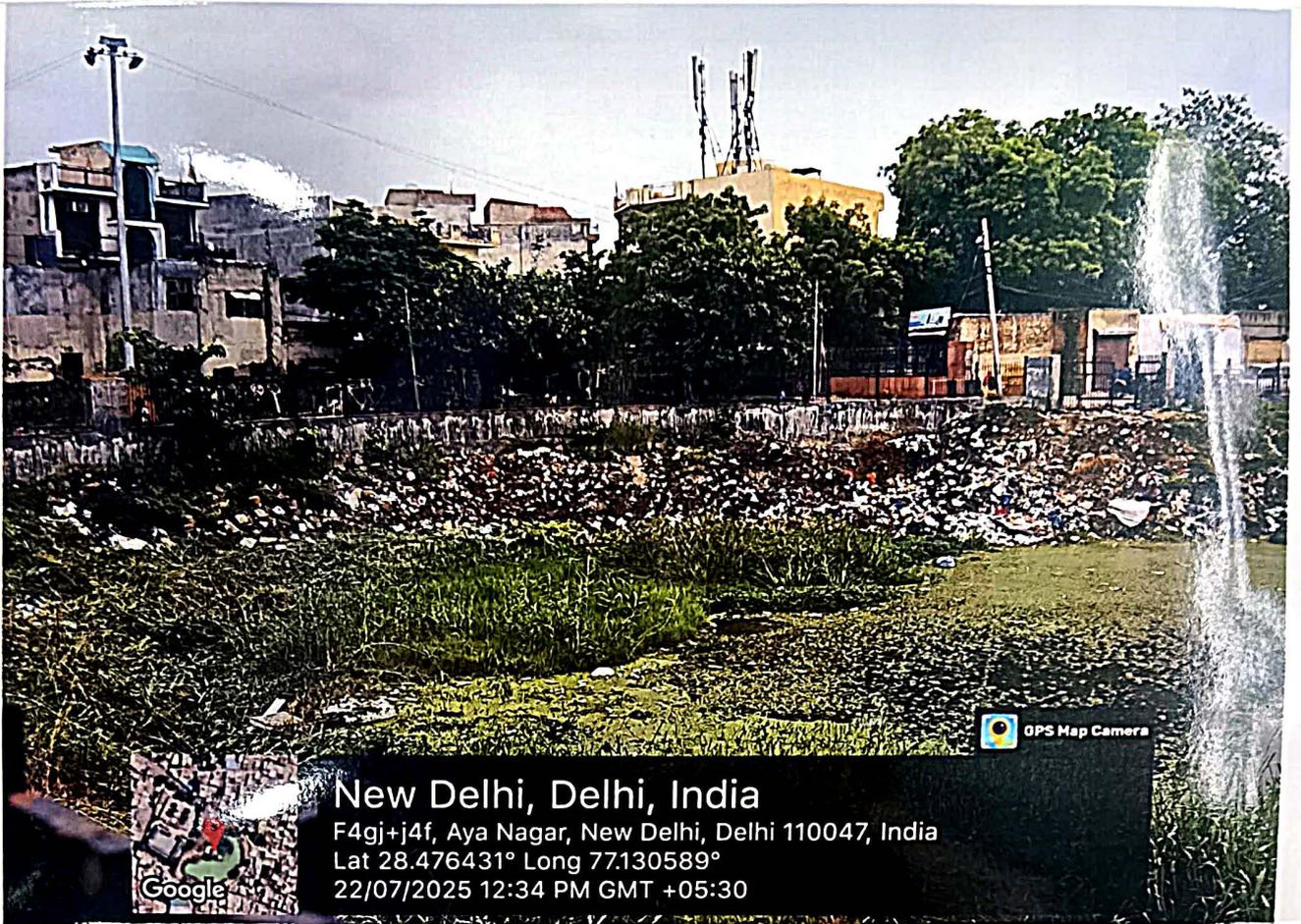


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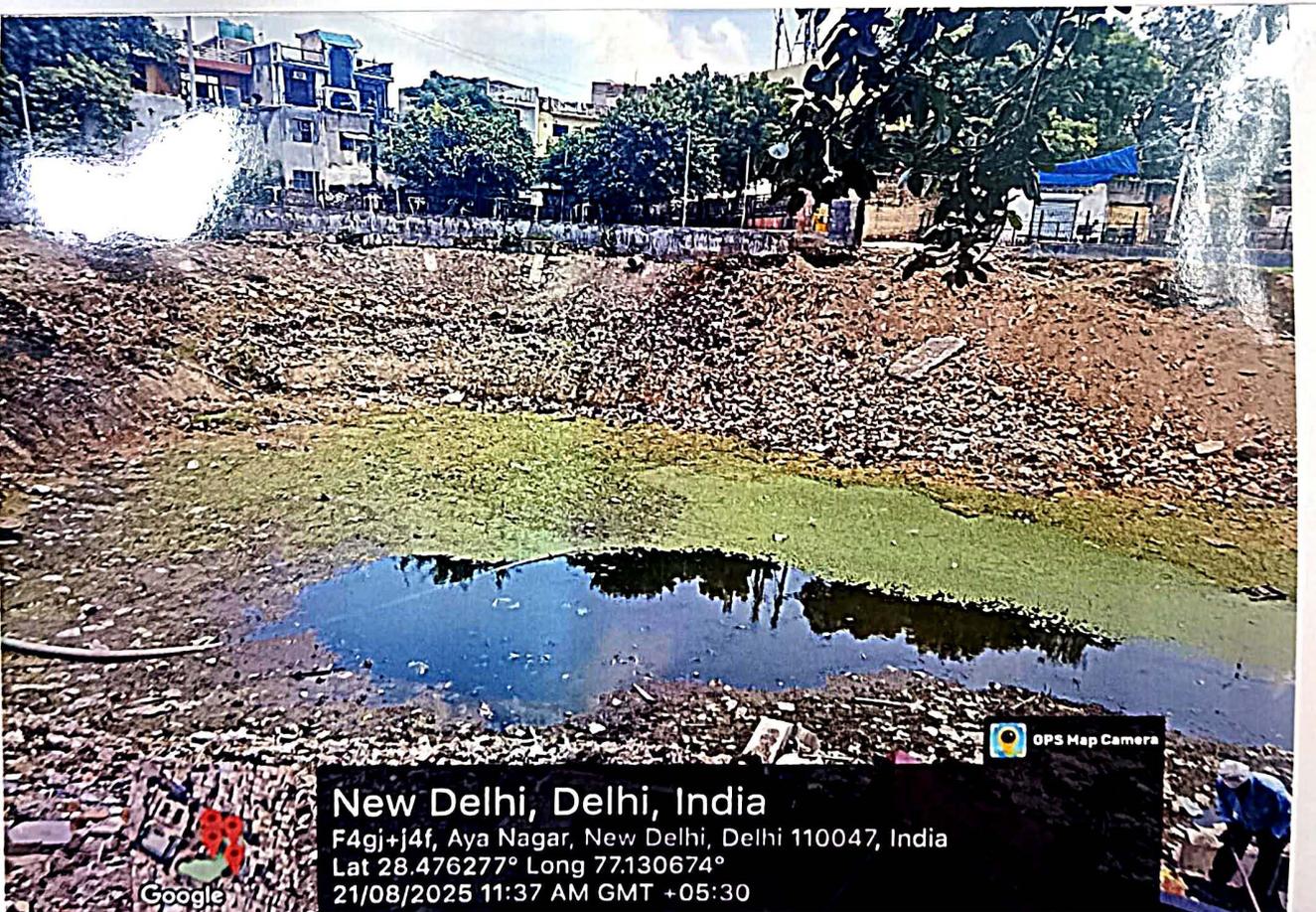
See  
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Before



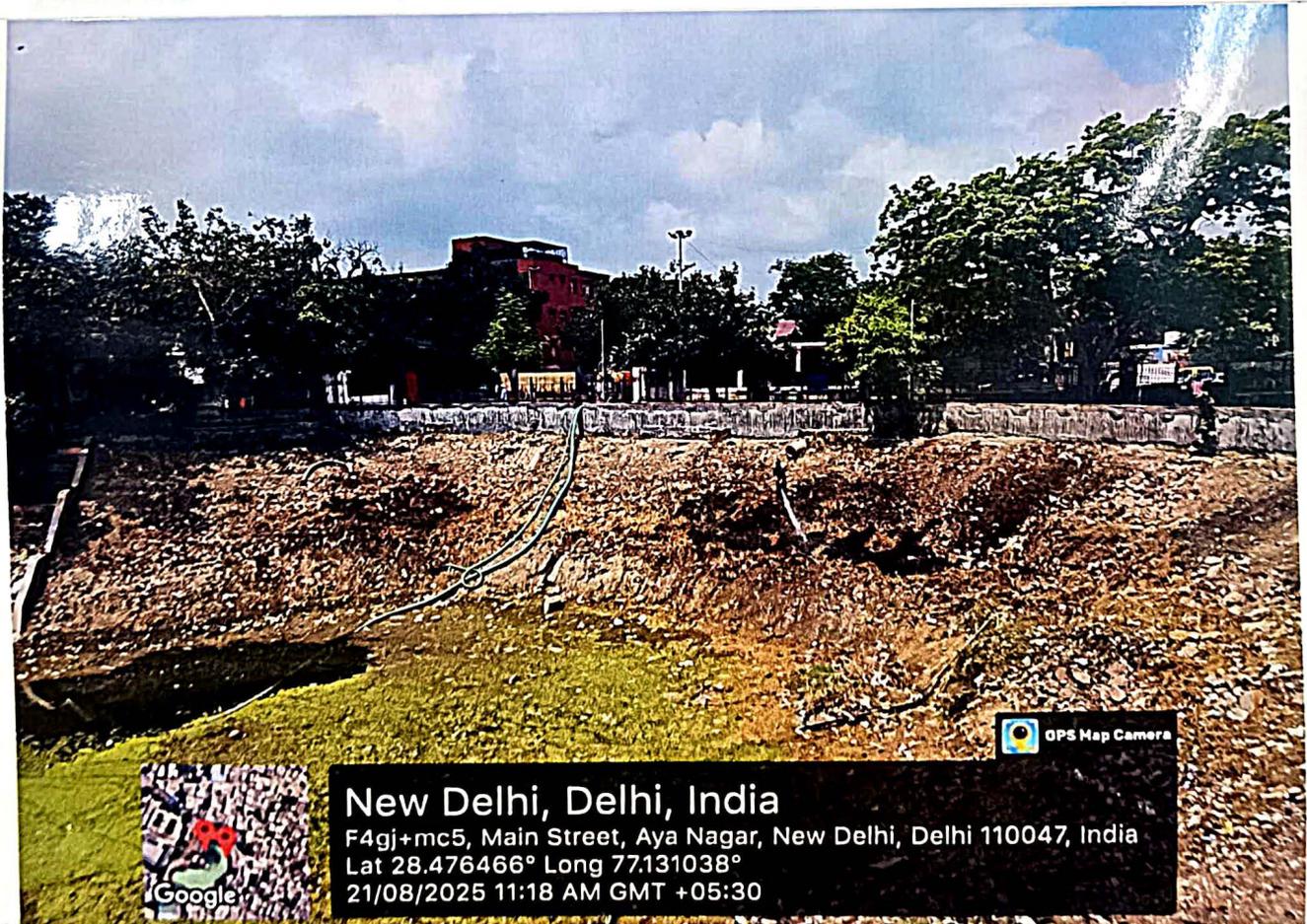
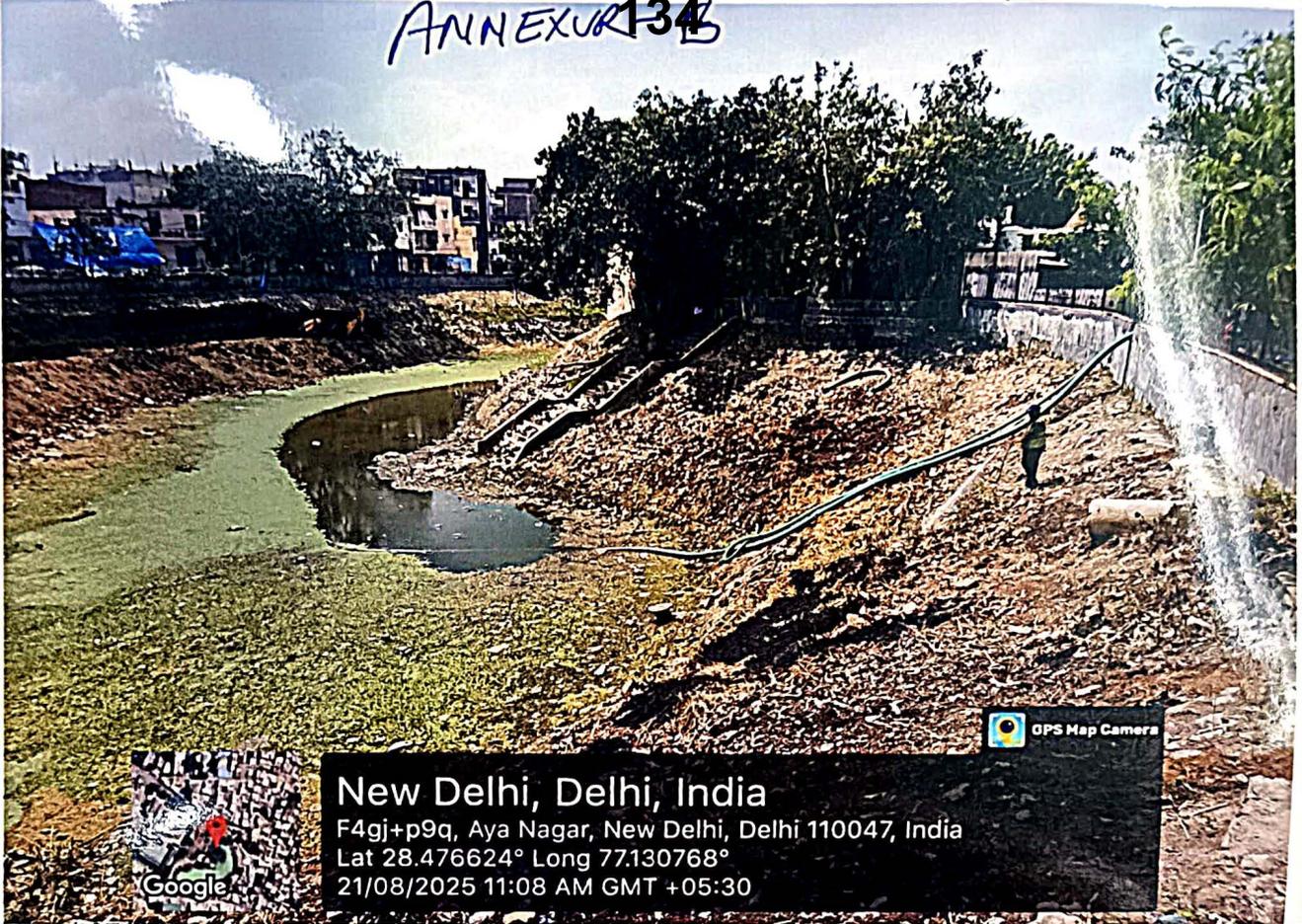
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ANNEXURE 134

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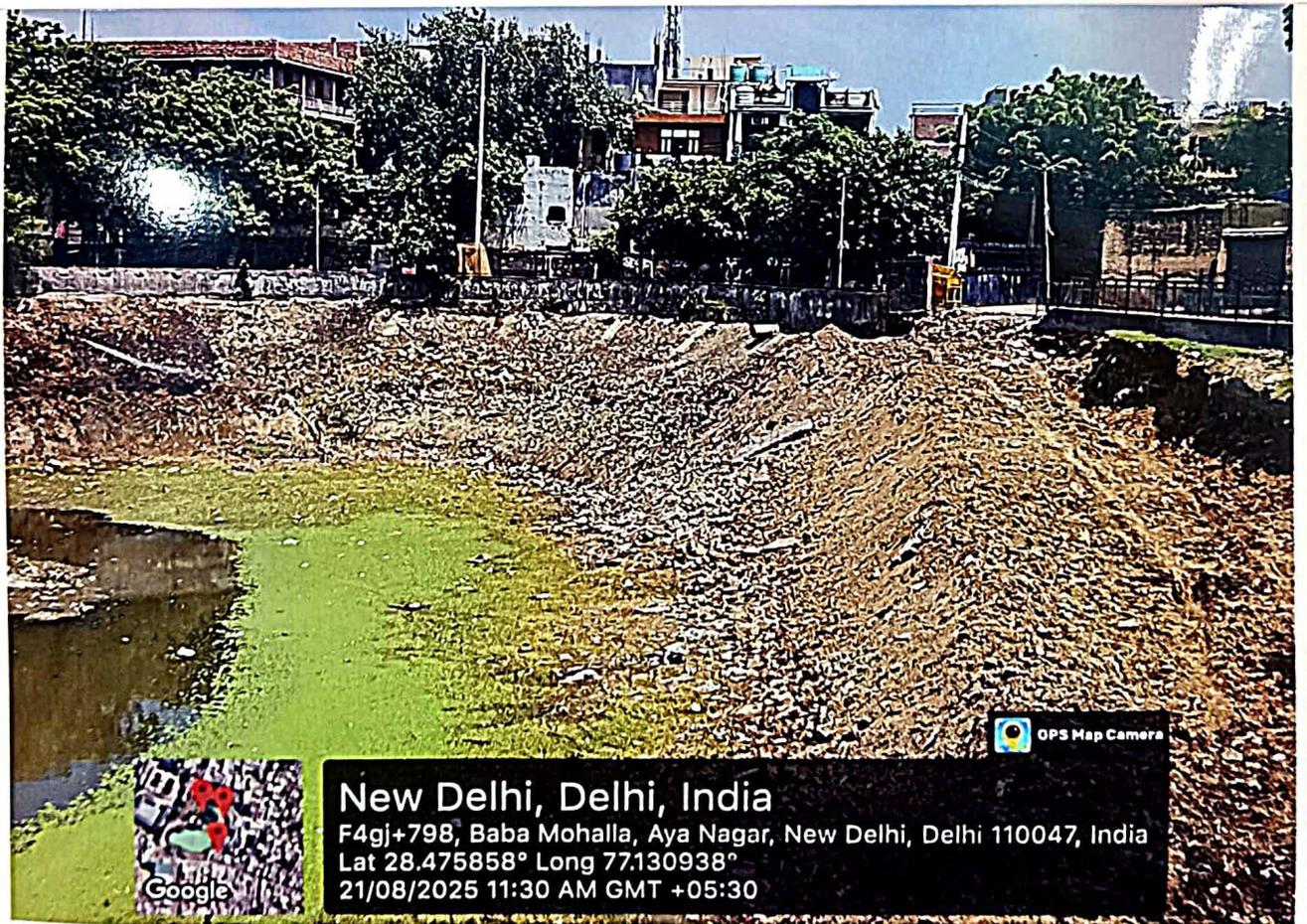
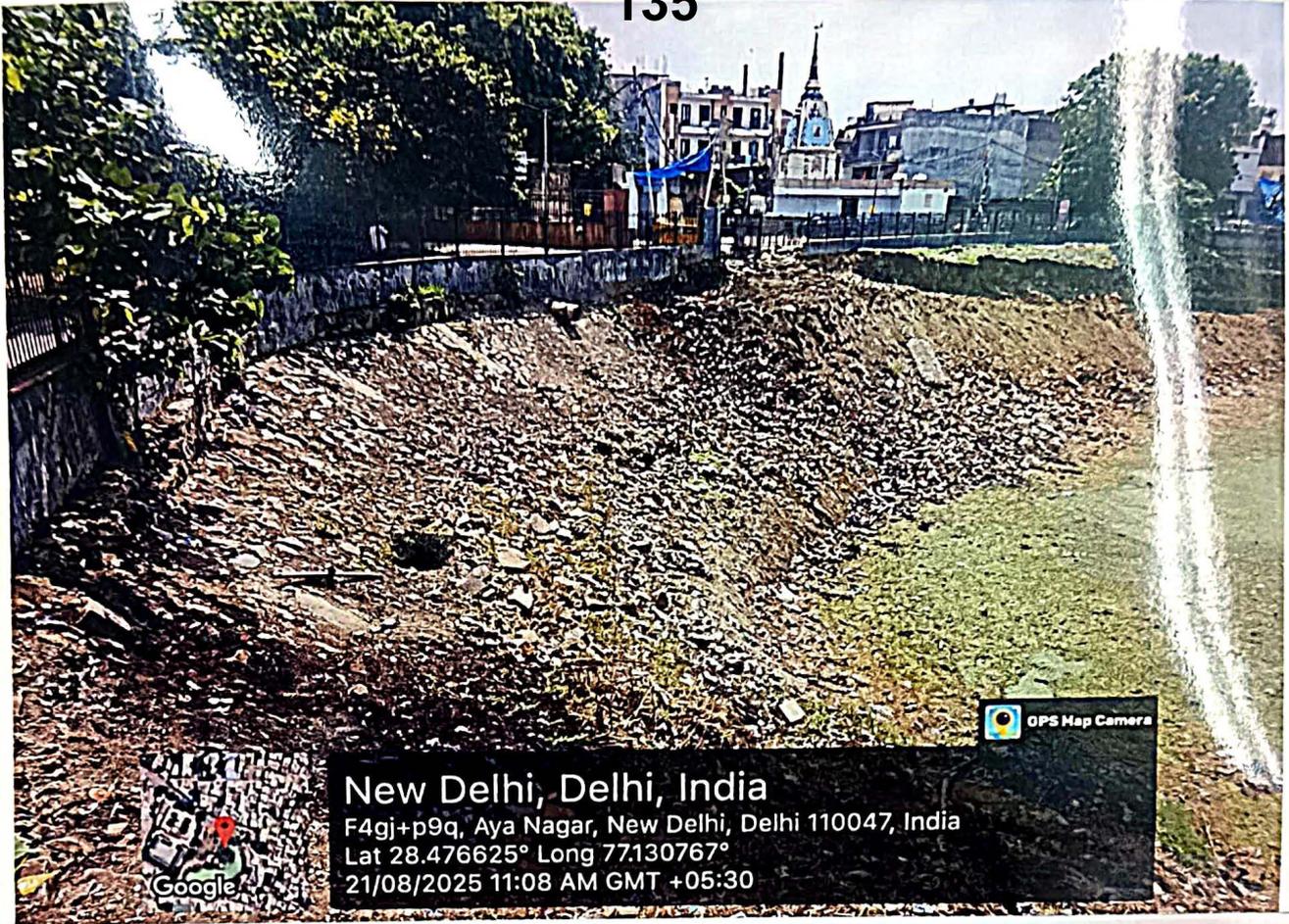


Latest Photograph

*Handwritten signatures:*  
 (JC)  
 (JR)

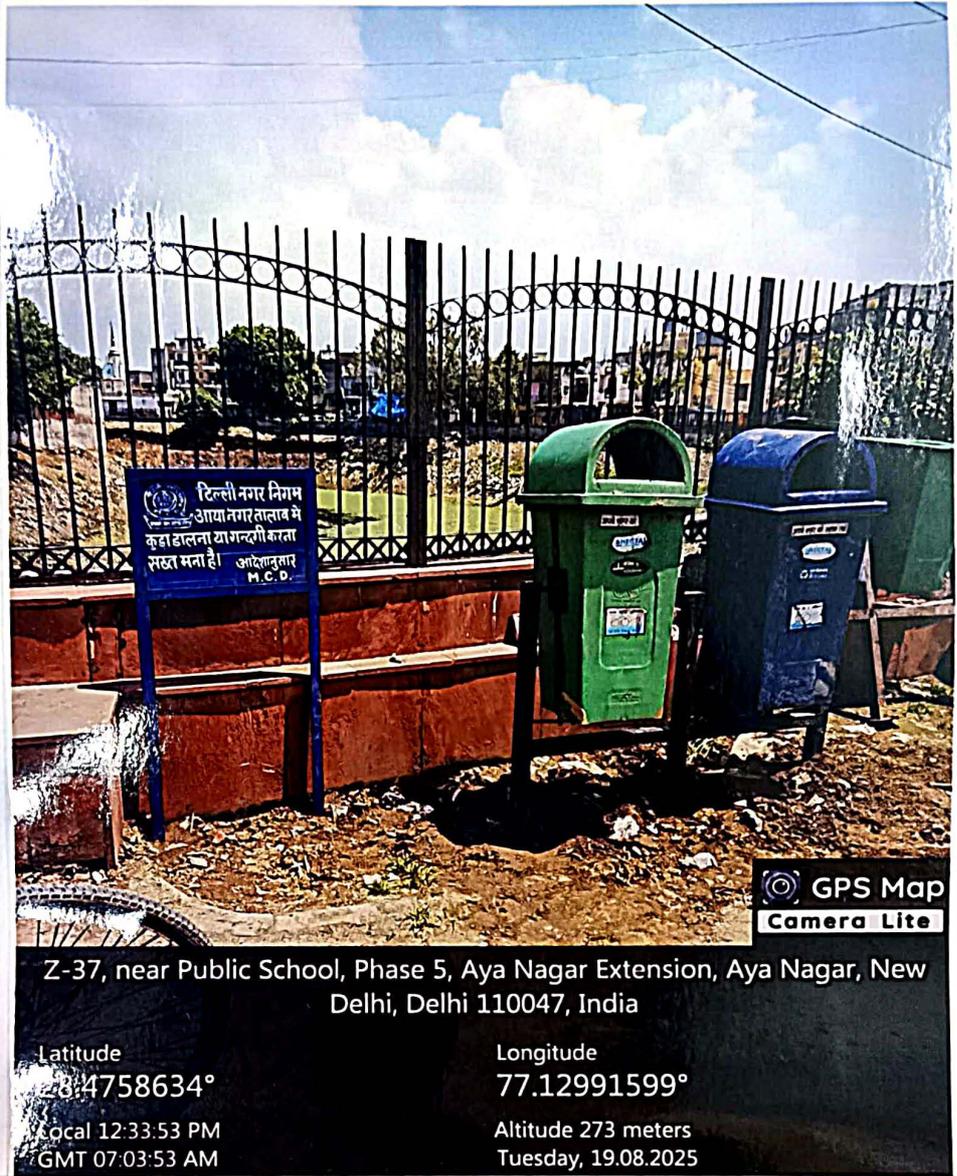
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Latest Photograph

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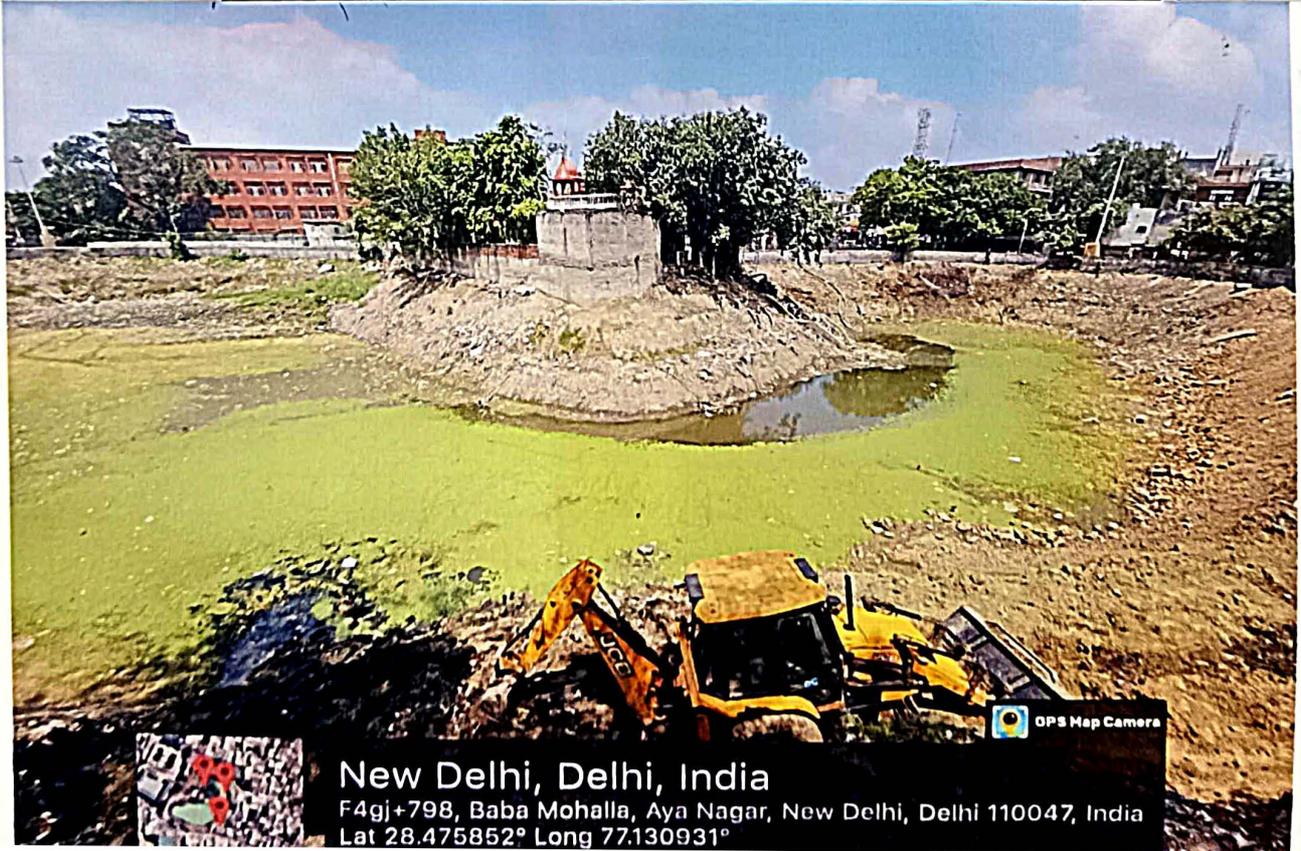
Fixing  
of  
Photograph

Z-37, near Public School, Phase 5, Aya Nagar Extension, Aya Nagar, New Delhi, Delhi 110047, India

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GMT 07:03:53 AM

Longitude  
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Tuesday, 19.08.2025

GPS Map  
Camera Lite

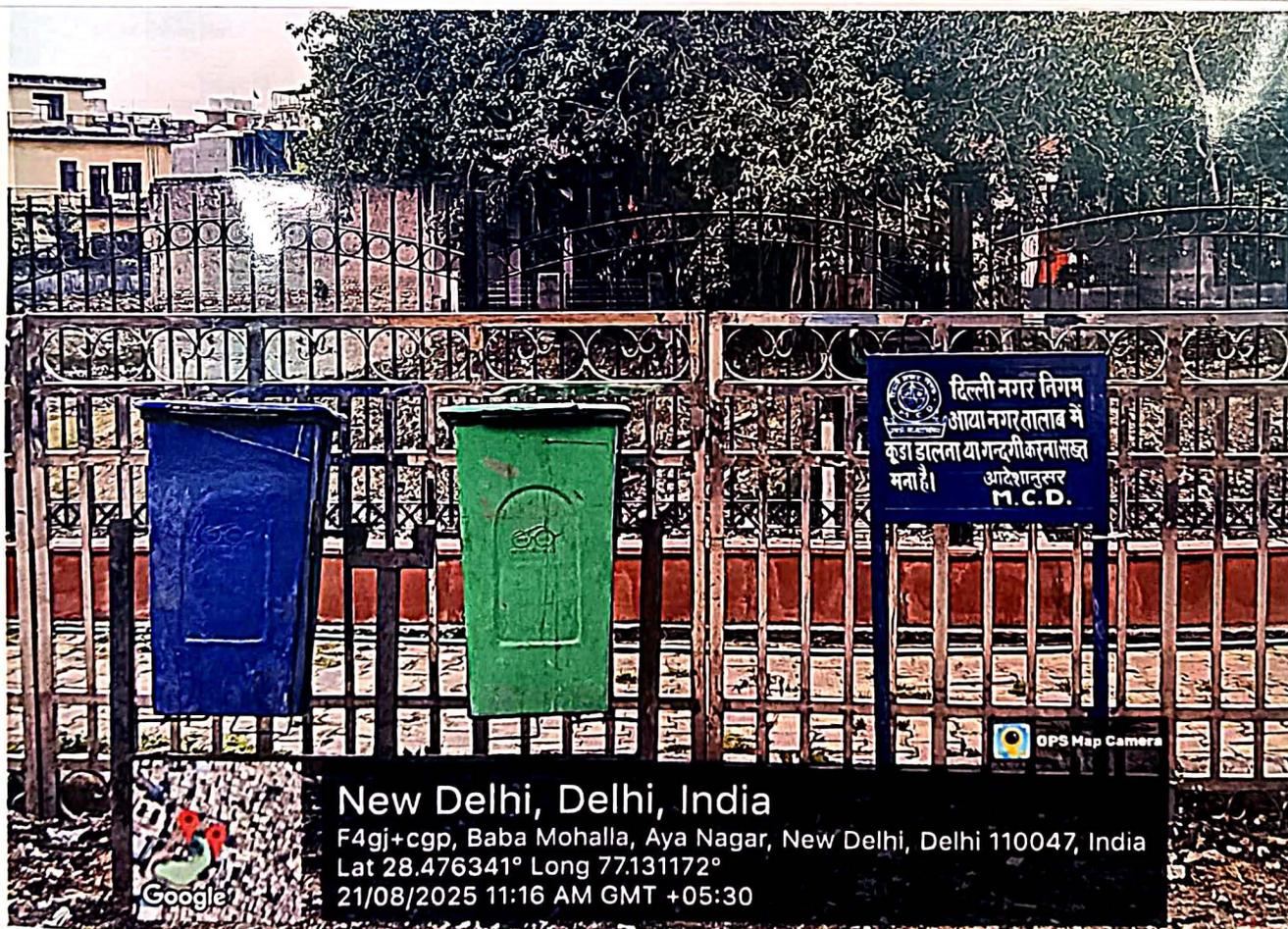


Latest  
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Ans  
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GPS Map Camera



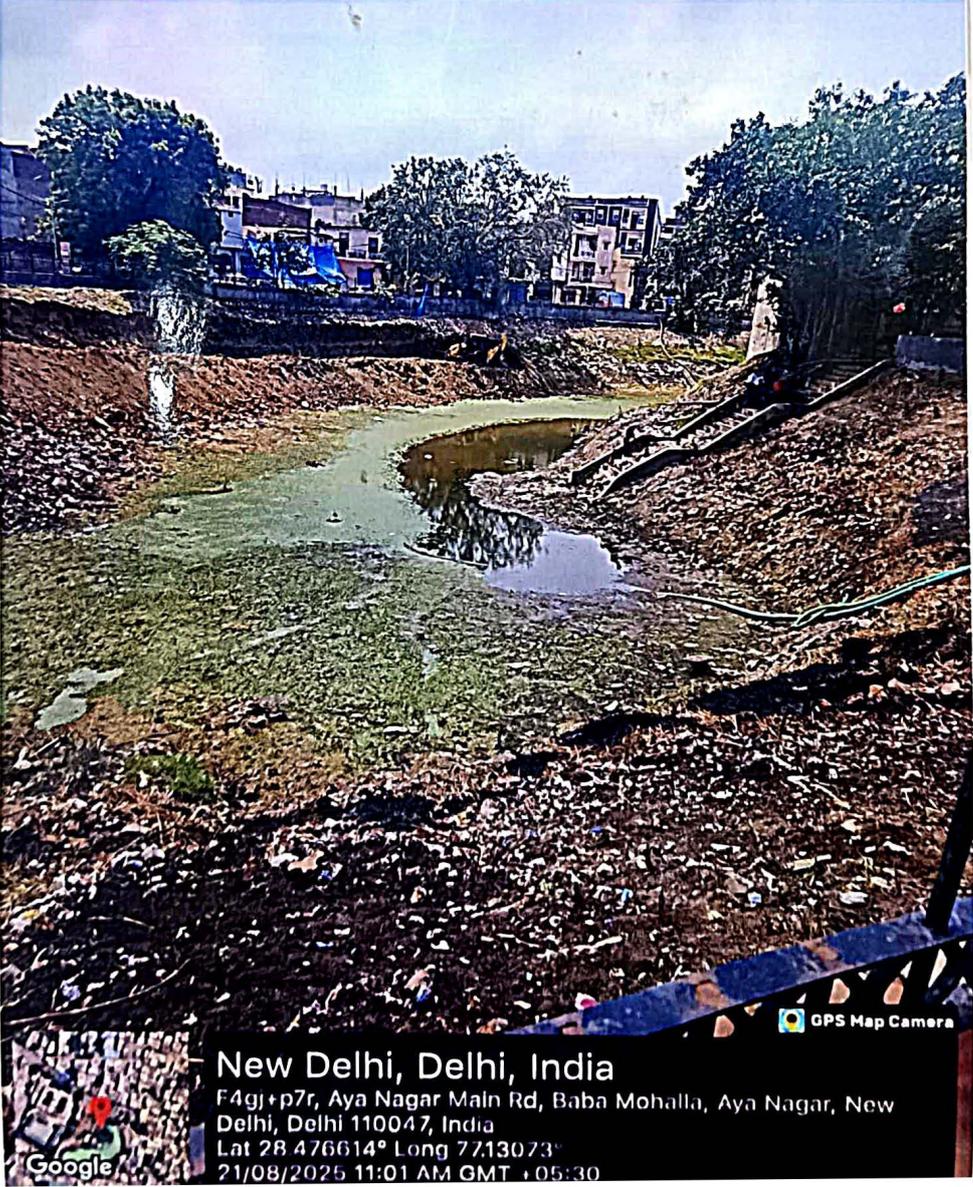
  
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 21/08/2025 11:33 AM GMT +05:30



Latest  
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**New Delhi, Delhi, India**  
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 21/08/2025 11:01 AM GMT +05:30

*Handwritten signatures and initials:*  
 [Signature]  
 [Signature]  
 (FE)