

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

Review Application No. 1/2025

In

Original Application No. 643/2024

News item titled "Garbage overflow poses health risks to visually impaired students in West Delhi" appearing in the Millennium Post dated 30.04.2024.


IN THE MATTER OF:

Municipal Corporation of Delhi . . . Review Applicant

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NEW DELHI
DATED: 17/4/25


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STATUS REPORT ON BEHALF OF REVIEW APPLICANT (MCD)

MOST RESPECTFULLY SHOWETH:

1. That the present status report in the shape of supplementary affidavit is being filed in compliance of direction of the Hon'ble NGT order dated 02.04.2025.
2. That the original application is registered SuoMotu on the basis of the news item titled "Garbage overflow poses health risks to visually impaired students in West Delhi" appearing in the 'Millennium Post' dated 30.04.2024.
3. That the original application was disposed of by this Hon'ble Tribunal on 29.11.2024 directing, *inter-alia*, as under:

"23. In the absence of any objective parameter in such a case to assess the environmental compensation for the environmental loss, damage and inconvenience suffered by the students of the Akhil Bhartiya Netrahin Sangh School or ascertain the health hazard faced by them, taking a pragmatic view, we deem it proper to impose a lumpsum minimum environmental compensation which on facts of the case, we quantify as

Rs. 20 lakhs, which will be payable by the MCD to the Akhil Bhartiya Netrahin Sangh School within one month from today. The school management will utilize this compensation amount in creating better environmental atmosphere in the school and in extending the proper health and other facilities to the students who are the victims of the pollution and environmental hazard

24. The MCD is directed to take immediate action for closure of dhalao D-5 and to ensure that no sewage drain holes or potholes are kept open near the vicinity of Akhil Bhartiya Netrahin Sangh School.

25. If the violation continues to exist in respect of management of solid waste and sewage by the MCD in respect of dhalao in question, the DPCC will initiate action for imposition of environmental compensation promptly.

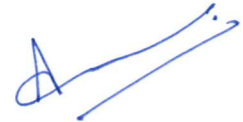
26. Let the action taken report be submitted by the MCD and DPCC within three months before the Registrar General of the Tribunal by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF”

Copy of the order dated 29.11.2024 is annexed herewith as ANNEXURE-R1.

4. That in compliance of the directions of the Hon'ble NGT vide its order dated 29.11.24, it is submitted that the Dhalao No.5 Near Blind School, Near B Block, Cement Store, Raghbir Nagar, MCD Ward No. 94, West Zone/MCD in existence was closed down and the construction of Fixed Compactor Transfer Station (FCTS) stands complete on 25.11.24 well before the pronouncement of judgement dated 29.11.2024. The said FCTS become functional w.e.f. 07.01.2025 and is at 12.5 gaj Road which is approx. 200 metres away from the site in question. In compliance of the SOP which enumerated that the Dhalaos would be converted into FCTS, MCD in compliance of SOP, had already complied with it well before cut off date

31.12.2024. we had completed the FCTS and made it operational also. The photographs of the FCTS are annexed herewith as Annexure-'A'.

5. That it is further submitted that Dhalao No.5 Near Blind School, Near B Block, Cement Store, Raghbir Nagar, MCD Ward No. 94, West Zone/MCD has been demolished and the debris of the demolished dhalao has also been removed by the department on 07.04.2025. It is further submitted that after the demolition of said dhalao the said area where the dhalao was in existence is now clear and all MSW is diverted to the FCTS (Fixed Compactor Transfer Station). The photographs taken at the time of removal of debris of demolished dhalao is annexed herewith as Annexure-'B'.



EXECUTIVE ENGINEER

EMS, WEST ZONE, MCD

Municipal corporation of Delhi
Applicant/Respondent

THROUGH



(PUJA S. KALRA)

Advocate for Applicant/Respondent

430-431 Delhi High court Chambers,
New Delhi-110001.

MOBILE NO.+91 9312839323.

NEW DELHI

DATED: 17.04.2025

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AFFIDAVIT

I, Anil Kumar, working as Executive Engineer (EMS)/West Zone, do hereby solemnly affirm and declare as under:-

1. That I am fully acquaintance of the circumstances of the case and I have authority and competence to submit and verify the contents of this accompanying affidavit on behalf of the applicant/MCD.



That the contents of paras of the affidavit have been drafted by my counsel under my instructions and the contents of the same are true and correct to the best of my knowledge and records maintained by the department.

DEPONENT

VERIFICATION:

Verified at New Delhi on this 10th day of April, 2025 that the contents of above affidavit are true and correct to my knowledge and nothing material has been concealed thereof.

CERTIFIED THAT THE DEPONENT

Shri/Smt./Km. Anil Kumar
S/o W/o D/o Executive Engineer
R/o E.E. (EMS) West Zone

Identified by Shri/Smt. Sobh
has solemnly affirmed before me at
Delhi on 17 APR 2025 at 5.5
that the Contents of the Affidavit which have
been read and explained to him/her are true and
correct to his/her knowledge.

Kamlesh Kumar
Notary Public Delhi (India)

DEPONENT

By, Sobh
I identify the deponent who has signed
Thumb impression in my presence

17 APR 2025

FCTS-12.5 Gaj Road Raj 34 bir Nagar Ward no. 94

Annexure-'A'
5



07-Apr-2025 9:04:42 am
28.658823333333333N 77.110103333333334E
Tagore Garden Extension
New Delhi
Delhi Division
Delhi

Sharma
JECMS

D-5, Near Blind School, near B-block cement store
Raghukish Magan selhi

35

6
Annexure-'B'

Before Demolition



After Demolition



Shorad
JCEMS