

Item No. 20

Court No. 2

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

Original Application No. 347/2023

Mohd. Akeel Ansari

Applicant

Versus

Govt. of NCT of Delhi

Respondent

Date of hearing: 29.05.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

**Application is registered based on a complaint received by post/e-mail**

**ORDER**

1. This Original Application has been registered under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') on a letter petition dated 13.02.2023 sent by Mohd Aqeel Ansari..

2. Grievance raised by the complainant is that in ward no. 80, Beriwalla Bagh, Azad Market, Delhi – 6 a large number of plastic manufacturing units are running in an illegal manner in as much as in residential area industrial activities are not permissible. The said plastic industries are not only manufacturing plastic toys, water guns etc. but huge quantity of plastic items are also being stored in multi storey buildings along with raw materials and chemicals causing safety hazards to local residents. It has been requested that since the industrial activities in residential area are not permissible the said units be directed to be sealed/ closed.

3. Supreme Court in *M.C. Mehta vs. UoI & Ors.*, (2004) 6 SCC 588 directed shifting/closing of industrial activities operating in violation of Master Plan of Delhi. Monitoring mechanism was laid down therein as follows:

*“69 (8) We appoint a Monitoring Committee comprising: (i) Chief Secretary of Delhi, (ii) Commissioner of Police, Delhi, (iii) Commissioner, Municipal Corporation of Delhi, and (iv) Vice Chairman of the Delhi Development Authority. This Committee would be responsible for stoppage of illegal industrial activity. It would, however, be open to the aforesaid members of the Monitoring Committee. to appoint responsible officers subordinate to them to oversee and ensure compliance with the directions contained in the judgment.”*

4. The matter was also dealt with by this Tribunal vide order dated 10.12.2020 in *Satish Kumar vs. UoI & Ors.*, OA No. 56(THC)/2013 and a group of matters about unauthorized operation of industrial units in residential areas or in compliance of environmental norms. Tribunal noted that Chief Secretary, Delhi was to head the Committee for enforcement of judgement of Supreme Court. Accordingly, Chief Secretary was required to be present before this Tribunal on 19.11.2019 and inadequacy of compliance was brought to his notice. Time bound action plan was directed to be prepared and executed. Tribunal also considered report of Delhi Pollution Control Committee (hereinafter referred to as ‘DPCC’) to the effect that investigations of illegal units in non-performing areas were carried out. Municipal Corporation also took a similar stand. Tribunal finally disposed of the matter with following observations:

*“13. The matter having been monitored before this Tribunal for more than seven years, we do not find it necessary to keep the matter pending for indefinite period. It is for the statutory authorities to continue further steps for enforcement of environmental norms as per law. In view of order dated 20.3.2020, disposing of the final report of the OC headed by Justice Pratibha Rani, former Judge, Delhi High Court, further monitoring will be in terms of order of the Hon’ble Supreme Court in M.C. Mehta (supra), by the Chief Secretary, Delhi.*

*14. Accordingly, we close the proceedings with hope and expectation that the concerned authorities will take necessary steps for maintaining environmental norms. There has to be continuous vigil*

*against causing of pollution, particularly burning of plastic and other waste for protection of environment and public health. The amount of compensation recovered must be properly utilized for legitimate purpose with the approval of the CPCB, as already directed. If there is any violation of environmental norms, the aggrieved party will be free to take remedies as per law, as and when necessary.”*

5. In view of above, Monitoring Committee appointed by Supreme Court may look into the matter in co-ordination with other concerned authorities, including Central Pollution Control Board and DPCC to take appropriate action in accordance with law within two months and **particularly in contest that plastics are prone to fire accidents and thereby endangering life of residents and accordingly preventing measures are essential.**

6. With the above directions, this application is disposed of.

7. A copy of this order be forwarded to Chief Secretary, Delhi Government, CPCB and DPCC by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 29, 2023  
Original Application No. 347/2023  
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