

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)
Original Application No.531/2022

Sher Singh Dagar

...Applicant

Versus

Govt. of NCT of Delhi

...Respondent

Date of hearing: 02.09.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None.

Application is registered based on a Letter Petition received by Post.

ORDER

1. Mr. Sher Singh Dagar resident of A-47, South Extn. Part-II, New Delhi-110049 has sent the present letter petition, which is treated and registered as original application, complaining that about 50 acres of land situated in front of Kharak Road/Executive club road near Chandan Hola village which was acquired by DDA is lying underdeveloped since acquisition thereof. The unwanted elements/ miscreants are dumping garbage with tractors in the land in question by breaking the boundary wall and are also using the land in question for piggery. They also burn garbage in the land in question and many times fire-brigade has been summoned to extinguish the fire. Their activities are causing environmental pollution and creating breathing problem to the residents of the locality making it difficult to the people of the area.

2. This Tribunal is empowered to *suo moto* take cognizance of the cases involving questions relating to environment arising out of the implementation of enactments specified in First Schedule of the National Green Tribunal Act, 2010 as held by Hon'ble Supreme Court in **Municipal Corporation of**

Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897.

This Tribunal can also take cognizance of such cases on the basis of letter petitions in accordance with settled principles of law governing Public Interest Litigation.

3. *Prima facie*, the allegations made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the allegations made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take remedial action. Accordingly, we constitute a Joint Committee comprising of representative of Vice Chairman, DDA, Commissioner, Municipal Corporation Delhi, DPCC and Deputy Commissioner (South) Delhi and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and other residents of the locality and concerned officer of the DDA, verify the factual position and take appropriate remedial action and submit its report within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.

4. In case the Joint Committee observes any violation of consent conditions/environmental norms then it shall forward a copy of its report to:-

(i) Vice-Chairman Delhi Development Authority to enable him to comply with the recommendations in its report or file objections against the same and file his response before this Tribunal as desired within one month from the date of receipt of a copy of the report of the Joint Committee; and

(ii) DPCC and Deputy Commissioner (South) Delhi to enable them to take appropriate remedial action by giving notice to/hearing the

project proponent and following due process of law in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and protection and improvement of environment and submit their action taken report within one month from the date of receipt of a copy of the report of the Joint Committee.

5. List for further consideration on 23.12.2022

6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Vice Chairman, DDA, Commissioner, Municipal Corporation Delhi, DPCC and Deputy Commissioner (South) Delhi by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 02, 2022
AG