

Item No. 05

Court No. 1

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

M.A. No. 91/2023
IN
Original Application No. 85/2023

Mohd. Muslehuddin

Applicant

Versus

Govt. of NCT of Delhi

Respondent

Date of hearing: 09.10.2023

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

Applicant: Mr. A. F. Faizi, Advocate

ORDER

1. This Misc. Application has been filed seeking execution of the order dated 13.03.2023 passed in OA 85/2023. The Counsel for the Applicant has sought liberty to amend the misc. application by mentioning that the application is under Section 25 of the National Green Tribunal Act, 2010. The prayer is allowed. Let the amendment in the application be carried out.

2. In the original application there was an allegation of illegal operation of a scrap unit at house no. 330, Pocket-8, SectorA-5, Narela, Delhi and violation of the environmental norms and directions of Hon'ble Supreme Court in M.C. Mehta v. Union of India & Ors. (2004) 6 SCC 588 to close down industries illegally operating in residential areas in violation of Master Plan of Delhi, 2021.

3. The Tribunal while disposing of the original application by order dated 13.03.2023 had constituted a joint committee comprising of Member Secretary, Delhi Pollution control Committee (DPCC) and District Magistrate, North Delhi with direction to them to visit the site and collect relevant information and take appropriate remedial action within two months, if any violation of environmental law and norms is found. The committee was required to submit the action taken report before the Registrar General of the Tribunal. Though, substantial time has lapsed after passing of the order by the Tribunal but till now no report has been submitted by the Joint Committee.

4. The stand of the Applicant is that till now no site visit has been done and no action has been taken by the Committee in pursuance to the order of the Tribunal.

5. In view of this, we deem it proper to issue notice to the Secretary, DPCC and the District Magistrate, North Delhi with a direction to submit the compliance report within eight weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

6. The Applicant is directed to serve the notice on these authorities and file affidavit of service on the next date of hearing.

7. List the matter on 02.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

October 09, 2023
M.A. No. 91/2023
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