

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

**Original Application No. 56(THC)/2013
(M.A. No. 695/2015)
And
Original Application No. 57(THC)/2013**

**Satish Kumar Vs. Union of India & Ors.
And
Mahavir Singh Vs. Union of India & Ors.**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

Present:

Applicant	:Mr. Saket Sikari, Mr. Ajay Pal Singh, Advs. :Mr. Akhil Sibbal, Mr. Bharat Arora, Advs. In M.A. No. 695/2015
Respondent No. 1	:Mr. Vivek Chib, Ankit Prakash, Mr. Asif Ahmed, Advs.
Respondent No. 2 DDA	:Mr. D. Rajeshwar Rao, Vikarant Kaushik, Advs. :Mr. Rajiv Bansal, Adv., Mr. Kush Sharma, Adv.
Respondent No. 4 &5 MCD CPCB DPCC	:Mr. Vikas Garg, Adv. along with Mr. Ram Avtar, SHO, Mundka, Distt, :Mr. Balendu Shekhar, Adv. :Mr. Rajkumar, Adv. :Mr. Biraja Mahapatra, Adv., Mr. Dinesh Jindal, Adv.
HSPCB NDMC	:Mr. Anil Grover, AAG, Mr. Rahul Khurana, Adv. :Mr. Pankaj Sharma, Asst. Commissioner.

Date and Remarks	Orders of the Tribunal
Item No. 8&9 July 23, 2015	<p><u>M.A. No. 695/2015</u></p> <p>Heard. Perused.</p> <p>Let reply be filed in M.A. No. 695/2015. Advance copies of the replies be furnished to the Applicant who may file rejoinder thereto, if any, within a week thereafter.</p> <p>List this matter on 7th August, 2015.</p> <p>The Delhi Pollution Control Committee has placed before us affidavit dated 22.07.2015. Action points for restoration of agricultural lands/plots are a part of that affidavit at annexure -R/3/1. It speaks of proposed action points which are quoted herein below:</p> <p>i) "The officials of NDMC and SDM shall identify the total area of agricultural</p>

lands/plots in the affected villages including name of land owners/occupiers etc using/storing/processing plastic waste. A data sheet shall be prepared by NDMC, with the help of SDM (Punjabi Bagh) regarding plastics waste storage/transportation/processing on these lands/plots.

ii) The accumulated plastics waste shall be immediately lifted and auctioned by NDMC. During the process, help of the concerned SDM and Delhi Police may be sought, to avoid public agitation or any other problem. The cost of transportation shall be recovered from occupier of the plastics waste facility.

iii) The Transport Department of NCT of Delhi/Traffic Police and with the help of concerned SDM shall regulate/check the illegal movement of trucks containing plastics waste and transportation from other States entering in the Territory of Delhi and selling it to the unregistered plastics waste processors/segregators on the unauthorized plot/agricultural lands. The SDM shall take necessary action against all the weighing bridges located in agricultural lands in the vicinity of these areas u/s 23 of Delhi Land Reforms Act, 1954.

iv) An extensive study of the entire agricultural lands/plots shall be carried out by the Soil Expert Agency like NEERI, SIPET or NPC for restoration/reclamation of the affected top-soil and sub-soil water. The cost of such restoration shall be recovered by the concerned agency from the land owners/occupiers of plastics waste processing facility, as the case may be.

v) The dumping of plastic wastes shall be checked by DDM with the help of Delhi Police. Besides, the affected areas shall be watched closely by the officials of SDM and Delhi Police especially during night time and Sundays/holidays to check illegal dumping of plastic waste and burning.”

Timeframe is indicated therein. It concerns actions which are simultaneously to be taken.

We hope that this effort on the part of the Government of NCT of Delhi, NDMC, Delhi Police and DPCC proceeds, however, we do not find a concerted effort on the part of the Government of NCT of Delhi, DPCC and Haryana State Pollution Control Board and

the Municipal Corporation of Delhi to formulate the plan for restoration of the lands referred to in our order dated 12.12.2013. However, we are now told that the land falling to be restored in the villages referred to is falling within the limits of Govt. of NCT of Delhi.

Let the Tribunal be informed about the progress as regards the consultation with NEERI, SIPET or NPC.

List the matters on 7th August, 2015.

.....,JM
(U.D. Salvi)

.....,EM
(Ranjan Chatterjee)

