

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

Original Application No. 428 of 2017

IN THE MATTER OF :

Court on its own Motion Vs. Govt. of NCT Delhi

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Present: Applicant
Respondent**

**Mr. Balendu Shekhar and Mr. Raj Kumar
Maurya, Adv. for East Delhi Municipal
Corporation.
Ms. Puja Kalra, Adv. with Mr. Brijesh Kumar,
Executive Engineer, (South Zone) & SDMC
Ms. Puja Kalra, Adv. with Mr. K.K. Sharma,
Executive Engineer, S.P. Zone for North MCD
Mr. Tarunvir Singh Khehar and Ms. Guneet
Khehar, Adv. for GNCTD**

Date and Remarks	Orders of the Tribunal
<p>Item No. 17</p> <p>July 17, 2017</p> <p>ss</p>	<p>The Learned counsel appearing for the North and South Delhi Municipal Corporations upon instructions from Mr. Ravi Gupta, Assistant Engineer submits that the following drains are in the jurisdiction of their respective corporations which are cleaned of silt, municipal solid waste and no other non-acceptable material is to be found in these drains.</p> <p>As far as the North Delhi Corporation is concerned, the Gulabi Bagh drain near PWD Enquiry Office and as far as the South Delhi Municipal Corporation is concerned the Chirag Delhi drain from outer ring road to the BRT Corridor, Chirag Delhi or even beyond are cleaned. The South Delhi Municipal Corporation has 18459 drains while the North Delhi Municipal Corporation has 195 drains which are more than 4 feet and there are a large number of other drains which are less than 4 feet.</p> <p>As far as the East Delhi Municipal Corporations is concerned, it has taken us 10 minutes to get an answer from the officers present for East Delhi Municipal Corporation as to whether there exist any drain under</p>

	<p>Item No. 17</p> <p>July 17, 2017</p> <p>ss</p>	<p>their jurisdiction which is cleaned as indicated in our order dated 11th July, 2017. After serious consultation amongst the group of the officers present, it is stated that the drain at Block No. 15 to 17, Kalyanpuri, East Delhi – Ward No. 213 admeasuring approximately 400 meters is cleaned. Total 221 drains as stated by the Learned counsel appearing for the East Delhi Municipal Corporation which are under their jurisdiction.</p> <p>The Learned counsel appearing for the NCT, Delhi submits that the Trunk Drain No.1 passing through Seelampur is under the jurisdiction of the Government Department. However there are nearly 168 other drains falls under the jurisdiction of the East Delhi Municipal Corporation which meets this Trunk Drain No. 1 and causing pollution and junk waste etc. He submits that we do clean this drain but the report shown in Indian Express on 05th July, 2017 depicts totally different scenario that there is huge quantity of waste and junk lying in the Trunk drain.</p> <p>There is a dispute as to whether 168 drains which join Trunk drain as stated by the Learned counsel appearing for NCT, Delhi are drains under the jurisdictions of East Delhi Municipal Corporation or these are sewer lines which are under the control of Delhi Jal Board. The Learned counsel appearing for NCT, Delhi submits that these are the drains which are under the jurisdiction of EDMC. This facts is disputed by the Learned counsel appearing for the East Delhi Municipal Corporation.</p> <p>Be that as it may, having heard the Learned counsel appearing for the parties at some length, we pass the</p>
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	<p>Item No. 17</p> <p>July 17, 2017</p> <p>ss</p>	<p>following directions:-</p> <ol style="list-style-type: none">1. We appoint the following Learned counsels present in Court as Local Commissioners:-<ol style="list-style-type: none">a. Ms. Meera Gopal, Adv.b. Mr. Sharad Sharma, Adv.c. Mr. Arjun Nanda, Adv.d. Mr. Vinayak Gupta, Adv.They shall visit today itself all the above said three drains given by the North, South and East Delhi Municipal Corporations respectively.2. They shall also visit the Trunk drain No. 1 and report to the Tribunal as to whether these drains are cleaned or not from any silt, municipal solid waste and other wastes or non-acceptable substances in the drains.3. They shall also observe and state as to whether these drains are carrying sewage and as a result thereof there is odour in the environment.4. They shall specifically verify the fact whether the statement made before the Tribunal by Mr. Rajinder Prasad, SE, East Delhi is factually correct or incorrect. The Status of the entire part of which as stated to be cleaned.5. Inspection shall be conducted today itself. The officers of the Corporations shall give all assistance to the Local Commissioner(s) to execute the commission.6. The SHO of the concerned area is to provide all assistance and help to the Local Commissioners.7. The fee of the Local Commissioner for Rs. 10,000/- each is fixed for their visit, which would be paid by
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	<p>Item No. 17</p> <p>July 17, 2017</p> <p>ss</p>	<p>the respective Corporations.</p> <p>We direct that the Trunk Drain No. 1 shall be cleaned by the NCT Delhi, Department of Irrigation and Flood Control department within one week from today and ensure that there shall be no remnant of municipal solid waste and other waste and silt should be seen in the drain after the lapse of one week.</p> <p>We direct the Chief Secretary, NCT Delhi to hold a meeting immediately and submit report in relation to dumped waste at Bhalswa, Okhla and Ghaziapur. If the meeting has not already been held and complete clarification in that behalf including reduction in huge dump and utility of the waste deposited in these sites. Complete methodology and process to be adopted in this regard should be specified.</p> <p>The Chief Secretary should also resolve drains issue by calling the concerned officers of the respective Corporations, as to whether 168 drains/sewer lines join Trunk drain No. 1, are drains maintained by the East Delhi Municipal Corporation.</p> <p>List this matter for hearing on 25th July, 2017.</p> <p>The copy of this order be furnished by dasti.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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