

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

Original Application No. 93 of 2015

Saurabh Sharma Vs. Govt. of NCT of Delhi & Ors.

CORAM : HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER

Present: Applicant : Mr. Saurabh Sharma, Adv.
Respondent No. 2 : Ms. Puja Kalra, Adv. for North MCD with Mr. Davinder Kumar, Chief Engineer
Respondent No. 3 : Mr. Balendu Shekhar, Adv. for EDMC along with Mr. S.K. Singh, EE
Mr. Dinesh Jindal, Law Officer, DPCC and Chief Secretary, Delhi
Mr. Mr. Sanjeev Ralli and Mr. Sahil Sangar, Adv. for Intervenors - Lawyers Cooperation Group Housing Society, Mayur Vihar, Phase-I, Delhi

| | Date and Remarks | Orders of the Tribunal |
|--|--|--|
| | Item No. 02 June 17, 2015 | <p data-bbox="609 997 868 1034">Heard. Perused.</p> <p data-bbox="513 1072 1438 2083">Piling of garbage on the streets within the limits of East Delhi Municipal Corporation has been the main concern in the present case. On 13th March, 2015, Notices were issued to the Government of NCT, Delhi as well as the concerned Corporations and the Government and the Corporation gave Undertaking to take action for removal of Municipal Solid Waste and such other waste from the streets of East Delhi Municipal Corporation and free the citizens from the malady of the environmental pollution. However, it appears, the malady continued and consequently compelled us to issue Notice under section 26 of the NGT, Act, 2010 to the concerned respondents to show cause as to why action under section 26 and under section 28 of the Act be not initiated.</p> <p data-bbox="513 2126 1438 2462">We have before us the Learned Counsel appearing for the Respondents and the officials of the state as well as the concerned Corporation. On instructions the Learned Counsel appearing on behalf of Corporation submits that the Municipal Waste started piling up on the streets from</p> |

01st June, 2015 as a result of Safai Karamchari of East Delhi Corporation going on strike on the ground that their salaries were not paid. It is further submitted that as a result of such strike and consequent non-removal of Municipal Solid Waste, the garbage amounting to 24,000 MT got piled up on the streets. It is submitted by the Learned Counsel that of this garbage 13,000 MT quantity has been removed so far. On the instructions a statement is made on behalf of East Delhi Municipal Corporation that the entire garbage piled up on the streets, shall be removed and streets shall be cleaned by 21st June, 2015 and the Corporation will not give any excuse for non-removal of such garbage lying on the streets.

The Learned Counsel appearing for the Lawyers Cooperative Group Housing Society, Mayur Vihar, Phase-I, Delhi submits that the piling of the garbage has been the result of the strike by Safai Karamcharis on the ground of non-payment of their salaries. He points out that it is the foremost duty of the Municipal Corporation to provide salubrious conditions to the citizens particularly provide good sanitation & cleanliness within the limits. He further submits that maintenance of cleanliness is essential for maintaining the environment free from pollution and as such the Corporation should manage their affairs in such a way that no excuse be given by anyone which may give rise to similar condition in future. He placed before us order dated 12th June, 2015 passed by the Hon'ble High Court in W.P.(C) 5978/2015 and W.P.(C) 5979/2015 in order to apprise us of the facts that issues before us have been agitated as well before the Hon'ble High Court. The Hon'ble High court is presently seized of two issues :-

1. Release of funds to the East Delhi Municipal Corporation.
2. Providing necessary Police protection to the staff of the East Delhi Municipal Corporation undertaking work of removal of garbage from the streets.

The Hon'ble High Court has also passed directions to facilitate immediate action for removal of the garbage from the street of East Delhi Municipal Corporation in as much as directions were issued to the Police to give protection as well as to the Chief Secretary, GNCT, Delhi, Commissioner, EDMC, Secretary, Urban Department, GNCTD to arrange for the transfer of funds to Corporation for payment of arrears of salaries of the Safai Karamcharis. The Hon'ble High Court expected all the parties to cooperate with each other in order to achieve the best results in shortest possible time and is expecting compliance report from concerned parties by 19th June, 2015. We hope and trust that streets of EDMC will be cleaned up and appropriate report would be placed before us as well as before the Hon'ble High Court of Delhi as per the directions in the order dated 12th June, 2015.

List this case on 23rd June, 2015.

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

.....,EM
(Dr. D. K. Agrawal)