

IN THE HIGH COURT OF Delhi AT Delhi

PUBLIC INTEREST LITIGATION (PIL) NO. \_\_\_\_\_ OF 2025

In the matter of:

Rajesh Kumar

Delhi

Petitioner

Versus

State of Delhi

Delhi Pollution Control Committee

Ministry of Environment, Forest and Climate Change

Central Pollution Control Board

Municipal Corporation of Delhi

Delhi Development Authority

Respondents

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

To,

The Hon'ble Chief Justice and His Companion Justices of the Hon'ble High Court of Delhi

Most Respectfully Sheweth:

1. That the Petitioner is a resident of Delhi and is filing the present Public Interest Litigation in the interest of environmental protection and public health.
2. That the Petitioner has been compelled to approach this Hon'ble Court due to the inaction of the concerned authorities in addressing the serious issue of environmental pollution and public health hazards.
3. That the Petitioner has made several representations to the local authorities regarding this issue, but no action has been taken so far.
4. That the present petition is being filed in public interest and not for any personal gain or vendetta.

**FACTS OF THE CASE:**

1. Since January 2023, numerous complaints have been lodged by local residents and environmental groups regarding the illegal dumping of industrial waste into the Yamuna River, with photographic evidence and eyewitness accounts documenting the ongoing violations.
2. Despite repeated notifications sent to the Delhi Pollution Control Committee (DPCC) and the Municipal Corporation of Delhi (MCD) on March 15, 2023, and June 10, 2023, no

substantial action has been taken to address the illegal dumping or mitigate its harmful effects on the river and surrounding communities.

3. The contamination of the Yamuna River has led to a significant increase in waterborne diseases among residents in the vicinity, with local health clinics reporting a 40% rise in cases of gastrointestinal illnesses since the onset of the pollution crisis in early 2023.

### **LEGAL BASIS:**

1. Article 21 of the Constitution of India guarantees the right to life, which includes the right to a healthy environment. The rampant illegal dumping of industrial waste in the Yamuna River not only violates this fundamental right but also poses serious health risks to the residents of Delhi, thereby necessitating immediate judicial intervention to protect public health and the environment.

2. The Water (Prevention and Control of Pollution) Act, 1974, specifically under Section 24, prohibits the discharge of pollutants into water bodies in excess of prescribed standards. The ongoing illegal dumping of industrial waste constitutes a clear violation of this provision, as it directly contributes to the pollution of the Yamuna River, endangering both aquatic life and human health.

3. The Environment Protection Act, 1986, under Section 5, empowers the Central Government to take measures to protect and improve the environment. The inaction of local authorities despite multiple complaints indicates a failure to enforce this legislation, thereby infringing upon the statutory duty to safeguard the environment and public health.

4. In the case of *M.C. Mehta v. Union of India* (1987), the Supreme Court emphasized the principle of "polluter pays," holding that those responsible for pollution must bear the costs of managing it. The persistent illegal dumping of waste by industries into the Yamuna River not only contravenes this principle but also highlights the urgent need for accountability and remedial action to prevent further environmental degradation.

### **PRAYERS:**

In light of the above, the Petitioner most respectfully prays that this Hon'ble Court may be pleased to:

1. Direct the concerned authorities to immediately cease all illegal dumping of industrial waste into the Yamuna River and implement stringent monitoring measures within a period of 30 days to ensure compliance with the Water (Prevention and Control of Pollution) Act, 1974 and the Environment Protection Act, 1986.

2. Order the local authorities to conduct a comprehensive assessment of the water quality in the Yamuna River and provide a detailed report on the health impacts on nearby residents within 60 days, along with a concrete action plan to remediate the pollution and safeguard public health.

**VERIFICATION:**

I, Rajesh Kumar, the Petitioner herein, do hereby verify that the contents of this petition have been read over and explained to me in the language I understand, and the same are true to my knowledge, information, and belief, and no part of it is false and nothing material has been concealed therefrom.

Verified at Delhi on this \_\_\_\_\_ day of May, 2025.

Solemnly affirmed and signed before me

Notary Public

PLACE: Delhi

DATE: 18 May, 2025

Through Counsel

Petitioner