

Ashok Kumar Malik vs Govt. Of Nct Of Delhi on 30 August, 2022

Item No.01

(Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH

(By Video Conferencing)
Original Application No.392/2021

Ashok Kumar Malik

...Applicant

Versus

Govt. of NCT of Delhi

...Respondent

Date of hearing: 30.08.2022

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Applicant: None.

Respondent: Mr. Amod Kumar Mishra, Assistant Engineer for
respondent no. 1, DDA.
Ms. Sakshi Popli, Advocate for respondent no.2, DPCC.
Mr. Samar Chatterjee for respondent no. 5, Agrani Matri
Mandir.

Application is registered based on a complaint received by Post.

ORDER

1. Mr. Ashok Kumar Malik resident of 3/C, Dhruva Apartments, Plot No. 43, Sector 13, Rohini, Delhi has sent the present letter petition, which has been treated and registered as original application, complaining that Delhi Development Authority (DDA) has allotted some space to Agrani Matri Mandir situated in open space/park left due to the reason that a high tension line passed above the same. He sought the information under the Right To Information Act, 2005 from DDA regarding eligibility criteria, mode of allotment, when the Trust applied for the plot and when the same was allotted but DDA did not give any information. The Trust built a structure constructing basement, ground floor and the first floor where the temple has been setup. The Trust has encroaches upon adjoining space and sets up Pandal for carrying out work from morning to midnight for about 25 days which causes disturbance. The Trust takes another 10 days for celebration O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi of Durga Puja. Loud Speakers, DJ and Drums are played at full volume even after 10 P.M. Another 20 days' time is taken for uprooting the Pandal.

The uprooting of the Pandal also causes disturbance. For about two months around Durga Puja, the residents of the locality have to keep doors and windows closed. Normal sleep, which is a must for senior citizens like him, becomes a dream. The applicant has prayed that DDA should shift the Trust to some other place to avoid disturbance to the senior citizens like him.

2. This Tribunal is empowered to suo moto take cognizance of the cases involving questions relating to environment arising out of the implementation of enactments specified in First Schedule of the National Green Tribunal Act, 2010 as held by Hon'ble Supreme Court in Municipal Corporation of Greater Mumbai V/s. Ankita Sinha and others 2021 SSC Online SC 897. This Tribunal can also take cognizance of such cases on the basis of letter petitions in accordance with settled principles of law governing Public Interest Litigation.

3. Vide order dated 24.01.2022, this Tribunal constituted a Joint Committee comprising of DPCC, Deputy Commissioner, Rohini Zone (North Delhi Municipal Corporation), DCP, North and the District Magistrate, North West to look into the grievances of the applicant with direction to submit factual and action taken report. The relevant part of the order is reproduced hereunder:

"In view of the above grievance regarding violation of Noise Pollution (Regulation and Control) Rules, 2000, it appears necessary to ascertain the factual position in the matter through a joint Committee of the DPCC, Deputy Commissioner, Rohini Zone (North Delhi Municipal Corporation), DCP, North and the District Magistrate, North West. The DPCC will be the Nodal agency for coordination and compliance. The joint Committee may meet within one month and undertake site visit and look into the grievance and take remedial action in accordance with law following due process. Factual and action taken report may be furnished within four O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi months 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...."

4. In compliance thereof the report of the Joint Committee has been submitted by DPCC vide email dated 10.05.2022. The relevant part of the report is reproduced below:

"i. The said land is vacant land belong to DDA.

ii. The function site is not a Park.

iii. DDA is booking this function site online. iv. DDA is imposing various terms and conditions before booking the function site.

v. At the time of joint inspection no function found or carried out at the site.

Copy of the joint inspection report dated 11.03.2022 is enclosed herewith as ANNEURE-1.

1. That same complainant earlier filed same complaint, which was considered by this Hon'ble Tribunal in OA number 139/2019 titled as " A.K. Malik vs Delhi Development Authority". In this matter, DPCC filed its ATR on 02.12.2021, which was considered by this Hon'ble Tribunal and matter was disposed off on 21.12.2021. Copy of the action taken report filed by DPCC on 02.12.2021 is enclosed herewith as ANNEXURE-2.

5. That, Directions u/s 5 of EP Act, 1986, 31(A) of Air Act, 1981 and 33(A) of Water Act, 1974 were issued to the concerned authorities i.e. DDA, Revenue Department, North DMC and DCP, Delhi Police on 01.02.2021 to comply with the following directives:-

a. To ensure the Pollution/ Environment Law w.r.t booking the site in question for functions including Fire Safety norms shall properly complied with.

b. To ensure that no Solid/ Liquid Waste shall unauthorizedly be dumped/ discharged during such functions.

c. To comply with Environmental Laws particularly Noise Pollution through Loudspeakers, D.J and D.G. sets etc., d. To ensure the strict compliance of directions dated 13.12.2019 issued by DPCC.

Copy of said Directions dated 01.12.2021 is annexed herewith as ANNEXURE-3 DPCC issued reminder with respect to direction dated 01.12.2021 on 09.05.2022, asking the compliance from al the authorities. O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi Copy of reminder direction dated 09.05.2022 is annexed herewith as ANNEXURE-4.

As during the inspection, no activity was going on there, so no action is warranted at this juncture."

5. Since, the Joint Committee did not specifically look into the grievances of the applicant and did not specifically respond to the same and did not give particulars of the land in question and also its land use in the Master Plan and guidelines for its utilization/online booking for various functions, this Tribunal vide order dated 25.05.2022 directed the Joint Committee to look into all relevant aspects including the grievances of the applicant and take appropriate remedial action by following due course of law and submit a further factual and action taken report. The relevant part of the order is reproduced as under:-

"This Tribunal had vide order dated 24.01.2022 directed the Joint Committee to also look into the grievances of the applicant. However, we find from the report that the Joint Committee has not looked into the grievances of the applicant and has not specifically responded to the same. The report is also vague and does not give particulars of the land in question and also its land use in the Master Plan and

guidelines for its utilization/online booking for various functions."

6. Pursuant to order dated 25.05.2022, the Joint Committee further inspected the site in question on 08.08.2022 and Mohd Arif, Senior Environment Engineer, DPCC vide E-mail dated 24.08.2022 has submitted Action Taken Report alongwith Joint Inspection report dated 08.08.2022 of the Joint Committee and Action Taking Report dated 22.08.2022.

7. The relevant part of the Action Taken Report sent by DPCC is reproduced below "X X X X X X

4. That the site was jointly inspected by the team of DPCC, DDA, Revenue Department, North DMC and Delhi Police officials was conducted on 08.08.2022. Copy of joint Inspection Report dated 08.08.2022 is annexed herewith as Annexure-5.

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5. That during the inspection, it was observed that the said land is a vacant land, CS/OCF-8 of DDA and not a park as alleged by the applicant in the complaint. (Latitude: 28.7237 Longitude: 77.1329). Site condition shows that open land was not used since long as weeds/ bushes were available on site.
6. That during the inspection, DDA officials informed that as per the Master Plan the Agrani Matri Mandir is constructed in the area of 432 Sq. M. (area is religious) and the open/ vacant land of DDA adjoining the Mandir is of 2169 Sq. M. (CS/OCF-8). This open / vacant land is used for various functions for which booking is done online by DDA on specified conditions including following Noise Rules, 2000.

7. That at the time of joint inspection no function was being carried out and no encroachment was traced out at the open/ vacant land. However, DDA representative informed to the Committee that booking of the alleged function site for Durga Puja is from 01.09.2022 to 15.10.2022.

8. The issue of remedial action against illegal and unregulated use of parks for commercial purposes in Delhi was dealt by this Hon'ble Tribunal in OA 519/2019 entitled as "President, Budhela Welfare Association Versus Govt. of NCT of Delhi." The status of the case is as :

A. In the above mentioned matter, DPCC has filed guidelines issued on 02.12.2019 before this Hon'ble Tribunal which are as follows:

Solid Waste Management:

The organizer of the marriage function shall make arrangement to dispose off solid waste as per "Solid Waste Management Rules, 2016" by providing separate bins for segregation of wet and dry solid waste, etc. The organizer shall ensure that the solid waste generated is handed over to the authorized agency.

Single use plastic shall not be used.

After the function is over, the area shall be cleaned and Photographs shall be submitted to land owning agencies by the organizers."

Water and Air Pollution:

The effluent generated from the functions shall be collected properly and treated either through ETP or STP installed by Delhi Jal Board.

Proper arrangement shall be made for channelization of emissions and only approved fuel shall be used.

Noise Pollution:

DJ Set, if used should be operated within the premises till 10 PM only.

No loudspeakers and bands shall be permitted beyond 10 PM.

O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi Maximum permissible Noise limit for outdoor usage of loudspeakers is 75dB(A).

D.G. sets shall comply with the provisions of Noise Pollution control limits.

Use of only green crackers shall be permitted upto 10 PM as per Hon'ble Supreme Court Guidelines.

General Conditions:-

No parking shall be permitted outside the authorized parking space on roadside.

Organiser shall adopt good housekeeping practices so as to minimize the impact on environment.

In case of non-compliance, occupier / land owning agencies shall be liable for Environmental Damages Charges in addition to penal action under the provisions of Water Act 1974, Air Act 1981 and Environment (Protection) Act, 1986.

Monitoring:

Land owning agencies i.e., Municipal Corporation, New Delhi Municipal Council, Delhi Cantonment Board and Delhi Development Authority who has allotted the space for function shall report the violation to DPCC within 2 days of the function. In case of noncompliance of above, land owning agencies shall also be liable for EDC in addition to occupier of the site. Concerned area in- charge of Consent Management Committee of DPCC shall also keep a watch and also make surprise inspection for

adherence of the above guidelines.

Imposition of EDC:

In case of violation of any of the conditions as mentioned above or if the place where function was organized is not cleared by 12.00 Noon of next day environmental compensation shall be imposed as under:

Plot of upto 5 acre : 5 lakhs per day Plots more than 5 acre but less than 10 acre : 10 lakhs per day Plots more than 10 acre : 50 Lakhs per day"

B. Pr. Secretary Environment, Government of NCT of Delhi took a joint meeting with concerned land owning agencies for the parks in Delhi. Subsequent to meeting, additional ATR has been filed by the DPCC on 14.12.2019 before this Tribunal to the effect that existing policy of DDA and MCD needs amendment. DPCC has issued directions on 13.12.2019 for the purpose under Section 31A of the Air Act, 1981, Section 33A of the Water Act, 1974 and Section 5 of the Environment (Protection) Act, 1986 which is as follows:

(i) That, no park of DDA/MCD shall be used for holding any social, cultural, commercial and marriage or other functions.

(ii) That DDA and MCD shall amend their existing policies and designate the concerned Executive Engineer (Horticulture) for O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi ensuring the proper management of solid waste. The concerned Executive Engineer will also be responsible to ensure that solid waste is disposed off as per the provisions of Solid Waste Management Rules, 2016 after a function is over.

(iii) That in order to ensure the proper management of solid waste MCD shall provide a complete area wise list of service providers.

registered with MCD for collection of municipal solid waste alongwith their charges to DDA so that DDA may start levying extra charges upon the user in this regard. The charges shall be collected by DDA and paid to the service provider for collection of solid waste and its disposal.

(iv) That in case of any violation, penalty shall be imposed by the concerned Executive Engineer of DDA/MCD upon the violators and a report shall be submitted to DPCC alongwith photograph and details of penalty imposed etc. within 24 hrs of holding of functions.

(v) That ETP shall be installed at an open land which is being used for holding functions for treating the waste water generated due to cooking of food and dish washing etc. The concerned Executive Engineer of MCD and DDA shall ensure that no function takes place at these places unless the ETP has been installed.

(vi) That the concerned Executive Engineer of MCD and DDA will also be responsible for ensuring the proper treatment of waste water generated.

(vii) That, necessary arrangement shall be made by DDA & MCD to ensure that the treated waste water go to nearest sewage conveyance system."

C This Hon'ble Tribunal vide its orders dated 04.02.2021 confirmed the direction of DPCC and directed to implement it. D The then North Delhi Municipal Corporation filed Civil Appeal Diary No(s). 15182/2021 titled as "North Delhi Municipal Corporation Vs. President Budhela Welfare Association & Anr." Challenging the order dated 04.02.2021 passed by the Hon'ble Green Tribunal. The South MCD also filed civil Appeal before the Hon'ble Supreme Court, bearing number CA D. No. 15754 of 2021. Hon'ble Supreme Court of India taken up above the matters on 02.08.2021 and following order was passed:

"..Mr. Tushar Mehta, Learned Solicitor General of India appearing on behalf of the appellants submits that the judgment and order under appeal has been passed without notice to the appellants North Delhi Municipal Corporation (CA D. No. 15182 of 2021) and the South Delhi Municipal Corporation (CA D. No. 15754 of 2021). Accordingly, there will be stay of operation of the judgment and order under appeal. It is made clear that the directions of the Court in M.C. Mehta vs. Union of India reported in (2009) 17 SCC 683 with regard to the use of parks shall strictly be adhered to, and in no circumstances, shall use of parks for the purposes as mentioned in the said judgment be permitted for more than 10 days in a month."

O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi F. In view of the order passed by the Hon'ble Supreme Court dated 02.08.2021 (Annexure-&) above, the directions of DPCC (passed in 2019) and order passed by the Green Tribunal was stayed on the Hon'ble Supreme Court. Thus the open land/ Ram Leela grounds can be used for holding Ram Leela as earlier subject to compliance of the Hon'ble Supreme Court orders in "M.C. Mehta vs Union of India" [(2009) 17 SCC 683].

9. That, DDA has provided status note regarding the site in dispute, which shows that presently no alternative location is available. Copy of the status note is annexed herewith as Annexure-f.

10. That DDA/ MCD/ Delhi Police Officials/ representatives were asked for taking necessary action regarding the noise pollution caused by the use of loudspeakers for coming Durga Puja."

8. In the Joint Inspection Report dated 08.08.2022, the Joint Committee has observed as under:-

"1) The said land is a vacant land, CS/OCF-8 of DDA and is not a park as alleged by the petitioner in his complaint. (Latitude:

28.7237 Longitude: 77.1329).

2) During inspection, DDA official/representative told that as per master plan the Agrani Matri Mandir is constructed in area of 432 SQ M (area is religious) and the open/vacant land of DDA adjoining the mandir is of area 2169 SQ M (CS/OCF-8) and used for various functions for which booking is done online from DDA website by the applicants and the terms and conditions for booking this CS/OCF-8 are available on DDA website and the applicants have to follow the terms and conditions regarding booking the site.

3) At the time of joint inspection no Durga Puja/religious function found being carried out and no encroachment was traced out at the open/vacant land of DDA as alleged by the petitioner in his complaint. However as told by DDA representative the booking of the alleged function site for Durga Puja is from 01.09.2022 to 15.10.2022.

4) DDA/MCD/Delhi Police officials/representatives were asked for taking necessary action regarding the noise pollution caused by the use of loudspeakers as alleged by the petitioner for the coming Durga Puja event which is scheduled from 01.09.2022 to 15.10.2022 and also if possible to shift the event to some other location by DDA as requested by the petitioner."

9. In the Action Taking Report dated 22.02.2022, it has been submitted as under:

O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi " 1. The layout plan of the said vacant DDA land was approved by Commr. (Planning) dated 06/09/2001 at page-2 in file No. PP(R)/1003-13/2001/ PT named as 'PROPOSED layout plan of CS/OCF-8 Sector-13'.

2. In the layout plan one land parcel measuring to area 432.00 sqm is marked as religious and another land parcel is marked as C.S. measuring 2169.00 sqm.

3. The religious land parcel is already allotted and Argrani Matri Mandir has already been constructed.

4. The land emmarked as C.S is a open space booking function site code RZ-104 adjoining Adarsh Kunj society. The booking of the said function site is available online on DDA website after accepting the T&C (copy enclosed).

5. Presently this functions site is booked for the durga Puja event which is scheduled from 01/09/2022 to 15/10/2022.

6. A joint inspection in this regards was held on with the Officials of Delhi Police, Revenue department, DPCC, MCD and DDA in the presence of AE-II/RMD-6/DDA on dated 08/08/2022 (copy enclosed) and it was requested to shift the event to some other location by DDA if possible. In this regard it is stated that the said function site is an approved function site by the Commr. (planning) DDA & presently no alternative location is available."

10. Vide order dated 29.08.2022, notices were ordered to be issued to respondents no. 1 to 5. As per office report, notices have been duly served on all the respondents. None has appeared on behalf of the respondents no. 3 and 4.

11. No reply/response has been filed by the respondent no. 1-DDA. Mr. Amod Kumar Mishra, Assistant Engineer, DDA has appeared for respondent no. 1-DDA and has submitted that the land in question is reserved for community services and is being let out through online booking. On being asked regarding bookings in the year 2021 and in the year 2022 till date Mr. Amod Kumar Mishra, Assistant Engineer, DDA has submitted that he is posted as Assistant Engineer since January 2022 and does not have the records regarding the bookings in the year 2021, and in the year 2022 no bookings except the booking in question has been made. O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi

12. We have gone through the reports and heard learned counsel for respondents no. 1 and 2 and representative of respondent no. 5.

13. The issue of remedial action against illegal and unregulated use of parks for commercial purposes in Delhi was considered by Hon'ble Supreme Court in M.C. Mehta vs. Union of India reported in (2009) 17 SCC 683. In that case Hon'ble Supreme Court observed as under:-

"4. The second point raised by Mr Mehta is that a large number of parks in the city are being used for construction of marriage pandals and for hosting other functions, etc. According to Mr Mehta, the frequent use of parks for such purposes, is bound to degrade the environment and the utility of the parks as a recreation for the public.

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6. We agree with Mr Mehta that the recreational and other aesthetic uses of the parks cannot be curtailed. Mr Mehta is also correct that the permitted use of the parks being recreation under the master plan, it cannot be permitted for any other use. But at the same time, keeping in view the need of the society, it is necessary to bring the parks back to their normal use in a sustained manner.

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8. After hearing learned counsel for the parties, we direct as under:

(1) The use of parks by MCD, NDMC and DDA for the purposes mentioned above shall not be permitted more than 10 days in a month. In other words, when any of the designated parks is used for such purposes 10 days in a month, no function thereafter shall be permitted during the remaining 20/21 days.

(2) MCD, DDA and NDMC shall make endeavour to construct community halls for the purposes of marriages, etc. (3) The number of parks indicated by the authorities

used for marriage, etc. shall be reduced by 30% by 30-6-1997. It shall be reduced by further 20% by 31-12-1997. In other words, by the end of December 1997, the use of the parks for marriage, etc. shall be reduced by 50%. The authorities concerned shall file affidavits stating the progress in the projects for the construction of community halls and also stopping the use of the parks for marriages, etc. by the end of December 1997. This may be monitored further by this Court in January 1998.

O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi (4) We direct that no tree shall be cut from any of the parks for any purpose, specially to facilitate the holding of these functions, etc."

14. This Tribunal also considered the matter in O.A No. 515/2019 titled as President, Budhela Welfare Association Vs. Government of NCT of Delhi Vs. State of NCT of Delhi. In that case, this Tribunal observed as under:-

"..... In view of the order of the Delhi High Court prohibiting use of parks for social, cultural, commercial, marriage or other functions and the directions of DPCC dated 13.12.2019 under the Water, Air and EP Acts that no park can be used for social, cultural, commercial, marriage or other functions and the Executive Engineer (Horticulture) of DDA and the MCD will be accountable for the violations, further direction of installing ETP is contradictory as such question does not arise if no such social, cultural, commercial or marriage function is to be held in the parks. This needs to be strictly enforced by the Horticulture Department of DDA and MCD. The DPCC may also modify its directions accordingly and strictly enforce the prohibitions as per orders of Delhi High Court. Similarly, plea of DPCC to depend on amendment by DDA is an attempt to avoid responsibility as even without such amendment powers under the EP Act and the Water Act override any other statute which cannot stand in the way of enforcement of environmental norms particularly in view of orders of Delhi High Court, prohibiting use of parks for such functions."

15. Civil Appeal Diary No (s): 15182/2021 titled as North Delhi Municipal Corporation Vs. President Budhela Welfare Association & Anr. was filed against above referred order dated 04.02.2021 passed by this Tribunal before Hon'ble Supreme Court. In the above said Appeal Hon'ble Supreme Court passed following interim order:

" Permission to file the appeals is granted.

Appeals are admitted.

Issue Notice to the respondents.

Mr. Tushar Mehta, learned Solicitor General of India appearing on behalf of the appellants submits that the judgment and order under appeal has been passed without notice to the appellants-North Delhi Municipal Corporation (CA D. No. 15182 of 2021) and the South Delhi Municipal Corporation (CA D. No. 15754 of

2021). Accordingly, there will be stay of operation of the judgment and order under appeal. It is made clear that the directions of the Court in M.C. Mehta vs. Union of India reported in (2009) 17 SCC O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi 683 with regard to the use of parks shall strictly be adhered to, and in no circumstances, shall use of parks for the purposes as mentioned in the said judgment be permitted for more than 10 days in a month."

16. The above quoted interim order has also been relied upon in the Action Taken Report submitted on behalf of the DPCC.

17. In the present case, the land in question is stated to have been reserved for community services. In this year till date only one booking in favour of Agrani Matri Mandir has been made for Durga Puja celebrations and the land in question has not been put to any other use which will by itself defeat the purpose of reservation of the land in question for community services. The land reserved for community services needs to be developed properly and needs to be put to proper use by DDA and user of the same for playing children and for common functions and recreational activities by other residents of the locality needs to be promoted. Since use of the land for community services will be akin to use of the parks for recreation and, therefore, the mandate in order dated 02.08.2021 passed by the Hon'ble Supreme Court of India in Civil Appeal Diary No (s): 15182/2021 titled as North Delhi Municipal Corporation Vs. President Budhela Welfare Association & Anr will, on analogy and for the same reasons as applicable to parks, will also apply to land reserved for community services. Therefore, use and booking of the land reserved for community services has also to abide by the mandate in the above referred order passed by Hon'ble Supreme Court subject to further orders to be passed in the matter by Hon'ble Supreme Court.

18. It may be observed here that despite our order for supplying guidelines for utilization of the land in question, no such copy of guidelines regarding utilization of land in question for community services has been produced before this Tribunal. The matter needs to be O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi looked into by the Competent Authority for issuance of appropriate guidelines for utilization of such land compliant to order passed by Hon'ble Supreme Court.

19. In the present case, the DDA has made the booking of the land in question for the period of one and half months from 01.09.2022 to 15.10.2022 which booking offends the mandate of Hon'ble Supreme Court in the above referred order.

20. Mr. Samar Chatterjee has appeared on behalf of respondent no. 5- Agrani Matri Mandir and submitted that respondent no. 5 has no objection if the period of the booking of the land in question made in its favour is curtailed to 10 days in the month of September and 10 days in the month of October in accordance with order dated 02.08.2021 passed by Hon'ble Supreme Court in Civil Appeal Diary No (s): 15182/2021 titled as North Delhi Municipal Corporation Vs. President Budhela Welfare Association & Anr.

21. In view of order dated 02.08.2021 passed by the Hon'ble Supreme Court of India in Civil Appeal Diary No (s): 15182/2021 titled as North Delhi Municipal Corporation Vs. President Budhela Welfare Association & Anr. and no objection by respondent no. 5, it is directed that the booking of respondent no. 5 may be curtailed to 10 days in the month of September from 21.09.2022 to 30.09.2022 and 10 days in the month of October from 01.10.2022 to 10.10.2022 and respondent no. 1- DDA is directed to refund the proportionate booking amount to respondent no. 5, accordingly.

22. Since, as mentioned in the report dated 24.08.2022 submitted by DPCC, aspects of Solid Waste Management and abatement of air, water, noise pollution and sanitation and hygiene are involved in proposed utilization of the land in question, DPCC is directed to hold a O. A. No. 392/2021 Ashok Kumar Malik Vs Govt. of NCT of Delhi meeting with all the concerned stake holders including Delhi Police, Municipal Corporation of Delhi, Transport Department, other concerned Departments, and take remedial measures to ensure compliance with environmental norms.

With these directions, the application is disposed of. However, the applicant or any of the respondents having any grievance shall be at liberty to move this Tribunal by appropriate proceedings for any further directions if so required.

A copy of this order be sent to DDA, DPCC, Delhi Police and Municipal Corporation of Delhi for requisite compliance.

Arun Kumar Tyagi, JM Dr. Afroz Ahmad, EM August 30, 2022 AG