

Item No. 10

Court No. 2

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

Original Application No. 478/2023

Virendra Tyagi

Applicant

Versus

State of Haryana

Respondent

Date of hearing: 03.08.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a letter petition received by E-mail

ORDER

1. The applicant has sent the present letter petition by e-mail, which has been treated and registered as Original Application, seeking intervention by this Tribunal for protection, cleaning and preservation of aquatic life of the water body for health and hygiene of the neighborhood community in Sector 47, Gurugram, Haryana.

2. The applicant has submitted that there is a water body with area of about 3 acres approximately in Sector 47, Gurugram. The water body has not been protected and cleaned. The same is now being used as a waste dumping ground, has been encroached upon by setting up Jhuggies and is also being un-authorizedly used as grazing ground. Due to waste dumping, the pond has become a breeding place of mosquitoes and other insects resulting in unhygienic and unsanitary environmental hazards. The applicant has requested that directions may be used for protection, restoration and rejuvenation of the water body with development of

periphery of the pond with greenery and preservation of the aquatic life of pond for conservation of biodiversity with active citizen participation as a model.

3. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.

4. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Haryana State Pollution Control Board (HSPCB) and District Magistrate (DM), Gurugram and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant, verify the factual position and take appropriate remedial action by following due course of law. The Committee shall also report status of water body as per the revenue record and also status of compliance with regard to other waterbodies in District Gurugram with directions given by this Tribunal vide order dated 18.11.2020 passed by this Tribunal in OA No. 325/2015, *Lt. Col. Sarvadaman Singh Oberoi vs. Union of India & Ors.* The HSPCB will be the nodal agency for coordination and compliance.

5. Factual and Action taken Report may be submitted within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

6. List for further consideration on 10.11.2023.

7. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the HSPCB and DM, Gurugram by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 03, 2023
Original Application No. 478/2023
DV