

राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड

NATIONAL CAPITAL REGION PLANNING BOARD

प्रथम तल, कोर-IV बी/1st Floor, Core - IV B

भारत पर्यावास केन्द्र/India Habitat Centre

लोधी रोड, नई दिल्ली-110 003 / Lodhi Road, New Delhi-110 003

शहरी विकास मंत्रालय/Ministry of Urban Development

दूरभाष/Phone : 24642284, 24642287, फैक्स/Fax : 24642163

BY SPEED POST

K-14011/41/2006-NCRPB (Vol. I)

Dated: 13.09.2012

To

By P.D. (P.G.) MPRB-2012
To: Vikas Minar N. Delhi
Dy. No.

1. Sh. S.P. Bansal, Commissioner (Plg.),
Delhi Development Authority,
Vikas Minar, I.P. Estate,
New Delhi-110002
2. Dr. Anil Kumar, Director,
Room No. C-605, level-6,
C-Wing, Delhi Secretariat,
IP Estate New Delhi-02

OFFICE OF THE DIR (Plg.)
MPR/TC, D.D.A. N. DELHI-2
Dy. No. L-132
Dated 19/9/12

AC (PLG) MPPR

Dairy No. 1350

Date 18/09/12

Subject: Representation from Bharastachar Niwaran Samiti, Delhi regarding Review of Master Plan for Delhi-2021: Participative Approach

Sir,

Board has received letter reference no. BNS/Pollution/12/6 dated 06.09.2012 from Bharastachar Niwaran Samiti, in the matter as cited in the subject. As directed, I am forwarding the representation to Delhi Development Authority (in original) and a copy to Department of Environment, Govt. of NCT-Delhi, for further necessary action.

Yours faithfully,

N. Jafri
13/9/12

(Nabil Jafri)

Deputy Director (GIS)

Encl: As above

*A. Link &
examined
for m.p.a. 2
13/9/12*

*Adl MPPR 18/9
Dro (MPR)
AD (PG) 19/9*

attached with L-138
db. 19/9/2012

MS, NCRPB
Dy. No. 764/D
Date: 10/9/12

भ्रष्टाचार निवारण समिति

BHARASTACHAR NIWARAN SAMITI

(Registration No-S-22472/ 1991 dated Jan.6, 1992 Under Societies Registration Act, 1860)

B-5/113, Yamuna Vihar, Delhi-110053

E.mail: bns_chairman@yahoo.co.in; Blog: Thoughtsofchairman.blogspot.in;

Twitter@BharastacharNiw

Reference: BNS/Pollution/12/6

Date: 06/9/2012.

Before:

Chairman, / *Member Secretary*
NCR Planning Board,
India habitat Centre, Lodi Road,
New Delhi.

Subject: REVIEW OF MASTER PLAN FOR DELHI 2021-PARTICIPATIVE
APPROACH: Objections / Suggestions in the matter of draft Zonal Plan for
Zone 'O' [River Yamuna] in the National Capital Territory of Delhi and
misuse/ illegal use of Yamuna River Flood Plane Land in the U.T. of Delhi..

PERILS OF RELIGIONS & RIVERS BRING REVENGE OF NATURE
CONCLUSION: INSANITATION + POLLUTION OF WATER & AIR INDUCED
EPIDEMICS CAUSED DEATH & DESTRUCTION OF GREAT
CIVILIZATIONS LIKE INDUS VALLEY ETC. Will we repeat?

Hon.ble Sir,

Enclosed herewith a copy of our Notice dated 25/6/2012 u/s 19(b) of Environment Act, 1986 along with annexure thereto for kind perusal, consideration and appropriate remedial action to safeguard mankind from ill effect of environmental and water pollution since such pollution goes against all planned development of human habitats.

The Union Ministry of Environment, Central Pollution Control Board and State / Delhi Pollution Control Committee had continuously failed to discharge their statutory duty to combat environmental and water pollution despite having authority to act against all polluters, including statutory governmental authorities and Municipal bodies u/s 31(A) of Air (Prevention & Control of Pollution) Act, 1981 and u/s 33(A) of Water (Prevention & Control of Pollution) Act, 1974. Thus, they are continuously committing criminal breach of trust by public servants u/s 409 IPC apart from other laws. Even complaints made to Police in the year 2007 (copies enclosed) failed to get response

Sir, Yamuna Vihar, a plotted residential colony developed by Delhi Development Authority is a prime example of destructive planned and execution of developmental scheme by statutory governmental authorities in total disregard to law of the land. The DDA had constructed separate drainage services for collection and disposal of sewers and storm water drains. But, alas, the Delhi Municipal Corporation in breach of even its own law (Delhi Municipal Corporation Act, 1957: Chapter XVII : Sanitation & Public Health) connected open sewer carrying drains from surrounding unauthorized (now regularized)

273/NCR/12

10/9/12

16/11/12

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Page 1 of 2

Mr. 10/9
forward to DDA and Deptt. Delhi Govt.
CRP on leave 10/9/12
10/9/12

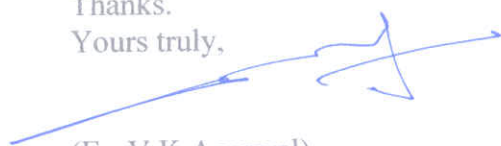
colonies with the partly open storm water drains; thus, toxic+pungent sewage flow in Storm Water Drains of Yamuna Vihar making environment toxic with pungent gases not damaging and reducing normal life span of resident population but also rendering rain / storm water unfit for ground water recharging. Such environmental pollution helps in breeding of 'micro-organism' in the atmosphere, resulting in repeated diseases and deaths of thousands of persons every year in Delhi alone.

It is therefore requested that an urgent and remedial action may please be taken to incorporate legal provisions of Water Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974 in NCR Planning and planning of any other city/ town to save mankind and present civilization.

Submitted in compliance of Fundamental Duties of a Citizen under Article 51A of the Constitution of India. We look forward for constructive cooperation and your response to save present and future civilizations from onslaught of water and air pollution.

Encls: As above (35 Pages)

Thanks.
Yours truly,



(Er. V.K. Agarwal)
Chairman



(C.K. Pandey)
Vice Chairman



(R.P. Sharma)
Secretary

भारस्तार निवारण समिति

BHARASTACHAR NIWARAN SAMITI

(Registered Under Societies Registration Act. 1860)

B-5/113, Yamuna Vihar, Delhi-110053

E-mail: bns_chairman@yahoo.co.in

Phone : 09811923592

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Ref. BNS/Pollution/12/3

Date 25/6/2012

NOTICE

By Speed Post.

To

- (1) The Secretary,
Ministry of Environment & Forests, Govt. of India,
Paryavaran Bhawan, C.G.O. Complex, Lodhi Road, New Delhi-110003.
- (2) Secretary,
Central Pollution Control Board,
Parivesh Bhawan, East Arjun Nagar, Delhi-110032.
- (3) Member Secretary,
Delhi Pollution Control Committee,
4th Floor, ISBT, Kashmeregate, Delhi-110006.

NOTICE U/S 19(b) of the Environment (Protection) Act, 1986.

Whereas an offence under the Environment (Protection) Act, 1986 has been committed/ is being committed by (i) Vice Chairman, Delhi Development Authority (ii) Commissioner, East Delhi Municipal Corporation (iii) Commissioner, North Delhi Municipal Corporation (iv) Commissioner, South Delhi Municipal Corporation (v) District Canal & Drainage officer-cum-Divisional Commissioner, Govt. of NCT of Delhi and (vi) Chief Executive Officer, Delhi Jal Board (vii) Chairman, Central Ground Water Board.

I/We hereby give notice of 60 days under section 19(b) of the Environment (Protection) Act, 1986 of my/our intention to file complaint in the court against the aforesaid authorities for violation of Section 7 & 8 of the Environment (Protection) Act, 1986.

In support of my/ our notice, I am/we are enclosing the following documents (3) as evidence of proof of violation of Environment (Protection) Act, 1986 read with Section 24, 25, 26 & 32 of the Water (Prevention & Control of Pollution) Act, 1974 and Section 21 & 22 of the Air (Prevention & Control of Pollution) Act, 1981.

Annexure: Page 1 to 30.

Place: Delhi.

Date: June 25, 2012.

Signature:

(Er.V.K.Agarwal)
Chairman

(C.K.Pandey)
Vice Chairman

(R.P.Sharma)
Secretary

PJ Sharma

भारस्तार निवारण समिति

BHARASTACHAR NIWARAN SAMITI

(Registered Under Societies Registration Act. 1860)

B-5/113, Yamuna Vihar, Delhi-110053

E-mail: bns_chairman@yahoo.co.in

Phone : 09811923592

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Ref ENS/MPD-21/2

Date 29/5/2012

Mr. Tapan Mandal,
Director (Plg.), DDA Zone (E&O)
3rd Floor, Vikas Sadan, New Delhi.

Subject: REVIEW OF MASTER PLAN FOR DELHI 2021-PARTICIPATIVE

APPROACH: Objections / Suggestions in the matter of draft Zonal Plan for Zone 'O' [River Yamuna] in the National Capital Territory of Delhi and misuse/ illegal use of Yamuna River Flood Plane Land in the U.T. of Delhi..

PERILS OF RELIGIONS & RIVERS BRING REVENGE OF NATURE

CONCLUSION: INSANITATION + POLLUTION OF WATER & AIR INDUCED EPIDEMICS CAUSED DEATH & DESTRUCTION OF GREAT CIVILIZATIONS LIKE INDUS VALLEY ETC. Will we repeat?

Reference: Public Notice Published in the Times of India, New Delhi dated 24/5/2012 inviting suggestions from citizens and others

Dear Sir,

In the context of above cited subject and reference, May please consider 'PORTENT OF HOLOCAUST'- A research paper by Er. V. K. Agarwal, a copy of which is enclosed herewith. Also enclosed a copy of new report published in the Hindustan Times, New Delhi dated 04/5/2012, titled TOXINS FROM YAMUNA CORRODING METRO METAL .

In continuation to the contents of the aforesaid, it is further stated that the provisions of the draft Zonal Plans are contrary to Constitution of India Article 21, 39, 47, 48-A and 51-A and law stipulated in the Indian Easement Act, 1882, endangering public safety and life – liberty of the future civilization and mankind itself. The public servants of the government i.e. DDA, MCD and



Delhi Jal Board etc. are continuously committing crimes u/s 277 and 278 of IPC and other provisions of law stated hereunder.

- (i) Article 21 and Article 51-A of the Constitution of India.
- (ii) Delhi Development Act, 1957 wherefrom the River regulation and control of its land falls outside the ambit of the said Act.
- (iii) Northern India Canal & Drainage Act, 1873 [Section 22; 23; 24; 26; 30; 55; 57; 68].
- (iv) Delhi Municipal Corporation Act, 1957. All garbage is the legal property of the MCD.
- (v) Indian Penal Code section 276 and 277.
- (vi) The Indian Easement Act, 1882 [Section 7 and 8 makes the Yamuna River regime land use common land for all citizens, therefore, citizens are the co-owners of the said land, not the Government / DDA/ MCD.
- (vii) Water (Prevention & Control of Pollution) Act, 1974.
- (viii) Air (Prevention & Control of Pollution) Act, 1981.
- (ix) The Environment (Protection) Act, 1986.
- (x) The Plastics Manufacture, Sale & Usage Rules, 1999.
- (xi) The Municipal Solid Wastes (Management & Handling) Rules, 2001.
- (xii) The National Environment Tribunal Act, 1995.
- (xiii) The National Environment Appellate Authority Act, 1997.
- (xiv) The Public Liability Insurance Act, 1991.
- (xv) The Delhi Panchayat Raj Act, 1954.
- (xvi) The Public Records, 1993.
- (xvii) The Govt. of NCT of Delhi Act, 1991.
- (xviii) The Delhi Jal Board Act.

NATURAL RIVERS, LAKES AND OTHER WATER BODIES HAVE BECOME OPEN AIR DRAINS FOR DISPOSAL OF UNTREATED INDUSTRIAL & DOMESTIC SEWAGE AND OTHER WASTES AND SOLID GARBAGE ETC BY MCDs, NDMC, DELHI JAL BOARD ETC.

REDRESSAL OF THE PROBLEM IS IMPERATIVE TO PROTECT THE MANKIND FROM CONSEQUENT EPIDEMICS, DECIMATION AND RESULTANT CURATIVE MEDICAL CARE AND FINANCIAL LIABILITIES. ^

THE RELIGIOUS ORDAINS HAD FAILED TO MOTIVATE PEOPLE NOW A DAYS AND ARE IN TOTAL DISUSE AS REGARDS TO PREVENTING POLLUTION OF WATER AND ENVIRONMENT AND WILD-LIFE.

THE APPLICANT AND OTHERS HAD TRIED BY PLEADING WITH GOVERNMENTAL AUTHORITIES AND COURTS WITHOUT REQUISITE RELULTS (FINANCIAL CONSTRAINTS RESTRICT AND LIMITS THERIR EFFORTS). EVEN THE GANGA ACTION PLAN AND YAMUNA ACTION PLAN; BOTH HUGELY FINANCED BY INTERNATIONAL FINANCIAL INSATITUTIONS; HAVE FAILED TO GIVE RESULTS DUE TO INEPT PLANNING AND RAMPANT CORRUPTION IN IMPLEMENTING AGENCIES.

P. S. Sharma

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THESE OBJECTIONS ARE LIMITED TO SEARCH OF EXISTING MEASURES WHICH ARE IN DISUSE SINCE THEIR INCEPTION. SO FAR WE HAD USED CIVIL LAWS ONLY AND FAILED TO LARGE EFFECT SINCE THE PUBLIC AUTHORITIES ARE NOT RESPONSIVE AND ACCOUNTABLE FOR CIVIL LIABILITIES. HOWEVER, THE CRIMINAL LAW IMPOSES PERSONAL RESPONSIBILITIES AND LIABILITIES FOR OFFENCES, THEREFORE CRIMINAL LAW CREATED FEAR IN LAW OFFENDERS COMPELLING HIM / HER TO ACT, HONOUR LAW AND STATE

The foregoing may also please be considered keeping in view the past performance of the DDA' land management and land disposal authorities which used Master Plans; Building Byelaws and acquired land; less for planned development of Delhi and more for illegal creation of unplanned - unauthorized colonies and Jhuggi- Jhopri clusters thereby totally destroying the quality of water and environment endangering the safety of resident population and inviting - bestowing insults and ill will from visitors to this historical city i.e. National Capital: Delhi. Therefore, any Zonal or other planning of land falling in the River bed/ River front of Yamuna shall only be an enabling provision for land sharks / mafias for indulging in more crime and corruption. The Delhi Master Plan-2001 had expired long back as of now Delhi Master Plan-2021 had been notified. The validity of Zonal Plan 'O' is dubious and is baseless without any foundation.

Therefore, understated is recommended for consideration and implementation:

- a) The hydrological profile of the River Yamuna as is existing at present should not be altered, rather understated measures be implemented to improve the same. The backbone of the frame work policy must be in conformity to the laws referred above. Flood Plane Zoning Bill drafted in the Office of the Flood Control Department of the Delhi Govt. and considered in the Standing Committee of the Chief Secretary may be enacted by the Delhi Legislative Assembly without any further delay.
- b) No policy is required for the development of river Yamuna River bed land / river front. Rather the construction viz. Akshardham Temple illegally constructed in the bed of the river should be removed at the earliest and the construction of Common Wealth Games Village in the river bed land to be removed at once. For channelization of river Yamuna between Wazirabad Barrage and New Okhla Barrage, a water channel of about 600 M width be left and in the residual land strip on both banks, tree be planted; this measure shall create channelized river by nature since the planted trees shall reduce the water flow velocity during high floods, thereby increasing siltation on the river bed land-increasing its ground level and also increasing the water flow velocity in the mid stream and also increasing mid river bed erosion. Thus, the river channelization could be done without incurring any expenditure and such measure shall also entail betterment of environment.
- c) The operational plan for implementation must be based on law and Flood Plane Zoning Bill as recommended by Rashtriya Bar Aayog and the Ministry of Water Resources, GOI.
- d) Furthermore, to increase ground water recharge and to protect misuse of river regime land, the water pondage level be raised to RL 210.800 M; RL 204.500 M and RL 202.700 M upstream of Wazirabad Barrage, Yamuna Barrage and Okhla Barrage respectively.



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These water levels to be maintained during all seasons and for this, the river water flow during rainy season to be impounded at higher levels to help maintain minimum water level during dry season.

- e) A Regulatory Tribunal [headed by a sitting or retired Judge of the Supreme Court and having members from the engineering departments] be created for coordinating storm water drainage schemes, sewage treatment and disposal schemes of various implementing agencies with the sole purpose to ensure that only storm water / surface run-off and treated sewer water flows into the river and nothing else. Polluters including public servants to be punished under criminal laws.

PRAYER:

In the facts and circumstances of the case, it is prayed that:

- a) The DDA must quash all its actions – proceedings in the impugned matter of Zonal Plan 'O' for the Yamuna River/River front in the U.T. of Delhi. Instead, action in conformity to the above named Northern India Canal & Drainage Act may be taken;
- b) The DDA, the Ministry of Urban Development, the Ministry Water Resources of the Govt. of India should take action in conformity to the Constitution of India and other laws of the land. They must ensure that no sewer /waste/polluted water is drained into storm water drains of DDA, MCD, PWD and Irrigation & Flood Control Department. **Offenders must be charged and prosecuted in terms of law stipulated in Water Act, 1974, Indian Panel Code, Human Rights Act, Delhi Municipal Corporation Act, New Delhi Municipal Council Act etc.**
- c) The Govt. of NCT of Delhi may be requested to enact requisite Flood Plane Zone Bill in conformity to the directions of the Ministry of Water Resources, Govt. of India for management of Yamuna River bed land falling in the U.T. Delhi;
- d) The Municipal Corporation(s) of Delhi must constitute Committee for District Planning in conformity to Article 243-ZD of the Constitution of India for Zonal Plan for the River bed land;
- e) The Directorate of Panchayat, Govt. of NCT of Delhi must act in conformity to Article 234-G and 243-L of the Constitution of India of the purpose of land use of the Yamuna River bed.
- f) **Appropriate additions be made in MPD-2021 to incorporate aforesaid suggestions in Para 3.3, 9.2.1, 14.2.3, 14.3 and 14.4 to improve degraded and polluted environment of U.T. of Delhi**

Thanking You.

Yours truly

Sd/-

(Er.V.K.Agarwal)

Chairman

Sd/-

(C.K.Pandey)

Vice Chairman

Sd/-

(R.P.Sharma)

Secretary

ANNEXURE .



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PORTENT OF HOLOCAUST

By Er. Vishnu Kumar Agrawal

Life Member: Institution of Surveyors (India), New Delhi

Life member: Indian Institute of Public Administration, New Delhi

Life Member: Indian Council of Arbitration, New Delhi.

Fellow: Institution of Valuers, Delhi.

OCTOBER, 1988



PORTENT OF HOLOCAUST

The population residing in U.T. of Delhi is passing through epidemic situation with cholera viral hepatitis, gastro-enteritis and meningitis during the current year. Almost 1314 people died in Delhi due to these epidemics, of these, gastro-enteritis alone took the maximum lives of 717 followed by meningitis 407 and viral-hepatitis 103. Almost one Lac citizens were forced to go for hospitalization.

The despoiling of environment and pollution of ground water is the root cause of these deaths and sufferings which is the end result of callousness and inept execution of developmental works by various agencies in total disregard to the law of the land. The non-enforcement of accepted government policies and adoption of faulty norms has driven this national capital towards perpetual decay and decimation. This pollution and despoliation of environment is worse than the Bhopal gas disaster which was one time tragedy whereas the pollution in U.T. of Delhi is a continuing affair in the lives of present and future generations. This has caused permanent injury of continuing nature to public and the tortuous liabilities arising out is attributable to chief executive (s) and head of department (s) respectively in terms of section 16 & 17 of the Environment [Protection] Act, 1986 inviting prosecution U/S 133 of Cr.C.P .

The policy adopted by the local civic authorities lead by the Municipal Corporation of Delhi for garbage disposal is the main culprit for spreading cholera and partly responsible for mosquito-breeding causing meningitis, The present policy of storing garbage at certain bins for number of days and thereafter collecting transporting by motor vehicles and dumping at sanitary fill yards is only causing avoidable waste-full expenditure but also despoiling environment in the neighborhood and also giving breeding grounds to flies and mosquitoes. Secondly, where is the land in this small U.T. of Delhi where more and ever increasing



garbage disposal yards could be laid. By present policies, the urban wastes is being dumped on the rural people depriving them of natural surroundings and bringing them nearer to un-natural deaths, The better and economic method for garbage disposal is the time tested old method of providing small size incinerators at each garbage bin. This simple low cost garbage disposal system shall eliminate storage of garbage in residential localities thereby wipe-off fly-mosquito breeding grounds; free civic services from high cost of collection and transportation of garbage to long distances and most importantly, give relief to rural people on whose lands and lives this urban garbage is disposed off.

This year, the gastro-enteritis expectedly took aggravated form and caused maximum miseries to the public and brought bad name to the government. The only caused of this wide spread disease is the pollution of sub-soil water due to faulty construction of sewers and drains; more importantly, non provision of proper disposal arrangements for wastes conforming to Section 250 of Delhi Municipal Corporation Act, 1957. The maximum decimation took place in the surrounding colonies of D.D.A's. Dilshad Garden and Yamuna Vihar. It's a fact that these two colonies development by Delhi Development Authority remained free of gastro-enteritis where piped water supply, sewers and storm water drain are available but the neighboring un-authorized regularized and resettlement colonies where the residents have to use sub-soil water, suffered the maximum. The ground water/sub-soil water in the Trans-Yamuna area got polluted due to faulty planning and construction of sewers and drains against the law of the land, Section 242 and 248 of the Delhi Municipal Corporation Act, 1957 prescribe for separate drains for storm water and sullage but the DDA connected sullage drains of unauthorized / regularized colonies carrying sullage, animal and human excreta and chemical discharges from unauthorized factories with the storm water drains of Yamuna Vihar and Dilshad Garden, instead of providing suitable traps and connections with the nearest sewer manhole to violate the law and degrade the environment, inviting the provisions of Section 2, 12 and 13 of the Water (Prevention and Control of Pollution) Act, 1974, Section 7 & 8 of the Environment [Protection] Act, 1986 and Section 55 of the Northern India canal Drainage Act, 1873. Further, the water supply mains are passing over the bed of these drains in the face of section 236 of the Delhi Municipal Corporation Act. 1957 providing for



keeping away water mains to a minimum distance of ten feet to prevent the possibility of pollution. The Delhi Development Authority failed to take any lesson from its past misdeeds in Janakpuri where similar violation of law caused epidemic in the year 1973-74 resulting in deaths due to jaundice. The quality of planning and construction of drains could be seen in full glare in the D.D.A's Yamuna Vihar Colony where the bed level of the culvert between B&C Block is almost five feet above the bed level of the drain giving the drain bed the shape of camel's back and creating permanent pondage in the up-side drains resulting in drowning of children, percolation of sullage water and mixing with the sub-soil water, causing pollution. This pondage and stagnation of sullage full of animal and human excreta takes to organic decay giving best environ to breeding of flies and mosquitoes and release of pungent gases / stink with this natural decay process makes the residents ill with respiratory distresses. Toxic gases generated with organic decay process in the drain causes slow internal secretions resulting in lungs clogging and spasmodic constrictions of bronchial tubes, The ground water has been polluted with biological contamination such as guinea worms, cholera, typhoid as well as contamination such as fluoride backishness and iron etc, What are the long term effects with regard to physiological functioning of various systems and the severity of damages caused to the resident population exposed to these toxic and pungent gases is be assessed by an independent competent expert authority. However, such type of pollution is certainly reducing the normal life-span of the resident population.

The resident population of D.D.A. colonies is alive of the grave situation and is constantly approaching all authorities of India, Delhi Administration, Delhi Development Authority, Delhi Municipal Corporation but alas, all authorities including government officers and elected representatives have become impervious to the suffering of the public. The only result that came out of these public pleadings coupled by four drowning cases was that the Lt. Governor, Delhi ordered 'Magistrate Enquiry' Which was made by S.D.M [New Delhi] in the year 1986 and reported about massive corruption and defrauding of public money by engineers in the drainage works executed for Yamuna Vihar.

And these 'Sulabh Shauchalayas' are being scattered throughout this Union Territory, less said the better. These Shauchalayas are Sulabh only in one respect



and that is that the human excreta of these Shauchalayas are injected directly into sub-soil water channels causing worst form of pollution.

The government came out of slumber when hundreds of residents died this year in the Trans-Yamuna localities and when the Prime Minister himself made repeated inspections. The end result of the Prime Minister's endurance is also not satisfactory due to basic faults creeping into our governance systems i.e. finding alibis and scapegoats, appointing committees and allocating huge funds for ad-hoc arrangements. This only speak like fire-fighting operation and gives nothing like a permanent solution to the basic flaws. The Committee headed by Secretary, Minister of Urban Development, Govt. of India (D. M. Suktankar Committee) has drawn wrong conclusions for the spread of epidemic of cholera and gastro-enteritis and made wrong recommendations for counter-measures. The Water Supply and Sewage Disposal Undertaking of M.C.D is wasting public money to the tune of almost five crores of rupees for providing Hindustan Mark-II type hand pumps with deeper intake pipes. Here, it's to be known that the ground water channels are inter-connected in each water bearing strata and the water bearing stratas in the natural form are interconnected at different levels. Thus, the intake of water from the deeper levels is no sure guarantee for safe drinking water. This should be considered on the face of site conditions. The Trans-Yamuna area is a river regime where the ground soil is sandy and the sub-soil water table is at shallower depths. The sewers and manholes with leaking joints are laid on the same level where the sub-soil water level exist thereby creating conditions for intermixing of sewage with sub-soil water, being used by public for day-to-day survival. This intermixing of sullage helped due to non-functioning of sewerage system as the faulty construction of this system fails the sullage reaching its designed disposals point i.e. oxidation ponds and gets absorbed in the ground itself.

The agony and anxiety of the public as regards to pollution of water and environment to dangerous limits was well within the knowledge of Central Pollution Control Board and Minister of Environment Govt. of India in May, 1988 itself much before the onslaught of epidemic as they were in receipt of requisite notices under Sec. 19 [b] of the Environment [Protection] Act 1986, but failed to act:


R. S. Sharma

Foregoing leads us to nightmare and our own decimation, caused basically due to faulty planning and construction of drains and sewers, wastage of very hard public money. The manner these development works were designed and executed, any Administrator, Town Planner, Architect and Engineer worth his salt shall feel ashamed. In the name of development, the greed of the officers / engineers has converted the whole U.T. of Delhi into slum and death-traps for its residents longing for average living environment. The political masters are also responsible for this sad state. They are the people responsible for laying down policies and priorities. The Delhi Development Authority develops a colony and lays the system for drains and sewers. The Water Supply and Sewage Disposal Undertaking of M.C.D. erect Sewage Treatment Plant but no trunk sewer line is laid to connect the sewers of the DDA Colonies with the Sewage Treatment Plant of MCD and such happenings are the routine affairs. This DDA's resident colonies namely Dilshad Garden and Yamuna Vihar were development almost ten years back and Kondly Sewage Treatment plant was commissioned three years back, but lo-behold, the work of laying trunk sewage to connect the sewage of the said colonies with the Sewage treatment plant has not started yet. This is the fate of prime Minister's eagerness to provide relief to suffering public. And who is responsible for all happenings? Are the persons according Administrative Approvals and Expenditure Sanctions for various schemes not responsible for such sad affairs? No doubt the engineers, who form the cutting edge level of the government delivery system, are responsible for causing deaths and disease but the administrators and political masters are also equally responsible. This should be considered on the face of the realities existing in engineering services where persons with mediocre professional / technical qualifications are allowed to bypass requisite essential technical qualifications and promoted to men the superior posts resulting in unprofessional products and services and this ultimately hammers down public interest. The second factor responsible for inferior public utilities is the routine and institutionalized corrupting prevailing in grass-root organization, the engineering departments, despite counter measure established by the Government. The successful functioning of internal and concurrent technical audit units to their full stipulated potential has not been allowed. The measures to make these audit units meaning-full as approved by the



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government has failed to take shape due to failure of bureaucracy to babucracy. This aspect needs closer scrutiny by students of public Administration.

The only redeemable feature is the democratic setup of our government. In the face of decay and decimation, the public out-cry pressure is likely to increase and force its elected representatives and thereby the government to bring in some semblance of reforms towards public good for which the pre-requisite requirement shall be of an end reward meritocracy and making effective technical audits to account for every rupee spent on good public service. Administration should note the population has been perpetually under duress. Citizens are the innocent victims, have neither the time nor the money for dilatory forensic process. Maintenance of essential service, the drainage one of them, are the primary duty of state and no government worth the name can abdicate this function and put life of citizen in jeopardy. After this year's human tragedy, no static thinking will do and the administration should take dynamic decisions and tender justice by directing various engineering departments to strengthen their organizations with professionals with best available technical qualifications and to use effectively full potential the existing internal and concurrent technical audit units.

May the cry of suffering citizens become louder and louder, May the traces of trauma these deaths has left behind on public psyche, force the government to act even at this belated stage. Victims cannot be expected to wait till the process or meticulous collection of data is complete. If the local civic bodies are guilty of violation of laws of the land, the Central Government and Delhi Administration also failed to fulfill their obligations. The Delhi Administration should have an enlightened approach. There must be a 'consortium approach' towards laying down facilities and services and the Administration should come forward with positive response to help speedier implementation of metropolitan drainage.

By the proviso of section 55 and 57 of the Northern India Canal and Drainage Act, 1873, a Unified Drainage Agency already at apex in the office of Deputy Commissioner / Delhi-cum-District Canal and Drainage Officer. The re-activation of this apex authority to curb over-lapping of function and cropping of chaotic conditions due to multiplicity of authorities is imperative. Local civic

R. S. Sharma

bodies and autonomous authorities including Irrigation and Flood Control Department are the horizontally constituted agencies while the District Canal and Drainage Office under the overall command of Lt. Governor have mandatory and statutory functions as the vertical climb for the unified and coordinated implementation of the drainage schemes. Armed with such elaborate mandatory and statutory provisions available at command with the Delhi Administration, it's not out of reach to overcome the "Portent of Holocaust" The only need is strong will power to act as envisaged in law, in rational and logical manner, to give credit for higher expertise and to make effective stipulated technical internal and concurrent audit units.

R. J. Larmas

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Toxins from Yamuna corroding Metro metal

UNEASY RIDE Fumes from river damaging cooling system

ht EXCLUSIVE

Subhendu Ray

■ subhendu.ray@hindustantimes.com

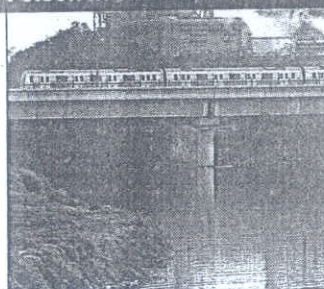
NEW DELHI: The Metro — a boon for commuters in Delhi's cruel summer months — is losing its cool on the Yamuna stretch. Blame it on the toxic river.

Delhi Metro Rail Corporation officials claim the air conditioning systems of trains that cross the "dead" Yamuna daily and of those parked at Yamuna Bank depot are badly damaged. "The toxic gases damage the coating on the condenser joints of the AC system, which in turn causes leakage of coolant gas," said DMRC director (operations) Rajkumar.

"Condenser systems of 350 coaches on lines 3 (Dwarka-Noida City Centre) and 4 (Yamuna Bank-Vaishali) and of 100 out of 200 coaches on line 1 (Dilshad Garden-Rithala) have been replaced."

But here's the more worrying aspect: if the river toxins are

POISON IN THE AIR



- Yamuna releases toxic ammonia and hydrogen sulfide fumes
- These corrode metals and electrical equipment such as ACs
- Also cause respiratory tract infections, dizziness, nausea and sore throat

« Metro crossing Yamuna.

Smaller Yamunas

■ Toxic drains across Delhi are causing similar problems

■ Drains in Najafgarh (west Delhi), Shahdara (east), Defence Colony (south) and Kushak Nallah in Chanakya-puri (south) are major pollutants

affecting the Metro, imagine the damage they are causing your respiratory system (see box).

"There is no oxygen in the Yamuna, just sewage. Toxic fumes, including ammonia and hydrogen sulfide, emanating from the polluted water corrodes metals," said DD Basu, senior scientist, Central Pollution Control Board.

The DMRC has asked the coach manufacturer to coat coolant tubes with anti-corrosion paint.

inside

P3

- » An uneasy crossing
- » No study to check air
- » Home ACs damaged

DD Basu



quote martial

The Delhi Metro Rail Corporation (DMRC) has been entrusted with mono rail project because of its professionalism.

SHEILA DIKSHIT, chief minister, Delhi

DEADLY RIVER

Quietly flows the dirty, poisonous Yamuna

■ **NOXIOUS FUMES** Dangerous gases released by the river a health hazard

Rhythmia Kaul

■ rhythmia.kaul@hindustantimes.com

NEW DELHI: Have you felt nausea, difficulty in breathing, headache or dizziness while crossing the Yamuna on your way to work or while returning home?

If yes, then it is a good time to visit a doctor and get yourself examined for an infection of the upper respiratory tract. The highly polluted water, mostly sewage, that flows into the river releases highly toxic gases which are a serious health hazard to anybody coming in direct contact with them.

Noxious gases such as ammonia and hydrogen sulphide emanated by the Yamuna are poisoning the air for people living around the river belt.

Health experts said Yamuna, in Delhi, is a little different from highly-polluted drain. The gravity of the problem can be gauged from the fact that one does not need scientific instrument to detect the presence of these gases as any body breathing near the river's can smell the poisonous gases.

"These gases are released by the sewage which is dumped into the river from across the city. The river is no better than a sewer now. Both ammonia and hydrogen sulphide are extremely toxic and can pose grave health problems for the people living around the water," said Ravi Agarwal, founder director, Toxics Link, a Delhi-based NGO working for clean environment.

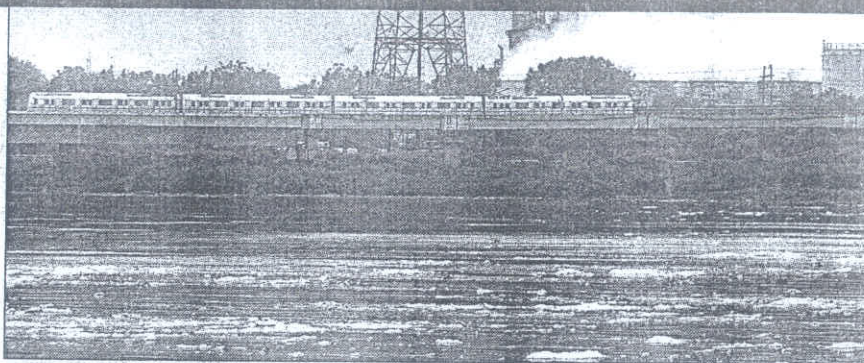
Hospitals and nursing homes situated near the river caters to a regular stream of patients suffering from various upper respiratory tract infections.

"We get about 10-15 people suffering from bronchitis, aggravated asthma, interstitial lung disease and diseases of the upper respiratory tract each

(Yamuna is no better than a sewer now. It poses a serious health hazard.)

RAVI AGARWAL
Director, Toxics Link

TOXIC SPOT ON DELHI'S LUNGS



TOXIC FACTS

The Yamuna in Delhi is called 'dead' river because there is no trace of life-supporting oxygen

18 Number of drains that empty untreated, partially treated and treated sewage into the Yamuna

22 kms stretch downstream of Wazirabad barrage in Delhi

WHAT YAMUNA RELEASES INTO THE AIR

AMMONIA GAS

- A severe respiratory tract irritant, prolonged exposure to which can cause fluid accumulation in lungs
- Symptoms include stiffness and difficulty in breathing
- Also dissolves in moisture on the skin, forming corrosive ammonium hydroxide
- Can cause burns and blisters
- Over time, cause permanent damage to lungs

HYDROGEN SULPHIDE

(the gas smells like rotten eggs)

- Irritation of eyes (acute conjunctivitis), nose, and throat
- Bronchitis, aggravated asthma
- Headache
- Dizziness
- Nausea, vomiting
- Coughing, difficulty in breathing

month. Though it is difficult to tell the exact cause as it may vary from case to case, environmental pollution could be a major contributor," said a doctor at Jeevan Anmol Hospital in Mayur Vihar, Phase-I.

"I have been experiencing difficulty in breathing for the past few years. I do not know the reason, but I have a feeling the pollution has taken its toll on me," said YC Wadehera, 78, a resident of Mayur Vihar, Phase-II.

Dr Rukamani Nair, medical superintendent of an alternative therapy hospital, Babu Nature Cure Hospital and Yoga Shram, in Mayur Vihar, Phase-I also claimed that two in 20 people who visit the hospital every day have symptoms of nose, throat and lung infections.

"Pollution is obviously a leading cause for these diseases. We run a very busy OPD and treat people using natural therapy

No study to check air above Yamuna

Nivedita Khandekar

■ nivedita.khandekar@hindustantimes.com

NEW DELHI: It doesn't take an environmentalist to know that Yamuna is one of the most polluted rivers in the country. But what has escaped the attention of all government agencies and NGOs alike is to assess the effect of the toxic fumes emanated by the water on the air quality above the river.

Yamuna's water is fully diverted to the Western Yamuna Canal up stream of Hathni Kund. Downstream of Wazirabad barrage, it is mostly sewage — treated, partially treated and untreated — empty

"Yamuna is no longer an ecological entity. There is no oxygen...It is a dead (river), anaerobic. It releases ammonia and hydrogen sulphide among other toxic gases," explained Dr DD Basu, senior scientist from Central Pollution Control Board (CPCB). But neither Delhi Pollution Control Committee nor any NGO has carried out any study to assess the damage being caused by the dangerous gases that hung over the river water. The CPCB has carried out certain investigations for measuring ammonia at a few places. "(Now) we are carrying out an exhaustive study for ammonia. Later, we would do it for hydro-

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Gases damage ACs in nearby areas

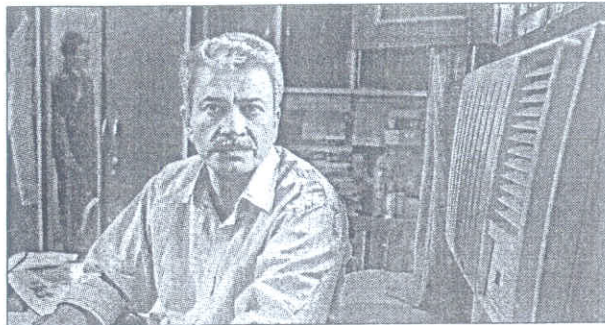
Rajat Arora and Vinod Rajput
■ htreporters@hindustantimes.com

NEW DELHI/NOIDA: The fact that their house is situated near a river is no consolation in this torrid heat for those who have their abode near the Yamuna.

Apart from the air-conditioning systems of Metro trains, which have been affected by the toxic gas emanated by the extremely polluted Yamuna, the cooling machines of the people living along the river belt have been hit by the noxious gases that the sewage-filled water of the Yamuna releases into the air.

The air conditioners installed in homes at Mayur Vihar, Vasundhara Enclave and Noida collapse within a year of purchase due to the toxic gases being released by the Yamuna.

"We have to get the gas of our



■ Sanjay Mago, a resident of Mayur Vihar, says he has to get his AC repaired after every three-four months. RAJ K RAJ/HT PHOTO

AC refilled twice in one season as the gas pipe leaks due to corrosion. The AC mechanic told us that it is due to the polluted air in our area," said RK Saxena, a resident of DDA flats, Mayur Vihar-I.

The residents claim that with-

in a month of purchase, the cooling capability of their air-conditioner goes down. "The AC repair shops in the locality are doing brisk business as the number of complaints has gone up considerably. "I get more than 10 calls every day. There's too

much pollution in the air in this area that damages the ACs. The life of ACs has been reduced to a couple of years in this area," said Shambu Deb, who has been running an AC repair shop in Mayur Vihar phase I for more than a decade.

Rising level of pollution in the Shahdara drain, a major drain that flows through the city and finally empties out into the Yamuna, has been damaging ACs, refrigerators, coolers, gold and silver jewellery, besides cars in Noida as well.

"The servicing cost of the air conditioners has shot up manifold in the past two-three years. We either have to buy a new AC every season or spend almost half its cost on the repairing," said Sanjay Mago, a resident of pocket 4, Mayur Vihar Phase I.

UNITED ALLIANCE

R. G. Sharma

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10/10/6/2012

'High pesticide levels in groundwater'

Jayashree Nandi | TNN

New Delhi: The groundwater that most of Delhi relies on when water shortage leaves taps dry is probably far more contaminated than we can imagine.

A recent study by a team from the civil engineering department of IIT-Delhi on the groundwater quality in the Palla-Burari region has made some alarming revelations. The water samples tested from this area contain moderately high levels of pesticides; some of them residues of long-banned pesticides, such as DDT. This region has close to 80 borewells and five Ranney wells that meet about 15% of Delhi's water needs.

The team tested the water samples for organochloride pesticides (OCP) that breakdown very slowly in the environment. Many of these pesticides disrupt the endocrine system and mimic the body's natural hormones causing havoc in the hormonal system. The study says

these pesticides can lead to serious long-term health hazards.

Samples were collected from 21 borewells and tested for 17 varieties of OCPs. Three samples tested positive for all 17 targeted OCPs. The most frequently occurring pesticide residues were of aldrin, a byproduct of insecticide lidane, endosulfan and even DDT. "Yes, we found residues of even pesticides that are banned. It's worrying because these pesticides remain in the environment for very long," said professor Atul K Mittal, who headed the study. The most commonly occurring pesticide in the water samples was aldrin.

Though the concentrations of pesticides were not higher than the standards set by Bureau of Indian Standards (BIS), in many cases the samples had higher concentration of pesticides than the WHO and EU standards. "In case of organochloride pesticides, the concentration is not so much a worry as the fact that we are continuously exposed to them. They

stay in our environment for a long time. Such exposure can be directly linked to higher incidence of cancer, reduced fertility, thyroid disruption and other health problems," said Pravin Mutiyar Suthar, one of the researchers in the study.

The same team also conducted a larger study of the entire Ganga basin covering Uttarakhand, UP and Bihar. The results showed that different types of OCPs predominate in different regions depending upon land-use pattern. HCH, a byproduct of insecticide lidane, was detected mostly in the mountainous stretch (Uttarakhand), the water in UP contained more of endosulfan residues and the Bihar region contained more of the aldrin group of pesticides.

Both the Palla-Burari water quality study and Ganga basin study were published in the journal Drinking Water Engineering and Science this year. The team is continuing to test samples from Yamuna and surrounding areas.

R. J. Sarmas

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NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION
NEW DELHI

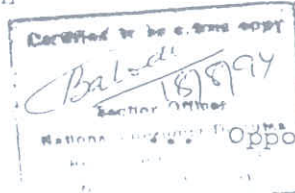
MISCELLANEOUS PETITION NO.564 OF 1992
IN
ORIGINAL PETITION NO.43 OF 1989

DATED THE 29TH JULY, 1994

Yamuna Vihar (Block No.5) ... Complainant
Residents Welfare Association

Versus

Vice Chairman, DDA & Ors.



Opposite Parties

BEFORE:

HON'BLE MR. JUSTICE V. BALAKRISHNA ERADI,
PRESIDENT.
MR. Y. KRISHAN, MEMBER.
HON'BLE MR. JUSTICE B.S. YADAV, MEMBER.

For the Complainant : Mr. V.K. Agarwal and
Mr. C.K. Pandey,
Authorised Representatives.

For the Opposite Parties: Mr. Ram Prakash Gupta and
Mr. J.C. Jetley, Advocates.

O R D E R

Counsel appearing on behalf of the Municipal Corporation of Delhi prays for the grant of a short time to enable him to file an affidavit detailing what works have already been carried out by the MCD in pursuance of the Order already passed in this Original Petition and also giving particulars of the future programme of work with an assurance regarding the time frame within which that work will be carried out. Such affidavit shall be filed within four weeks from today. It is brought to our notice by counsel for the M.C.D. that the D.D.A. has so far paid

R. J. Sharma

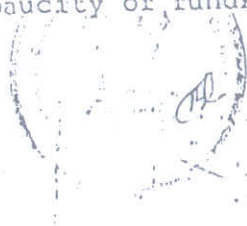
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only a sum of Rs.54/- lakhs/^{as} against a total estimated cost of the works amounting to Rs.3.00 crores. The D.D.A. shall pay a further amount of Rs.1.00 crore to the M.C.D. within a period of six weeks from today so that the progress of the work should not be held up on the part of the M.C.D. due to paucity of funds.



Sd.

.....
(V. BALAKRISHNA ERADI)
PRESIDENT.

Sd.

.....
(Y. KRISHNA)
MEMBER.

Sd.

.....
(D.S. YADAV)
MEMBER.

R. Ram

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(3)

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION
NEW DELHI

ORIGINAL PETITION NO. 43 OF 1989

Certified to be a true copy
Section Officer
National Consumer Disputes
Redressal Commission
Complimented to you

Yamuna Vihar (Block No. 5)
Residents Welfare Association

Versus

Vice Chairman, D.D.A. & Ors.

Opposite Parties

BEFORE:

HON'BLE MR. JUSTICE V. BALAKRISHNA ERADI,
PRESIDENT.

MRS. A.S. VIJAYAKAR, MEMBER.

HON'BLE MR. JUSTICE D.S. YADAV, MEMBER.

For the Complainant : Mr. V.K. Aggarwal,
(Authorised Representative)

For the Opposite Parties : Mr. Arun K. Sharma &
Mr. Prem Prakash Gupta,
Advocates.

ORDER

In this petition, filed on behalf of the residents of Yamuna Vihar Resident Welfare Association, the gist of the grievance put forward is that several of amenities which were originally promised to be provided in the colony relating to drainage facilities and maintenance of proper hygienic conditions and environmental purity have not been kept up by the D.D.A. (Delhi Development Authority) and later by the Municipal Corporation to whom the notice was issued by us has, in compliance with the order passed by us, filed an affidavit before this Commission setting out the steps that are proposed to be taken by them in order to rectify the defects that exist in regard to the drainage system and other factors referred to in the petition.

After going through the Affidavit filed on behalf of the M.C.D. we are satisfied that the proposals mentioned therein, if duly implemented, should go to substantially rectify the grievances set out in the petition. We accordingly

R. Sharma

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direct that the Municipal Corporation of Delhi shall duly implement those proposals within the time frame mentioned in their affidavit and that a compliance report should be filed by the M.C.D. before this Commission before the 31st August, 1992. In case of any default being committed by the Municipal Corporation of Delhi in relation to the implementation of the proposals referred to above the petitioner will be at liberty to bring the said fact to the notice of this Commission by filing a Miscellaneous Petition for the said purpose. The Delhi Development Authority should discharge their obligations by making available to the Municipal Corporation of Delhi necessary funds in respect of the deficiencies for the rectification of which responsibility was on the Delhi Development Authority prior to the date of transfer of the colony to the Municipal Corporation of Delhi. The petition is closed with the aforesaid direction and observations.



(V. BALAKRISHNA ERADI)
PRESIDENT

(A. S. VIJAYAKAR)
MEMBER

NEW DELHI
November 12, 1991

R. Sharma

(B. S. YADAV)
MEMBER

Central Pollution Control Board received this report to National Commission vide its letter D.C. 12.11.90.

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(5)

REPORT ON THE DISCUSSION HELD BETWEEN THE REPRESENTATIVES OF THE CENTRAL POLLUTION CONTROL BOARD, DELHI DEVELOPMENT AUTHORITY AND MUNICIPAL CORPORATION OF DELHI PURSUANT TO THE DIRECTIONS GIVEN BY HON'BLE COMMISSION ON 25th JULY, 1990 IN THE ORIGINAL PETITION NO. 43/89 TITLED YAMUNA VIHAR RESIDENTS WELFARE ASSOCIATION Vs DDA & OTHERS

The Hon'ble National Consumer Dispute Redressal Commission on 25th July, 1990 had directed the Central Pollution Control Board, Delhi Development Authority and Municipal Corporation of Delhi to convene a conference of the representatives of these organisations and hold exhaustive deliberations relating to steps that are required to be taken for rectifying the defects as are pointed out by the Central Pollution Control Board in its report. The Commission has directed the representatives of the above referred organisations to draw a concrete proposal to be submitted to the commission setting out the steps that are to be undertaken by DDA and MCD to rectify the defects and to maintain proper hygienic standards in the Yamuna Vihar Colony.

The following representatives of the above-named organisations attended the conference held on the 19th September, 1990 at 3.00 P.M. :

20/12/1990

Sl.No.	Name of the representatives/ officiole	Designation	Organisation
1.	Dr. K.R.Ranganathan	Member Secy.	C.P.C.B.
2.	Sh. V.S.Murthi	Engr. Member	D.D.A.
3.	Sh. A.K.Sarin	Supdt. Engr.	D.D.A. (CC - 111)
4.	Sh. OM Prakash	Ex. Engr. E.U.	D.D.A. II
5.	Sh. Anand Prakash	Supdt. Engr.	DWASDU (C) Dn. 111 (MCD)
6.	Sh. M.L.Mondiratta	Ex. Engr.	DWASDU Dn. VIII
7.	Sh. Ushan Thadwani	Ex. Engr.	CSE(I) DWASDU
8.	Dr. S.P.Chakraborti	SEC	C.P.C.B.
9.	Sh. Iohwor Singh	L.O.	C.P.C.B.
10.	Sh. R.N.Jindal	EE	C.P.C.B.
11.	Sh. N.K.Gupta	AEE	C.P.C.B.
12.	Sh. R.S.Yadav	JLU	C.P.C.B.

R. Ramn

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14
At the outset the Member Secretary, Central Pollution Control Board, explained the grievances of the Yamuna Vihar Colony Welfare Association and the problem areas of the region. The prevailing situation and the steps that are required to be taken were also explained. The report of the Central Pollution Control Board was also perused. The consensus that emerged out of the discussion is detailed herewith:

1. It was agreed that it is essential to clean all the sewers passing through the Yamuna Vihar Colony which receive the sullage and sewage from the unauthorized colonies. The sewers being choked, the wastewater overflows of manholes creating nuisance. It was agreed that the MCD will take up this work and shall complete within one month (by 25.10.1990).
2. During the discussion it was reported by Delhi Development Authority and Municipal Corporation of Delhi representatives that about 74 metre long sewer line at the terminal and leading to oxidation pond has sunk. This sewer line has to be rectified and MCD shall take action by 31st March, 1991. It was also reported that tenders have already been floated in this regard.
3. Pumping arrangement shall be made to pump the sewage from the sewer-sump constructed for the purpose. The pumps will have to be regularly operated.
4. Sullage from the three unauthorized colonies mainly (Subhash Mohalla, North Ghonda and Nour-E-Elahi) should be trapped into the existing sewer passing through Yamuna Vihar Colony, and oxidation pond shall be made operative for treatment of entire sewage including those of unauthorized colonies. This action may be taken by MCD.
5. It was reported by MCD representative that a 10 MGD effluent treatment plant will be constructed at the oxidation pond site to treat entire sewage of the Yamuna Vihar area including the aforesaid unauthorized colonies. The construction will be completed in two years (March 1993) at an estimated cost of Rs. 5.2 crores.
6. It was stated during the discussion that DDA has paid Rs. 25 lacs as first instalment to MCD for rectifying the deficiencies in the sewer lines executed in Yamuna Vihar. It was also agreed that further amount will also be paid to MCD the deficiencies subjected to the work executed by MCD. The sewer laid by DDA.

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7. Mr. G.R. Ambwani, Engineer, P.W.D., is responsible for proper sewage collection and its disposal arising from unauthorized colonies in Trans-Yamuna including above mentioned three colonies.

L. Garmes

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड

(पर्यावरण एवं वन मंत्रालय, भारत सरकार)

CENTRAL POLLUTION CONTROL BOARD

(MINISTRY OF ENVIRONMENT & FORESTS, GOVERNMENT OF INDIA)

Legal/122(25)/89/

दिनांक/Dated 25th June, 1990.

To

The Registrar
National Consumer Disputes
Redressal Commission
Janpath Bhawan (Old Indian Oil Bhawan)
5th floor 'A' Wing Janpath
New Delhi - 110 001.

In the matter of Original Petition No. 43
of 1989 filed by Yamuna Vihar Welfare
Association Vs Vice Chairman DDA & Others.

Sir,

The Hon'ble Commission in the above referred matter
vide its order dated 3rd May, 1990, communicated on 18th May,
1990 had directed the Central Pollution Control Board to
furnish a report in enclosed herewith for kind perusal of
the Hon'ble Commission.

Yours faithfully,

(K.R. RANGANATHAN)
MEMBER SECRETARY

Enc : (Three copies of the report duly signed)
and four spare copies

7-90/MCDPE/90

Consumer Disputes Redressal

Received

On

11th June

NEW DELHI

'परिवेश भवन' सी. बी. डी. कम्प्लेक्स, ईस्ट अर्जुन नगर, दिल्ली-110032
'Parivesh Bhawan' C.B.D.-cum-Office Complex, East Arjun Nagar, Delhi-110032

[Signature]

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Report of the Central Pollution Control Board, New Delhi pursuant to the National Consumer Redressal Commission dated 3.5.90 communicated on 10.05.90 in OD No. 43 of 1989 titled Yamuna Vihar (Block B-5) Residents Welfare Association Vs Vice Chairman, Delhi Dev. Authority, and others.

1. As per the order of the Commission, Yamuna Vihar Residential Colony was inspected on 24th, 25th and 31st May, 1990 by the official of the Central Pollution Control Board. During the course of inspection, Mr. Aggarwal, Vice President, the representative of the Yamuna Vihar Association was present. Report of the inspection covering the issues stated in the Commission's order is submitted in the succeeding paragraphs.
2. Three unauthorised colonies namely Subhash Mohalla, North Ghonda and Noor Illahi exist near Yamuna Vihar. Sullage and Sewage from these colonies finds its way through open drains into the storm water drains of the Yamuna Vihar. All the three unauthorised colonies do not have any sewerage system. There is also a large pond serving as a storage pond for the wastewater of these unauthorised colonies, the overflow from which ultimately meet a storm water drain of Yamuna Vihar. The flow from the pond is continuous.
3. Storm water drains of Yamuna Vihar were found to be also receiving sewage overflowing from the manholes of the sewerage system of the Yamuna Vihar developed by DDA, at a number of places. The overflow is taking place due to choking of in the sewers. To check the overflow of sewage on to the roads, holes were found to have been made in the manholes to facilitate entry of sewage directly into the storm water drains. All the storm water drains of Yamuna Vihar were found to be full of sewage, sullage and garbage. Due to the addition of enormous quantity of garbage the storm water drains were found choked at

Amey

P. Sharma

number of places, resulting in the formation of stagnant waters causing of breeding of mosquitoes and flies. During inspection blankets of mosquitoes were seen on the surface of these stagnant water.

4. The overall hygienic condition, prevailing in the unauthorised colonies and its surroundings is very poor. This is primarily due to stagnation of waste water in storm water drains with the dumping of garbage and human excreta resulting in melodious condition in the area.

5. Three pump houses were constructed for pumping of sewage and storm water at Yamuna Vihar. As per the information available from Junior Engineer, E&M Divn. of M.C.D., C-12 Yamuna Vihar, two pump houses out of the above three are constructed exclusively for pumping of storm water. But the pumps are utilised to pump not storm water but almost raw sewage/sullage flowing in the storm water drains. Total quantity of sewage, which is being pumped from the storm water drains is approx. 26,600 cubic metres per day by the all three pump houses whereas the quantity of sewage pumped from the sewers of Yamuna Vihar into trunk sewer is only 7,400 cubic metres per day. From the above, it is clear that most of the sewage is flowing through storm water drains indicating unplanned sewerage system of the area. The residents of Yamuna Vihar during the inspection informed that during monsoon, the whole area becomes flooded due to inadequate capacity of storm water drains and pump houses.

6. Recommendations:

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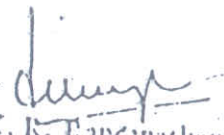
R. Sharma

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- 6.1 A proper sewerage system for the three unauthorised colonies should be provided so that sewage from the sewage system should be connected to a treatment plant and will not join the storm water drainage of Yamuna Vihar.
- 6.2 The sewerage system of Yamuna Vihar has to be revamped and maintained so as to avoid leakage and overflowing taking place from various points.


Dr. K. R. Panse
Member, Secretary,
Central Pollution Control Board
(Ministry of Environment & Forests)
Parivesh Bhawan,
CBD-Cum-Office Complex,
Rast Arjun Nagar,
Delhi-110032.



(12) 257

NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION

NEW DELHI

ORIGINAL PETITION NO. 43 OF 1989

Yamuna Vihar (Block-5)
Residents Welfare Association
Versus

Complainant

Vice-Chairman, Delhi Development Authority & Ors.

Opposite Parties



BEFORE:

HON'BLE MR. JUSTICE V. BALAKRISHNA ERADE,
PRESIDENT.

SMT. A.S. VIJAYAKAR, MEMBER.

MR. Y. KRISHAN, MEMBER.

DR. RAIS AHMED, MEMBER.

For the Complainant	:	Mrs. Seema Midha & Shri M.C. Mohta, Advs.
For Opposite Party No.1	:	Mr. Arun Kumar Sharma, Advocate.
For Opposite Party No.2	:	Mr. Ram Prakash Gupta, Advocate.
For Opposite Party No.3	:	MR. M.C. Garg, Advocate.

ORDER

The Petitioners who are residents of a colony in the Trans Yamuna area, New Delhi by name "Yamuna Vihar, Block-5" have come forward with the grievance that the opposite party No.1 DDA represented by its Vice Chairman has failed to provide proper drainage facilities and omitted to take corrective measures for avoiding pollution of drinking water, by reason of the fact that the water supply pipe lines have been drawn along side sewage lines. There is a further allegation that respondent has omitted to take steps to avoid environmental pollution caused by accumulated garbage, rain water ponds and waste water let out from certain unauthorised colonies around the Yamuna Vihar area.

Contd...2/-

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Before we enter upon an investigation of the various factual allegations put forward in the Petition we consider that it will be useful to get a factual report from the Central Pollution Control Board on the state of things actually existing in the said colony covering all factors which relate to the sanitation, health, hygiene and safety and environmental purity for residents of that area. In this Petition the petitioners have impleaded the Chairman, Central Pollution Control Board as Respondent No.3. It has however to be stated at this juncture that no relief whatever has been against respondent No.3. Their impleadment has only served to enable this Commission to get expert assistance from the Central Pollution Control Board to ascertain the actual state of facts existing in the colony. The Central Pollution Control Board shall submit a detailed report on all the aforesaid aspects after inspecting the colony with reference to the facts set out in the complaint petition and submit the same to this Commission within six weeks from today. The report should deal with all factors relating to sanitation, health and hygiene and environmental purity in that colony and the corrective measures if any that are required to be taken in case it is found that the existing situation calls for improvement. On receipt of the report of the Board, the Registry of this Commission will supply copies of the report to the counsel for the Petitioners as well as to the advocates appearing for the M.C.D. and DDA. The matter will thereafter be posted for further hearing. The Petitioners will be at liberty to make representations to the staff



Handwritten signature

...3/-

24

14

255

-: 3 :-

of the Central Pollution Control Board while they inspect the colony concerning the grievances set out in the Petition.

The Respondent No.3 shall file its counter affidavit within three weeks from today.



Sd/-
.....
(V. Balakrishna Tripathi)
President

Sd/-
.....
(A.S. Vijayakar)
Member

Sd/-
.....
(Y. Krishnan)
Member

Sd/-
.....
(Rais Ahmed)
Member

May 3, 1990

R. Sharma

25

254 (15)

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2931 OF 1991.

Yamuna Vihar Residents' Welfare
Association

Vs.

Vice-Chairman, Delhi Development
Authority & Ors.

R. W. Lalchand ... Appellant
Assistant Secretary (Hd)

3.10.1991

... Respondents

336143

ORDER

Since the Civil Appeal No. 4955 entitled U.P. Awas
Evam Vikas Parishad Vs. Garima Shukla, has already been
disposed of by this Court on 24.9.1991, the National
Consumer Disputes Redressal Commission, New Delhi should
proceed to hear and decide the appellants' matter pending
before it. With this observation the Civil Appeal is
disposed of.

Sd/-
.....J.
(K.N. Singh)

New Delhi,
August 19, 1991.

Sd/-
.....J.
(K. Ramaswamy)

R. Ramaswamy

/copy/

ANNEXURE - I

253

YAMUNA VIHAR (BLOCK B-5) RESIDENTS WELFARE ASSOCIATION, DELHI-110053

Office : B-5/363
Yamuna Vihar,
Delhi-110053

NOTICE

Dated : 7-6-88

By Registered Post acknowledgement due

To

1. The Central Board for the Prevention and control of Water Pollution,
Batra Building Complex,
Mukherji Nagar, Delhi
2. The Secretary
Min. of Environment and Forests,
Govt. Of India,
Paryavaran Bhawan, C.G.C. Complex
Phase-II, Lodhi Road, New Delhi

Notice Under Section 19(b) of the
Environment (Protection) Act, 1986

Whereas an offence under the Environment (Protection) Act, 1986 has been committed/is being committed by (i) Vice-Chairman Delhi Development Authority, Delhi (ii) Commissioner, Delhi Municipal Corporation of Delhi (iii) District Canal & Drainage Officer-cum-Deputy Commissioner, Delhi Administration, Tis Hazari, Delhi.

I/We hereby give notice of 60 days under Section 19(b) of the Environment (Protection) Act, 1986 of my/our intention to file a complaint in the court against the aforesaid authorities for violation of Section 7 & 8 of the Environment (Protection) Act, 1986.

Yours faithfully,

sd/-
(R.P. Khandelwal)
General Secretary

Encls : Annexure

Place : Delhi

Dated : 7-6-88

for signature

R. Khandelwal

27

as proof of Violation of the
Environment (Protection) Act, 1986.

252

1. The Yamuna Vihar was planned and executed by the Delhi Development Authority in the year 1975-76 purely as a residential colony with provisions for sewers, storm water drains, drinking water supply system roads and electricity etc. for the allottees of its plots. The full cost of these services alongwith the premium cost of the plots was paid for by the plot allotted.
2. Sewers with requisite design capacity were constructed to carry the sullage water of Yamuna Vihar residents. Storm water drains were constructed to drain out rain water only. No sullage drain was constructed because of the sewer system provided in the colony. As per provisions of the Delhi Municipal Corporation Act, 1957 Section 242 & 248, the sullage drains and the storm water drains are constructed separately so as to avoid mixing of sullage water with rain/storm water.
3. The unauthorised colonies namely Moor-Illahi, North Ghonda and Subash Mohalla are surrounding colonies falls on the encroached land acquired and paid for by the D.D.A. None of the said colonies have any sewer system or storm water drains as such. The un-planned and haphazard construction of the drains to carry sullage as well as storm water in the open one drain is against the provisions of Delhi Municipal Corporation Act, 1957 Sec. 242 & 248 and Sec. 2, 12 & 13 of the Water (Prevention & Control of Pollution) Act, 1974. The open drains carrying sullage, animal & human excreta from the said colonies are being connected with the storm water drains of B-Block of Yamuna Vihar resulting in Pollution of whole environment and ground water.
4. The bed-level of the culvert between B & C Blocks of Yamuna Vihar is about 5 feet above the bed level of B Block storm water drains resulting in stagnation and pondage of sullage, animal and human excreta and other polluted liquids in the storm water drains of Yamuna Vihar which is causing total degradation and despoilation of environment and giving idle situation to breeding of mosquitoes and consequent sicknesses.
5. The drinking water supply mains are passing over the bed of the storm water drains which are full of pollutions and animal/human excreta. The joints of these water supply mains are leaking and thus creating conditions for mixing of human excreta/polluted water with drinking water. This violates Sec. 236 of the Delhi Municipal Corporation Act, 1957.
6. The impounded/stagnant polluted water in the B-Block of Yamuna Vihar drains is percolating down and polluting the ground water (Sub-Soil Water) which is used by residents by way of hand-pumps. This ground water has been polluted with biological contaminations such as guinea worms, cholera, typhoid as well as chemical contaminations such as fluoride, backishness and iron.
7. Already 4 death by drowning cases have occurred in the storm water drains of Yamuna Vihar due to obstruction created at culvert point of B & C Block drains which is in violation of Sec. 55 of the Northern India Canal & Drainage Act, 1873 and Deputy Commissioner, Delhi Cum District Canal-Drainage Officer has not taken any action in the matter as required under Sec. 73 of said Act.

cont...P/2

R. J. Jarm

28

APEX ASSOCIATION OF DDA COLONIES

R-2/36, JANAKPURI, NEW DELHI - 110058 [PHONE: 591445]

250



(Formerly Confederation of the Residents' Organisations of D.D.A. Colonies.)

Notice

Date : 12.5.88

By registered post acknowledgement due

To

The Central Pollution Control Board,
(The Central Board for the Prevention
and Control of Water Pollution),
(Satra Building Complex),
Mukherji Nagar,
Delhi.

Notice under Section 19(b) of the Environment
(Protection) Act, 1986.

Whereas an offence under the Environment(Protection)
Act, 1986 has been committed/is being committed by (i) Vice Chairman,
Delhi Development Authority, Delhi. (ii) Commissioner, New Delhi
Municipal Corporation of Delhi. (iii) District Canal & Drainage
Officer-cum-Deputy Commissioner, Delhi Administration, Tis Hazari,
Delhi.

I/we hereby give notice of 60 days under Section 19(b)
of the Environment(Protection) Act, 1986 of my/our intention to
file a complaint in the court against the aforesaid authorities
for violation of Section 16 & 17 of the Environment(Protection)
Act, 1986.

Yours faithfully,

Encls : Annexure-I & II.

Place : Delhi.

Dated : 12.5.88

ZONAL SECRETARY.

Copy to:-

1. Chief Engineer, D.D.A. (East Zone), I.C. Stadium,
I.D. Estate, New Delhi.
2. Secretary, Yamuna Vihar (Block-B-5), Residents
Welfare Association, Delhi 110053.

ZONAL SECRETARY

12/5/88

R. S. Sharma

29

249

ANNEXURE 1

List of evidences as proof of violation of the Environment (Protection) Act, 1986.

1. The Yamuna Vihar was planned and executed by the Delhi Development Authority in the year 1975-88 purely as a residential colony with provisions for sewers, storm water drains, drinking water supply system roads and electricity etc. for the allottees of its plots. The full cost of these services alongwith the premium cost of the plots was paid for by the plot allottees.
2. Sewers with requisite design capacity were constructed to carry the sullage water of Yamuna Vihar residents. Storm water drains were constructed to drain out rain water only. No sullage drain was constructed because of the sewer system provided in the colony. As per provisions of the Delhi Municipal Corporation Act, 1957 Section 242 & 243, the sullage drains and the storm water drains are constructed separately so as to avoid mixing of sullage water with rain/storm water.
3. The unauthorised colonies namely Noor-Illahi, North Ghonda and Subash Mohalla are surrounding colonies of Yamuna Vihar and most part of these colonies falls on the encroached land acquired and paid for by the D.D.A. None of the said colonies have any sewer system or storm water drains as such. The unplanned and haphazard construction of the drains to carry sullage as well as storm water in the open one drain is against the provisions of Delhi Municipal Corporation Act, 1957 Sec. 242 & 243 and Sec. 2, 12 & 13 of the Water (Prevention & Control of Pollution) Act, 1974. The open drains carrying sullage, animal & human excreta from the said colonies are being connected with the ~~colonies are being~~ storm water drains of B Block of Yamuna Vihar resulting in pollution of whole environment and ground water.
4. The bed-level of the culvert between B & C Blocks of Yamuna Vihar is about 5 feet above the bed level of B-Block storm water drains resulting in stagnation and pondage of sullage, animal and human excreta and other polluted liquids in the storm water drains of Yamuna Vihar which is causing total degradation and despoliation of environment and giving idle situation to breeding of mosquitoes and consequent sicknesses.
5. The drinking water supply mains are passing over the bed of the storm water drains which are full of pollutions and animal/human excreta. The joints of these water supply mains are leaking and thus creating conditions for mixing of human excreta/polluted water with drinking water. This violates Sec. 236 of the Delhi Municipal Corporation Act, 1957.
6. The impounded/stagnant polluted water in the B-Block of Yamuna Vihar drains is percolating down and polluting the ground water (Sub-Soil Water) which is used by residents by way of hand-pumps. This ground

Contd.....2.

R. J. Arma

Water contamination poses serious health risks

247
To 02/9/12

The contamination of water is directly proportional to the degree of environmental degradation and can threaten the very basis of human survival

It is a no-brainer that clean water is absolutely essential for healthy living. Adequate supply of fresh and clean drinking water is essential for all human beings, yet millions of people worldwide are deprived of this basic necessity of life.

Globally, freshwater resources are imperiled not only by over exploitation and poor management but also by ecological degradation. Discharge of untreated waste, dumping of industrial effluent, and run-off from agricultural fields are some of the ways in which water is contaminated. Industrial growth, urbanization and the growing use of synthetic organic substances have serious effects on freshwater bodies.

Developed countries suffer from problems of chemical discharge into the water sources, mainly groundwater, while developing countries face problems of agricultural run-off in water sources.

Farm runoff, containing agricultural chemicals and manure, may lead to contamination of drinking water supplies with fungicide, insecticides, herbicides, and fertilizers, containing phosphorous and nitrogen.

Some studies have shown that fertilizers in water supplies may cause cancer. In China, research on populations exposed to nitrates in their drinking water, suggested links between nitrate contamination and stomach and liver cancer.

The chemicals used in water pipes may contaminate drinking water after it has been treated. Copper, tar, asphalt iron, zinc, coal, polyethylene, concrete, polyvinyl chloride, vinyl, asbestos and lead are all potential sources of post-treatment contamination.

Another recent study showed a link between leukemia and trichlorethylene, which comes from plastics used in the



drinking water delivery system. Before that, a study of several water systems demonstrated an increase in the cancer-causing properties of drinking water after it passed through the delivery system.

Researchers are also concerned about the potential for micropollutants to cause cancer through chemicals that mimic naturally-occurring, biologically-active compounds. These substances appear to disrupt intercellular communications. For instance, nonyl-phenol, a common chemical, increases proliferation in breast tumor cell cultures.

Water supplies can be contaminated in houses with lead pipes or plastic pipes that emit volatile compounds. The contamination of water is directly proportional to the degree of environmental degradation. Rainwater flushes airborne pollution from the skies, and then washes over the land before running into the

rivers, aquifers, and lakes that supply our drinking-water. All of the chemicals generated by man will eventually end up in our water supplies.

Concerns about the health risks of contaminated drinking water may compel those who consume tap water to shift to bottled water or other beverages. These beverages may include sweetened soft drinks and alcoholic beverages, which can pose bigger health risks than those associated with drinking water. To make matters worse, the production and disposal of containers for alternative beverages, including bottled water, may lead to the release of carcinogens.

Contaminants such as lead, asbestos, and trihalomethanes could appear in your water supply after the water leaves the public water treatment plant. It is no surprise then that people all over the world are looking for alternatives to drinking tap water.

31

Harmful air in Mayur Vihar, Noida

Ayaskant Das | TNN

Noida: The Central Pollution Control Board (CPCB) has found that presence of harmful pollutants in air within a range of 15km from Noida, which includes Mayur Vihar and portions of Ghaziabad, is more than seven times the normal limit. The report was submitted to the National Green Tribunal (NGT) on Thursday in the case regarding a stay order on establishing new industries or extending existing ones in Noida without the tribunal's approval due to unbridled pollution caused by industries in the region.

The new CPCB report, a copy of which is with TOI, was presented to the tribunal after the central pollution monitoring body was asked to further

analyse air-quality data collated by it in April-June this year. The new report is an analysis of composition of particulate matter in air over residential areas including Noida, Gazi-pur, Vasundhara, Indirapuram and Mayur Vihar Phase-I.

As per the report, the average level of Benzo(a)Pyrene, a hydrocarbon mostly found in coal tar, in the air over these regions is 7.82 nanograms (ng) per cubic metre of air as compared to the permissible limit of 1ng per cubic metre.

The substance is listed as a Group-I carcinogen by the International Agency for Research on Cancer, an inter-governmental agency under the World Health Organization. CPCB has noted in the report that the presence of the compound can be attributed to "ve-

hicular emission and fossil fuel burning".

However, the analysis has not traced any significant presence of heavy metals like arsenic, nickel and lead in the same

The new CPCB report analysed composition of particulate matter in air over residential areas of Noida, Indirapuram and Mayur Vihar Phase-I

air. CPCB has also conducted a rapid assessment of the list of air-polluting industries in Noida submitted to the tribunal by the Uttar Pradesh Pollution Control Board (UPPCB).

As per the findings of the 12 industries inspected, the

CPCB has found that particulate matter emissions were within permissible limits in five industries while six did not have adequate monitoring facilities. "Between November this year and February, 2013, an extensive survey would be conducted of areas including Noida, Ghaziabad and Faridabad to assess the impact of the action plans initiated by respective state governments to reduce pollution levels," said an official of CPCB.

Industries in Noida have, meanwhile, maintained that the main sources of pollution in Noida and adjoining regions are automobiles and construction works.

Causes of pollution have also been attributed to drains flowing through Noida by industrialists.

32

CMC chief gets jail for pollution

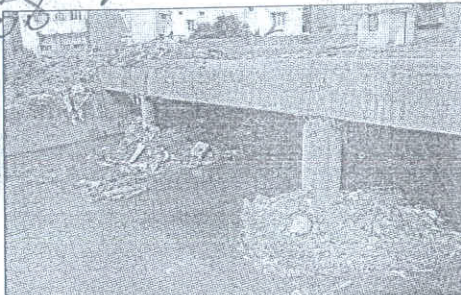
S Kushala | TNN

TOI Bangalore
9/4/00

Bangalore: Make the polluter pay — this is talked about, but not implemented. Show-cause notices issued by the pollution control board to civic agencies for air and water pollution find their way into the dustbin. But a recent district court ruling might bring about some change — it has broken new ground by sentencing a municipal commissioner to 18 months' imprisonment, holding him responsible for discharging sewage into water bodies.

This is perhaps the first case of its kind to have seen such an outcome. The Karnataka State Pollution Control Board (KSPCB) fought for six years against the city municipal council, Sirsi, for violating the Water (Prevention and Control of Pollution) Act and discharging sewage generated from the city into Boodihonda and Kotekere tanks. On March 24, II Additional Judicial Magistrate First Class of Sirsi ordered 18 months' simple imprisonment and a Rs 5,000 fine for A H Gurumurthy, the then CMC commissioner, for the offence punishable under the Act.

"It is a serious reminder to all agencies which flout pollution norms. The showcause notices that the Board is-



BBMP in the firing line

A number of show-cause notices have been issued to BBMP for failing to dispose of solid waste scientifically. Shortly, a case will be registered.

ONGOING CASES

- Two BWSSB chief engineers.
- 14 municipal commissioners.
- Former Mysore City Corporation commissioner.

sues are always taken lightly. We have started following up on such cases and will take it to a logical end. There are a few cases in the court which the Board will fight it out," KSPCB chairman H C Sharatchandra told *The Times of India*.

According to the complainant, KSPCB's environmental officer, the CMC is bound to look after the health and sanitary conditions by providing a proper sewage treatment and disposal system. However, the CMC was discharging polluting matter and untreated sewage into the tanks. An inspection was carried out by the CMC

commissioner and samples were collected by the Board. The analysis report clearly showed water pollution.

Showcause notices were issued which were ignored by the CMC and the violation continued. Subsequently, a case was registered by the KSPCB which ended by way of warning notes to erring agencies.

"The commissioner has retired now, but the sentence holds good. Similarly, we are fighting cases against BWSSB where a chief engineer has also retired. This doesn't mean they can get away," Sharatchandra pointed out.

भारताचार निवारण समिति

BHARASTACHAR NIWARAN SAMITI

(Registered Under Societies Registration Act, 1860)

B-5/113, Yamuna Vihar, Delhi - 110053.

E.mail ; bns_chairman @ yahoo.co.in

Ref.Pollution/07/2

Police Station - B. K. Singh

Date May 18, 2007.

Date 20/5/07

Dear

Comptroller

To
S.H.O.
PS: Bhajanpura,
Delhi.

Signature

Subject: Complaint U/S 277 read with section 34, 120-B, 119, 166 of IPC and section 154 Cr.P.C. for fouling natural / rain / storm water of the Yamuna Vihar Drains by the public servants of the Delhi Development Authority, Delhi Municipal Corporation and Delhi Jal Board.

Sir,

Yamuna Vihar, Delhi was planned and developed as residential colony by the DDA where it constructed sewerage lines for collection and disposal of wasted / polluted water. For collection and drainage of rain water, the DDA constructed storm water drains. All this was in conformity to law and byelaws.

However, the public servants of the Municipal Corporation of Delhi connected outfalls of the waste water / sullage drains of the surrounding unauthorized colonies and made outfalling of the waste water / sullage full of human and animal excreta to flow into the storm water drains of Yamuna Vihar, thus fouling of rain water. In fact, the storm water drains must have rain water run-off during rainy days only, but the criminal offence committed by the said public servants have created conditions where the storm water drains have sullage water on all days and time. The sullage discharged into storm water drains is fouling rain water which travels through Trunk Drain No.1 and ultimately discharged into river Yamuna, fouling the river water also. The sullage, full of human and animal excreta in storm water drains have natural organic decay process releasing stench, pungent and toxic gases making the atmosphere noxious to health. Even due to improper maintenance of the sewerage system by Delhi Jal Board public servants and making punctures in it to enable discharge of sullage into storm water drains, the pollution has aggravated many fold.

The public servants namely Shri A.K.Nigam, Commissioner, MCD; Shri A.K.Singh, Dy. Commissioner, North East District, MCD, Chief Executive Officer of the Delhi Jal Board and others are responsible for commissions of above stated offences and are liable for criminal prosecution.

It is therefore requested that urgent action may please be taken against the culprits.

Thanking you.

Yours truly


(C.K.Pandey)

Vice President Chairman


(S.P. Chandel)
Secretary

Contd.... P.T.O.



भारताचार निवारण समिति

BHARASTACHAR NIWARAN SAMITI
(Registered Under Societies Registration Act, 1860)

B-5/113, Yamuna Vihar, Delhi - 110053.

E.mail ; bns_chairman @ yahoo.co.in

Ref. Pollution/07/1

Date May 18, 2007.

Police Station B. L. Nagar
Date 20/5/07
Distt. DD 16 78 B. L. Nagar
Comp. No. P. K. Nigam
(Rank No. And Name)
Signature

To
S.H.O.
PS: Bhajanpura,
Delhi.

Subject: Complaint U/S 278 read with section 34, 120-B, 119, 166 of IPC and section 154 Cr.P.C. for making atmosphere noxious to health in Yamuna Vihar, Delhi by the public servants of the Delhi Municipal Corporation.

Sir,


Yamuna Vihar, Delhi was planned and developed as residential colony by the DDA. However, the DDA transferred the services to the Municipal Corporation of Delhi for operational purposes only. The land ownership still vests in the DDA. So transferred services includes collection and disposal of garbage originating from the Yamuna Vihar only including sewage and storm water disposal in conformity to law. However, the public servants of the Municipal Corporation of Delhi are collecting garbage from unauthorized colonies and storing the same along the road in front of DTC Depot., Petrol Pump and Syndicate Bank gate, all existing in Yamuna Vihar. The so collected and stored garbage gets natural decay releasing pungent /toxic / gases -stench in the atmosphere making it noxious to health. The garbage is the legal property of the MCD. Thus, the residents of Yamuna Vihar are suffering unwanted health hazards due to commission of above cited offences.


The public servants namely Shri A.K.Nigam, Commissioner, MCD; Shri A.K.Singh, Dy. Commissioner, North East District, MCD and others are responsible for commissions of above stated offences and are liable for criminal prosecution. The Commissioner (Land Management) of the DDA too is responsible in this matter.

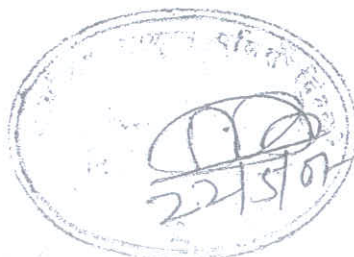
It is therefore requested that urgent action may please be taken against the culprits.

Thanking you.

Yours truly


(C.K. Pandey)
Vice President. Chairman.


Contd. P.T.O.
(P.T.O.)
Secretary



35

From pre page ;



Copy for information and necessary action to:-
Commissioner of Police, Delhi.

Dy. Commissioner of Police, North East District, Delhi U/S 156(3) Cr.P.C. with
the request to impress upon the SHO for registration of F.I.R. and take further
action.

[Signature]
Vice Chairman.

[Signature]