

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

Execution Application No. 69/2025  
In  
Original Application No. 33/2024

Ajay Lal Malik

Applicant

Versus

State of Haryana & Ors.

Respondents

Date of hearing: 08.10.2025

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

Applicant: Mr. Narender Pal Singh and Ms. Harshita Agarwal, Advocates for the Applicant.

**ORDER**

1. The applicant has filed present Execution Application for execution of order dated 10.09.2024 passed by this Tribunal in **O.A No. 33/2024 titled as *Ajay Lal Malik vs. State of Haryana & Ors.***

2. The facts giving rise to the filing of the Execution Application are that the applicant filed above said O.A. raising grievances regarding mismanagement of garbage dumped at the bye-pass road, Sector 21 A, Faridabad.

3. The above said O.A was disposed of vide order dated 10.09.2024. The relevant part of the order reads as under:-

*“8. From the above facts, it is evident that the boundary wall is admittedly broken and the steps for repair thereof have been taken by Municipal Corporation Faridabad. It is stated that by 31.12.2024 it shall be completed. In respect of other aspects, it is said that the remedial steps have already been taken and now there is no violation.*

*9. Shri Rahul Khurana, learned Counsel appearing for Respondent<sup>3</sup> stated on instructions that Respondent No. 3 shall adhere to and comply with the timeline for construction of boundary wall very strictly in letter and spirit.*

*10. In view thereof, we dispose of this Original Application by directing Municipal Corporation, Faridabad to ensure compliance of the provision of Solid Waste Management Rules, 2016 in all aspects and also to complete boundary wall as per the timelines given i.e. 31.12.2024 and ensure that no garbage dumping is taken place outside the transfer station and on the road.*

*11. A compliance report shall be submitted by 15.01.2024 with the Registrar General of this Tribunal by Respondent No. 3.*

*12. Respondent No. 2 shall also verify compliance on the part of Respondent No. 3 and submit a compliance report by 15.01.2024.*

*13. If any further order is required, Registrar General shall place the matter before the Bench concerned.*

*14. With the above directions/observations, this Original Application stands disposed of.”*

4. However, as per the information provided by the Registry, no report has been filed in compliance of order dated 10.09.2024.

5. The applicant has filed the present Execution Application alleging non-compliance of the order.

6. In the course of hearing, learned counsel for the applicant has shown video clip which shows serious violations of the Solid Waste Management Rules, 2016 and also directions given by this Tribunal vide order dated 26.07.2024 passed in **O.A No. 454/2023 titled as Prakash Yadav vs. State of Haryana & Ors.** We also place on record that on seeing the video, we are really shocked to see the worst state of affairs regarding management of solid waste disclosing gross negligence and inaction on the part of the concerned officers/departments. On seeing the video, we have serious doubt regarding the competence and commitment to Rule of Law on the part of the concerned officers.

7. Non-compliance of order passed by this Tribunal constitutes an offence punishable under Section 26 of the National Green Tribunal Act, 2010 (NGT Act, 2010) and order passed by this Tribunal is executable under Section 25 of the above said Act as civil court decree by recourse to methods of execution provided in Order 21 of the Code of Civil Procedure, 1908 including, arrest and detention of the judgement debtor in civil prison.

8. Right to clean and healthy environment is a fundamental right encompassed by Article 21 of the Constitution of India and the State and its instrumentalities are bound to ensure that the above said right is not violated by its action/inaction. Prima facie, in the present case the above said right of the residents of the locality stands violated due to inaction on the part of the instrumentalities of the State for which under the law relating to public remedies and also Section 15 of the NGT Act, 2010, appropriate compensation can be awarded not only against the State but also against the concerned officers.

9. As per memo of parties attached to the above said O.A., State of Haryana through Chief Secretary, HSPCB through Member Secretary, Commissioner, Municipal Corporation, Faridabad and District Magistrate, Faridabad were impleaded as respondents no. 1 to 4. Execution Application can be filed only against the persons natural or juristic impleaded as respondents and therefore, memo of parties to the Execution Application is ordered to be corrected accordingly.

10. In view of the fact that Chief Secretary, Government of Haryana has been specifically entrusted with the duty of overseeing proper implementation of the Solid Waste Management Rules, 2016 and respondents no. 2 to 4 have been assigned specific duties under the above said Rules, show-cause notices be issued to respondents no. 1 to 4 as to why they be not ordered to be prosecuted

for non-compliance of the order passed by this Tribunal under Section 26 of the NGT Act, 2010 and they be not arrested and detained in civil prison for ensuring due execution of the order passed by this Tribunal and appropriate compensation be not awarded to the applicant and other affected residents of the locality.

11. Compliance reports and reply to the show cause notices be filed within 15 days.

12. In view of the facts and circumstances of the case, we consider physical appearance of the District Magistrate, Faridabad, Commissioner, Municipal Corporation, Faridabad, and Regional Officer, HSPCB, Faridabad before this Tribunal to be necessary for assisting this Tribunal and ensuring due compliance of the order dated 10.09.2024 and accordingly they are directed to remain present before this Tribunal with relevant record on the next date of hearing.

13. List on 30.10.2025 for further proceedings/orders.

14. A copy of this order may be sent to the Chief Secretary, Government of Haryana, Member Secretary, HSPCB, District Magistrate, Faridabad and Commissioner, Municipal Corporation, Faridabad by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

October 08<sup>th</sup>, 2025  
EA No. 69/2025  
In Original Application No. 33/2024  
AB