

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

M.A. No. 967 of 2013 & M.A. No. 285 of 2014

In

Original Application No. 6 of 2012

And

M.A. No. 877 of 2013, M.A. No. 49 of 2014

And

M.A. No. 88 of 2014

In

Original Application No. 300 of 2013

And

M.A. NO. 1091 OF 2013

IN

Original Application No. 344 of 2013

Manoj Mishra Vs. Union of India &Ors.

And

Manoj Kumar Misra & Anr. Vs. Union of India & Ors.

And

Ashok Mittal & Anr. Vs. NCT of Delhi & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE MR. JUSTICE M. S. NAMBIAR, JUDICIAL MEMBER
HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER
HON'BLE MR. PROF. A. R. YOUSUF, EXPERT MEMBER
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER**

(Original Application No. 6 of 2012)

Present: **Applicant:** **Mr. Ritwick Dutta, Adv. and Ms. Richa Relhan, Advocates**
Respondent No. 1: **Mr. Vivek chib and Mr. Asif Ahmed, Advocates**
Respondent No. 2,5&8: **Mr. Vivek Kumar Tandon with Mr Ishan Prakash, Advocates**
Respondent No. 3: **Mr. Rajiv Bansal, Mr. Ishwer Upneja, and Mr. Kush Sharma, Advocates**
Respondent No. 4& 5: **Mr. Narender Pal Singh, Adv., Mr. D.P. Singh, Adv. Mr. Vineet Malik, Advocates and Mr Dinesh Jindal, LO**
Respondent No. 6: **Mr. Gaurav Bhatia, Mr. Raman Madan and Mr. Aman Mishra, Adv.**
Mr. A.S. Rao Law Officer for DMRC
Mr. Narendra Hooda, Sr. Adv., Mr. Vineet Malik, Adv. for State of Haryana
Ms. Pinky Anand, Sr. Adv. And Mr. Balendu Shekhar Advocate for SDMC
Mr. Ashok K. Srivastava, Advocate for Director IIT Roorkee.
Mr. Suresh Tripathy with Mr. V. K. Babbar, Advocate for DJB

(Original Application No. 300 of 2013)

Applicant: **Mr. Ritwick Dutta, Adv. and Ms. Richa Relhan, Advocates**
Respondent No. 1: **Mr. Vikas Malhotra, Ms. Puja Kalra Advocate and Mr. M.P. Sahay, Advocates**
Respondent No. 2&4,7: **Mr. Ravi P. Malhotra and Mr. Abhinav Kumar Malik, Advocates**
Respondent No. 5: **Mr. Maninder Acharya, Sr. Adv. with Mr. Nupur Choudhary, Advocate**

Respondent No. 6: Mr. S.B. Upadhyay, Sr. Advocate, Ms. Anisha Upadhyar and Mr. Kaustuv P. Pathak, Advocates

Respondent No. 8: Mr. Ishan Prakash Advocate with Nr. N. Kumar Tandon, Advocate

Respondent No. 9: Ms. Esha Shekhar, Advocate.

Respondent Nos. 10&11: Mr. Narendra Pal Singh, Advocate, Mr. Dinesh Jindal, Law Officer, DPCC

Respondent Nos. 14 to 16: Mr. Avneesh Arputham, Mr. Kabeer Shrivastava, Mr. Mariarputham Sr. Advocate and Mr. Chetan Sharma Sr. Advocates

Mr. Balendu Shekhar, Advocate & Mr. Prateek Mishra for EDMC

Mr. Suresh Tripathy, Adv. for Delhi Jal Board

Mr. Suresh Tripathy with Mr. V. K. Babbar, Advocate for DJB

Ms. Pooja Kalra for NDMC

Mr. S. B. Upadhyay Sr. Advocate with Mr. Pawan Upadya for DTTDC

Mr. Maninder Acharya Sr. Advocate with Mr. Ajay Arora Advocate for SDMC

Ms. Pinky Anand, Sr. Adv. And Mr. Balendu Shekhar Advocate for SDMC

(Original Application No. 344 of 2013)

Applicant: Mr., Ms. Richa Relhan, Advocate.

Respondent No. 2: Mr. Balendu Shekhar, with Mr. Prateek Mishra Adv. for (EDMC)

Respondent No. 3: Ms. Sakshi Popli, Adv.

Respondent No. 4: Mr. Imran Ahmad, Mr Abbasi and Mr. Vinay Kr. Garg, Advocates

Respondent No.5: Mr. Rajeshwar Rao and Mr Kikrant , Advs.

Date and Remarks	Orders of the Tribunal
<p>Item No. 12 to 14 May 30, 2014</p>	<p>In furtherance to the order of the Tribunal we are informed by the Professor Gosain, that Director of IIT Delhi as well as Director of IIT Roorkee are out of the country and therefore have not been able to present today before the Tribunal. We direct both the Directors to be present on the next date of hearing positively and without fail.</p> <p>Professor Gosain, has placed before the Tribunal a short note on the various facets of pollution i.e. resulting from the drains sewage and finally polluting the river Yamuna very seriously.</p> <p>After hearing the Learned Counsel appearing for the parties as well as Professor Gosain and Professor Brij Gopal we will divide this environmental issue into three different facets:</p> <p>1.The first issue is related to the drains (natural or artificial) coverage thereof and the pollution resulting there</p>

from.

2. Steps that are required to be taken for ensuring and rendering Yamuna river free from pollution.

3. Restoration and beautification of the banks of river Yamuna

As far as all the above aspects are concerned and before the Tribunal passes any direction for ensuring pollution free Yamuna in NCT Delhi, it is necessary for the Tribunal to have certain specific data and suggestions before the Tribunal we hereby, therefore, constitute the following committee:-

- (a) An officer not below the rank of Joint Secretary from the Ministry of Environment and Forest
- (b) Member Secretary of the Central Pollution Control Board
- (c) Engineer- in-Chief, Delhi Development Authority
- (d) Member Secretary, Delhi Pollution Control Committee
- (e) Member (Drainage), Delhi Jal Board
- (f) Two Chief Engineers from South Delhi Municipal Corporation and East Delhi Municipal Corporation
- (g) Professor Gosain and Professor Brij Gopal

The above committee shall conduct the inspection and visit all or any of the places that they consider it appropriate and report as follows:-

- i. There are how many natural and or artificial drains in Delhi.
- ii. Drains which are joining the main Drains of Delhi directly or indirectly joining the river Yamuna.
- iii. How many of storm water drains are there and how many carry sewage jointly or separately.
- iv. How many STPs have been established in Delhi for treating the sewage or otherwise. The effluents/waste/sewage thrown/dumped in these drains. What is the present status of all the STPs? Are they functional and are working to their optimum

capacity and their performance? At how many points, new STPs needs to be established? Whether it is possible to restore the existing STPs and make them functional to their optimum capacity suggestion in that regard?

The Additional Secretary, Ministry of Environment and Forests and Vice-Chairman of Delhi Development Authority shall hold the meeting within two weeks from today to ensure the compliance of these directions as well as to consider the proposal for restoration and beautification plan of Yamuna River banks submitted by the DDA before the Tribunal, merit thereof or substitution of the entire scheme by another appropriate scheme.

We make it clear that the banks of river Yamuna would be left lie abandon areas and it should be ensured that no debris, construction debris or any other material including MSW is thrown into the river banks or even all along the drains of Delhi and the same is not used for human evacuation.

Let this report be submitted to the Tribunal. This Committee shall conduct its meeting at the earliest and would ensure that by the next date of hearing the report is placed before the Tribunal.

Liberty to the respective Corporations to remove the hurdles in the direct flow of the drains.

The South Municipal Corporation may examine all the possibility of restoration, greenery of the area near to Archana Cinema.

List the matter on 17th July, 2014.

.....,CP
(Swatanter Kumar)

.....,JM
(M. S. Nambiar)

.....,EM
(Dr. D.K. Agrawal)

.....,EM
(Prof. A. R. Yousuf)

.....,EM
(Dr. R.C. Trivedi)

