

Item No.07

Court No. 1

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

Original Application No. 630/2023
(I.A. No. 775/2023)

Anand Arya

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 20.11.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Akash Vashishtha, Adv. for Applicant

Respondent: Mr. Bhanwar Pal Singh Jadon & Mr. Chetan Jadon, Advs. for the State of
UP
Mr. Rishi Agarwal & Mr. Arshit Anand, Advs. for Tata Projects Ltd. (R -
13)

ORDER

1. During the course of argument, two issues have been raised. Firstly, issue relating to declaration of Dhanauri Wetlands in Greater Noida, Gautam Budh Nagar as Ramsar site and secondly, protection of Dhanauri Wetland as it form part of the Wetland Atlas approved by the Hon'ble Supreme Court. It has been the submission of the Counsel for the applicant that Dhanauri Wetland admeasuring 97.97 hectares is at serial no. 17173 and 17174 of National Inventory of Wetlands.

2. So far as the area of the wetland is concerned, Counsel for the State referring to the status report filed on 18.11.2023 has submitted that the water spread area of the wetland is 46.35 hectares and the buffer zone area is 66.54 hectares. Thus, the total area is 112.89 hectares. Counsel for the State is directed to place on record a detailed map clearly

depicting the water spread area, catchment/zone of influence area of the Dhanauri Wetland as mapped in the National Inventory of Wetlands.

3. Counsel for the applicant has been supplied a copy of the status report dated 18.11.2023. He is permitted to examine the same and file objections, if any, before the next date of hearing.

4. On the perusal of the report, we have noticed the stand of Yamuna Express Industrial Development Authority to demarcate the Dhanauri Wetland in terms of the Draft Master Plan, 2041, wherein the area appear to be lesser than the area of Dhanauri Wetland in terms of the National Inventory of Wetlands. Counsel for the State seeks time to clarify the same. There is no dispute that the area of wetland which has already been mapped in the Atlas cannot be reduced.

5. Let the necessary further status report along with the map as directed above be filed before the next date of hearing.

6. Learned Counsel for the applicant, during the course of arguments, has produced the e-mails dated 30.08.2022 referring to the earlier e-mails as also 17.10.2023 sent by the MoEF&CC, Central Government in connection with request for declaring Dhanauri Wetland as Ramsar site and Sarus Sanctuary. The e-mail reflects that inspite of the request by MoEF&CC, the requisite response has not been submitted by the said authorities.

7. Hence, in the next status report, Counsel for the State will clarify the action taken/response by the State authorities to the above e-mails. Let the necessary status report and the objection, if any, be filed within four weeks.

8. Meanwhile, applicant is directed to serve all the respondents who are not represented today. The unrepresented respondents, especially respondent no. 10 may file the response before the next date of hearing.

9. List this matter on 22.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

November 20, 2023
Original Application No. 630/2023
(I.A. No. 775/2023)
SN