

Item No. 19

Court No. 1

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

Original Application No. 382/2019  
(I.A. Nos. 245/2019 & 246/2019)

Krishan Chander

Applicant(s)

Versus

Irrigation and Water Resources Department & Ors. Respondent(s)

Date of hearing: 05.04.2019

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s): Mr. Darpan Wadhwa, Senior Advocate with Mr.  
Arun Khatri, Advocate

For Respondent (s):

**ORDER**

1. The grievance in this application is remedial steps to prevent erosion of the flood plain area of river Yamuna in District Sonipat.
2. According to the applicant, policy of permitting heavy vehicles in the embankments of the river is destructing of the ecology.
3. At the behest of mining companies, the Irrigation and Flood Control Department is not taking remedial action and permitting heavily loaded trucks to operate in the embankments of the river. A policy dated 21.02.2019 has been issued laying down procedure for using the embankments by paying fee. Though there is a provision against operation of the vehicles from July to September, this safeguard is also not being observed. Other precautions envisaged in the policy are either not capable of being adopted or are not being actually

adopted. This is a violation of 'precautionary principle' of environment law.

4. Before further action in the matter, we consider it necessary to obtain a joint Report in the matter from the Principal Secretary, Irrigation and Water Resources Department, Haryana, Member Secretary, Haryana State Pollution Control Board and the Director, Mines and Geology Department. The nodal agency will be the Principal Secretary, Irrigation and Water Resources Department, Haryana for coordination and compliance. The joint Report may be furnished within one month by e-mail at [ngt.filing@gmail.com](mailto:ngt.filing@gmail.com) so that matter can be taken up before monsoon.
5. A copy of this order be sent to the above three authorities by e-mail for compliance.
6. The applicant may furnish a set of papers to the above authorities and file an affidavit of service within one week.

List for further consideration on 24.05.2019.

Adarsh Kumar Goel, CP

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

April 05, 2019  
Original Application No. 382/2019  
(I.A. Nos. 245/2019 & 246/2019)  
DV