

BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI

M.A. No. 967 of 2013 & M.A. No. 275 of 2014

In

Original Application No. 6 of 2012

And

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

M.A. No. 88 of 2014 and M.A. No. 570 of 2014

In

Original Application No. 300 of 2013

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

In the matter of :

Manoj Mishra Vs. Union of India &Ors.

And

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

**CORAM :** HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER

**Present:** Applicant(in O.A. No. 6 of 2012): Mr. Rahul Choudhary, Advocate  
Respondent No. 1: Mr. Vivek chib and Mr. Asif Ahmed, Advocates  
Respondent No. 2,5&8:Mr. Vivek K. Tondon, Adv.  
Respondent No. 3: Mr. Rajiv Bansal, Mr. Anshul Pathak and Mr. Kush Sharma, Advocates  
Respondent Nos. 4: Mr. Narender Pal Singh, Adv. and Mr. Dinesh Jindal, LO, DPCC  
Respondent No. 6: Mr. Raman Yadav, Adv.  
Mr. Balendu Shekhar, Adv. for EDMC  
Mr. Vineet Malik, Adv. for Haryana State  
Mr. M.K. Sharma, Adv. for Delhi Cantonment Board

**Present:** Applicant(in O.A. No. 300 of 2013): Mr. Rahul Chaudhary, Adv.  
Respondent No. 1: Mr. Vikas Malhotra and Mr. M.P. Sahay, Advocates  
Respondent No. 2&4,7: Mr. Ravi P. Mehrotra and Mr. Abhinav Kumar Malik, Advocates  
Respondent No. 3&8: Mr. Vivek Kr. Tondon, Advocate  
Respondent No. 4&7: Mr. Ravi P. Mehpotra and Mr. Abhinav Kr. Malik, Advocates  
Respondent No. 5: Ms. Maninder Acharya, Sr. Adv. with Mr. Balendu Shekhar, Adv. for Ms. Puja Kalra, Advocate  
Respondent No. 6: Mr. S.B. Upadhyay, Sr. Advocate, Mr. Kaustuv P. Pathak, and Mr. Nishant Kumar, Adv.  
Respondent No. 9: Mr. Febin M. Varghese, Advocate  
Respondent Nos. 10&11: Mr. Narendra Pal Singh, Advocate & Mr. Dinesh Jindal, Law Officer, DPCC  
Respondent Nos. 14 to 16:Mr. Avneesh Arputham and Mr. Kabeer Shrivastava, Advocates  
Mr. Balendu Shekhar, Advocate for EDMC  
Ms. Puja Kalra for North MCD  
Mr. Suresh Tripathi for DJB  
Mr. Venkatesh and Mr. Anuj P. Agarwal, Adv. for DCWA

	Date and Remarks	Orders of the Tribunal
	Item Nos. 4&5 November 27, 2014	There are two reports filed by the Expert Committees constituted by this Tribunal. The first relates to the

restoration and beautification of the bank of the River Yamuna falling in the NCT Delhi.

The Second with regard to prevention and controlling of pollution of River Yamuna with the object of restoring it to its original position.

All the authorities appearing before us more particularly the Public Authorities, Delhi Jal Board, DDA and NCT, Delhi have stated that they have no further suggestions to make to these reports and would prefer to accept these Reports in accordance with law. However, some objections have been raised with regard to the treating of the drainage as natural drains in Delhi on the ground that they are now only the sewage carrying drains and thus separate directions should be passed in that behalf.

In view of the above, we adjourn these matters for final consideration of the reports and passing of the final order by the Tribunal. In the meanwhile, we request the Expert Members, namely Prof. Brij Gopal, Prof. A. A. Kazmi and Prof. A. K. Gosain to inform, us on the next date of hearing if any prioritization for installation of various STP's on drains is required and if so, they would specify the same.

We also direct the Committee constituted by the Tribunal to immediately meet and provide the Tribunal with complete framework for executing the proposed report. We require the authorities to ensure that the entire project is completed within a period of 2 and a half year from today and is effectively executed without any delay.

The Learned Counsel appearing for the various authorities submit that they would take clear instructions in that behalf before the next date of hearing. We direct the Committee to hold its meeting within coming week and

submit its report accordingly. We direct the Delhi Jal Board to provide due assistance to the three Professors in that behalf. The Committee in its meeting shall also consider the 45 drains which were reflected in 1976 Drainage Map but probably are not identifiable now. The Committee should take its clear view and if necessary may direct physical inspection by the requisite Committee before making its observations in that behalf. They may also examine the construction already carried out in these drains.

We direct that these matters to be taken up on 9<sup>th</sup> December, 2014.

The South Delhi Municipal Corporation is directed to clean the drains near Archana Cinema in Greater Kailash Part-1 to remove all the junk or MSW thrown in the drains within one week from today. The Residents Welfare Associations of the area are hereby directed to ensure that no waste of any kind is thrown into the drains and if anybody is found to be flouting this direction, the matter should be reported to the concerned Police Station including the authorities by any person in that behalf.

List this matter on 9<sup>th</sup> December, 2014.

.....,CP  
(Swatanter Kumar)

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

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