

that undue sand/silt do not collect on the river bank so as to obstruct the flow of the river. Accordingly the de-silting was essential and was being carried out to that limited extent. During the course of this Application, we have asked for the samples to be collected of the material dredged by the contractor in the name of de-silting and cause its analysis to be made. The analysis report now shows that 80% is sand.

In view of the fact that it is 80% sand, it cannot be termed as 'de-silting activity simpliciter'.

Thus, we dispose of this Application with the following directions:-

1. No illegal and unauthorized mining would be permitted anywhere on the river bank of Yamuna and its surrounding areas without proper compliance, proper permissions and particular Environmental Clearance in terms of the judgment of the Hon'ble Supreme Court in the case of Deepak Kumar Vs. State of Haryana, reported in 2012(4)SCC629 and judgement of the Tribunal in the case of Himmat Singh Shekhawat Vs. State of Rajasthan & Ors. - Original Application No. 123 of 2014.
2. We constitute a Committee consisting of a senior Officer from the Mining Department, Officer of the Corporation, a representative of the DPCC, a representative of MoEF and an Officer from the DJB who shall consider the analysis report and the entire contract and submit their recommendations to the NCT of Delhi which will then pass appropriate orders.

3. The Committee shall take into consideration all the environmental and ecological aspects and also ensure that in the name of de-silting sand mining is not permitted and the contractor pays appropriate royalty in accordance with law.

With the above directions, Original Application No. 165 of 2014 stands disposed of.

M.A. No. 564 of 2014 and M.A. NO. 646 of 2014

These Misc. Applications do not survive for consideration in view of the fact that the main Application itself stands disposed.

In view of the above, M.A. No. 564 of 2014 and M.A. NO. 646 of 2014 stand disposed of without any order as to costs.

.....,CP
(Swatanter Kumar)

.....,JM
(U.D. Salvi)

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

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

.....,EM
(Ranjan Chatterjee)