

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

Original Application No. 06 of 2012

And

**(M.A. No.199 of 2015, M.A. No.238 of 2015, M.A. No.344 of 2015,
M.A No. 512/2015, M.A No. 513/2015 & M.A. No. 692 of 2015)**

In

Original Application No.300 of 2013

And

**M.A. No. 868 of 2014, M.A No. 441/2015,
M.A No. 641/2015, M.A No. 646/2015, M.A No. 627/2015, M.A No. 628/2015,
M.A No. 630/2015, M.A No. 725/2015, M.A No. 836/2015 & M.A No. 942/2015**

In

Original Application No. 06 of 2012

IN THE MATTER OF:

Manoj Mishra Vs. Union of India &Ors.

And

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

And

Manoj Mishra Vs. Union of India &Ors.

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

Original Application No. 06 of 2012

Present: Applicant Mr. Rahul Choudhary, Advs.
Respondent No. 1 : Mr. Vivek Chib, Mr. Ankit Prakash, Advs.
Respondent No. 2, 5 & 8 : Mr. Vivek Kumar Tandon, Adv.
Respondent No. 3 : Mr. Rajiv Bansal, with Mr. Kush Sharma,
and Mr. Siddhant Gupta, Advs. For DDA
Respondents: Mr. Ardhendumauli Kumar Prasad, Adv. For
MoWR
Respondent No. 8&12: Mr. Balendu Shekhar, Adv. with Mr. Akshay
Abrol, Adv. (EDMC)
Respondent No. 6 & 7 : Ms. Savitri Pandey and Ms. Azma Parveen,
Advs.
Mr. Anil Grover, AAG with Mr. Rahul
Khurana, Adv.
Mr. Suresh Tripathy, Adv. for DJB
Ms. Puja Kalra, Adv. for North MCD and
South MCD
Mr. M.K. Sharma, Adv. For Delhi Cantt.
Board
Mrs. D. Bharathi Reddy, Ms. Shivani
Khandekar, Advs. For State of Uttarakhand
Mr. Moni Cinmoy, Adv. for DSIIDC

Respondent Nos. 2, 4 & 7: Mr. Ravi P. Mehrotra and Mr. Abhinav Kr.
Malik, Advs.

Respondent No. 14&16: Mr. Avneesh Arputham, Mr. Kabeer
Srivastava, Advs.

CPCB: Mr. Rajkumar, Adv. for CPCB

Original Application No. 300 of 2012

Present: Applicant Mr. Rahul Choudhary, Advs.
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Respondent No. 2, 5 & 8 : Mr. Vivek Kumar Tandon, Adv.
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Mr. Anil Grover, AAG with Mr. Rahul Khurana, Adv.
Mr. Suresh Tripathy, Adv. for DJB
Ms. Puja Kalra, Adv. for North MCD and South MCD
Mr. M.K. Sharma, Adv. For Delhi Cantt. Board
Mrs. D. Bharathi Reddy, Ms. Shivani Khandekar, Advs. For State of Uttarakhand
Mr. Moni Cinmoy, Adv. for DSIIDC

Respondent Nos. 2, 4 & 7: Mr. Ravi P. Mehrotra and Mr. Abhinav Kr. Malik, Advs.

Respondent No. 14&16: Mr. Avneesh Arputham, Mr. Kabeer Srivastava, Advs.

CPCB: Mr. Rajkumar, Adv. for CPCB
Mr. Ajay Pratap Singh Sehgal, Adv. For Delhi PMP Society - M.A. No. 641/2015

Present in the meeting: Mr. Kewal Kumar Sharma, Chief Secretary, Delhi
Mr. Chetan B. Sanghi, Principal Secretary, Ministry of Urban Development
Dr. Puneet Kumar Goel, Commissioner, SDMC
Mr. Firoz, Chief Engg., SDMC
Mr. P.K. Gupta, IAS, Commissioner, North Delhi Municipal Corporation
Mr. S.S. Yadav, IAS, CEO, Delhi Jal Board
Mr. B.M. Dhaul, Member (Drainage), Delhi Jal Board
Mr. A.B. Akolkar, Member Secy., CPCB
Mr. R.M. Bhardwaj, Sr. Scientist, CPCB
Mr. Kulanand Joshi, Member Secy., CPCB
Mr. Ashwani Kumar, IAS, Chairman, Delhi Pollution Control Board
Mr. Dinesh Jindal, Legal Officer, CPCB
Mr. Shashi Shekhar, Secretary, Ministry of Water Resources
Mr. Sharad Kumar, M.D., DSIDC
Mr. Amit Yadav, Commissioner, East Delhi Municipal Corporation
Mr. Nalin Kant, General Manager, EIL
Mr. S.N.A. Najmi, Member (Finance) Delhi Jal Board
Mr. Gulesh Chand, Chief Engineer (Yamuna) U.P. Irrigation
Mr. Durm Kumar, SDO, UP Irrigation
Mr. Sanjay Kumar Jain, Chief Engineer, North Delhi Municipal Corporation
Mr. Anand M. Sharan, Resident Commissioner, Haryana
Mr. A.K. Gupta, SE, HUDA
Mr. Reddy Sankar, CEO, Delhi Cantt. Board
Mr. B.L. Chawla, SEE, DPCC
Mr. Dinesh Jindal, Law Officer, DPCC
Mr. B.N. Singh, C.E. (SDW) DJB
Chanchal Yadav, Secretary, NDMC
Mr. Pradeep Khandelwal, CE, EDMC
Mr. Anant Kumar, CE, NDMC

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

Date and Remarks	Orders of the Tribunal
Item Nos. 1&2 September 16,	A meeting of the Chairman of the Principal

2015

Committee, some of its Members, Secretary of Ministry of Water Resources, Chief Secretary Delhi, Chairman and Member Secretary of the Pollution Control Boards, Chairman of various Corporations and Authorities, Vice Chairman of Delhi Development Authorities, Commissioners of the respective Corporations, other senior officers from NCT of Delhi, State of Haryana, State of Uttar Pradesh, was held on 14th September, 2015 in the Conference Hall of the National Green Tribunal. Various aspects of stage of implementation of the directions contained in the Judgment of the Tribunal dated 13th January, 2015 in relation to '*Maily Se Nirmal Yamuna*' Revitalization Project, 2017, were deliberated upon. We have reserved the detailed order which would be passed shortly by us.

However, for the present and keeping in view that it is necessary for the Tribunal to issue certain immediate directions for compliance to prevent and control pollution of River Yamuna as well as preventing degradation of its flood plain. Therefore, we issue the following directions for immediate compliance:

1. No commercial/construction activity by use of machines or otherwise, except floriculture and silviculture would be allowed to be carried on by any of the authorities, particularly DDA.
2. It has been brought to the notice of the Tribunal that DDA in furtherance to the decisions of the Principal Committee has requested IIT Delhi for digital simulation of flood plain and contours to be fixed. Learned Counsel appearing for the NCT

of Delhi and DDA submit that the demarcation has already been completed but it is under precautionary and confirmative steps that Principal Committee has issued such direction. Let the report in that regard be submitted to the Tribunal before the next date of hearing. IIT Delhi be informed accordingly.

3. Idol immersion should be allowed only of the ones which are made from bio-degradable material and not plastic/Plaster of Paris. Only those colours should be used on the idols which are environment - friendly.

4. The Irrigation Department of NCT of Delhi and State of U.P. to hold a meeting with the Vice Chairman of the DDA to immediately identify the sites with regard to immersion of idols or putting up of *pooja* material during the festive season.

5. The above Committee would also report as to whether the 9 Ghats to be provided and maintained by the respective Corporations have been constructed and are being maintained regularly.

6. Whether such Ghats presently have mechanism in place for ensuring that material does not flow into the river but is collected and recycled.

7. It may be by use of mesh or by providing separate channel of water, as already directed by the Tribunal.

8. These locations shall be widely notified and publicized to enable the people to know the

identified sites for immersion.

9. We also direct all the public authorities, NCT of Delhi to ensure providing of mobile toilets/bio toilets at the points so identified.

10. We are informed that nearly 63.56 hectare of river banks/flood plains have already been developed by biodiversity parks. DDA will ensure its due maintenance.

11. The remaining work of developing the bio-diversity parks and improving the river flood plain should be expedited.

12. The DSIIDC and the DPCC shall take appropriate steps against the polluting/non-compliant industries and report to the Tribunal.

13. All the authorities i.e. DDA, Municipal Corporations, Police and Administration of NCT of Delhi would fully co-ordinate with each other to ensure compliance of these directions.

List the matters on 15th October, 2015.

.....,CP
(Swatanter Kumar)

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

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

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