

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

**Original Application No. 06 of 2012
(M.A. Nos. 641/2015, 1014/2016, 1016/2016, 1243/2016, 564/2017,
1148/2017 & 1237/2017)**

And

**M.A. Nos. 199/2015, 238/2015, 344/2015, 512/2015, 513/2015,
692/2015, 310/2016 & 508/2016**

In

Original Application No. 300 of 2013

And

Original Application No. 164 of 2015

IN THE MATTER OF: -

Manoj Mishra Vs. Union of India & Ors.

And

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

And

Rajeev Suri Vs. Vice Chairman, DDA & Ors.

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present Applicant : Mr. Rahul Choudhary, Ms. Meera Gopal and Mr. Utkarsh Jain, Advs.
Mr. Rajeev Suri - Applicant in person
Ms. Richa Oberoi, Adv.

Respondents : Ms. Puja Kalra, Adv. for South & North MCD
Mr. Sanjay Upadhyay, Ms. Eisha Krishn, Ms. Upama Bhattacharjee and Ms. Sharmishtha Shukla, Advs. (Counsels for MAII)
Mrs. D. Bharathi Reddy and Ms. Vidyottma , Advs. for State of Uttarakhand
Ms. Panchajanya Batra Singh, Adv.
Mr. Balendu Shekhar, Mr. Sriansh Prakash, Mr. Raj Kumar Maurya, Advs. for East Delhi Municipal Corporation
Mr. Raj Kumar, Adv. and Mr. Bhupender Kumar, LA, Central Pollution Control Board.
Mr. Mukul Singh, Adv. for Ministry of Environment, Forest and Climate Change
Mr. Ishwer Singh, Adv. for National Mission for Clean Ganga
Mr. H.S. Phoolka, Sr. Adv. with Mr. Sumeet Pushkarma, Mr. Devanshu Lahiry, Advs. and Mr. Vikram Singh (CE) for Delhi Jal Board.
Ms. Satamita Ghosh and Mr. Dipankar, Advs. for Delhi Canotment Board
Mr. Ardhandumauli Kumar Prasad, Advs. Mr. Shashank Saxena, Adv., Mr. M.K. Sharma, Under Secretary and Mr. Sanjeev Sharma, JLO for MoUD
Mr. Pradeep Misra, Mr. Daleep Dhyani, Advs.
Mr. Mukesh Kumar Verma, Adv. for State of U.P.
Mr. Manoj Kumar, Adv. for Mr. Moni Cinmoy, Adv for DSIIDC.
Mr. Balendu Shekhar, Adv. for East Delhi Municipal Corporation and Mr. R.K. Maurya, Adv.
Mr. Vivek Kumar Tandon & Mrs. Mamta Tandon, Advs. for NCT
Mr. Yeeshu Jain, Adv. for Land & Building and Mr. Krishna Kumar, Legal Advisor

Mr. D.K. Thakur, AAG and Mrs. Seema Sharma, DAG for State of H.P.

Mr. Tarunvir Singh Khehar, Adv., Ms. Guneet Khehar, Adv. for Delhi Jal Board and GNCTD

Mr. Varun Thakur, Mr. Brijesh Pandey and Ms. Shraddha Sharan, Adv. for NMCG

Mr. Narender Pal Singh, Adv, Mr. Dinesh Jindal, LO for Delhi Pollution Control Committee

Ms. Sakshi Popli, Adv. for NDMC

Ms. Sakshi Popli and Ms. Pritika, Adv. for DJB

Mr. Rajiv Bansal, Sr. Adv., Mr. Kush Sharma, Mr. Lalit Mohan, Ms. Mavika Bhanut, Adv. for Delhi Development Authority

Mr. V.K. Tyagi, Officer for L&T

Mr. Anil Grover, AAG, Haryana, Mr. Sandeep Yadav, Adv., Mr. Rahul Khurana, Adv. for HSPCB

Mr. Mukesh Verma Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 12 to 14 October 17, 2017 ss	<p>It is a matter of great regret that the Judgment of the Tribunal in relation to cleaning and rejuvenation of river Yamuna passed on 13th January, 2015 and the further directions issued on 08th May, 2017 have not been complied with by the various stakeholders till today. Except shifting the blame to each other the stakeholders including the Government have no reason to offer in support of their inaction and non-cooperation for achieving the project. The judgment dated 13th January, 2015 is complete and comprehensive in all respect including the execution of the work which is required to be completed for controlling of pollution and restoring the river Yamuna to original pristine 'Maily Se Nirmal Yamuna' Revitalization Project, 2017. The order of 2017 is about to be completed, except part of the work where surveys are going on, not actual construction has been done. The Learned counsel appearing for the Delhi Jal Board submits that work have been awarded in some to the agencies in this case. Despite fact that the Delhi Jal Board has deposited money with the Land and Building Acquisition Department, but they have not been handed</p>

	<p>Item No. 12 to 14</p> <p>October 17, 2017</p> <p>ss</p>	<p>over the possession of the land till date.</p> <p>The Larsen & Toubro Limited which has been awarded the work, had made a statement before the Tribunal on 19th May, 2017 that they are conducting survey at the site and would start plant within one month. Again today a vague reply is offered saying that on 17th September, 2017 they has submitted design to Delhi Jal Board which have not been cleared till today. Cleaning of river Yamuna is the prime duty of all these stakeholders. We were informed in the Chamber Meeting that the National Mission for Clean Ganga has released fund, however, the Learned counsel appearing for the National Mission for Clean Ganga is unable to confirm the same today. The Delhi Development Authority submits that the Ministry of Urban Development has already released fund through Delhi Development Authority to Delhi Jal Board in terms of the judgment and the orders of the Tribunal.</p> <p>The work which was expected to be completed, has not even been taken as directed under the judgment. It is not expected that all these stakeholders to take such a serious matter, in such a casual manner. Lack of coordination objectivity and improper execution continues to persist. We are of the view that this is not a matter which cannot be resolved and the judgment of the Tribunal effectively implemented.</p> <p>Consequently, we direct the following to be present on 23rd October, 2017 at 01:00 PM in the Chamber meeting, to be held. All the officers shall bring their complete record before the Tribunal.</p> <ol style="list-style-type: none">1. Chief Secretary, NCT Delhi;
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ss

2. Secretary, Environment, Delhi;
3. C.E.O. of Delhi Jal Board;
4. C.E.O. of L&T;
5. Secretary, Land and Building (Acquisition), NCT Delhi;
6. Secretary, Revenue, NCT Delhi;
7. Director General and Executive Director, National Mission for Clean Ganga and
8. Vice-Chairman, Delhi Development Authority.

All these officers shall inform the Tribunal, compliance of the directions particularly in relation to Phase-I, i.e. Najafgarh and Delhi Gate drain and its catchment areas. They will also inform the Tribunal with regard to plan that has been prepared by the stakeholders in relation to execution of Phase-II of the judgment. We also direct the respondents to show cause to the Tribunal as to why appropriate orders in relation to attachment of their accounts be not passed and the proceedings for non-compliance of the orders of the Tribunal be not initiated.

We are informed that the banks of river Yamuna are being cleaned by all stakeholders including the Irrigation Department and Corporation where lot of material has been dumped in the festive season. Report in that regard should also be placed before the Tribunal.

Let the matter be fixed for Chamber meeting on 23rd October, 2017 at 01:00 PM.

.....,CP
(Swatanter Kumar)

.....,JM
(Dr. Jawad Rahim)

	<p>Item No. 12 to 14</p> <p>October 17, 2017</p> <p>ss</p>	<p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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