

**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. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Present Applicant :** Mr. Rahul Choudhary, Ms. Meera Gopal, and Mr. Utkarsh Jain, Advs.  
Mr. Sanjay Upadhyay, Ms. Upama Bhattacharjee and Ms. Eisha Krishn and Ms. Sharmishtha Shukla, Advs.  
Ms. Panchajanya Batra Singh Adv. for MoEF  
Mr. V.K. Shukla and Mr. Vijay Laxmi, Adv for State of M.P, Adv.  
Mr. Balendu Shekhar, Adv., Mr. Sriansh Prakash, Mr. R.K. Maurya, Mr. Ravi Gopal 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. Vivek Kumar Tandon and Ms. Mamta Tandon, adv for R-4  
Mr. I.K. Kapila, Adv for Uttar Pradesh Jal Nigam  
Mr. H.S. Phoolka, Sr. Adv. with Mr. Sumeet Pushkarma, Mr. Divanshu Lahiry, Mr. Vikram Advs. with CEO for Delhi Jal Board.  
Ms. Aditi Singh, Adv for Mr. Narender Pal Singh, Adv. and Mr. Dinesh Jindal, LO  
Mr. Daleep Dhyani, Advs.  
Mr. Mukesh Kumar Verma, Adv. for State of U.P.  
Mr. Tarunvir Singh Khehar, Adv., Ms. Gunet Khehar, Adv. and Mr. Sandeep Mishra, Adv. for Delhi Jal Board and GNCTD

**Mr. Dinesh Jindal, LO for Delhi Pollution Control Committee**

**Ms Richa Oberoi and Mr. Prateek Kohli, advs.  
Ms. Sakshi Popli, Advs. for NDMC & Delhi Jal Board**

**Mr. Raj Kumar, Adv. with Mr Bhupender, LA, Central Pollution Control Board**

**Mr. Rajiv Bansal, Sr. Adv., Mr. Kush Sharma, Mr. Hitaish Chauhan, Ms. Malvika Adv. for Delhi Development Authority**

**Mr. Anil Grover, AAG, Haryana and Mr. Rahul Khurana, Adv. for HSPCB**

**Dr. Sandeep Singh and Mr. Vinay Pal, Adv. for State of Uttar Pradesh**

**Ms. Puja Kalra, Adv. for South & North MCD**

**Mr. Sanjay Upadhyay, Ms. Eisha Krishn, Ms. Upama Bhattacharjee, Adv**

**Mrs. D. Bharathi Reddy and Ms. Vidyottma, Advs. for State of Uttarakhand**

**Ms. Panchjanya Batra Singh, Adv. for Ministry of Environment, Forest and Climate Change**

**Mr. Balendu Shekhar, Mr. Sriansh Prakash, Mr. Raj Kumar Maurya, Advs. for East Delhi Municipal Corporation**

**Mr. Raj Kumar, Adv. and Mr. Bhupender Kumar, Ms. Preeti LA, Central Pollution Control Board.**

**Mr. Mukul Singh, Adv. for Ministry of Environment, Forest and Climate Change**

**Mr. Ardhandumauli Kumar Prasad, Advs. Mr. Shashank Saxena, Adv.,**

**Mr. Pradeep Misra and Mr. Daleep Dhyani, Advs.**

**Mr. Sanjeev Ralli, Adv. with Mr. Prabhav Ralli and Mr. Dinesh Jindal, LO, Delhi Pollution Control Committee**

**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. D.K. Thakur, AAG and Ms. Seema Sharma, DAG for State of H.P.**

**Mr. Tarunvir Singh Khehar, Adv., Ms. Guneet Khehar, and Mr. Sandeep Mishra, Advs. for Delhi Jal Board and GNCTD**

**Mr. Varun Thakur, Mr. Kumar Ajitab and Sharddha Saran, Advs. 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, Advs. for DJB**

**Mr. Rajiv Bansal, Sr. Adv., Mr. Kush Sharma, Mr. Mr. Kanika Singhal and Ms. Vasudha Trivedi, Advs. for Delhi Development Authority**

**Mr. Anil Grover, AAG, Haryana, Mr. Rahul Khurana, Adv. for HSPCB**  
**Mr. Mukesh Verma Adv. for UPCB**  
**Mr. Sumeet Pushkarma and Devanshu Adv. with Mr. Vikram Singh (CE), Delhi Jal Board**  
**Mr. O.M. Prakash Adv.**  
**Mr. Avneesh Arputham, Mr. Simram Jeet and Mr. Anuradha Arputham, Adv.**  
**Mr. V. K. Gulati, Adv.**  
**Ms. Hemantika Wahi, adv**  
**Ms. Sakshi Popli, Adv. for State Environment Impact Assessment Authority TN**  
**Mr. Prateek Kohli, Adv. in MA 641/2015**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<p> <b>Item No. 14 to 16</b>  <b>November 28, 2017</b>  <b>ss</b> </p>	<p> The Learned Counsel appearing for Ministry of Water Resources upon instruction from the officers present submits that the National Mission for Clean Ganga has the financial responsibility to aid project which are intended to clean river Ganga and its tributaries or the catchment areas if necessary even by putting up STP in those areas. However this liability is subject to availability of fund and the project being sanctioned by National Mission for Clean Ganga. In the preset case Delhi Jal Board has taken upon itself that the remaining 7 STPs to be constructed and installed as per the judgment of the Tribunal and it would be entirely funded by the Delhi Jal Board. The 7 STPs which National Mission for Clean Ganga had agreed to finance have been sanctioned under the ratio of 70:30 and 45.20 Crores have already been released. </p> <p> The Learned Counsel appearing for Delhi Jal Board submits that in terms of the order dated 08<sup>th</sup> May, 2015 and subsequent orders/minutes of meetings of the Principal Committee, the financial liability in relation to all the 14 STPs had to be shared between National Mission </p>

	<p><b>Item No. 14 to 16</b></p> <p><b>November 28, 2017</b></p> <p><b>ss</b></p>	<p>for Clean Ganga and Delhi Jal Board in the ratio of 85:15 as in the case of JICA funded project. The Delhi Jal Board is spending Rs. 437 Crores (approx.) of NMCG share on Coronation Pillar STP which has a total cost of Rs. 515 Crores. In fact this was also to be shared by National Mission for Clean Ganga.</p> <p>It is further stated that the prioritization of the project was only for the purpose of carrying out the directions in terms of the judgment effectively and not for putting entire financial burden on Delhi Jal Board. Further it is stated that the statement alledged to have been made by the officer by the Delhi Jal Board is not correct and it is contradictory to the minutes which are referred in the report. The contract awarded is for 9 STPs under one package and 5 under another package and has accordingly been awarded to the respective parties.</p> <p>The Learned Counsel appearing for NCT Delhi and Delhi Jal Board make a statement and submissions before the Tribunal in relation to the sites available for establishment of construction of 14 STPs in terms of the judgment of the Tribunal:-</p> <ol style="list-style-type: none"><li>1. Sites at Jafarpur Kalan, Galibpur, Sarangpur, Kanganheri and Khera Dabur had already been handed over to Delhi Jal Board and Delhi Jal Board in turn has already given possession thereof to the Project Proponent for commencing of the work. In fact part work has already commenced on these sites.</li><li>2. The site at Mitraon Kalan, South West Delhi has</li></ol>
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	<p><b>Item No. 14 to 16</b></p> <p><b>November 28, 2017</b></p> <p><b>ss</b></p>	<p>already been given to Delhi Jal Board, however there is passage to be provided to in relation to Khasra No. 106/1. The steps are being taken to provide passage and once the passage is provided the complete functional site would stand provided to Delhi Jal Board. The survey work at this site by the Project Proponent has already started.</p> <p>3. The site at Hasanpur and Shikarpur are the sites which have been shifted to a new site in the same area. Both these shifted sites have been provided to Delhi Jal Board. The survey work on both these sites are being carried on by the Project Proponent, however paper work for giving officially the possession of these sites are pending for final action before the administration and the file has been submitted. The file for these two shifted sites has been submitted to the competent authority in lieu of the erstwhile sites which were provided to Delhi Jal Board in 2015 are physically handed over to Delhi Administration. Delhi Jal Board shall provide physical possession of that area to the revenue department of NCT Delhi tomorrow at 10 AM.</p> <p>4. The sites at Tajpur Khurd, Kazipur, Kakrola, Bijwasan, Kair and Tikri Kalan have the land which is privately owned. The notification under 21 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The Delhi Government is making all possible efforts to acquire these lands and handover to Delhi Jal Board.</p>
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	<p><b>Item No. 14 to 16</b></p> <p><b>November 28, 2017</b></p> <p><b>ss</b></p>	<p>5. The portion at the site in Kakrola should be handed over to Delhi Jal Board without any further delay.</p> <p>List this matter tomorrow i.e. on 29<sup>th</sup> November, 2017 at 02:00 PM.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,EM (Bikram Singh Sajwan)</p>
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