

**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 of 2015, M.A. No. 513 of 2015, M.A. No.692 of 2015 & M.A. No.
1091 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, M.A No. 1053/2015 &
M.A No. 1077/2015,**

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 DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE SONAM PHINTSO WANGDI, JUDICIAL MEMBER
HON'BLE DR. D. K. AGRAWAL, EXPERT MEMBER
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Original Application No. 06 of 2012, Original Application No.300 of 2013
(M.A. No.199 of 2015, 238/2015. 344/2015, 512/2015 & 513/2015)**

Present: Applicant

**Mr. Rahul Choudhary, Adv.
Mr.S.Venkatesh, Mr.Anuj P. Agarwala, Advs. In
M.A. Nos. 238/2015**

Respondent No. 1 :

**Mr.Mukul Singh, Adv. for MoEF
Mr. Rajiv Bansal, Mr. Kush Sharma, Advs. For
DDA**

Respondent No. 6 &7 :

**Ms.SakshiPopli, Adv.
Ms.SavitriPandey&Ms.AzmaParveen, Advs.
Mr. Anil Grover, AAG with Mr. Rahul Khurana,
Advocate for State of Haryana
Mr.Vivek Kumar Tondon, Adv.
Mr.Suryanarayana Singh, Sr. Addl. Adv.
General, State of H.P.
Mr.Anshuman, Adv. For Delhi Cantonment
Board**

Respondent No. 2, 4 & 7:

**Mr.Ardhendumauli Kumar Prasad &Mr.Panshul
Chandra,Advs. for MoUD
Mr.AvneeshArputham and Mr.KabeerSrivastava,
Advs.
Mr. Raj Kumar, Adv. With Mr.Bhupender
Kumar, LA for CPCB
Mr. Ravi P.Mehrotra and Mr.AbinavKr. Malik
Advs.
Mr. D. Bharathi Reddy, Adv. for State of
Uttarakhand
Mr.Narender Pal Singh, Adv. and Mr.Dinesh
Jindal, LO
Mr. A.P.S. Sehgal, Adv, in M.A. 641/2015
Mr.MoniCinmoy, Adv. for DSIIDC
Mr. I.K. Kapila, Adv. For Okla CETP Society
Mr.PradeepMisra and Mr.Daleep Kr. Dhyani,
Advs. For UPPCB**

Date and Remarks	Orders of the Tribunal
<p>Item No. 04 to 06</p> <p>February 09, 2016</p>	<p>Learned Counsel appearing for the DDA will ensure that the minutes of the meeting held under the orders of the Tribunal are filed before the next date of hearing positively.</p> <p>The CEO of DJB is present. We had clearly passed directions that out of the Plan-Expenditure of DJB, no amount in regard to sewage network and establishment of STP will be incurred by the DJB at all. The expenditure that would be incurred; would be for the maintenance purposes only. These directions were passed in view of the project contained in the main judgment, which has been accepted by the all concerned and in fact was based upon the project submitted by the DJB itself. It was because of the limitation of the finances available that this direction was issued from time to time. The Tribunal was informed that no amount is being spent in fact whereas the submissions made today are contrary. We are informed that some amount has been spent on few projects.</p> <p>Let Notice be issued to the Chief Engineer of DJB to file a personal affidavit as to whether any amount has been spent or not, in violation to the orders of the Tribunal, and if spent, details thereof. This Affidavit should be filed within one week from today.</p> <p>We will make it clear that DJB would not incur any expenditure on laying down sewage network, establishment of STPs and any other major expenditure except day-to-day maintenance. Needless to say and it is</p>

noticed that DJB has spent thousands and thousands of Crores of rupees on sewage and establishment of STPs but the resultant pollution of River Yamuna continues and does not require anything more to be said that it has gone from bad to worse.

During the consultative meeting of the stakeholders, it had become doubtful as to whether the total discharge in terms of quantum as well as quality was physically examined by the DJB before preparing the project report which was placed before the concerned committee and now even referred to the IITs.

We constitute a team of experts consisting of Member Secretary of the Central Pollution Control Board, Member Secretary Delhi Pollution Control Committee, Chief Engineer of DJB, Chief Engineer of DDA and Professor Kosa from IIT Delhi.

The Member Secretary of the CPCB will be the Nodal Officer and in-charge of holding the meeting proceedings of the Committee. This team of experts shall submit its report to the Tribunal on the following:

1. Actual discharge from each major drain that joins river Yamuna.
2. It shall also measure the load of sewage at the point of STPs and the point where STPs are sought to be constructed under the Phase-1 i.e. Najafgarh Drain and Delhi Gate Drain.
3. The STP at Delhi Gate Drain receives the entire discharged from old Delhi drain and part of the effluent is directly discharge or untreated sewage is

discharged in the River Yamuna.

4. The Committee shall collect or cause to be collected under its supervision, the Samples from the drains and the inlet points of STPs (existing/proposed). These will be analysed for all parameters and compared with the bathing quality water standards which will not be restricted to BOD, COD, pH etc. Analysis should be done with regard to metals, insecticide, pesticide, Coliform, and other phenolic compounds. This we have indicated to give a wider scope but list is not exhaustive. It will be in the discretion of the committee to have some other tests as per their instructions.

5. Samples would be collected and analysed at the laboratory of CPCB and IIT, Delhi. The Committee may adopt at least two methods for measuring the discharge.

6. Let this report be submitted to the Tribunal within 10 days from today. The Minutes of the DDA would be filed within the same period.

Let this matter be listed for hearing on 22nd February, 2016.

.....,CP
(Swatanter Kumar)

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

.....,JM
(Sonam Phintso Wangdi)

		<p>.....,EM (Dr. D.K. Agrawal)</p> <p>.....,EM (B.S. Sajwan)</p>
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