

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

**Original Application No. 06 of 2012  
And  
(M.A. No.238 of 2015, M.A. No.199 of 2015, M.A. No.344 of 2015,  
M.A No. 512/2015 & M.A No. 513/2015)  
In  
Original Application No. 300 of 2013  
And  
M.A. No. 868 of 2014, M.A No. 440/2015 & M.A No. 441/2015  
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 U.D. SALVI, JUDICIAL MEMBER  
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  
HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER**

**Original Application No. 06 of 2012**

<b>Present: Applicant</b>	<b>Mr. Ritwick Dutta and Mr. Rahul Choudhary, Adv.</b>
<b>Respondent No. 1:</b>	<b>Mr. Vivek Chib and Mr. Ruchira Goel, Advs.</b>
<b>Respondent No. 2:</b>	<b>Mr. Vivek Kumar Tandon, Advs. for NCT</b>
<b>Respondent No. 3 :</b>	<b>Mr. Rajiv Bansal, with Mr. Kush Sharma, Advs. For DDA</b>
<b>Respondent No. 4 :</b>	<b>Mr. Narender Pal Singh, Adv. with Mr. Dinesh Jindal, L.O. DPCC</b>
<b>Respondent No. 6 &amp; 7 :</b>	<b>Ms. Savitri Pandey &amp; Ms. Azma Parveen, Advs.</b>
<b>Respondent No.8:</b>	<b>Mr. Balendu Shekhar, Adv. For EDMC Mr. M.K. Sharma, Mr. Sunil Satyajit Kumar and Mr. Ashok Kumar, Advs Mr. Anil Grover, AAG with Mr. Rahul Khurana, Adv. for State of Haryana Ms. Pinky Anand, Additional Solicitor General and Mr. Prabal Banghi, Adv. For DJB</b>

**Original Application No.300 of 2013**

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

<b>Present: Applicant</b>	<b>Mr. Ritwick Dutta and Mr. Rahul Choudhary, Adv. Shri Venkatesh Anuj P. Agarwala Mr. Kabeer Srivastava and Mr. K. Vijay Kumar, Advs. For Applicants in MA 513/2015</b>
<b>Respondent No. 1:</b>	<b>Mr. Vivek Kumar Tandon, Advs. for NCT</b>
<b>Respondent No. 2 :</b>	<b>Mr. Ardhendumauli Kumar Prasad, Advs. for Ministry of Urban Development</b>
<b>Respondent No. 3 :</b>	<b>Mr. Rajiv Bansal, with Mr. Kush Sharma, Advs. For DDA</b>
<b>Respondent No. 10 &amp; 11 :</b>	<b>Mr. Narender Pal Singh, Adv. with Mr. Dinesh Jindal, L.O., DPCC</b>
<b>Respondent No. 2,4&amp;7 :</b>	<b>Mr. Ravi P. Mehrotra &amp; Mr. Abhinav K. Malik, Advs. Ms. Pinky Anand, Additional Solicitor General and Mr. Prabal Banghi, Adv. For DJB Mr. M.K. Sharma, Mr. Sunil Satyajit Kumar and Mr. Ashok Kumar, Advs Mr. Balendu Shekhar, Adv. For EDMC Mr. Moni Chinmoy, Adv. For DSIIDC Mr. Suresh Tripathy, Adv. For DJB</b>

**Original Application No. 06 of 2012**

**M.A. No. 868 of 2015, 440/15 & 441/2015**

**Present: Applicant**

**Mr. Rajiv Bansal and Mr. Kush Sharma, Adv.  
Mr. Amit Kumar and Mr. A.H. Kharwanlang,  
Adv.**

**Respondent No. 1:**

**Mr. Vivek Chib and Ms. Ruchira Goel, Adv.**

**Respondent No. 2:**

**Mr. Vivek Kr. Tandon, Adv.**

**Respondent No. 4:**

**Mr. Narender Pal Singh, Adv. with Mr. Dinesh  
Jindal, L.O., DPCC**

**Respondent No. 5 :**

**Mr. Balendu Shekhar and Ms. Somya Rathore,  
Adv. For EDMC**

**Respondent No. 6 & 7 :**

**Ms. Savitri Pandey & Ms. Azma Parveen, Adv.  
Ms. Pinky Anand, Additional Solicitor General  
and Mr. Prabal Banghi, Adv. For DJB  
Mr. M.K. Sharma, Mr. Sunil Satyajit Kumar and  
Mr. Ashok Kumar, Adv  
Ms. Sakshi Popli and Ms. Mansha Mehmood,  
Adv.  
Mr. Moni Chinmoy, Adv. For DSIIDC**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<p><b>Item No. 01 to 03</b></p> <p><b>May 25, 2015</b></p> <p><b>ss</b></p>	<p>With utmost sense of regret, we notice that the various Authorities, Departments and even the Govt. of NCT itself have not complied with any of the directions contained in our order dated 08<sup>th</sup> May, 2015 and in stricto sensu there is not even little compliance of the direction. The Learned Advocate General appearing for Delhi Jal Board submits that further directions are needed to ensure effective implementation. We will proceed to consider them separately.</p> <p>We also observe that even state of Haryana has not complied with the direction No. 21 of our order dated 8<sup>th</sup> May, 2015. The Learned Counsel appearing for the state of Haryana also submits that he has not got complete instruction in that regard and would be taking complete instructions and will submit compliance report shortly.</p> <p>The Learned counsel appearing for all the corporations except New Delhi Municipal Council have not been able to inform the Tribunal as to whether they had cleaned or have been cleaning even a single drain of Delhi</p>

falling under their respective jurisdiction in compliance of the order dated 8<sup>th</sup> May, 2015. They have not been able to pin point even a single person throwing any waste or other material into any of the drains. The officers instructing them cannot even say regarding the drain dredging in compliance to the order of the Tribunal and identification of dumping sites to dump dredged material and where the dredged material, if dredged, is taken and dumped. There is a joint request on behalf of the Learned counsel appearing for all the Authorities and the Government of NCT, Delhi to give them time to comply with the direction and report the compliance.

Though we see no reason to grant further time, we grant to all the Authorities, NCT, Delhi and state of Haryana time to comply with the direction and submit the compliance report to the Tribunal without fail in the interest of justice

We make it clear that in the event of default now, the senior most officer, incharge of the Authority Departments, Corporation, Ministry and the Secretary of the state would be personally responsible for being proceeded against in accordance with law. Besides, imposing heavy cost we would make it clear that we would not hesitate to take action for non-compliance of the order of Tribunal in accordance with law. i.e. its execution as the decree of the court as contemplated under section 19 of the NGT, Act, 2010 by measures such as attachment of salaries and other coercive means.

List this matter on 08<sup>th</sup> June, 2015.

The Learned Counsel appearing for Delhi Jal Board



submits that the Authorities concerned may be directed to handover possession of the land to them expeditiously. We direct that all the three sites where STPs are proposed to be established should be handed over to the Jal Board by Gram Panchayat, DSIIDC or D.C. Revenue and the matter be reported before the Tribunal. The Learned Counsel appearing for Ministry of Water Resources submits that they will immediately consider the request for letter of comfort in relation thereto is provided including for and on behalf of Ganga Mission, Ministry and the DDA. All authorities including police to assist to Delhi Jal Board to take possession of the site in question.

Replies to the Miscellaneous Application No. 238 of 2015, M.A. No. 512 of 2015, M.A. No. 440 of 2015 and M.A. No. 441 of 2015 be filed.

List this matter on 08<sup>th</sup> June, 2015.

.....,CP  
(Swatanter Kumar)

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

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

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

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

.....,EM  
(B.S. Sajwan)