

Item No. 09

Court No. 2

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

Original Application No. 463/2023

Dr. Lokesh Kumar

Applicant

Versus

State of Haryana

Respondent

Date of hearing: 02.08.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a letter petition received by Post

ORDER

1. The applicant has made a request by sending the present letter petition for water security by dredging drain No. 6 passing from Sonipat via Barota to Piau Maniyari/Kundli (Haryana State) to Delhi.
2. The applicant has submitted that drain No. 6 and 8 flow parallel in Sonipat/Kundli. Drain No. 6, which is maintained by the Irrigation and Flood Control Department of Haryana is filled with trash, garbage, silt, litter and sludge. Drain No. 6 is not cleaned and dredged regularly. Being poorly maintained drain No. 6 is in a very critical degradation condition. Water flowing in drain No. 8 is comparatively clean which merges into Yamuna river. Drain No. 6 overflows and leaches to drain No. 8 and pollutes the same. Due to intrusion of highly polluted waste water from drain No. 6 water treatment plants in Delhi have to be closed. The applicant has prayed for issuance of directions for dredging and cleaning of drain No. 6.

3. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.

4. In view of the above, we consider it appropriate to seek response from (1) State of Haryana through Chief Secretary, Govt. of Haryana, (2) Engineer in Chief, Irrigation and Flood Control Department, Haryana (3) Haryana State PCB, (4) District Magistrate, Sonapat and (5) Delhi Jal Board through Chief Executive Officer who are impleaded as Respondents No. 1 to 5. The Registry is directed to prepare and attach memo of parties with the paper book accordingly. Notices be issued to Respondents No. 1 to 5 requiring them to file their response to the averments made in the application by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. Further, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action on urgent basis. Accordingly, we constitute a Joint Committee comprising of Ministry of Environment, Forest and Climate Change (MoEF&CC), Central Pollution Control Board (CPCB), Haryana State Pollution Control Board (HSPCB) and Delhi Jal Board (DJB) and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, verify the factual position and take appropriate remedial action. The State PCB will be the nodal agency for coordination and compliance.

6. Factual and Action taken Report may be submitted within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

7. List for further consideration on 08.11.2023.
8. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the MoEF&CC, CPCB, HSPCB and DJB by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 02, 2023
Original Application No. 463/2023
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