

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 630 OF 2023**

IN THE MATTER OF:

Anand Arya ...Applicant

Versus

Union of India & Ors. ...Respondents

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Through



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Place:- DelhDated:- 29.04.2024

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**BRIEF SUBMISSIONS ON BEHALF OF THE APPLICANT
REGARDING THE MAP OF DHANAURI WETLANDS
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THE CURRENT THREATS TO DHANAURI WETLANDS**

The Applicant above-named

MOST RESPECTFULLY SHOWETH:

1. That the present Application raises substantial questions related to environment arising from the non-compliance and non-implementation of Rule 7 of the Wetlands (Conservation and Management) Rules, 2017, under the Environment (Protection) Act, 1986 by the State Wetlands Authority of Uttar Pradesh by failing to notify the Dhanauri Wetlands in Greater Noida, Gautam Budh Nagar, Uttar Pradesh, as a Ramsar Wetland. The present Application also raises the issue of failure of the Government of Uttar Pradesh to notify the Dhanauri Wetlands as a wetland in terms of the directions contained in Orders, dated:

08.02.2017 and 04.10.2017, passed by the Hon'ble Supreme Court in W.P.(Civil). No. 230/2001, *M.K. Balakrishnan Vs. Union of India Ministry of Environment, Forest and Climate Change & Ors.*. The instant application also raises the issues of non-compliance of the Specific Condition in the Environment Clearance, to implement in letter and spirit, the Conservation Plan for Birds and Fauna, in consultation with the Wildlife Institute of India (WII), in the Jewar Airport project area, under which Dhanauri Wetlands are situated and the failure to adhere to the recommendations as contained in the Conservation Report of the WII, recommending the declaration of the Dhanauri Wetlands as a Wildlife Sanctuary or Conservation Reserve, as soon as possible. The Application further seeks to raise the failure of the Government of Uttar Pradesh to notify Dhanauri Wetlands as Balmiki Ramsar Wetland and Sarus Sanctuary/Conservation Reserve, notwithstanding express directions issued by the MOEF&CC to it, vide its Letters, dated: 28.05.2019 and 20.04.2020 and emails dated: 21.02.2022 and 17.03.2022.

2. That vide Order, dated: 16.02.2024, this Hon'ble Tribunal had allowed the parties to file their additional submissions. The Applicant seeks to file additional submissions which are vital for this Hon'ble Tribunal, at this stage, to consider.
3. That, at this stage, it is pertinent to point out the following:

A. The Map of Dhanauri Wetlands as finalised and released by Respondent No. 10 - YEIDA (Annexure A-3, Page 40 of O.A. and Annexure R-1, Page 27 of the Counter Affidavit filed by R-10 YEIDA) has been superimposed on the Google Earth Maps with a view to facilitate the understanding as to the Area of Dhanauri Wetlands. In addition, a similar Map as that of Google Earth is annexed herewith and marked as **Annexure No. 1.**

B. The current status of Dhanauri Wetland, highlighting the major issues being faced in terms of

- (i) Construction by R-10, YEIDA that would stop/restrict the source of water in terms of the free flow of rain and run-down Irrigation water to the Wetlands. This would indeed cause drying up of Wetland.
- (ii) The Water-Hyacinth has not been fully removed which should have been done as was agreed to by R-10, YEIDA, and R-8, DFO-Gautam Buddh Nagar.
- (iii) The Wetland is being permitted to completely dry out by not arranging the release the release of water from the Irrigation channel.

(The photographs depicting the current position of Dhanauri Wetland are annexed herewith and marked as **Annexure No. 2)**

4. It is submitted that the threats mentioned above in preceding Para 3B are in addition to the ones that were submitted as part of Additional Submissions, dated on 18.01.2024, by the Applicant.

PRAYER

In light of the facts and circumstances set out herein-above, it is, most humbly, prayed that this Hon'ble Tribunal be pleased to:

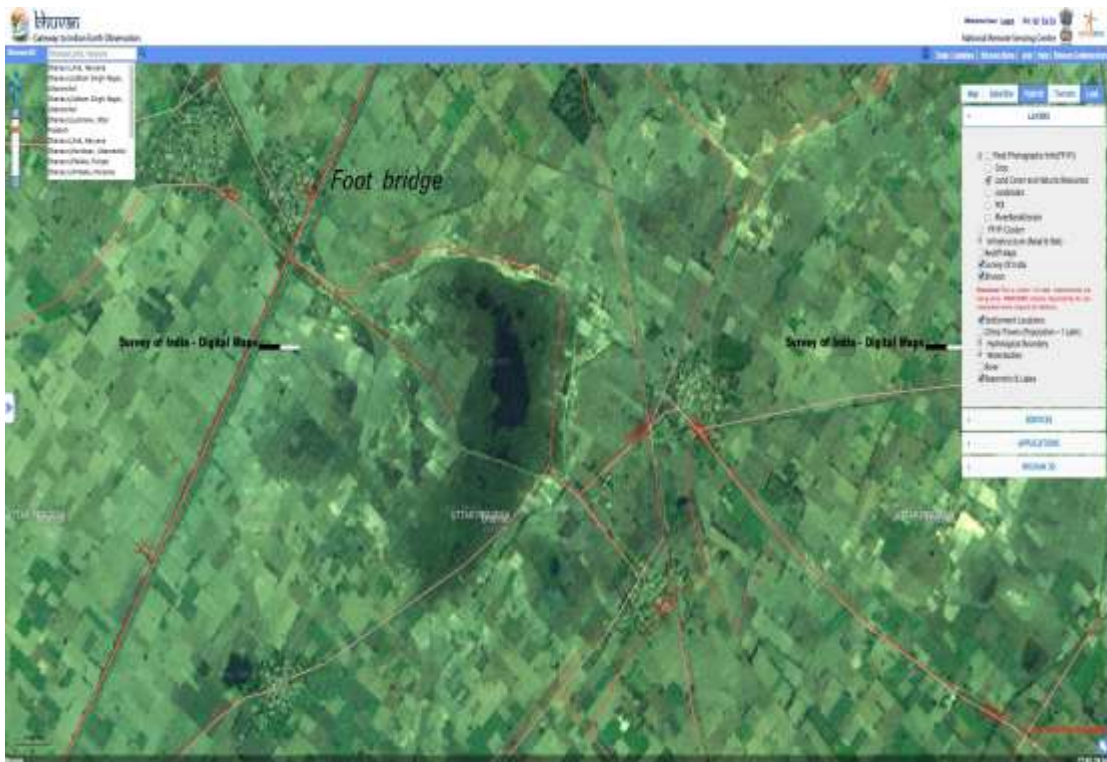
- (i) Direct the pleadings/documents/Annexures to be taken on record;
- (ii) Pass any other or such other further Order(s) or direction(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

Through



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ANNEXURE NO. -1



ANNEXURE NO. 2



09.04.2024











