

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

EXECUTION APPLICATION NO.: 16 OF 2019
IN
ORIGINAL APPLICATION NO.: 153 OF 2014

IN THE MATTER OF:

Indian National Trust for Art and Cultural Heritage

...Applicant

Versus

Government of NCT of Delhi & Ors.

...Respondents

INDEX

S. No.	PARTICULARS	PAGES
1.	BRIEF SUBMISSIONS ON BEHALF OF THE APPLICANT IN RESPONSE TO THE REPORTS SUBMITTED BY THE STATE OF HARYANA AND GOVERNMENT OF NCT OF DELHI BEFORE THIS HON'BLE TRIBUNAL, PURSUANT TO THE ORDER DATED: 21.01.2022	

DATE: 04.11.2022

PLACE: NEW DELHI

FILED BY:



AKASH VASHISHTHA

(Advocate for the Applicant)

R-7/17, Raj Nagar,

Ghaziabad (Uttar Pradesh) - 201001

Tel:- 9717006866

Email: akashvashishtha.06@gmail.com

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

EXECUTION APPLICATION NO.: 16 OF 2019
IN
ORIGINAL APPLICATION NO.: 153 OF 2014

IN THE MATTER OF:

Indian National Trust for Art and Cultural Heritage

...Applicant

Versus

Government of NCT of Delhi & Ors.

...Respondents

**BRIEF SUBMISSIONS ON BEHALF OF THE APPLICANT IN
RESPONSE TO THE REPORTS SUBMITTED BY THE STATE OF
HARYANA AND GOVERNMENT OF NCT OF DELHI BEFORE THIS
HON'BLE TRIBUNAL, PURSUANT TO THE ORDER DATED:
21.01.2022**

MOST RESPECTFULLY SHOWETH:

1. That the Applicant had filed the above titled Original Application raising the threats to the Najafgarh Jheel, an important water body in the National Capital Region, arising from continuous encroachments, unauthorized constructions and the fast draining of the lake waters by widening the Najafgarh drain, connecting the lake with Yamuna, by the Respondents on the pretexts of flood-protection. The Applicant by way of the Original Application had also raised inaction on the part of the Respondents in curbing the unauthorized constructions in and around the lake. The Original Application sought revival, protection and preservation of the interstate Najafgarh Jheel, which is extremely vital to meet the drinking and domestic needs of the water starved areas of

Gurgaon and Delhi through groundwater recharge, moderate urban flooding, maintain and restore biodiversity habitats.

2. That vide Order, dated 21.01.2022, this Hon'ble Tribunal in the afore-titled Execution Application had, inter alia, observed as under:

“ 7. CPCB has filed its report dated 13.12.2021 on behalf of the joint Committee of MoEF&CC and CPCB mentioning holding of joint meeting of the State of Haryana and Delhi wherein following decision were taken:-

“1. Brief Documents of the respective parts of the wetlands to be communicated to MoEF & CC by both Haryana and Delhi States by 31st October, 2021.

2. On receipt of the same, Wetland Division, MoEF&CC proposed to finalise a draft notification of Najafgarh Wetland being Transboundary Wetland, in 15 days i.e., by 15th November, 2021.

*3. A three-member committee comprising of Dr. Manu Bhatnagar, INTACH, Shri. Rajasekhar Ratti, MoEF & CC and Shri. J. Chandra Babu, CPCB to review and prepare integrated EMP based on the EMPs submitted by both States by 31st Oct, 2021 so that the same could be apprised to Hon'ble NGT before the next date of Hearing i.e. 24th Nov, 2021 after taking views from both the States. Thereafter, along similar lines, scope and Terms of Reference for preparation of Integrated Management Plan of Najafgarh Jheel for restoration and rejuvenation based on the recommendations of hydrological study, brief document, urban watershed, masterplans of both Gurgaon and Delhi, EMP, **De-siltation to enhance water holding capacity**, wetland design for in-situ treatment of treated sewage water, seasonal*

agriculture at higher contours, rehabilitate the natural ecological characteristics of the wetland with specific goals and management objectives, needs to be taken up.”

8. Action proposed is mentioned as follows:-

“(i) Wetland Division, MoEF&CC proposed to notify ‘Najafgarh Jheel’ as Najafgarh Wetland being transboundary wetland, based on the brief documents submitted by both Delhi & Haryana States to MoEF&CC.

(ii) A Framework for Integrated Environment Management Plan for Najafgarh Jheel as approved by MoEF & CC to be implemented in a time bound manner by Delhi and Haryana States within the jurisdiction of the respective States.”

...

10.

...

We hope that the Inter-Ministerial Expert Group will ensure measures for conservation and protection of Jheel in the light of observations in Para nos. 5 and 9 above. Water quality of the Jheel need to be maintained for at least Class ‘C’ and healthy biodiversity needs to be ensured. The outlet of the Najafgarh Jheel which is leading to Najafgarh drain (earlier referred as Sahibi River) should remain free from sewage before it joins river Yamuna.

11. In view of the above, further action of preparing integrated EMP by the MoEF&CC be taken and till it is done, EMPs prepared for rejuvenation and protection of the lake be enforced by the State of Haryana and the NCT Delhi. The EMPs of Delhi and Haryana do not make specific provision for budget which is necessary except saying that provision will be made immediately making of such provision may be ensured by the Chief

Secretaries of Delhi and Haryana. Wetland (Conservation and Management) Rules, 2017 be strictly followed alongwith the Guidelines issued by MoEF&CC on the subject. Further, direction of the Hon'ble Supreme Court in Balakrishnan & Ors. v. Union of India & Ors.⁷ and order of this Tribunal dated 25.11.2021 in O.A. No. 351/2019, Raja Muzaffar Bhat v. State of Jammu and Kashmir & Ors. to (2017) 7 SCC 80512 the extent applicable be complied. It will be open to any party to make representation to the respective Wetland Authorities. If any grievance survives, it will be open to the aggrieved party to take further remedies in accordance with law. The National Wetland Authority needs to monitor progress of implementation of action plans with both the States i.e. Haryana and Delhi through their respective State Wetland Authorities and resolve inter-state dispute, if any.

12. Action taken/status reports as on 31.07.2022 may be filed by the concerned Wetland Authorities with the Registrar General of this Tribunal by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF, by 15.08.2022, who may, if necessary, place the matter before the Bench, for any further direction.”

[Emphasis added]

3. That notwithstanding the proposed action of the CPCB, vide its report, dated: 13.12.2021 submitted before this Hon'ble Tribunal, the State of Haryana has not submitted their Brief Document to the MOEF&CC, even after 12 months of the agreed date, i.e. 31.10.2021.
4. That further, the Wetland Division of the MOEF&CC has also failed to initiate any action towards directing the two states to submit their Brief

Documents with it, so as to finalize the draft notification of the Najafgarh Wetland, being a Transboundary Wetland.

5. That the MoEF & CC has failed to take any steps, whatsoever, to finalize the integrated Environment Management Plan (EMP), as directed by this Hon'ble Tribunal, vide Order, dated:21.01.2022.
6. That further, the National Wetland Authority, under MoEF&CC, has failed to carry out any monitoring, whatsoever, on the progress of implementation of the action plans with the State of Haryana and Government of NCT of Delhi, especially, the action plan prepared jointly by the CPCB and MOEF&CC, whereby the States of Haryana and Delhi were to submit their respective Brief Documents and on receipt thereof, the Draft Notification of the Najafgarh Wetland was to be finalized, within 15 days.
7. That it is submitted that the Respondent No. 2, the State of Haryana, has neither submitted its Brief Document, so far, nor has taken any step, whatsoever, to implement the EMP, submitted before this Hon'ble Tribunal, vide Report, dated: 27.09.2021.

The relevant parts of the EMP, submitted by State of Haryana, before this Hon'ble Tribunal, vide Report, dated: 21.09.2021 are reproduced as under:

“

...

2. Najafgarh Jheel, a trans-boundary water body shared between Haryana and NCT of Delhi, is a critical natural infrastructure for the region, buffering floods, treating wastewater, recharging groundwater and providing habitat to numerous plant and animal species. The high ornithological value of the jheel is indicated by the presence of nearly three hundred bird species, including several threatened ones while

nearly one hundred are winter visitors which visit this lake during winter and come from as far as Eurasian region-the rest are resident Indian or local migratory bird species. The jheel supports a good population of pisces, mollusks and gastropods and that is why the jheel supports a good population of avifauna.

3. Despite being the source of several benefits and sustaining habitats of diverse species, Najafgarh jheel has been highly fragmented and transformed, used as a waste receptacle, and infested with invasive species. The Sahibi River, to which Najafgarh Jheel was the natural floodplain, has been converted virtually into a drain. The decimation of Jheel has exposed the neighboring settlements in Haryana and NCT of Delhi to high risks of pluvial flooding and reduced groundwater levels. Recent constructions within the Jheel area, while impeding natural wetland functions, are precarious owing to high seismicity and liquefaction within the region.

4. Conservation and wise use of Najafgarh Jheel is an imperative for sustainable urbanization of the NCT of Delhi and Haryana region, while also securing the role of wetlands as a part of critical ecological networks, key being, a part of the migration corridor in the Central Asian Flyway. The Government of India, through its numerous policies and programmes, is desirous of mainstreaming full range of ecosystem services and biodiversity values of wetlands within developmental planning at various levels.

Implementing Wetlands (Conservation and Management) Rules, 2017

5. Notifying Jheel under the Wetlands [Conservation and Management) Rules, 2017 is an imperative under the several judicial directions, especially Supreme Court order of February 8, 2017. The notification will also act as a safeguard against the high development threats from urbanization in the region. The flood cushioning, groundwater recharge and waste treatment functions of the Najafgarh Jheel acquire high significance in the face of increasing water stress, and intensity and frequency of extreme events due to climate change and other stressors.

...

7. Development activities within the contours level 210 m and 211 m are most likely to adversely influence wetland functioning and to be considered as 'no construction buffer zone or zone of influence as per provisions of the Wetlands (Conservation and Management) Rules, 2017. The area is also a hazard zone for construction due to high seismicity and soil liquefaction risks.

Recommended Management Actions:

9. Management of Najafgarh Jheel should be based on the principle of wetland wise use' - maintenance of ecological character, achieved through the implementation of ecosystem approaches, within the context of sustainable development. Wise use of Najafgarh Jheel will be realized when the capability of the wetland to provide its full range of ecosystem services and sustain rich biota is maintained now as in future, on pathways that are aligned with ecosystem principle and guided by sustainable development. Management measures directed at

preventing further degradation of Najafgarh Jheel, however, may not be sufficient, and thereby should in the long run culminate into ecological restoration to assist recovery of biodiversity and ecosystem functioning.

Immediate Measures (within First Year)

. Notification under Wetlands (conservation and Management) Rules, 2017

. Boundary demarcation using geo-tagged pillars

1. The Management Context

Water body Extent

1.4. Straddling the border of Haryana and NCT of Delhi, the Najafgarh Jheel is a large water body located in the Sahibi River Basin which spans 10,611 km² across Rajasthan, Haryana and NCT Delhi. The water body forms part of the course of the Sahibi River and is depicted in the maps of 1803, 1807, 1936, 1964, 1975, 1984, 1996, 2010 [Survey of India] and can be readily seen as an interstate water body in various satellite images. It is also mentioned on p.94 of National Wetland Atlas [Haryana State], 2011, and as per the February 8, 2017 directions of the Supreme Court in matter related to Writ Petition(s) (Civil) No[s]. 230/2001 is to be notified under the provisions of Wetlands (Conservation and Management) Rules, 2017.

1.8. In flood years vast areas of the Najafgarh Jheel depression have been submerged. Thus, in 1958 the Jheel submerged [145km² [14,500 ha] and in 1964 the Najafgarh Jheel attained a spread of 240km². [Source: Irrigation and Flood Control Department, NCT of Delhi].

1.9. Hundred Year high flood level in the area was at 212.5m contour [1977] and this would therefore be the level to which flood waters can cover in the event of very high rainfall.

1.10. On behalf of the NGTs context a visit was made to Najafgarh Jheel by a team consisting of Hon'ble Member of Yamuna Monitoring Committee, Shri. B.S. Sajwan, two Monitoring Committee Members of Haryana, Shri. M.D. Sinha, Additional CEO, Gurugram Metropolitan Development Authority and his team, the Member Secretary of CPCB and his team, Irrigation Department of Haryana and HSPCB Members and Professor C.R. Babu of the University of Delhi, The visit was made on January 25, 2020.

An excerpt from the report of Prof. Babu is reproduced below:

"The left out Najafgarh Jheel is the only landform that ensures the safety to Gurugram and Delhi from the massive floodwaters during heavy rainfall resulting from climate change. In fact, it was pointed out that the frequent water logging of Gurugram city roads and submergence of Flats in the submergible area enclosed by 212m contour line is the rule rather than the exception. Sector 108 of Gurugram and neighboring areas, which were flooded and submerged in 2010, have been brought under construction and are in the core flood zone. Najafgarh Jheel is the only safeguard for both the cities against climate change and adaptation to extreme events - extreme temperature and rainfall."

1.11. As per the data and analysis of the topography of the area and surface hydrology, the high flood level in the area was at 212.5m contour level.

...”

(Emphasis added)

8. That the action taken report submitted by the State of Haryana, in pursuance of the Order, dated: 21.01.2022, passed by this Hon’ble Tribunal, only mentions measures to divert treated sewage from the Jheel instead of reporting the progress on the implementation of EMP. It is pertinent to mention here that in Para 10 of the Action Taken Report by Special Secretary, Environment & Climate Change Department, Haryana, it is clearly stated that adequate treated discharge will be released to maintain the Jheel.

Para 10 of the Action Taken Report by Special Secretary, Environment & Climate Change Department, Haryana is reproduced as under:

“10. That a report regarding flow of untreated sewage into lake has been submitted by the Chief Executive Office, Gurgaon Metropolitan Development Authority (GMDA) vide memo no. E - 221001/3/2019 Dated 15.09.2021(Annexure It/3) wherein it has been stated that:-

...

3. That 334 MLD treated waste water is being generated from STPs and 103 MLD is being reused, rest is being disposed off. Irrigation & Water Resources Department has got approved a proposal for augmentation of STP channel to divert the discharge of Leg-III having capacity of 220 cusec (550 MLD) amounting to Rs.295 Cr. which will be completed within 2 years. After completion of this project, the controlled discharge with

permissible parameters shall be allowed in to proposed Najafgarh Jheel during dry season for sustaining the Jheel.”

[Emphasis added]

9. That no significant steps have been taken also further on behalf of Government of NCT of Delhi in compliance of the Order, dated: 21.01.2022, and in terms of the EMP submitted by it before this Hon’ble Tribunal.
10. That in the circumstances set out herein above, it is apparent that vested interests in the two state governments are not taking any action in compliance of the orders dated 20.02.2017 and 21.01.2022 passed by this Hon’ble Tribunal. At the same time, illegal and unauthorized constructions in and around the lake area continue to take place, which are adversely impacting the ecological health of the Jheel. It is further submitted that the buildings permitted by Haryana SEIAA and Town Planning Department on the Jheel area [Sector 107, 108] are mostly flooded in their basements and having to pump out water. As per EMPs, the area is the zone of highest soil liquefaction and combined with seismic zone IV is a high hazard zone.
11. That it would be appropriate to point out at this stage that the National Wetland Atlas for the State of Haryana, prepared by ISRO using satellite imagery and mapping, clearly states that the Najafgarh Lake is an important waterbody in the district of Gurgaon.
12. That since the main Respondents, i.e., the Government of NCT of Delhi and the State of Haryana have not taken any steps, whatsoever, for the notification of the Jheel as a Wetland for nearly 68 months now, and comply with the Orders dated 20.02.2017 and 21.01.2022, it is humbly urged that this Hon’ble Tribunal may direct the State of Haryana and

Government of NCT of Delhi to submit their Brief Documents to the MOEFF&CC, which may then proceed to finalise the draft Notification, in a time-bound manner, as contained in the Action Plan submitted by the CPCB, vide its report, dated: 13.12.2021 before this Hon'ble Tribunal.

13. That it is submitted that the directions of the Hon'ble Supreme Court in M.K. Balakrishnan & Ors. Vs Union of India & Ors. have not been complied at all, in terms of the directions contained in Order, dated: 21.01.2022, passed by this Hon'ble Tribunal in the above-titled matter.
14. That the Hon'ble Supreme Court, vide Order, dated: 08.02.2017, in M.K. Balakrishnan & Ors. Vs Union of India & Ors., had, inter alia, directed:

“Learned counsel for the petitioners has drawn our attention to an additional affidavit filed by the Union of India on or about 9th September, 2014. The additional affidavit contains an Information Brochure “National Wetland Inventory & Assessment”. This Brochure indicates on page 11 thereof that 2,01,503 wetlands have been mapped at 1:50,000 scale. All these wetlands have an area of more than 2.25 hectares. As a first step, the 'Brief Documents' with regard to these 2,01,503 wetlands should be obtained by the Union of India from the respective State Governments in terms of Rule 6 of the Wetlands (Conservation and Management) Rules, 2010. We are told that obtaining these 'Brief Documents' may take some time. We are inclined to grant adequate time for this purpose. The Union of India should follow this up with the State Governments and inform us of the time frame on the next date of hearing.

The apprehension expressed by learned counsel for the petitioners is that with the passage of time there is a possibility that some of the

wetlands may disappear. On a reading of the Information Brochure, this apprehension is not unfounded.

Accordingly, we direct the application of the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010 to these 2,01,503 wetlands that have been mapped by the Union of India. The Union of India will identify and inventorize all these 2,01,503 wetlands with the assistance of the State Governments and will also communicate our order to the State Governments which will also bind the State Governments to the effect that these identified 2,01,503 wetlands are subject to the principles of Rule 4 of the Wetlands (Conservation and Management) Rules, 2010, that is to say:

“(i) reclamation of wetlands;

(ii) setting up of new industries and expansion of existing industries;

(iii) manufacture or handling or storage or disposal of hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 notified vide S.O. No. 966(E), dated the 27th November, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms/Genetically engineered organisms or cells notified vide GSR No. 1037(E), dated the 5th December, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008 notified vide S.O. No. 2265(E), dated the 24th September, 2008;

(iv) solid waste dumping: provided that the existing practices, if any, existed before the commencement of these rules shall be phased out within a period not exceeding six months from the date of commencement of these rules; 9

(v) discharge of untreated wastes and effluents from industries, cities or towns and other human settlements: provided that the

practices, if any, existed before the commencement of these rules shall be phased out within a period not exceeding one year from the date of commencement of these rules;

(vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of commencement of these rules;

(vii) any other activity likely to have an adverse impact on the ecosystem of the wetland to be specified in writing by the Authority constituted in accordance with these rules. “

That the Hon'ble Supreme Court, vide Order, dated: 04.10.2017, in the same matter, further directed:

“We make it clear and reiterate that in terms of our order dated 8th February, 2017, 2,01,503 wetlands that have been mapped by the Union of India should continue to remain protected on the same principles as were formulated in Rule 4 of the Wetlands (Conservation and Management) Rules, 2010.

...

We further direct the State Governments that have not complied with earlier orders or directions given by the Central Government should do so within a period of four weeks from today failing which we will be constrained to require the presence of the Chief Secretaries of the State Governments in addition to imposition of heavy costs keeping in mind the necessity of conserving whatever water bodies are left in the country.”

(Emphasis supplied)

15. That it is submitted that in terms of the aforesaid directions of the Hon'ble Supreme Court, since the Najafgarh Jheel is recorded in the 'National Wetland Inventory Assessment, its Brief Documents should have been prepared by now. The same has been minuted several times by MoEF&CC in 2021 that Haryana should submit its Brief Document but the State of Haryana has failed to do so.
16. That in the Inter-ministerial Committee, the State of Haryana has tried to deny the existence of the Najafgarh Jheel after admitting before this Hon'ble Tribunal the existence of the Jheel, as recorded in the Order, dated: 20.02.2017.
17. That It is apprehended that Haryana intends to dry out the Jheel and reclaim it. It is learnt that Haryana has indicated as well as to Inter-ministerial Committee that they would divert all sewage [500 MLD] for irrigation and city horticulture. But in their EMP submitted to NGT on Page 7 of its Affidavit, the State of Haryana commits as follows – *“the controlled discharge with permissible parameters shall be allowed in to proposed Najafgarh Jheel during dry season for sustaining the Jheel”*.
18. That Haryana has indicated in several newspaper reports that it would divert all sewage [500 MLD] for irrigation and city horticulture. While both are intermittent and highly seasonal, the impact of such diversion would result in great reduction of Yamuna flow downstream of Wazirabad. In fact, Haryana draws Yamuna water at Okhla [Agra Canal - Gurgaon Canal] and then returns most of this water after usage via Najafgarh Jheel and Drain to Yamuna to pick up the water again at Okhla. Once the flow from Okhla to Gurgaon becomes one way then the river water budget and flow would be severely impacted as also Haryana's supplies. Thus, this is a retrograde step from both hydrological and environmental points of view. Hence Haryana is obliged to return this used water to the river and not harm Delhi's

environment nor an interstate river. The adverse effects of reduced flow would be felt in both Haryana and UP, downstream of Delhi.

19. That the above said proposed diversion by Haryana also impacts the aquifer recharge in Delhi negatively. The Najafgarh Jheel and Drain have been identified as good recharge zones by CGWB. The absence of dry season flow in the system would result in greatly diminished recharge to Delhi aquifers.

20. That the joint EMP submitted before this Hon'ble Tribunal by MoEF&CC states that any bundh in the Gurugram area to prevent surface runoffs to the Jheel can be undertaken only after a hydrological study and implications for integrated management plan and only in the long term [3-5 years]. The prohibited measures also include no permanent constructions other than boat jetties. Moreover, with increasing extreme rainfall events as stated in Haryana's EMP and the Najafgarh Jheel and Drain being the only exit route of Gurgaon's flood waters to Yamuna, the idea of a bundh to prevent the escape of flood waters through their natural route appears to be an attempt to kill the Jheel even if urban areas are flooded.

Thus, clearly, Haryana has not complied with the Hon'ble Supreme Court's Orders referred above.

21. That Further, Original Application No. 351/2019 (With reports dated 30.10.2021 and 15.11.2021) Raja Muzaffar Bhat Applicant Versus State of Jammu and Kashmir & Ors. Respondent(s) on 25.11.21 Hon'ble NGT directed [p.5]
"We make it clear and reiterate that in terms of our order dated 8th February, 2017, 2,01,503 wetlands that have been mapped by the Union of India should continue to remain protected on the same principles as were formulated in Rule 4 of the Wetlands (Conservation and Management) Rules, 2010.

We further direct the State Governments that have not complied with earlier orders or directions given by the Central Government should do so within a period of four weeks from today ...”

22. That this Hon’ble Tribunal, vide Order, dated: 25.11.2021, in O.A. No. 351/2019, *Raja Muzaffar Bhat Vs State of Jammu & Kashmir & Ors.* (With reports dated 30.10.2021 and 15.11.2021), had, inter alia directed:

“ 18. ...

Monitoring of steps for compliance of Rules in relation to such Wetlands ought to be at District level by the District Magistrate, at State level by State Wetland Authority and at National level by National Wetland Authority.”

It is submitted that the State of Haryana has failed to take any measures required under the Wetland Rules or under the EMP submitted by it before this Hon’ble Tribunal.

23. That it is further submitted that due to delay/omission in notifying the Najafgarh Jheel as a wetland, illegal and unauthorized encroachments are taking place unabated, thereby, adversely affecting the water-retention capacity of the Jheel to act as a natural recharge zone for the water table, in a water scarce area and as a flood moderation zone for Gurugram. It is pertinent to mention here that the Najafgarh Jheel is one of the biggest ground water recharge source in the NCR and is the only and last hope for recharging the water-table of parched Gurgaon and Najafgarh. It is submitted that in Gurgaon, water table has fallen to 65 metres below ground level with a current exploitation rate of over 300 per cent. In South-West District of NCT Delhi, mainly the Najafgarh area, the water table depth is at 15 metres below ground level, with an exploitation rate of 214 per cent, as per the Central

Ground Water Board. The 'Composite Water Management Index' prepared by Niti Aayog in June, 2018 had clearly cautioned that by 2020, 21 major cities, including Delhi(which includes the satellite towns such as Gurgaon) shall reach Zero groundwater levels.

24. That it is humbly submitted that if notified as a wetland and thereby revived, the Jheel would provide water to the water starved areas of Gurgaon and Delhi to the extent of 100 million litres per day. It is further submitted that if protected, the Lake would generate substantial amounts of revenue from tourism while endowing the area with a natural habitat for aquatic migratory birds.
25. That as long as the Najafgarh Jheel is not notified as a Wetland, its existence shall continue to remain threatened.

PRAYER

In the facts and circumstances set out herein above, it is most respectfully submitted that this Hon'ble Tribunal be graciously pleased to:-

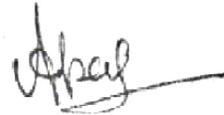
- A. Direct the State of Haryana to submit its Brief Document to the MOEF&CC, without further delay, as undertaken by it and as contained in the Action Report of the CPCB, dated: 13.12.2021, submitted before this Hon'ble Tribunal;
- B. Direct the MOEF&CC to finalise the draft Notification of the Najafgarh Jheel within a time-bound manner';
- C. Direct the EMPs of each state be implemented vigorously, as per the year-wise action plan outlined in the respective EMPs and the Joint EMP of the MoEF&CC;

- D. Direct MoEF&CC to prepare the Integrated Management Plan, in a period not exceeding six months;
- E. Direct State of Haryana and Government of NCT of Delhi to make adequate budgetary provisions for preparation of plans, monitoring and execution of works related to the Notification (as a Wetland), declaration, protection and management of the Najafgarh Jheel;
- F. Pass any other or further Order(s) or direction(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

DATE: 04.11.2022

PLACE: NEW DELHI

FILED BY:



AKASH VASHISHTHA

(Advocate for the Applicant)

R-7/17, Raj Nagar,
Ghaziabad (Uttar Pradesh) - 201001

Tel:- 9717006866

Email: akashvashishtha.06@gmail.com