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**IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 06 /2012  
(IA. NO. 420/2024, IA NO. 549/2024, IA NO. 329/2024,  
IA. NO.72/2024, MA NO.868/2014, IA NO.276/2024,  
MA NO. 244/2019, IA NO. 421/2024)

WITH  
EA NO. 05/ 2024

IN

OA NO. 06/ 2012  
(IA NO. 550/ 2024)

**IN THE MATTER OF:**

NIZZAMUDDIN WEST ASSOCIATION

...APPLICANTS

VERSUS

UNION OF INDIA AND ORS.

...RESPONDENTS

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Through

Date:16/12/2024

Place: New Delhi



**PRIYANKA SWAMI**

ADVOCATE

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**ACTION TAKEN REPORT ON BEHALF OF THE CHIEF ENGINEER,  
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**MOST RESPECTFULLY SHOWETH**

1. In the matter of OA No. 06/2012, *Nizamuddin Waste Association Vs. Union of India and Others*, the Hon'ble National Green Tribunal, Principal Bench, New Delhi, vide its order dated 09.01.2024, issued certain directions to address the increasing pollution in the Yamuna River. The Hon'ble Tribunal identified the following key issues concerning the State of Uttar Pradesh:

| S. No. | Issues Identified by the Hon'ble Tribunal (09.01.2024) |
|--------|--|
|--------|--|

|    |   |
|----|---|
| 1. | Out of 14 drains in Ghaziabad, only one drain has been tapped, and one drain in Noida remains untapped.   |
| 2. | Ninety (90) MLD of treated sewage, instead of being utilized, is being discharged into the Ghazipur drain, which ultimately merges with the Yamuna River. |
| 3. | Two drains, namely Indrapuri and Banthala, are discharging 52 MLD of untreated sewage into the Shahdara drain, which flows into the Yamuna River.         |
| 4. | Untreated sewage of 150 MLD is reaching the Yamuna River via the Hindon River.  |
| 5. | Data pertaining to fecal coliform levels from Sewage Treatment Plants (STPs) in Noida has not been disclosed.   |

2. It is respectfully submitted that the aforementioned issues are not within the jurisdiction or purview of the Irrigation Department, Uttar Pradesh. These matters primarily pertain to urban sewage management and treatment, which fall under the responsibilities of other departments and municipal authorities.
  
3. However, in subsequent proceedings of the same matter, the Hon'ble Tribunal, vide its order dated 13.01.2015, issued specific directions to the States of Delhi, Haryana, and Uttar Pradesh, including the Irrigation Department, Uttar Pradesh. The directions issued to the Irrigation Department are enumerated below:

| S. NO. | Directions to the Irrigation Department, Uttar Pradesh<br>(13.01.2015)  |
|--------|---|
| 1.     | Ensure the environmental flow (e-flow) in the Yamuna River.             |
| 2.     | Determine and mark land within the floodplain zone of the Yamuna River. |
| 3.     | Remove encroachments from the floodplain zone.                          |
| 4.     | Establish a Biodiversity Park.  |

In compliance with the aforesaid directions, the Irrigation Department, Uttar Pradesh, has taken the following measures:

**I. Ensuring Environmental Flow (e-flow):**

That the department is ensuring a continuous downstream flow of 10 cusecs of water in the Yamuna River under the directions of the Upper Yamuna River Board. This measure is essential for maintaining the ecological balance and water quality of the river.

**II. Determination and Marking of Floodplain Zone Land:**

The floodplain zone of the Yamuna River has been identified and marked by the department. The exercise involved detailed surveys and demarcation to ensure conformity with the Hon'ble Tribunal's directives.

**III. Removal of Encroachments from Floodplain Zones:**

Encroachments on the land owned by the Uttar Pradesh Irrigation Department within the floodplain zones have been removed in the first phase. The department is actively pursuing further action to remove encroachments from remaining sites in subsequent phases.

#### **IV. Establishment of Biodiversity Park:**

In compliance with the Hon'ble Tribunal's directions, the revitalization and development of floodplain zone land are being carried out in collaboration with the Delhi Development Authority (DDA) and the Government of Uttar Pradesh. The work focuses on ecological restoration and biodiversity enhancement.

#### **V. Details of Floodplain Zone Development Work:**

The revival and development of floodplain zone land on the left bank of the Yamuna River have been categorized into three distinct phases, as detailed below:

| <b>Phase</b> | <b>From - To</b>  | <b>Total Area<br/>(Hectares)</b> | <b>Land Owned by<br/>Uttar Pradesh<br/>Irrigation<br/>Department<br/>(Hectares)</b> |
|--------------|---|----------------------------------|---|
| Phase 1      | Old Iron Railway<br>Bridges to ITO<br>Barrage (4.75 km) | 197                              | 86  |
| Phase 2      | NK-24 to DND<br>Flyway (3 km)                           | 215                              | 121   |

|              |                |            |            |
|--------------|----------------|------------|------------|
| Phase 3      | Hindon Wetland | 45         | 23         |
| <b>Total</b> |                | <b>457</b> | <b>230</b> |

Out of the total 457 hectares, 230 hectares belong to the Uttar Pradesh Irrigation Department.

4. The total cost allocated for Phase 1 of the project amounts to ₹35.94 crore, out of which ₹10.49 crore has been disbursed to the DDA. As per the latest reports, an expenditure of ₹3.01 crore has been incurred by the DDA as of March 2023. The work includes ecological restoration, removal of debris, and plantation activities to restore the floodplain's natural environment.
5. To ensure compliance and prevent the accumulation of solid waste or debris on the floodplain zone land owned by the Uttar Pradesh Irrigation Department, permission has been granted to the DDA for the installation of CCTV cameras at strategic locations.
6. It is respectfully submitted that the Irrigation Department, Uttar Pradesh, has complied with the Hon'ble Tribunal's directions to the best of its ability and continues to undertake necessary measures to mitigate pollution and restore the ecological integrity of the Yamuna River. The department remains steadfast in its commitment to ensuring environmental preservation and compliance with judicial directives.

7. This submission is filed in adherence to the orders of the Hon'ble Tribunal and seeks to apprise this Hon'ble Forum of the compliance measures undertaken by the Irrigation Department, Uttar Pradesh.

Through

Date:16/12/2024

Place: New Delhi



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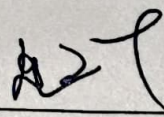
**...RESPONDENTS**

**AFFIDAVIT**

I, DINESH KUMAR PANDUVAL, aged about 59 years s/o Sh.KRISHNA SAHAI is presently posted as Chief Engineer, (Yamuna). Presently at New Delhi

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit before this Tribunal.
2. That the accompanying report has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying report are true and correct, and the knowledge has been derived from official records and nothing material has been concealed therefrom.

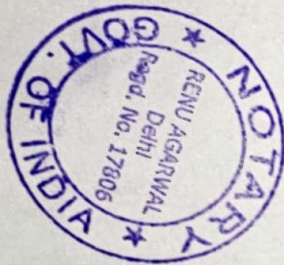


  
DEPONENT

**VERIFICATION**

**18 DEC 2024**

Verified on solemn affirmation at New Delhi on this 17<sup>th</sup> day of December 2024, that the contents of the foregoing affidavit are true and correct to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.



*[Handwritten signature]*

**DEPONENT**

*[Handwritten signature]*  
I identified the deponent who has signed in my presence

**ATTESTED**  
NOTARY PUBLIC  
(INDIA)

**18 DEC 2024**