

Item No. 02

Court No. 2

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

Original Application No. 95/2023

Sunil Vaid & Anr.

Applicant(s)

Versus

Ministry of Jal Shakti & Ors.

Respondent(s)

Date of hearing: 21.02.2023

**CORAM:**

**HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Mansi Chahal & Mr. Kapil Sagar, Advocates

**ORDER**

1. Grievance raised in this application is regarding maintenance of Sahibabad drain starting from Loni area in District Ghaziabad passing through Sahibabad Industrial Area and ending at Kalindi Kunj, Delhi.
2. In respect to the said drain, this Tribunal has already passed an order in O.A. No. 16/2014, *Shri Hazi Ariff vs. State of UP & Ors.* decided on 10.02.2023. Operative part of the order reads as under:-

*“12. Thus, in absence of any other option, the directions of the Tribunal dated 13.05.2022 have to be carried out for removing illegal constructions falling in the buffer zone (12 meters from the edge of the drain) and preventing pollution of the drain by stopping discharge of untreated sewage, maintaining drain as exclusively storm water. Instead, the intercepted and diverted sewage needs to be treated and treated water utilized for secondary purposes such as agriculture, horticulture, industrial, parks, gardens or any other such non-contact purposes.*

*13. The District Magistrate and SSP, Ghaziabad, Ministry of Jal Shakti, Govt. of U.P. and Ghaziabad Nagar Nigam may accordingly*

*take action expeditiously and restore the drain free from pollution and encroachments within six months from today.”*

3. The operative part of the order as reproduced above clearly shows that this Tribunal, besides demolition of illegal constructions in the form of concrete slabs, has also said that authorities concerned shall take action for preventing pollution of the drain by stopping discharge of untreated sewage, maintain drain as exclusively storm water and redress the grievance raised in the application. Therefore, we do not find any reason to pass any further order in this application in view of the order already passed in O.A. No. 16/2014 on 10.02.2023, which also shows the grievance raised in this application.

4. The application is disposed of.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

February 21, 2023  
Original Application No. 95/2023  
SN