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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1346/2015

COURT ON ITS OWN MOTION (AIR POLLUTION IN DELHI)

..... Petitioner

Through: Mr Kailash Vasdev, Sr.Adv.(Amicus Curiae) with Mr Sumer Singh Sandhu and Ms Limayinla Jamir, Advs.

versus

UNION OF INDIA & ORS

..... Respondent

Through: Mr Om Prakash, Adv. for Northern Railway with Mr Rahul, DCM Delhi Division
Mr Pushkar Sood, Adv. for DMRC with Mr Alok Kumar, Project Manager, DMRC.
Mr Anil Grover, Standing Counsel with Ms Kanika Singh, ASC with Mr Jitendra Kr. Tripathi, ASC and Mr Rishi Arora, Advs. for NDMC.
Mr Vivek Goyal, CGSC for UOI.
Mr Sanjay Poddar, Sr. Adv. with Mr Ajay Arora, Adv. for SDMC & NDMC.
Mr Ajay Digpaul, CGSC with Ms Mohita and Ms Madhuri, Advs. for UOI.
Mr Anil Grover, AAG, Haryana along with Mr Nischal Vij for State of Haryana.
Mr Sanjay Lao, Addl.Standing Counsel for Delhi Police.

Insp. Dinesh Singh, TI, Vivek Vihar,
Insp.Ajit Kumar, Insp.Investigation,
P.S.Madhu Vihar, Insp. Akhilesh
Mishra, TI, Legal Cell, Traffic with
SI Ram Tirath, Pairvi Officer, Traffic.
Mrs Avinash Ahlawat, Adv. for DTC.
Mr Pawan Mathur, Standing Counsel
for DDA along with Mr R.R. Sharma,
Director Survey Planning.
SI Mousam Ghani, I/C, PP, ISBT,
P.S.Madhu Vihar.
Ms Bhavana Duhoon, Adv. for
NHAI.
Mr Sanjeev Ralli, Adv. for DPCC.
Ms Komal Aggarwal, Adv. for State
of U.P.
Mr Amit Gupta, Adv. for NCR
Planning Board.
Mr Kamlesh Kumar Mishra, Adv. for
Intervenors.
Mr Peeyosh Kalra, ASC with Ms
Sona Babbar, Adv. for GNCTD.
Ms Manisha Agrawal Narain, Adv.
for CPCB.
Mr Asheesh Jain, Adv. for State of
Punjab.
Mr Puneet Taneja, Adv. for NTPC.

+ W.P.(C) 2115/2015

SUDHIR MISHRA

..... Petitioner

Through: Mr Kailash Vasdev, Sr.Adv.(Amicus
Curiae) with Mr Sumer Singh Sandhu
and Ms Limayinla Jamir, Advs.

versus

MINISTRY OF HEALTH & FAMILY

WELFARE & ORS.

..... Respondents

Through: SI Mousam Ghani, I/C, PP, ISBT,
P .S.Madhu Vihar.
Mr Ajay Digpaul, CGSC with Ms
Mohita and Ms Madhuri, Advs. for
UOI.
Insp. Dinesh Singh, TI, Vivek Vihar,
Insp.Ajit Kumar, Insp.Investigation
Insp. Akhilesh Mishra, TI, Legal Cell,
Traffic with SI Ram Tirath, Pairvi
Officer, Traffic.
Mr Dhanesh Relan, Adv. for DDA.
Ms Manisha Agrawal Narain, Adv.
for CPCB.
Mr Vivek Goyal, CGSC for UOI.
Mr Sanjeev Ralli, Adv. for DPCC.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% 02.03.2017

We have seen the affidavit filed on behalf of the Northern Railway. We have also heard the learned counsel for the Northern Railway as also the learned Amicus Curiae. In order to reduce the pressure of traffic on road no.56, Northern Railway has submitted a proposal whereby there will be a different entry and exit to and from the railway station. For this purpose, a bridge has already been constructed which will intake the traffic from road no.56 and thereafter to an approach road which would ultimately take the traffic to the railway station area itself. The proposed plan for circulating area at the Anand Vihar Railway Station had also been seen by us. It appears that the proposal would ease the traffic on road no.56 to a large extent and

also reduce the confusion and jams that take place at present because both the entry and exit are from the same point. In order that the proposed plan takes effect, we direct that the entry bridge which has already been constructed needs to be connected with road no.56. That is a stretch of road, approximately 50 metres in length, which needs to be finished so that the bridge is made operational. This falls under the domain of the PWD inasmuch as road no.56 is a PWD road. Consequently, the PWD is directed to complete the work on that stretch of the road so that the connection between road no.56 and the bridge made by the Railways is completed within one month. The railways are also directed to finish the work on the approach road within four months from today. This would also include any work that would be required on the proposed exist on to road no.56 from the railway station.

There is an open area in front of the railway station which appears to be without any green cover. As a result, there is a lot of mud and dust around. We, therefore, direct the railway authorities to ensure that water is regularly sprinkled and an attempt is made to provide the green cover in the form of grass.

Mr Vasdev also informs us that behind the railway station, that is behind the railway tracks, there are encroachments taking place on railway land. We direct the railways to ensure that no further encroachment takes place and in case they require police assistance, the same shall be provided by the Station House Officer of Madhu Vihar Police Station.

We have also seen the status report submitted on behalf of the Delhi Traffic Police which is at page 4473 in Volume 13 of the paper books. Along with the status report, a proposed plan for modification of traffic flow

has been given in Annexures A to D to the said status report. The said plan was approved in the meeting which was held on 20.02.2017. We direct all the concerned authorities which include the PWD and the Transport Departments of the Delhi Government in conjunction with the Delhi Traffic Police to ensure that the modifications are carried out and the plan is put into action within three months from today.

The Northern Railway shall also ensure that the wall that has been made making the precincts of the railway station should be maintained and the cleanliness be ensured.

With regard to the relocation of two Jan Aahar Vans, Mr Peeyoosh Kalra appearing for the Delhi Government shall take appropriate instructions from the concerned authority for their relocation sites and he would inform the East Delhi Municipal Corporation for necessary action.

We direct that this entire process be completed before the next date of hearing. Renotify on 06.03.2017 at 12:00 noon for considering the issue of forests.

Insofar as the other aspects are concerned, the matter be renotified on 09.03.2017 at 12:00 noon.

Dasti under the signatures of the Court Master.

BADAR DURREZ AHMED, J

ASHUTOSH KUMAR, J

MARCH 02, 2017/ab