

11488

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

Original Application No. 6/ 2012

IN THE MATTER OF:

Nizamuddin West Association

... Applicant

Versus

Union of India & Ors.

... Respondent

I N D E X

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FILED BY:

NEW DELHI

DATED: 11.03.2025

(JYOTI MENDIRATTA)

Advocate for the GNCT of Delhi
H-34, Jangpura Extension
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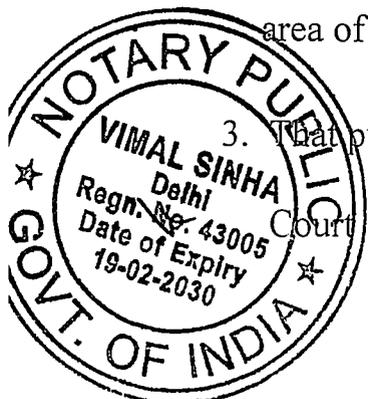
Affidavit in Compliance of Order dated 27.02.2025

Most Respectfully Showeth:

I, Navin Kumar Choudhary, S/o Sh. Deokant Choudhary do hereby solemnly affirm and declare as under:

1. That I am the Additional Chief Secretary, Irrigation and Flood Control Department (I&FCD), Govt. of NCT of Delhi and in that capacity, I am conversant with the facts and circumstances of the case and competent to swear this affidavit.
2. That the present affidavit is being filed in compliance with Order dated 27.02.2025 passed by this Hon'ble Tribunal whereby it was directed:
"6. Hence, we require the Additional Chief Secretary, I&FCD to file a fresh affidavit in respect of the steps which will be taken for desilting the covered area of Kushak Drain and Sunehri Pul Drain..."

3. That pursuant to Judgement dated 08.04.2024 passed by the Hon'ble High Court of Delhi in W.P.(C) 7594/2018 titled "Court on its own Motion



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Versus Union of India & Ors.", the GNCTD assigned the responsibility, management and operations of twenty-two (22) open drains, which are outfalling in river Yamuna to I&FCD. However, the Kushak Drain and Sunehri Pul Drain are not part of the said 22 drains. However, the open portions of these drains were subsequently decided to be handed over to the I&FCD.

4. That accordingly, on 03.12.2024, the open portions of the said drains outfalling into the Barapullah drain were handed over to I&FCD for desilting and maintenance purposes on "as is where is basis" only. Copies of the Handing Over/Taking Over document dated 03.12.2024 is annexed hereto and marked as **ANNEXURE- A (Colly)**.
5. That the MCD, through its communication dated 23.01.2025, requested the I&FCD to take over the entire stretch of Maharani Bagh Drain and Sunehri Pul Drain from Dayal Singh College to Culvert on Lala Lajpat Rai Marg. Similarly, another communication dated 23.01.2025 was received from the MCD requesting the takeover of the entire stretch of the Kushak Drain. Copies of the said communications dated 23.01.2025 received from MCD are annexed hereto and marked as **ANNEXURE- B (Colly)**.

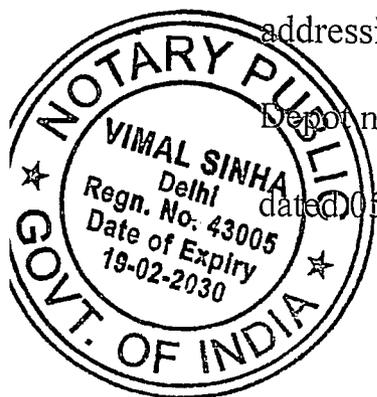
That in response to the aforesaid communications, the I&FCD informed MCD that it had taken over the open portions of the drains only. Further,



A handwritten signature in black ink, appearing to be "VMS" or similar, written over a horizontal line.

the I&FCD neither has the expertise nor the equipment or machinery available to undertake the desilting of the covered drains. Copies of the said replies dated 06.02.2025 and 22.02.2025 by I&FCD are annexed hereto and marked as **ANNEXURE- C (Colly)**.

7. That the said issue was also raised before the Hon'ble High Court of Delhi in WP(C) No. 13190 of 2024 concerning Maharani Bagh Drain at Taimoor Nagar on account of non-accessibility in some of the areas for movement of equipment in the said drains. In that case too, the Hon'ble High Court directed the MCD to carry out puncturing or partial removal of the covered drains to facilitate desilting and cleaning. Copy of said Judgement dated 28.01.2025 is annexed hereto and marked as **ANNEXURE- D**.
8. That pursuant to the directions passed by this Hon'ble Tribunal vide order dated 27.02.2025 in the instant proceedings, a meeting was held under the chairmanship of the Chief Secretary on 05.03.2025. In this meeting, a joint committee of Chief Engineers of MCD and I&FCD was directed to visit the covered portion of the Kushak Drain and submit a report recommending further steps for cleaning of the covered portion by 06.03.2025. Regarding Sunehri Pul Drain, the MCD informed that it is addressing the issue of cleaning by cutting the covered portion at Bus Depot near Dayal Singh College. Copy of the minutes of the said meeting dated 05.03.2025 is annexed hereto and marked as **ANNEXURE- E**.

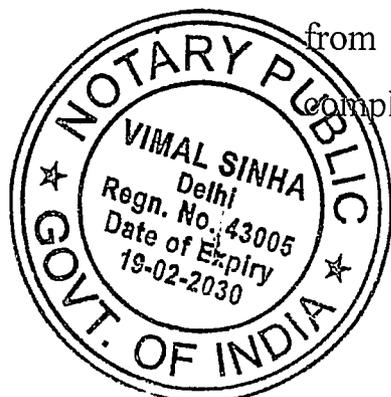


A handwritten signature in black ink, appearing to be "VMS" or similar, written over a horizontal line.

9. In accordance with the above directions of the Chief Secretary, an inspection of the covered portion of the Kushak Drain was conducted by a team led by Chief Engineers of MCD and I&FCD accompanied by department officers on 05.03.2025. In the joint inspection report, it was *inter-alia* observed that MCD would invite Expression of Interest (EoI) so as to explore the possible ways of desilting of box drain and to identify competent agencies for such jobs. Copy of the joint inspection report dated 05.03.2025 is annexed hereto and marked as **ANNEXURE- F**.

10. That vide order 10.03.2025 the following decision was taken for desilting and cleaning of Sunheri Pul and Kushak Drains:

- a. For the desilting of the box portion of Kushak Nallah and similar sections, MCD will issue an Expression of Interest (EoI) within 7 days to explore feasible methods for desilting box drains and to identify competent agencies for this specialized work to address the desilting / cleaning issue of such covered drain effectively on sustainable basis.
- b. MCD will take necessary measures to ensure smooth passage of flow through the covered portions of Sunehri Pul Drain and Kushak Drain to avoid any possible water logging on that account.
- c. I&FCD to undertake the desilting of the open portion of Kushak Drain, from Kidwai Nagar to the upstream of Kushak Bus Depot, ensuring completion before the onset of the monsoon.



A handwritten signature in black ink, appearing to be "Vimal Sinha", written over a horizontal line.

11. It is humbly submitted that it has been clearly decided that MCD will continue to clean up the covered portion and I&FC will clean up the open portions of both Kushak and Sunehripul drains. It is again humbly submitted that both drains are not part of 22 drains transferred pursuant to the orders of the Hon'ble High court. I&FC will discharge all assigned duties timely and in best possible manner.

12. That it is humbly submitted that I&FCD has the highest respect and regard for the orders and majesty of this Hon'ble Tribunal. The present status report is being placed before this Hon'ble Tribunal for its kind consideration.



DEPONENT

IDENTIFIED

VERIFICATION:

11 MAR 2025

Verified at New Delhi on this day of March, 2025 that the contents made in the above affidavit are true and correct to the best of my knowledge and and belief, and nothing material has been concealed therein.



DEPONENT



11 MAR 2025

V. Sinha
ATTESTED
NOTARY PUBLIC DELHI
GOVT. OF INDIA
Mob. No. : 9213778773

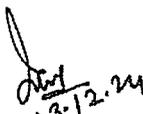
ANNEXURE 'A' (Colly)

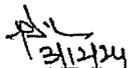
Handing over / Taken over report

In compliance of the affidavit filed by the worthy Chief Secretary in NGT matter O.A No 06/2012 wherein it was decided to take over the 2 drains i.e. Kushak drain & Sunheripul Drain in open portion only on "As is where is basis". The drain namely "Kushak Drain" hereby is taken over from point "Downstream to Kushak Bus Depot" to "Lala Lajpat Rai Marg Bridge" outfalling in Barapulla Drain (870.00 Meter.) for desilting and maintenance purposes on, as is where is basis only.

However, ownership and responsibility of related issues like encroachment, court cases and maintenance of subsidiary drains and associated pumping operations during heavy rainfall or flood situation in river Yamuna, will continue to rest with drain owning agency i.e. MCD/PWD/NDMC.

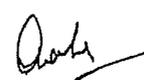
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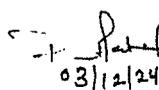

 EE (M-I),
 MCD(CNZ)

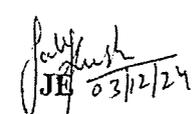

 AE-I,


 JE (145)

Taken over by


 EE CD-V,
 I&FC


 AE-I,


 JE

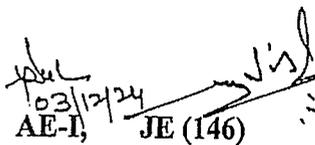
Handing over / Taken over report

In compliance of the affidavit filed by the worthy Chief Secretary in NGT matter O.A No 06/2012 wherein it was decided to take over the 2 drains i.e. Kushak drain & Sunheripul Drain in open portion only on "As is where is basis". The drain namely "Sunheripul Drain" hereby is taken over from point "Downstream to Lala Lajpat Rai Marg Bridge" to "Barapulla Drain Junction Point" outfalling in Barapulla Drain (480.00 Meter.) for desilting and maintenance purposes on, as is where is basis only.

However, ownership and responsibility of related issues like encroachment, court cases and maintenance of subsidiary drains and associated pumping operations during heavy rainfall or flood situation in river Yamuna, will continue to rest with drain owning agency i.e. MCD/PWD/NDMC.

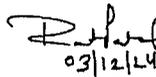
Handed over by

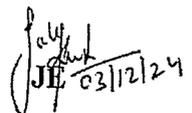

03.12.24
EE (M-I)/CNZ,
MCD(CNZ)


03/12/24
AE-I, JE (146)

Taken over by


EE CD-V,
I&FC


03/12/24
AE-I,


03/12/24
JE

MUNICIPAL CORPORATION OF DELHI
Office of the Addl. Commissioner (Engg.)
6th Floor, E1-Block, Dr. SPM Civic Centre
JN Marg, New Delhi-110002

No: Addl. Comm. (Engg)/MCD/ D-107

Dated : 23/01/25

Additional Chief Secretary,
Irrigation & Flood Control Department,
Govt. of NCT of Delhi, 2nd floor,
Delhi Sectt., IP Estate, Delhi-02
Phone: 011-23933829, 23980166
Email ID: secretaryifcdgnctd@gmail.com

Subject: Order assigning the responsibility management and operation of Twenty-Two (22) open Drains which out falls in river Yamuna to I&FC department as a single agency.

A. Maharani Bagh Drain:

In reference to the letter no. F.16 (918)/UD/W/2024/ 021769737/2545-2575 dated 29.04.2024, the required/available information/sketch of the drains falling under the jurisdiction of Div (M)-I/Central Zone. MCD was provided vide letter No. D/EE (M)-I/CNZ/2024-2025/425 dated 11.06.2024 wherein, the above details of Maharani Bagh drain was also provided to I&FC Department. However, a letter from I&FC Department vide no. EE/CD-V/DB/T-14/2024-25/7646 dated 30.11.2024 was received in this office for handing over taking over of Taimoor Nagar drain only which is downstream of Maharani Bagh drain. Accordingly, the Maharani Bagh drain has not been taken up by I&FC Department being covered drain.

The Maharani Bagh drain which is upstream from C.V. Raman Marg Culvert is upstream of the Taimoor Nagar drain and it caters the discharge of a very vast catchment area of Maharani Bagh, Friends Colony (West), East of Kailash, Srinivaspuri, Garhi Village etc.

During the various hearings before the Hon'ble High Court of Delhi in the matter of Court on its own motion, it was directed to assign the responsibility, management and operation of drains which out fall in River Yamuna to a single agency. Accordingly, the directions were issued vide no. F.16 (918)/UD/W/2024/021769737/2545-2575 dated 29.04.2024 to assign responsibility, management and operation of twenty two (22) drains which out fall in River Yamuna to I&FC Department as single agency mentioned at Sl. No. 20.

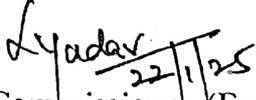
The entire stretch of Maharani Bagh drain was already inspected jointly by I&FC Department and MCD. Therefore, this stretch also need to be taken care of by a single agency as submitted before Hon'ble High Court and directed vide above referred letter dated 29.04.2024.

B. Sunheripulla Drain from Dayal Singh College to Culvert on Lala Lajpat Rai Marg :

In reference to the letter no. F.16 (918)/UD/W/2024/ 021769737/2545-2575 dated 29.04.2024 and letter from I&FC Department vide no. EE/CD-V/DB/T-14/2024-25/7646 dated 30.11.2024 for handing over taking over of Sunheripulla drain. The I&FC Department has taken over only a part of the Sunheripulla drain from downstream of Culvert on Lala Lajpat Rai Marg to confluence point with Barapulla drain on 03.12.2024. Whereas, from Dayal Singh College to confluence point with Barapulla drain is the same drain (named Sunheripulla drain) which is in the upstream of Barapulla drain.

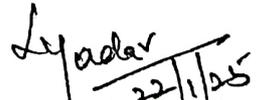
The Sunheripulla drain from Dayal Singh College to Culvert on Lala Lajpat Rai Marg is covered and from Culvert on Lala Lajpat Rai Marg to confluence point with Barapulla drain is open. The entire stretch is in the upstream of the Barapulla drain and it caters the discharge of a very vast catchment area of entire NDMC area, Lodhi Colony, Khan Market, Lodhi Estate etc. The entire stretch of Sunheripulla drain was inspected by the Hon'ble LG on various occasions along with the senior officers of various department of Govt of NCT of Delhi, PWD, I&FC, MCD, DJB, NDMC and directions were issued for cleaning/desilting of drain to avoid flooding in the above mentioned catchment area. Therefore, this stretch also needs to be taken care of by a single agency as submitted before Hon'ble High Court and directed vide above referred letter dated 29.04.2024.

In view of the above, it is requested that officers of I&FC Deptt. may be directed to urgently takeover the (A) Maharani Bagh drain and (B) Sunheripulla drain from Dayal Singh College to Culvert on Lala Lajpat Rai Marg and thereby comply the orders of Hon'ble High Court.


22/1/25
Addl. Commissioner (Engg.)

Copy to :

1. Commissioner
2. OSD to CS for kind information to Chief Secretary
3. E-in-C-II
4. CE (Central)
5. Office copy


22/1/25
Addl. Commissioner (Engg.)

No: Addl. Comm. (Engg)/MCD/ D-108

Dated : 23/01/2025

To

Additional Chief Secretary,
Irrigation & Flood Control Department,
Govt. of NCT of Delhi, 2nd floor,
Delhi Sectt., IP Estate, Delhi-02
Phone: 011-23933829, 23980166
Email ID: secretaryifcdgnctd@gmail.com

Subject: Order assigning the responsibility management and operation of Twenty-Two (22) open Drains which out falls in river Yamuna to I&FC department as a single agency.

Sir,

In reference to the letter no. F.16 (918)/UD/W/2024/ 021769737/2545-2575 dated 29.04.2024 and letter from I&FC Department vide no. EE/CD-V/DB/T-14/2024-25/7646 dated 30.11.2024 for handing over taking over of Kushak drain.

The I&FC Department has taken over only a part of the Kushak drain from downstream of Kushak Bus Depot to Lala Lajpat Rai Marg Bridge. Whereas, from Kidwai Nagar (INA Market) to Yamuna River is the same drain (named Kushak drain in upstream stretch, from Kidwai Nagar (INA Market) to Lala Lajpat Rai Marg and Barapulla drain, from Lala Lajpat Rai Marg Bridge to Yamuna). The Barapulla drain is already in the possession of I&FC Department since last one year.

The Kushak drain having the length 3890 mtr. from Kidwai Nagar (INA Market) to Lala Lajpat Rai Marg is open in the entire stretch, except Kushak Bus Depot (approx. 1250 mtr.) which is covered. The entire stretch is upstream of the Barapulla drain and it caters the discharge of a vast catchment area of South Delhi such as Hauz Khas, Green Park, AIIMS, R.K. Puram, Vasant Vihar, Kidwai Nagar, NDMC area, NDSE-I & NDSE-II, Kotla Mubarakpur, Defence Colony etc.

The entire stretch of Kushak drain has been inspected by the Hon'ble LG on various occasions along the the senior officers of various department of Govt of NCT of Delhi, PWD, I&FC, MCD, DJB, NDMC and directions were issued for cleaning/desilting of drain to avoid flooding in the above mentioned catchment area. Therefore, this stretch also need to be taken care of by a single agency as submitted before Hon'ble High Court and directed vide above referred letter dated 29.04.2024.

In view of the above, it is requested that officers of I&FC Deptt. may kindly be directed to urgently takeover the entire stretch of the Kushak Drain so that the orders of Hon'ble High Court are complied.

L. Yadav
23/1/25
Addl. Commissioner (Engg.)

Copy to :

1. Commissioner
2. OSD to CS for kind information to Chief Secretary
3. E-in-C-II
4. CE (Central)
5. Office copy

L. Yadav
23/1/25
Addl. Commissioner (Engg.)

~~11499~~
 OFFICE OF THE EXECUTIVE ENGINEER, CIVIL DIVISION-V
 IRRIGATION AND FLOOD CONTROL DEPTT.
 GOVT. OF NCT OF DELHI,
 PARYAVARAN OFFICE COMPLEX, SAIDULAJAB, DELHI
 EMAIL:- ifccdv@gmail.com

No. EE/CD-V/DB/T-14(Drains)/ 10326

Dated:- 08/02/2025

To,

The Additional Commissioner (Engg.),
 6th Floor E-1 Block, Dr. SPM Civic Centre,
 JN Marg, New Delhi-110002.

ANNEXURE 'C'
 (114)

Sub:- Order assigning the responsibility of management and operation of Twenty-Two (22) open drains which outfalls in river Yamuna, to I&FC Department as a single agency.

Sir,

Kindly refer to your letter No. Addl. Comm.(Engg)/MCD/107 on dated 23.01.2025, wherein it was requested to takeover, (A) Maharani Bagh Drain and (B) Sunheripulla drain from Dayal College to Culvert on Lala Lajpat Rai Marg from MCD. In this connection it is informed that Hon'ble High Court of Delhi vide judgment dated 08.04.2024 (copy enclosed) in Case No. WP (Civil) No. 7594/2018 titled as "Court on its motion Vs. Union of India and Ors. Directed that GNCTD shall assign the responsibility of management and operations of all Twenty-Two (22) open drains, which are out falling in river Yamuna to one Department/Agency. Accordingly, U.D. Department GNCTD vide order dated F.16(918/UD/W/2024/021769737/2545-2575 dated 29.04.2024 (copy enclosed), assigned the responsibility of (22) open drains to I&FC GNCT Delhi.

In compliance of the said orders, the Executive Engineer, CD-5, IFCD, requested MCD to provide complete details of the drain viz hydraulics data, land records and other relevant data to facilitate the formal hand over of these drains to the I&FC Department (Ref: Letter No. EE/CD-V/DB/T-14/2023-24/420 dated 18.05.2024 & Letter No. EE/CD-V/DB/T-14/2023-24/503 dated 30.05.2024) but inspite of repeated pursuance no data was provided by MCD. Later on, during a review meeting of IDMC on 11.11.2024, upon MCD's failure to provide the necessary data/ details, Worthy Chief Secretary, Delhi decided and directed that the I&FC Department would take over these open drains from MCD on, "as-is-where-is" basis for desilting and maintenance purpose. In accordance to the said order, open portion of Maharani Bagh drain/Taimoor Nagar drain was taken over from MCD by I&FC on 03.12.2024 and 40% of silt in open portion of Taimoor Nagar Drain in first round for 800m length has been desilted.

Regarding the covered portion of the Maharani Bagh/Taimoor Nagar drain, it is submitted that the department does not possess suitable expertise and machinery for desilting of covered drains, all the 57 drains maintained by the department are open drains, hence for any involvement of I&FCD in desilting of the covered drains, opening of covering of those drains is essential pre-requisite from the MCD. Further, while covering the drains MCD must have kept provision for desilting alongwith its methodology in place for post coverage desilting/cleaning and accordingly MCD is maintaining the drains so far after its coverage.

Moreover, the Hon'ble High Court, vide order dated 28.01.2025 (copy enclosed) in Case No. 13190/2024, directed the MCD at Sr. No. 18 of the order to carry out desilting of the covered portion of the Maharani Bagh Drain. In compliance with the above direction of the Hon'ble High Court, the MCD is requested to undertake the desilting of the covered portion of the Maharani Bagh Drain at the earliest, so that the status can be apprised to the Hon'ble High Court on or before the next date of hearing, i.e., 13.02.2025, along with the Action Taken Report (ATR). It is pertinent to mention that the action plan/present status in this regard has already been requested by I&FC vide letter no. EE/CD-V/2024-25/10320 dated 30.01.2025 (copy enclosed), on behalf of the Chairman of the STF. The MCD is once again requested to expedite the matter and ensure timely compliance.

Similarly, with regard to the Sunheri Pulla Drain, it is submitted that, in line with the Hon'ble High Court of Delhi's Order dated 08.04.2024 in Case No. WP (Civil) No. 7594/2018, the open portion of the Sunheri Pulla Drain, stretching from the Lala Lajpat Rai Marg bridge to the Barapulla Drain junction, was taken over by I&FC, GNCTD on 03.12.2024 in compliance with the directions of senior officers. The desilting work for this section is currently in progress. As per the submission of I&FC, the desilting of the covered portion of the drain is the responsibility of MCD, as it has been covered with heavy RCC slabs by MCD. It has been observed during field inspections that MCD has already initiated the desilting work (Photographs enclosed).

Therefore, it is requested that MCD may continue to maintain the covered portion in view of the following main reasons: -

1. The Hon'ble High Court's order directed the takeover of "open out-falling drains" and furthermore Hon'ble High Court In W.P.(C) 13190/2024 order dated 28.01.2025 directed MCD to carry out the desilting of the covered portion of Maharani Bagh Drain.
2. While covering the drains, the MCD must have put in place provisions and an appropriate methodology for post-coverage desilting and cleaning. Accordingly, the MCD has been maintaining these drains since their coverage.

The department has neither undertaken nor possesses the necessary expertise/ equipment/machinery and experience for desilting of covered drains.

4. The I&FC Department has expertise in desilting and maintaining open drains only, hence for any involvement of I&FCD in desilting of the covered drains, opening of covering of those drains is essential prerequisite by the MCD. MCD is already on the job of desilting of the covered drains.
5. Furthermore, as the existing staff strength of I&FC Department has been sanctioned as per present workload of 57 drains already owned and being maintained by I&FC Department including tackling of riverine flood in river Yamuna, accordingly in view of assignment of additional responsibility of 22 open drains, proposal for sanction of additional staff has already been mooted which is yet to be approved.

Yours faithfully,

EXECUTIVE ENGINEER (CD-V)

Dated:- 06/02/2025

No. EE/CD-V/DB/T-14(Drains)/10329

Copy to-

1. ✓ Special Secretary (IDMC), GNCT Delhi, C-Wing, 10th level, Delhi Secretariat, Delhi-110002.
2. The Chief Engineer (Zone-I & II), I&FC Department, GNCT Delhi.
3. ✓ The Superintending Engineer (Flood Circle-IV), Basaidarapur Office Complex, Opp. ESI Hospital, New Delhi.


EXECUTIVE ENGINEER (CD-V)

 I & F C	11502 OFFICE OF THE EXECUTIVE ENGINEER: CIVIL DIVISION NO. V IRRIGATION & FLOOD CONTROL DEPARTMENT GOVT. OF NCT OF DELHI NEAR PARAYAVARN OFFICE COMPLEX: VILLAGE: SAID-ULA-JAIB NEW DELHI-30. Email: ifccdv@gmail.com	 यमुना नदी संरक्षण मिशन न. न. न. न. न. न.
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No.EE/CD-V/DB/T14/(Drains)2024-25/ 10544

Dated: 22/02/2025

To,

The Additional Commissioner (Engg.),
 6th Floor, E-1 Block, Dr. SPM Civic Centre,
 JN Marg, New Delhi-110002.

Subject: Handing over the entire stretch of Kushak Drain to the I&FC Department.

Sir,

Kindly refer to your letter No. Addl. Comm.(Engg)/MCD/D-108 dated 23.01.2025, regarding the transfer of the entire stretch of Kushak Drain from MCD to the I&FC Department.

In this regard, it is to be noted that the Kushak Drain is not listed among the 22 drains mentioned in your letter, as it does not directly outfall into the Yamuna River but instead discharges into the Barapullah Drain downstream of Lala Lajpat Rai Marg. In fact, the matter was referred to I&FC for desilting, as per UD. F.No.16(336)/UD/W/2024/142-159 dated 16.08.2024, since Kushak Drain, being a subsidiary of Barapullah Drain, was assigned to the I&FC Department last year.

As per the directions of the Worthy Chief Secretary, Delhi, a bathymetric survey was conducted by the I&FC Department to assess the quantum of silt in the open and accessible portion of Kushak Drain from downstream of Kushak Bus Depot to Lala Lajpat Rai Marg Bridge, covering a length of approximately 870 meters. This stretch was taken over by the I&FC Department, GNCTD, on 03.12.2024. In compliance with the directions of senior officers to ensure effective and timely desilting, advance tender procedures were completed, and the work was awarded to an agency. The desilting work is currently in progress.

Regarding the desilting of the covered portion of the drain, the I&FC Department neither has the necessary expertise nor the required equipment and machinery to undertake desilting of covered drains. When MCD covered the drain, it must have incorporated provisions and methodologies for its post-coverage maintenance and desilting. Accordingly, MCD has been responsible for maintaining the drain since its coverage.

Therefore, it is requested that MCD continue to maintain the covered portion and ensure proper desilting, as a thick layer of consolidated silt has been observed at the openings of the covered ducts. However, if MCD intends to hand over the desilting work to the I&FC Department, it must first remove the covers from the drain. Since MCD is already engaged in desilting covered drains, it is recommended that the same practice continue for the effective maintenance of the Kushak Drain.

Encl:.

Yours faithfully,

[Signature]
 22/02/25
EXECUTIVE ENGINEER:(CD-V)
I&FC DEPARTMENT

Dated: 10/2/2025

No.EE/CD-V/DB/T14/(Drains)2024-25/

Copy to-

1. Special Secretary (IDMC), GNCT Delhi, C-Wing, 10th level, Delhi Secretariat, Delhi-110002; The Chief Engineer (Zone-I), I&FC Department, GNCT Delhi.
2. The Superintending Engineer (Flood Circle-IV), Basaidarapur Office Complex, Opp. ESI Hospital, New Delhi.

EXECUTIVE ENGINEER:(CD-V)
I&FC DEPARTMENT



\$~1(SDB) & 7(SDB)

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

+ **W.P.(C) 7594/2018 & CM APPLs. 30022/2018, 41886/2024, 42188-42189/2024, 47142/2024, 48597/2024, 57187/2024, 62545/2024, 69901/2024**

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

UNION OF INDIA & ORS.

..... Respondents

Through:

Mr. Ripu Daman Bharadwaj, (CGSC) with Mr. Kushagra Kumar, & Mr. Amit Kumar Rana, Advs. for UOI. (M: 9818030700)

Mr. Shailendra Bhatnagar in person. (M: 9811101476)

Ms. Puja S. Kalra, Standing Counsel for MCD with Mr. Virendra Singh, Adv. along with Mr. B.K. Sah, EE, MCD. (M: 9312839323)

Ms. Priyam Mehta, Adv. for Applicant. (M: 9953032272) in C.M APPLNo.47142/2024.

Ms. Preeti Sirohi & Mr. Sudhanshu Tiwari, Advs. for Applicant in CM.APPL. 62545/2024. (M: 7838889995)

Ms. Sangeeta Bharti, Standing Counsel with Ms. Manya Sharma, Adv. for with Delhi Jal board. (M: 9953092027)

Mr. Anuj Chaturvedi, Adv. with Mr. PK Jha, Principal Director, Mr. Pranav Siroha, LA for DUSIB. (M: 9810473166)

Mr. Tushar Sannu, (SC) with Mr. Shivraj Singh Tomar, Adv. for NDMC.



Ms. Prabhsahay Kaur, Standing Counsel for DDA with Ms. Deeksha L. Kakar, (Panel Lawyer, DDA), Mr. Bir Inder Singh Gurm, Ms. Kavya Shukla, Mr. Rashneet Singh, Advs. with Officers namely Mr. Vishwajeet Gahlot (AD PMUDAY), Mr. Pankaj Gunawat (DD Horticulture), Mr. Vikash (AD Horticulture), Mr. Ashutosh (Executive Engineer), Mr. Mukesh (Chief Engineer), Mr. Gaurav Meena (AE), Nipun (AE). (M: 8858999883)

Mr. Udit Malik, ASC, with Ms. Palak Sharma and Ms. Rima Rao, Advs. for GNCTD. (M: 9839099599)

Mr. Ajjay Aroraa, Senior Advocate with Mr. Tushar Sannu Dahiya and Mr. Vansh Luthra, Advs. for MCD. (M: 9582997768)

Mr. Anuj Aggarwal, Adv. for R-2 & 3. (M: 75818 07399)

Ms. Beenashaw N Soni, SC, MCD with Ms. Ann Joseph & Ms. Mansi Jain, Advs.

Mr. Krishna Kumar, Superintendent Engineer

Mr. Dinesh Kumar, General Manager
Mr. Afsad, Project Engineer.

Mr. Bhupesh Kumar, Chief Engineer, SPW, Jal Board.

Mr. Manish Mohan, CGSC with Mr. Jatin Teotia, Adv, Ms. Aishani Mohan, Adv and Mr. Varenyum Singh, Adv.

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WITH
W.P.(C) 9617/2022
COURT ON ITS OWN MOTION
Through:

..... Petitioners



versus

GOVT. OF NCT OF DELHI AND ORS Respondents

Through: Mr. Anuj Chaturvedi, Adv. with Mr. PK Jha, Principal Director, Mr. Pranav Siroha, LA for DUSIB.

Ms. Sangeeta Bharti, Standing Counsel with Ms. Manya Sharma, Adv. for with Delhi Jal board.

Mr. Ripu Daman Bharadwaj, (CGSC) with Mr. Kushagra Kumar, & Mr. Amit Kumar Rana, Advs. for UOI.

Mr. Vikrant N Goyal with Mr. Aditya Shukla , Ms. Shivank Yadav , Mr. Nishu Dagar, Advs. For UOI.

Ms. Prabhsahay Kaur, Standing Counsel for DDA with Ms. Deeksha L. Kakar, (Panel Lawyer, DDA), Mr. Bir Inder Singh Gurm, Ms. Kavya Shukla, Mr. Rashneet Singh, Advs. with Officers namely Mr. Vishwajeet Gahlot (AD PMUDAY), Mr. Pankaj Gunawat (DD Horticulture), Mr. Vikash (AD Horticulture), Mr. Ashutosh (Executive Engineer), Mr. Mukesh (Chief Engineer), Mr. Gaurav Meena (AE), Nipun (AE).

Mr. Anuj Aggarwal, Adv. for R-1, 6 to 8.

Mr. Manish Mohan, CGSC with Mr. Jatin Teotia, Adv with Ms. Aishani Mohan, Adv. And Mr. Varenyum Singh, Adv.

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WITH

W.P.(C) 10480/2024 & CM APPL. 43099/2024

AMITA SACHDEVA & ANR. Petitioners

Through:

versus

GOVT. OF NCT OF DELHI AND ORS Respondents



Through: Mr. Anuj Chaturvedi, Adv. with Mr. PK Jha, Principal Director, Mr. Pranav Siroha, LA for DUSIB.
Ms. Sangeeta Bharti, Standing Counsel with Ms. Manya Sharma, Adv. for with Delhi Jal board.

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WITH
W.P.(C) 13190/2024
MAHARANI BAGH CO-OPERATIVE HOUSE BUILDING AND WELFARE SOCIETY LTD., & ANR. Petitioners

Through: Mr. A.N. Haksar, Sr. Advocate with Mr. Udayan Jain, Mr. Ranjan Mishra, Mr. Harsh Jaiswal, Mrs. Geetika Vyas, Advs. (M: 88589 74684)

versus

UNION OF INDIA& ORS. Respondents

Through: Mr. Amit Gupta, Adv. (SPC) , Mr. Vidur Dwivedi, Adv. (GP) for R-1.
Ms. Hetu Arora Sethi, ASC, GNCTD.
Mr. Anuj Chaturvedi, Adv. with Mr. PK Jha, Principal Director, Mr. Pranav Siroha, LA for DUSIB.
Ms. Sangeeta Bharti, Standing Counsel with Ms. Manya Sharma, Adv. for with Delhi Jal board.
Mr. Tushar Sannu, (SC) with Mr. Shivraj Singh Tomar, Adv. (M: 9179111905)
Ms. Prabhsahay Kaur, Standing Counsel for DDA with Ms. Deeksha L. Kakar, (Panel Lawyer, DDA), Mr. Bir Inder Singh Gurm, Ms. Kavya Shukla, Mr. Rashneet Singh, Advs. with Officers namely Mr. Vishwajeet Gahlot (AD PMUDAY), Mr. Pankaj Gunawat (DD Horticulture), Mr. Vikash (AD Horticulture), Mr. Ashutosh (Executive Engineer), Mr.



Mukesh (Chief Engineer), Mr. Gaurav Meena (AE), Nipun (AE).
Mr. Anuj Aggarwal, Adv. for R-2.
Mr. Ajjay Aroraa (Senior Advocate) with Mr. Tushar Sannu Dahiya, Vansh Luthra, Advs. For MCD

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WITH
W.P.(C) 15399/2024 & CM APPL. 4918/2025
SHAILENDRA BHATNAGAR Petitioners
Through: Mr. Shailendra Bhatnagar in person.
versus
GOVT. OF NCT OF DELHI AND ORS Respondents
Through: Mr. Anuj Chaturvedi, Adv. with Mr. PK Jha, Principal Director, Mr. Pranav Siroha, LA for DUSIB.
Ms. Sangeeta Bharti, Standing Counsel with Ms. Manya Sharma, Adv. for with Delhi Jal board.
Mr. Tushar Sannu, (SC) with Mr. Shivraj Singh Tomar, Adv. for NDMC.
Ms. Beenashaw N Soni, SC, MCD with Ms. Ann Joseph & Ms. Mansi Jain, Advs.

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WITH
W.P.(C) 17064/2024
RAVINDER YADAV Petitioners
Through:
versus
GOVT. OF NCT OF DELHI AND ORS Respondents
Through: Mr. Anuj Chaturvedi, Adv. with Mr. PK Jha, Principal Director, Mr. Pranav Siroha, LA for DUSIB.
Ms. Sangeeta Bharti, Standing Counsel with Ms. Manya Sharma, Adv. for with Delhi Jal board.
Mr. Anuj Aggarwal, Adv. for R-1&10.

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AND

W.P.(C) 8035/2024 & CM APPL. 52659/2024, CM APPLs. 52660/2024, 52780/2024, 52897/2024, 59162/2024, 59163/2024, 59345/2024, 59346/2024, 61322/2024, REVIEW PET. 373/2024

SHABNAM BURNEY

..... Petitioners

Through: Ms Vrinda Grover, Ms Devika Tulsiani, Ms Rupali Samuel & Mr Soutik Banerjee, Advs. (M: 9953585631)

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr Avishkar Singhvi, ASC with Mr Vivek Kumar Singh, Adv. for GNCTD/PWD. (M: 8527586706)
Mr Talha Abdul Rahman, Mr Rafid Akhter, Mr Shaz Khan & Mr. Faizan, Advs. for Applicants. (M: 7869375111)
Mr. Anuj Chaturvedi, Adv. with Mr. PK Jha, Principal Director, Mr. Pranav Siroha, LA for DUSIB.
Ms. Sangeeta Bharti, Standing Counsel with Ms. Manya Sharma, Adv. for with Delhi Jal board.
Mr. Tushar Sannu, (SC) with Mr. Shivraj Singh Tomar, Adv.
Ms. Prabhsahay Kaur, Standing Counsel for DDA with Ms. Deeksha L. Kakar, (Panel Lawyer, DDA), Mr. Bir Inder Singh Gurm, Ms. Kavya Shukla, Mr. Rashneet Singh, Advs. with Officers namely Mr. Vishwajeet Gahlot (AD PMUDAY), Mr. Pankaj Gunawat (DD Horticulture), Mr. Vikash (AD Horticulture), Mr. Ashutosh (Executive Engineer), Mr. Mukesh (Chief Engineer), Mr. Gaurav Meena (AE), Nipun (AE).



CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE MANMEET PRITAM SINGH ARORA
ORDER
% **28.01.2025**

1. This hearing has been done through hybrid mode.

W.P.(C) 15399/2024 & CM APPL. 4918/2025

2. This is an application filed by the Petitioner-Shailendra Bhatnagar seeking impleadment of Delhi Metro Rail Corporation (hereinafter 'DMRC') as a Respondent in the present petition.

3. The Petitioner in the present case has an office premises in Green Park Extension, New Delhi. The grievance of the Petitioner is that the DMRC has constructed a 113 meter long drain under Aurobindo Marg while building its underground yellow line, which had to take the sewage discharge of all the surrounding areas such as SDA, Green Park, Hauz Khaz, etc., However, the cause for the recent flooding is that the said drain is not operational and has therefore led to flooding.

4. Considering the nature of allegations, the DMRC is impleaded as Respondent No. 4 in this matter. Mr. Tarun Johri, Id. Counsel accepts notice.

5. The application contains various averments relating to the DMRC drain. Let an affidavit be filed by the DMRC within ten days, responding to the allegations raised in the said application under Order I Rule 10. The affidavit and the allegations raised in the application shall be considered for appropriate directions on the next date of hearing.

6. Mr. Bhatnagar, Id. Counsel also submits that there is no outflow of sewage from Green Park Extension as there is a blockage near AIIMS and the connection to the Aurobindo Marg drain is not being permitted to be created.



7. Let the MCD take instructions and file a specific affidavit on this aspect as well, by the next date of hearing.

W.P.(C) 8035/2024 & CM APPL. 52659/2024, CM APPLs. 52660/2024, 52780/2024, 52897/2024, 59162/2024, 59163/2024, 59345/2024, 59346/2024, 61322/2024, REVIEW PET. 373/2024

8. The Court vide order dated 6th December, 2024, directed the department of PWD GNCTD to remit a sum of Rs.27.47 crores for relocation of the JJ Dwellers of the Madrasi Camp.

9. Mr. Aggarwal, Id. Counsel appearing for the PWD GNCTD submits that the amount of Rs. 27.47 crores has been remitted to the DDA.

10. Ld. Standing Counsel for DDA, Ms. Prabhsahay Kaur confirms the receipt of the same.

11. Vide order dated 20th December, 2024, the Court directed the DDA to inform the Court as to whether any other EWS tenements are available in the vicinity which can be considered for the rehabilitation of residents of Madrasi Camp.

12. On behalf of the DDA, Ms. Kaur submits that in the South Delhi area where the Madrasi Camp Jangpura is located, there are no flats which are available. It is further submitted that the submission as to the availability of EWS flats in Kalkaji for rehabilitation of the residents of Madrasi Camp is incorrect as there is shortage of flats for the In Situ Rehabilitation Project. She has handed over an affidavit, signed by the Deputy Director PMAY, DDA stating that the closest flats which are available are in Narela and the same has been offered to the Petitioner for rehabilitation of the Madrasi Camp residents in Jangpura. Let the said affidavit be placed on record.

13. On this issue submissions shall be heard on the next date of hearing.



14. Copy of the affidavit be given to Ms. Vrinda Grover, Id. Counsel.

W.P.(C) 7594/2018 & W.P.(C) 13190/2024

15. The writ petition i.e., *W.P.(C) 7594/2018* relates to flooding, water logging and drainage issues in the Mundka village area on the account of torrential rain. The petition- *W.P.(C) 13190/2024*, filed by the Maharani Bagh Co-Operative Housing Building and Welfare Society Ltd. & Anr. seeks demolition of illegal constructions on both sides of Taimoor Nagar and Khizarbad drains as also removal of all the silt and garbage up to Yamuna Flood plains.

16. Today, Mr. Anil Kumar, Chairman of the Special Task Force is present. Mr. Anuj Aggarwal, Id. Standing Counsel for GNCTD has placed on record Minutes of Meeting dated 24th January, 2025, which reviewed the action taken by various departments and the works which have been undertaken. Mr. Anil Kumar submits that he is supervising all the works personally in respect of the Taimoor Nagar drain.

17. It has been pointed out by Mr. A.N. Haksar, Id. Counsel for the Petitioner in *W.P.(C) 13190/2024* that the condition on ground has not changed much, though some work has been carried out. Photographs of the Maharani Bagh drain at Taimoor Nagar are relied upon by Mr. Haksar & Mr. Udayan Jain, Id. Counsels which are placed on record.

18. On the other hand, on behalf of the STF it is submitted that out of 10,747 cubic meters, 4000 cubic meters desilting has already been done. However, the pace of the work is not as expected in view of the non-accessibility of some of the areas for movement of the equipment. Let the desilting work continue at a brisk pace and whatever steps are required to be taken, shall be taken including for cleaning of the desilting areas under the



culverts, bridges and any covered drains. The MCD may have to carry out certain punctures/ partial removal of the drains that are covered, for desilting purposes and cleaning of the drains. The same is permitted. The Resident Welfare Association shall not object and shall render cooperation. However, immediately after the cleaning of the said area, the drain shall be covered by the MCD.

19. The residents in the concerned areas shall cooperate in the desilting work. In view of the fact that the residents wish to give some input to the STF, Mr. Anil Kumar with other members of the STF may hold a joint survey with the residents of the area, including, Mr. Haksar & Mr. Jain who can then give them their inputs as to the work that needs to be undertaken in the area around the Taimoor Nagar drain.

20. Insofar as the reconstruction of the Taimoor Nagar drain is concerned, in the minutes of meeting it has been pointed out that the PWD along with Green Design has not given the amended cross-section design for the Taimoor Nagar drain. The Minutes reveal an alarming position where no representative from the PWD attended the meeting of the Special Task Force. The relevant portion of the Minutes are set out below:

“8. Finalization of Drain Alignment

• No representative from PWD attended the meeting.

The STF Chairman shown displeasure for absence of representative from PWD. The Executive Engineer, CDV, I&FC has informed the committee that he is continuously perusing the matter with PWD and has requested the PWD through various letter No. EE/CD-V/2024-25/9208 dated 27.12.2024, 13.01.2025 and 20.01.2025 for providing of Hydraulic data/cross section of Taimoor Nagar Drain for finalizing the



alignment. In response of the same, M/s Green Design, the PWD consultant for preparation of Master Plan for Barapulla drainage basin, vide letter No. Green.des/2024-25/PWD/DEL/493 dated 21.01.2025 informed that survey of the whole basin is in progress and without completion of survey, it will not possible to submit the amended cross section/design for the Taimoor Nagar Drain. No timeline has been given by PWD or M/s Green Design, the PWD consultant. But nothing has been received so far in this regard from PWD. Due to non finalization of alignment in absence of requisite section of the drain, action on various related issues is pending for improvement of drain such as removal of encroachment, shifting of DJB pipelines, chamber work of DJB for intercepting the discharge of the drain, widening of drain in encroached portion, construction of culvert and boundary wall etc.

•The PWD shall ensure representation in next meeting with requisite details and expedite the submission of the design section of the drain through already assigned consultant. The STF directed PWD to ensure their presence along with the consultant representative M/s Green Design during the next hearing of the matter in Delhi High Court, on 27.01.2025 to provide timelines for the needful as above.”

21. As can be seen from the above, despite three communications, the PWD failed to participate in the meetings. Such conduct on behalf of the PWD cannot be condoned. This shall be the last and stern warning to the PWD to give complete cooperation to the STF, Mr. Krishna Kumar, Superintendent Engineer is present. The representatives of Green Design are also present in Court i.e., Mr. Dinesh Kumar, General Manager & Mr. Mr. Afsad, Project



Engineer. They have submitted that the entire plan for the storm water drain within Delhi is being prepared by them. They are conducting a survey over 300 Kms. Be that as it may they have now assured the Court that the design shall be submitted to Mr. Anil Kumar, the Chairman of the STF within a month *i.e.*, by 28th of February, 2025.

22. Let the desilting work at the Taimoor Nagar drain continue. The survey shall be conducted of the Taimoor Nagar drain along with the residents as directed above within one week. The meetings of the STF shall continue to be held and all the works in terms of the Minutes which have been agreed, shall also continue. A further status report of the desilting work done and any other works which have been undertaken shall be filed by the next date of hearing.

Sewage treatment plans

23. The order dated 12th November, 2024 was categorical and clear to the effect that all 37 STPs should have flow meters and sensors installed at the point of discharge. On this issue, Ms. Bharti has handed over a status report dated 23rd January, 2025.

24. However, Mr. Bhupesh Kumar, who is the Chief Engineer, SDW, Delhi Jal Board appearing virtually submits that insofar as flow meters are concerned, out of 37 STPs, flow meters have been installed only at the effluent outlets of 22 STPs and for the 4 additional STPs, installation is expected by March, 2025. For the remaining 11 STPs there is a proposal to install the flow meters.

25. Upon being queried as to why there is a delay in installing the remaining flow meters at 11 STPs, Mr. Bhupesh Kumar submits that the estimates are being prepared for the 11 STPs and then the tender would be called. Therefore, the meters would be installed by June 2025.



26. This clearly reveals an unsatisfactory position. The issue of STPs is being monitored and is being dealt with by this Court since April 2024. In any event since 12th November, 2024 no steps appear to have been taken by the DJB for installation of flow meters.

27. Upon being queried as to why tenders are being called in piecemeal, Mr. Bhupesh Kumar submits that *qua* the 22 STPs, the flow meters were installed as part of the construction project itself almost four to five years ago. This clearly gives an impression to the Court that the DJB has not taken the orders of this Court seriously and till date only estimates being prepared is the answer that Mr. Bhupesh Kumar has given to the Court. This position is completely not acceptable to the Court. The Court is refraining from taking any action against Mr. Bhupesh Kumar as he has now given an assurance that the estimate for the remaining 11 STPs would be ready and the flow meters shall be installed within a month. If the same are not installed, the Court is clear that it would not hesitate in taking strict and stern action in accordance with law, both under the Contempt of Courts Act as also any other law which may be applicable to ensure that the directions of the Court are properly complied with.

28. On being queried as to whether these 37 STPs take care of all the sewage which is being drained into the Yamuna river, the Court is informed that the 37 STPs only relate to sewage from domestic and residential areas - however, industrial effluents are under the jurisdiction of the DSIDC.

29. Mr. Anuj Chaturvedi, who is present in Court who is on the panel of the DSIDC is requested to accept notice on behalf of the DSIDC. The DSIDC shall now be part of these proceedings and is impleaded as Respondent No.8 in *W.P.(C) 7594/2018*. The DSIDC shall file an affidavit of a competent



official giving the following information:

- (i) Whether all the industries and the effluents from the industries come within its jurisdiction?
 - (ii) How many CETPs have been installed or are supervised by the DSIDC? Are there any more CETPs required to be installed to curb untreated water flowing into the river?
 - (iii) Whether there is any monitoring or supervision of the CETPs which come under the DSIDC and if so in what manner?
 - (iv) Whether the CETPs have sensors and flow meters which are installed to monitor the effluent discharge into the river?
30. The Executive Engineer, who is taking care of the CETPs in Delhi shall remain present in Court on the next date of hearing.
31. In Defence Colony there is a grievance that even in the recent light rains which took place there was severe water logging. Accordingly, the MCD and DJB/PWD shall conduct a joint inspection with the members of the RWA, to ensure that the manholes are properly functioning and are not blocked or clogged.
32. List on 13th February, 2025.

PRATHIBA M. SINGH, J.

MANMEET PRITAM SINGH ARORA, J.

JANUARY 28, 2025/gs/ks

ANNEXURE 'E'

OFFICE OF THE CHIEF ENGINEER
IRRIGATION AND FLOOD CONTROL DEPARTMENT
GOVT. OF NCT OF DELHI
L.M. BUND OFFICE COMPLEX, SHASTRI NAGAR
NEW DELHI

No PS/CEF/Meeting Minutas/2024-25/ 1677-86

Dated: 7/03/2025

MINUTES OF THE MEETING

In order to settle the issues arising out of the directions dated 27.02.2025 of Hon'ble NGT in the matter of OA 06/2012 seeking the categorical reply of the Government by or before 09.03.2025, the meeting was held under the Chairmanship of Chief Secretary on 05.03.2025. The issue essentially pertains to two drains, namely, Kushak Drain and Sunehri Drain, a substantial portion of which is covered and the responsibility of cleaning up the full drain including the covered portion.

The Additional Chief Secretary, (Irrigation and Flood Control) (I&FC) and the Chief Engineer-I (I&FC) had attended the Full Bench of Hon'ble NGT on 27.02.2025 and apprised the Chief Secretary that these two drains are not part of twenty two drains which have been handed over to I&FC in pursuance of the order dated 08.04.2024 of the Hon'ble High Court in case no.WP(Civil) No. 7594/2018 & CM APPL. 30022/2018. These two drains have subsequently been handed over to I&FC on the directions at the highest level.

Regarding Sunehri Drain, it was informed that I&FC has already taken up the cleaning up of open portion from outfall point in Barapulla Drain upto Bus Depot near Dayal Singh College. Beyond this, the Sunehri Drain is covered. The Municipal Corporation of Delhi (MCD) informed that they have been addressing the issue of cleaning by cutting covered portion at Bus Depot near Dayal Singh College.

Regarding Kushak Drain, it was informed that:-

- (a) I&FC is already cleaning up the stretch from Barapulla Drain outfall to Kushak Bus Depot near JLN Stadium. The work will be completed before the onset of monsoon.
- (b) I&FC will also take up the cleaning work from Kidwai Nagar to upstream of Kushak Bus Depot and complete the cleaning up before the onset of monsoon.

o/c

(c) Regarding covered portion between JLN Stadium and Kushak Bus Depot, MCD expressed its inability to give a proper assessment of silt and also was not sure of the technology for successful cleaning of this nature.

Chief Secretary directed that a Joint Committee of Chief Engineers of MCD and I&FC will visit this covered portion of drain and submit a report by 06.03.2025. The report would inter alia recommend the next steps for cleaning up the covered portion with fair assessment of the silt as well as appropriate technology to be deployed for cleaning up.

The report of the above committee is to be submitted to Chief Secretary by the evening of 06.03.2025 with recommendations regarding steps to be taken for cleaning up the covered portion of the drain as there are only two days left for filling response before Hon'ble NGT.

The meeting ended with the vote of thanks to the Chair.

**CHIEF ENGINEER :(ZONE-I)
I&FC DEPARTMENT**

Dated: 7/03/2025

No.PS/CEF/Meeting Minutes/2024-25/ 1677-86

Copy to-

1. Staff officer to Chief Secretary 5th Floor Delhi Secretariat, I.P. Estate, New Delhi.
2. Commissioner, Municipal Corporation of Delhi Sri Aurobindo Marg, Green Park Extension, Green Park, New Delhi, Delhi-16. (commissioner@mcd.nic.in)
3. Additional Chief Secretary (Revenue), 5, Shyamnath Marg, (divcom@nic.in)
4. Additional Chief Secretary (Environment & Forest) 6th Level, A Wing, Delhi Secretariat, IP Estate.
5. Additional Chief Secretary (Finance) 4th Level, A Wing, Delhi Secretariat, IP Estate.(psfin@nic.in)
6. Additional Chief Secretary, Department of Urban Development (psud@nic.in)
7. Additional Chief Secretary, Irrigation and Flood Control Department (secretaryifcdgnetd@gmail.com)
8. Chairperson, NDMC 3rd Floor, Palika Kendra, New Delhi-15. (chairperson@ndmc.gov.in)
9. Managing Director Delhi Transport Corporation, GNCTD I.P. Estate: New Delhi-02. (cmd@dtc.nic.in)
10. Principal, Dayal Singh College Lodhi Rd, PragatiVihar, New Delhi, Delhi-03.
(principal@dsc.du.ac.in)

**CHIEF ENGINEER :(ZONE-I)
I&FC DEPARTMENT**

o/c.

ATTENDANCE SHEET

CP-122

Date: 05.03.2025

Time: 12:00 Noon

Sub: Meeting regarding desilting of Kushak Sunehri Pull.

S.No.	Name & Designation of the Officer	Telephone No.	E-mail Address	Signature
1.	A. C. Verma	9650111076		
2.	Sachin Shinde	8800595780	Spl Commissioner	
3.	Piyush Singh, Jt Commr (P)	9168564760	T.	
4.	Prof. V.K. Lalwani	9650815246	DSC	
5.	Sarvendra Mehta	9810382212	DSI	
6.	Anil Kumar CE	9910000007	DIAC	
7.	Mullesh Kumar CE	9958000007	DIAC	
8.	K.P. Dph EAC	8130892288	MCD	
9.	G. P. Singh	9811759548	MCD	
10.	Jitendra Yadav		MCD	
11.	Toni Thomas		NDMC	
12.	Narain Choudhary			
13.	H.P. Singh CE (D)			
14.	Dinendra Yadav NDMC CE	CE	MCD	
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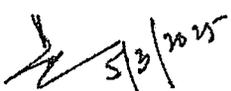
ANNEXURE F

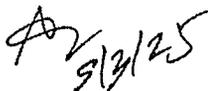
JOINT INSPECTION REPORT

In pursuant of the directions of the Hon'ble NGT on 27.02.2025 in the matter of 06/2012 (Nizamuddin West Association vs Union of India), a meeting was held under the Chairmanship of the Chief Secretary, Delhi on 05.03.2025. As directed during the meeting, an inspection of the covered portion of the Kushak Nallah was conducted by the team led by Chief Engineer(s) of MCD and I&FC accompanied by departmental officers on 05.03.2025 at 4:30 PM.

During the joint inspection following observations were made:

1. The Kushak Nallah is covered in a length of about 1 km length by way of a RCC box Type 50 m wide structure consisting of 05 bays of equal width. The approx. depth of the boxes is from 3.5m to 4.5m.
2. The top of RCC structure of Nallah is being used as Bus Parking and the structure is open only at inlet and out let points.
3. The intermediate accesses for the Nallah are in the shape of 1.5m X 1.5m openings at 50m centre to centre interval left at the RHS box which have now been covered by Bus Depot authorities and one vent pipe on each opening has been left.
4. As informed by MCD officials, silt chambers of size 2.50m X 1.15m have been designed and constructed @100 m interval and openings of 1.5m X 1.5m are placed over the said silt chambers with the understanding of using it as feasible manual and mechanical access. However, the cleaning never been done and also not seem practically feasible.
5. At the inlet side no significant silt was visible on mouth however, floating material was observed. There was minimal flow in the drain approximately 1ft, water found flowing through only from two out of five ways.
6. Although flow observed through the drain, at downstream point of covered portion, thick layer of silt was observed in all 5 bays and as per the visual assessment the depth may be from 1.5ft to 3ft . Photographs attached.
7. The methodology for de-silting of box drain was deliberated in detail and it was concluded that with the present infrastructure / systems available with MCD and I&FC, it is not feasible to de-silt at the inlet / outlet locations beyond 10-15 metres (without damaging the box structure). This is primarily due to the fact that sewage water is running through the drainage system round the year which emits foul gases which got accumulated in the box system due to inadequate provisions of ventilation making unsafe to work inside.
8. It was concluded after discussion that for de-silting of box portion of Kushak Nallah and similar other sections, MCD may invite Expression of Interest (EoI) so as to explore the possible ways of de-silting of box drain and to identify competent agencies for this kind of job.


(Dinesh Yadav)
 Chief Engineer
 Central Zone (MCD)


(Anil Kumar)
 Chief Engineer(Zone-I)
 I&FC