

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 1348 OF 2024****IN THE MATTER OF:-**

ANAND PURI GOVIND GARH TANK ROAD RESIDENT
WELFARE ASSOCIATION

....PETITIONER

VERSUS

GOVT. OF NCT OF DELHI & ORS.


...RESPONDENTS

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RESPONDENT:

THROUGH


Ms. Jyoti Mendiratta
(Counsel for the Respondent)
H-34, (Lower Ground Floor),
Jangpura Extension
New Delhi-110014

Dated: 26.03.2025
NEW DELHI

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

ORIGINAL APPLICATION NO. 1348 OF 2024

IN THE MATTER OF:-

ANAND PURI GOVIND GARH TANK ROAD RESIDENT
WELFARE ASSOCIATION

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....RESPONDENTS

AFFIDAVIT ON BEHALF OF RESPONDENT NO. 1/GOVERNMENT OF NCT OF DELHI, RESPONDENT NO. 4/DELHI STATE WETLAND AUTHORITY AND RESPONDENT NO. 6/DELHI PARKS AND GARDENS SOCIETY IN COMPLIANCE WITH ORDER DATED 09.12.2024 PASSED IN THE CAPTIONED ORIGINAL APPLICATION.

MOST RESPECTFULLY SHOWETH:-

I, Shyam Sunder Kandpal, aged 57 years, working as Member Secretary, Wetland Authority, Delhi, Department of Environment, Govt. of NCT of Delhi, having office at I.P. Estate, New Delhi-110002, do hereby solemnly affirm and state as follows:-

1. That the present matter is pertaining to a park located behind the Tank Road, Anand Puri area within the jurisdiction of Prasad Nagar Police Station. The submission of Counsel for the Applicant is that there was a natural pond and 100 ft. road connecting the Anandpuri area with the East Patel Nagar. Submission of Counsel for the Applicant is that a temporary lease was granted to the Faith Academy School covering the pond and the park area and the said school has destroyed the park and the pond area.

2. That water bodies are spread over the entire area of Delhi. These water bodies are under the management and control of different authorities which have ownership of the land on which such water bodies exist.
3. That as per records water body under reference (Prasad Nagar Lake) is a listed water body with Wetland Authority of Delhi and is owned by Delhi Development Authority (DDA) and the work related to management and development is the responsibility of land-owning agency (i.e. DDA).
4. That Wetland Authority of Delhi has requested DDA to take appropriate action in order to resolve the issue and provide point wise action taken report of the pond in question but the same has not been received from DDA. Copy of the letter dated 24.03.2025 is annexed herewith and marked as **ANNEXURE-A**.
5. Wetland Authority of Delhi had directed the land-owning departments vide letter No.F.5(16)/WA/WB/DIRECTIONS/2023-24/3403-3400 dated 30.10.2024 to take several measures towards protection of water bodies under their jurisdiction as well as restoration and rejuvenation of water bodies. Copy of directions dated 30.10.2024 to all District Magistrates is annexed herewith and marked as **ANNEXURE-B**.
6. It is humbly submitted that the Respondents have the highest respect and regard for the orders and majesty of this Hon'ble Court. The present status report along with its annexures is being placed before this Hon'ble Court for its consideration.



DEPONENT

Member Secretary
(Wetland Authority)
Department of Environment
Govt. of NCT of Delhi
"C" Wing, 6th Level, Delhi Secretariat
I.P. Estate, New Delhi-02

VERIFICATION:

Verified at New Delhi on this the 26th day of March, 2025 that the contents of the above status report are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.



DEPONENT

Member Secretary
(Wetland Authority)
Department of Environment
Govt. of NCT of Delhi
"C" Wing, 6th Level, Delhi Secretariat
I.P. Estate, New Delhi-02

OFFICE OF THE WETLAND AUTHORITY
DEPARTMENT OF ENVIRONMENT
 GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
 "C" Wing, 6th Level, Delhi Secretariat Building, I P Estate, New Delhi 110002
 Tele-Fax: 011-23392736 E-mail ceodpgsenv.delhi@nic.in

MOST URGENT
NGT MATTER
TIME BOUND

F1(37)/WA/WB/OA-1348/2024-25/ 4605-10.

Date: 24/3/2025

To,

1. Commissioner (Planning), 5th Floor, Vikas Minar I.P. Estate, New Delhi -110002
2. Commissioner (LM), A-Block, First Floor, Vikas Sadan, INA, New Delhi-110023
3. Chief Engineer (HQ & QAC)/Nodal Officer, Water Bodies, DDA, E-3, Ground Floor, Vikas Sadan, INA, New Delhi-110023

Sub: Original Application No. 1348/2024 titled as "Anand Puri Govind Garh Tank Road Resident Welfare Association Vs. Govt. of NCT of Delhi & Ors".

Sir,

Reference above petition (Order dated 09.12.2024 attached) filed in Hon'ble National Green Tribunal seeking directions on the following:-

- a) Allow the present application and direct the respective agencies including Delhi Development Authority (DDA) to reclaim the land and the natural pond from the violator school and Kalindi college;
- b) Pass necessary directions to the concern agencies for replenishment and rebuilding the natural pond alongwith restoration of the eco-system and topography around the land in question;
- c) Pass necessary directions and orders to the concern authorities and agencies to reopen and construct the passage as available under the site plan of the Tank Road Anand Puri area leading towards Patel Nagar in order to decongest and reduce pollution;

The Applicant alleged that a park was located behind the Tank Road, Anand Puri area within the jurisdiction of Prasad Nagar Police Station. The submission of the Applicant is that there was a natural pond and 100 ft. road connecting the Anandpuri area with the East Patel Nagar.

In view of above, considering that the water body under reference (Prasad Nagar Lake, Kh. No. 578) is under the jurisdiction of DDA, it is requested to take appropriate action in order to resolve the issue and provide point wise action taken report of the pond in question, so that the same may be apprised to Hon'ble Court before the next date of hearing fixed for 27.03.2025.

This may please be treated as **Most Urgent**.


 Member Secretary
 Wetland Authority of Delhi

F1(37)/WA/WB/OA-1348/2024-25/

Date:

Copy to:-

1. Vice Chairman, DDA, 1st floor, 'B' Block, Vikas Sadan, INA, New Delhi – 110023
2. Divisional Commissioner, Rev. Department, GNCTD, 5, Sham Nath Marg, Delhi- 54.
3. PS to Pr. Secretary (E & F), GNCTD.


 Member Secretary
 Wetland Authority of Delhi

OFFICE OF THE WETLAND AUTHORITY
DEPARTMENT OF ENVIRONMENT, GOVT. OF N.C.T. OF DELHI
"C" Wing, 6th Level, Delhi Secretariat, I.P. Estate, New Delhi – 110002
Tele-Fax : 011-23392736, Email : ceodpgsenv.delhi@nic.in
Website: <http://dpgs.delhigovt.nic.in>

F.5(16)/WA/WB/DIRECTIONS/2023-24/3403-2400,

Dated : 20/10/2024

ORDER

Whereas it is necessary to expedite protection and restoration of Water Bodies in Delhi in a time bound manner and to support efficient conservation and management of wetlands in consonance with (Wetland [Conservation & Management] Rules, 2017).

Therefore, in exercise of powers under clause (n) of sub-rule (4) of Rule 5 of the Wetlands (Conservation & Management) Rules, 2017, the Wetland Authority of Delhi issues the following directions for compliance and necessary action by all concerned authorities :-

1. Protection of water bodies under one's jurisdiction through the following actions:

- (1) The following activities shall be prohibited within the wetlands, namely,
 - (i) conversion for non-wetland uses including encroachment of any kind;
 - (ii) setting up of any industry and expansion of existing industries;
 - (iii) manufacture or handling or storage or disposal of construction and demolition waste covered under the Construction and Demolition Waste Management Rules, 2016; hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms Genetically engineered organisms or cells, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008; electronic waste covered under the E-Waste (Management) Rules, 2016;

- (iv) solid waste dumping;
- (v) discharge of untreated wastes and effluents from industries, cities, towns, villages and other human settlements;
- (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 Wetland Rules, 2017; and,
- (vii) poaching.

2. All concerned authorities shall ensure that:-

- (i) the above prohibited activities in water bodies are taken cognizance of, swiftly acted upon and removed, if needed through existing mechanisms of STF for encroachment removal constituted by the office of the Divisional Commissioner, Govt. of NCT of Delhi vide order no. F.36(35) Div.Comm/Pt.File/201/1038-1045 dated 26.03.2014, or the grievance committee constituted in Districts vide F.5(01)/WA/2019/519-531 dated 01.07.2021.
- (ii) Complete ground truthing and geo-tagging of water bodies which are listed but are yet to be ground truthed.
- (iii) Identify all remaining unlisted water bodies, ensure listing along with geo tagging and preparation of brief documents of all water bodies in the concerned jurisdiction as per the definition of Wetlands in Wetland Rules, 2017 with the master list of the Wetland Authority of Delhi, so that none of the water bodies in Delhi is left unlisted, unmapped and documented under the statutory framework.
- (iv) Undertake measures for enhancing awareness within stakeholders and local communities on values and functions of wetlands.
- (v) Consider the objections, if any, referred to by Wetland Authority of Delhi from the concerned and affected persons, during the process of notification of wetlands in the district by the Government of NCT of Delhi.

3. Restoration and rejuvenation of water bodies in respective jurisdiction through the following actions:

- i The concerned authorities shall also take measures to restore and rejuvenate all wetlands in the jurisdiction either departmentally or through work departments such as DJB, I&FC Department, PWD etc. and supervise their implementation in a time bound manner, in line with the management plan prepared on the basis of guidelines set by Wetland Authority of Delhi. The broad guidelines are as follows:
- (a) Water body should be cleaned through bio-remediation measures, de-silting, aeration, removal of floating and other invasive aquatic plant-species or any other technology suiting local conditions.
 - (b) Shore-line of the water bodies should be properly fenced to protect them from encroachment. Inlet and outlet of the water body should be strengthened.
 - (c) Inflow of domestic/ industrial sewage into the water body should be arrested and only treated effluent adhering to standards prescribed by CPCB may be allowed into the water body.
 - (d) Catchment area treatment via afforestation, storm water drainage management, silt traps, etc. may be undertaken.
 - (e) Water front development around the water body may be taken up, keeping in view the eco-system based approach for the aquatic body, conforming to prevalent environmental legislation and maintaining social and cultural sanctity of the place, in consonance with Wetland Rules 2017.
 - (f) Creation of public spaces may be taken up to ensure public eye and vigilance to protect from encroachment or throwing garbage.
 - (g) Participation of private sector, community based organizations, philanthropic foundations may be encouraged in rejuvenation and maintenance of water bodies.
 - (h) Plantation plays a significant role in absorption of storm and rainwater for maintenance of ground water table, prevention of soil erosion and run-off and encourage growth of natural habitat for flora and fauna.

- (i) Undertake plantation near water bodies, public spaces, parks and on roadside to improve green cover and water cycle.
 - (j) Monitor quality of water in the selected body on regular basis at least eight times a year, communicate the quality data to Wetland Authority of Delhi and undertake appropriate action to improve wherever necessary.
- ii The land owning agency or department shall prepare a management plan containing restoration actions in line with the catchment area and watershed principles and on the basis of the guidelines set by Wetland Authority of Delhi in consonance with Wetland Rules 2017.
 - iii After getting the management plan, duly approved by the Wetland Authority of Delhi, the land owning agency shall ensure that the work plan and estimates be prepared departmentally/internally or through work departments such as PWD, DJB, IFCD etc.
 - iv The budget for the implementation of the restoration project shall be planned through the departmental budget of the land owning department / agency. AMRUT guidelines also allow funding for rejuvenation of water bodies.
 - v Identify mechanisms for convergence of implementation of the management plan with the existing development plans and programmes.
4. **Submission of timelines:** The water body owning agency shall submit timelines on the following actions for water bodies in the district within 15 days:
- (i) Ground truthing and geo-tagging of 1023 water bodies in Annexure-I which are yet to be ground truthed (1367-344=1023)
 - (ii) Identification of unlisted water bodies and communication to Wetland Authority of Delhi along with geo coordinates.
 - (iii) Preparation of brief documents and management plan containing restoration actions by land owning agencies of all water bodies in one's jurisdiction.

- (iv) Preparation of estimates for restoration projects either departmentally or by work departments (PWD, DJB, IFCD etc.) after approval of management plan containing restoration actions by Wetland Authority of Delhi.
- (v) Restoration of water bodies either departmentally or through work departments.
5. **Submission of action taken reports:** Regular monthly reports shall be submitted by the water body owning agencies to the Wetland Authority of Delhi by 7th of every succeeding month clearly showing progress against declared timelines.
6. **Monitoring of projects through Delhi's e-samiksha Dashboard:** And whereas, the Planning Department of GNCTD shall add all the above-mentioned actionable points on Delhi's e-samiksha Dashboard for the purpose of monitoring, after the receipt of timelines. Wetland Authority of Delhi will help Planning Department in on-boarding the water bodies ground truthed so far against the respective land-owning departments, and as a continuous process, the remaining water bodies, when they are ground truthed.
7. **Responsibilities and Liabilities:** And whereas, to ensure clarity in ownership of work, clear responsibilities, complete adherence to deadlines and the accountability of officers directly dealing with it, the heads of the land owning departments would submit the names of Nodal officers within 15 days, who shall be personally responsible for ensuring completion of the all the above directions within the declared timelines, and any failure of such nodal officer to ensure execution of the projects / works / responsibilities within the timeline stipulated in the action plan will make such nodal officer liable for disciplinary as well as criminal proceedings for wilful disobedience of the orders passed by the Hon`ble Courts, and also for criminal disregard towards protection and conservation of water bodies as well as their failure to discharge their constitutional obligation to the citizens to provide clean environment by protecting the scarce sources of water.



(Shayam Sunder Kandpal)
(Member Secretary)
Wetland Authority of Delhi
Govt. of NCT of Delhi

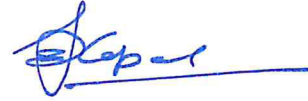
To,

1. Additional Chief Secretary (Revenue) cum Divisional Commissioner, Govt. of NCT of Delhi, 5 Sham Nath Marg, Delhi-54.
2. Pr. Secretary (I&FC), GNCTD, 2nd Floor, 5/9, Under Hill Road, Delhi
3. Principal Secretary (PWD), Govt. of NCT of Delhi, 5th Floor, Delhi Secretariat, I.P. Estate, Delhi - 02.
4. Chief Executive Officer, Delhi Jal Board, Varunalaya Ph-II, Jhandewalan, Delhi
5. Principal Secretary, Department of Environment & Forest, GNCTD
6. Commissioner, Municipal Corporation of Delhi, 9' Floor, Dr. SPM Civic Centre, Minto Road, Delhi
7. Vice Chairman, Delhi Development Authority, Vikas Sadan, INA, Delhi
8. Secretary, Department of Archaeology, GNCTD, (ACL), B' Block, II floor, Vikas Bhawan-2, Upper Bela Road, Civil Lines, Delhi-110054
9. Additional Principal Chief Conservator of Forests (APCCF), Vikas Bhawan, A-Block, 2nd Floor, I.P. Estate, New Delhi
10. Member Secretary, Wetland Authority of Delhi
11. Chief Executive Officer, Delhi Urban Shelter Improvement Board (DUSIB), Punarwas Bhawan, I.P. Estate, New Delhi
12. Managing Director, Delhi State Industrial & Infrastructure Development Corporation Ltd. N-36, Bombay Life Building, Connaught Circus, New Delhi
13. Director General, CPWD, Nirman Bhawan, New Delhi
14. Director General, Archaeological Survey of India, New Delhi
15. C.E.O, Delhi Wakf Board, GNCTD, Vikas Bhawan-II, A-Wing, 7th Floor, Upper Bela Road, Delhi
16. Chairman and Managing Director, NTPC Limited, NTPC Bhawan, SCOPE Complex, Institutional Area, Lodhi Road, New Delhi
17. Vice Chancellor, Jawahar Lal Nehru University, New Delhi
18. Director & Officiating Chairman, IIT, Hauz Khas, New Delhi

Copy to (For Information):

1. Pr. Secretary to Hon'ble Lt. Governor, Govt of NCT of Delhi.
2. Addl. Secretary to Hon'ble Chief Minister, Govt of NCT of Delhi.
3. Secretary to Deputy Hon'ble Chief Minister, Govt of NCT of Delhi.
4. Secretary to Hon'ble Minister (Environment & Forests), Govt of NCT of Delhi.
5. Secretaries to Hon'ble Ministers, Govt. of NCT of Delhi.

6. Secretary, Ministry of Jal Shakti, Govt. of India, Shram Shakti Bhawan, New Delhi-01.
7. Secretary, Ministry of Environment & Forest and Climate Change, Govt. of India, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi.
8. Chairman, New Delhi Municipal Council, Palika Kendra, New Delhi-01.
9. Commissioner of Police, Delhi Police Headquarters, Jai Singh Road, New Delhi- 01.
10. Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-32.
11. Pr. Secretary, Finance Department, Govt. of NCT of Delhi, 4th level, Delhi Secretariat, I.P. Estate, Delhi - 02.
12. Pr. Secretary Cum Development Commissioner, Development Department, Govt. of NCT of Delhi, 5/9, Under Hill Road, Delhi-54.
13. Chief Executive Officer, Delhi Cantonment Board, Delhi Cantt, Delhi.



(Shayam Sunder Kandpal)
(Member Secretary)
Wetland Authority of Delhi
Govt. of NCT of Delhi