

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI
(PRINCIPAL BENCH)

OA No 174 of 2025

IN THE MATTER OF:

Rajeev Suri Vs Municipal Corporation of Delhi & Others

I N D E X

S NO	PARTICULARS	PAGE NO
1	Counter affidavit on behalf of the Principal Committee Yamuna Revitalization Plan River Development and Ganga Rejuvenation, Ministry of Jal Shakti (Respondent No 4) in the aforesaid matter	1-6


Deponent

New Delhi

^{28th}
Date: October, 2025


Through Counsel

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Counter affidavit on behalf of the Principal Committee Yamuna Revitalization Plan River Development and Ganga Rejuvenation, Ministry of Jal Shakti (Respondent No 4) in the aforesaid matter

Most Respectfully, I, Anup Kumar Srivastava, aged 58 years, working as Executive Director (Technical) in the National Mission for Clean Ganga (NMCG), D/o WR, RD&GR, Ministry of Jal Shakti do hereby solemnly affirm, and declare as under:

1. That the deponent is working as Executive Director (Technical) in NMCG and is well conversant with the facts and circumstances of the present case on the basis of information derived from the official records, and am competent to submit the present affidavit on behalf of the answering Respondent.
2. That the present OA has been filed by the Applicant as a sequel to the Order dated 02.09.2024 in MA Dy No 34792 of 2024 in in CA no 10917 of 2018 -Rajeev Suri Vs DDA & Others and order dated 18.02 2019 passed by the Hon'ble Supreme Court involving the issue pertaining to pollution in river Yamuna and monitoring Committee constituted therefore with regard to pollution into the river Yamuna and the drains



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②

and in particular to the Kushak Storm Water Drain passing through Defence Colony area in South Delhi.

3. That the OA No 174 of 2025 was disposed of by this Hon'ble Tribunal wherein the applicant inter-alia had sought relief seeking direction to the Respondent No. 2 (I&FCD) and Respondent No. 3 (DJB) , with the participation of Respondent No.4 (Ministry of Jal Shakti) to apply 3D integrated analytical software called Storm Water Management Model (SWMM) or relating planning and analysis, to simulate peak flows during a deluge and the capacity of SWD to manage such peak flows, in a simulated model of data available over the last 100 years (or less if data is not recorded). Simultaneously, the above public authorities should explore procuring unmanned robotic equipment which can enter the drain base without human driver, viewed and managed by a console in a remote location. In conjunction with the Respondent No.4 (Ministry of Jal Shakti) Government of India to establish ways and means towards the constitution of an authority encompassing all drain concerned authorities; creating one permanent authority along the lines of the Ganga Mission, responsible for maintenance of storm water drains of the capital in a manner similar to irrigation canals.
4. That in the above context it is submitted that this Hon'ble Tribunal had earlier constituted a Principal Committee vide Order/ Judgment dated 13.01.2015 in OA No 06 of 2012- Manoj Mishra Vs Union of India & Others., under the Chairmanship of Special Secretary, Ministry of Environment Forests & Climate Change (MoEF & CC) to oversee implementation of the directions passed by the Hon'ble Tribunal in the said matter .The said matter primarily concerned the issues arising for the rejuvenation of river Yamuna in particular to the segment of



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the of River Yamuna which flows through territory of NCT of Delhi. The Hon'ble NGT subsequently reconstituted the Principal Committee vide orders dated 24.07.2017 and order dated 08.08.2017 and the Secretary, DoWR, RD & GR as the Chairman of the Committee and Executive Director (Technical), NMCG as the Member Secretary of the said Committee. In this regard 14 meetings of the re-constituted Principal Committee had been convened. The last meeting of the Principal Committee was held on 18.07.2024. The Hon'ble Tribunal had inter-alia directed with regard to the coverage of drains to Authorities in Delhi as under:

“There shall be no construction and/or coverage of any of the drains in Delhi by any Authority or Municipal Corporation. All the drains shall be kept obstruction free by the concerned corporation. Where substantial work (more than 85%) has been completed, such work is permitted to be completed by the Corporation after obtaining specific orders from the Tribunal in that regard. Rest of the work, where construction has just begun, the construction, including iron material, shall be removed. While completing such remnant work, Corporation shall ensure that the cross section of the drains to carry the requisite storm water for the flood of once in 25 years and other effluents, are not compromised.”

5. That as regards the submissions of the Applicant for the coverage/non- coverage of the drains , it is submitted that in the matter of (OA No.06/2012- Manoj Mishra Vs UOI and Others), this Hon'ble Tribunal vide its order dated 05.03.2020 had directed the Government of NCT Delhi to set up within two weeks, an “Integrated Drain




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Management Cell (IDMC) " under Chief Secretary, Delhi for remediation and management of all drains of Delhi with representatives of all agencies/ department/ Urban Local Departments owning such drains not below the level of Chief Engineer dealing with the management of Drains to the IDMC. The CEO, DJB will be the Ex-Officio Member Secretary of the IDMC. In terms of the order of Hon'ble NGT, a 30-member Committee was constituted by the Department of Urban Development, GNCTD vide order dated 17.03.2020.. Twenty (20) Meetings of IDMC have been held so far. The last meeting (20th) was held on 17.03.2025 (as per the information provided by State Government of NCT Delhi in their Monthly Progress Report (MPR) submitted to the Central Monitoring Committee (CMC) constituted in the matter of OA 673 of 2018. Thus IDMC is considering all the related issues with regard to the management of the Drains in the NCT Delhi.

6. That it is further submitted that the DDA(Respondent No 5) in their affidavit dated 06.09.2025 has submitted that the issue of the desilting of the Storm Water Drain(SWD) of Delhi including Kushak darin and others flowing into river Yamuna have also been taken cognizance by the Hon'ble High Court of Delhi in Writ Petition no 7594 of 2018 and 9617 of 2022 and is being monitored by the Hon'ble High Court. That covering of the Kushak Drain at Defence Colony was also undertaken by the DDA from the year 2008. The follow up action in the matter in consultation with the Government of NCT Delhi and the Delhi Municipal Corporation (South Zone) has been detailed by the DDA in their Affidavit dated 06.09.2025. The answering respondent has no reason



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5

- to differ with the averments made by the DDA in their affidavit with regard to the management of the matter pertaining to the Kushak drain.
7. That further it is humbly submitted that the NMCG, in accordance to the provisions of the River Ganga Authority Order, 2016, has been pursuing the 'Namami Gange Programme' (NGP), an Integrated River Ganga Conservation Mission, thereby to assist the Ganga basin State Governments in their efforts for effective abatement of pollution, conservation and rejuvenation of National River Ganga in the form of providing requisite assistance and support.
 8. That it is submitted for consideration of this Hon'ble Tribunal that since a dedicated institutional mechanism (IDMC) for drain management in Delhi already exists, pursuant to the Hon'ble NGT's order referred supra, any additional committee or authority on similar lines may not be necessary at this stage.
 9. That the answering Respondent craves leave of this Hon'ble Tribunal to make additional submissions, if so required, for consideration by this Hon'ble Tribunal
 10. That in view of the above it is humbly submitted that the facts and information submitted herein above may kindly be consider by the Hon'ble Tribunal and appropriate order/direction may be passed in the matter.



Deponent

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Dated: 28/10 October, 2025

Place: New Delhi



6

VERIFICATION

28 OCT 2025

Verified at New Delhi on this day October , 2025 that the contents of this affidavit are true and correct to the best of my knowledge and nothing is false and nothing material has been concealed there from.

Deponent

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... has signed in my presence



Certified that the foregoing statement was declared on solemn affirmation before me which has been read over to the deponent who has admitted

It as correct, ... Notary DELHI

28 OCT 2025