

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 537/2023

In re: News report published in The Times of India dated 22.08.2023 titled  
“Why Flooding Has Forced DDA’S Master Plan Rethink”

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Filed by:

  
Jyoti Mendiratta  
(Standing Counsel, GNCTD)

NEW DELHI

29.01.2024

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**In re: News report published in The Times of India dated 22.08.2023 titled  
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**REPORT OF THE JOINT COMMITTEE CONSTITUED IN  
COMPLIANCE OF ORDER DATED 17.10.2023**

1. That this Hon’ble Tribunal was pleased to take *suo moto* cognizance of the News report published in The Times of India dated 22.08.2023 titled “Why Flooding Has Forced DDA’s Master Plan Rethink,” with respect to flooding in Delhi on account of unauthorised constructions in the river flood plain in the 22 km stretch of Yamuna, falling in Delhi, from Wazirabad to Palla.
2. That in compliance of Order dated 17.10.2023 passed by this Hon’ble Tribunal, a High-Level Committee (HLC) was constituted under chairmanship of Chief Secretary GNCTD. The office order regarding constitution of High-Level Committee (HLC) dated 02.11.2023, is annexed hereto as **Annexure 1**.
3. That, the Chief Secretary GNCTD immediately directed the Department of Environment, GNCTD to get detailed maps of the floodplains prepared through GSDL. That, in pursuance, the Department of Environment, GNCTD had series of meetings during the month of December, 2023 with GSDL on various stipulations of maps of areas surrounding River Yamuna as per the requirement of the Hon’ble Tribunal order dated 17.10.2023.

4. That, the High Level Committee on River Yamuna constituted by this Hon'ble Tribunal vide order dated 09.01.2023 in OA. No. 21/2023 in the matter of "Ashwani Yadav Vs. Govt. of NCT of Delhi" (Now OA No. 06/2012 "Nizamuddin West Association Vs UoI") also deliberated on this issue in its eighth meeting on 10.01.2024 and the DDA, GSDL and Revenue Department, GNCTD were directed to submit information relevant to the mandate of the Joint Committee.
5. That, thereafter a meeting of the HLC constituted in compliance of this Hon'ble Tribunal's Order dated 17.10.2023 was convened under the chairmanship of Chief Secretary, Delhi on 18.01.2024.
6. That, during the said meeting on 18.01.2024, the HLC discussed the steps to be taken towards implementation of the directions of this Hon'ble Tribunal for the purpose of identification and demarcation of the concerned area in the flood plains of Yamuna and notification thereof in the light of the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016.
7. That, Chief Secretary, GNCTD chairing the Committee, highlighted the importance of this exercise and the positive impact it could have on the long-term conservation of the river flood plains. And DDA briefed about the status of O zone demarcation and demarcation of flood plains of river Yamuna and its breakup thereof. DDA gave a detailed presentation on the status of land in the flood plains of river Yamuna including both O zone notified in the Master Plan as well as the 1:25 years flood plains demarcated as per the Hon'ble NGT Judgement in OA 06/2012 dated 13.01.2015.

8. That on the issue of ownership of land falling under the flood plains, DDA clarified that the ownership lies with various stake holders and departments such as DDA, L&DO (MOHUA), GOI and various other departments. Moreover, it was informed that there are several un-authorized colonies in the flood plains numbering around 07 in the flood plains and 94 in the entire O zone. While several land parcels are under active litigation, some parcels are allotted to government departments/ agencies for construction and built up purposes. It was informed that the floodplains are primarily being used for agriculture by private owners and litigants. Additionally, DDA is actively undertaking restoration and rejuvenation on land parcels in its jurisdiction. Other than these, the floodplains have built up like Metro yards etc. based on allotments. DDA also informed the Committee that they are in the process of notifying O1 and O2 separately in the new Master Plan.
9. That DDA also explained that the total area under O zone is 9700 Ha, while the tentative area of river Yamuna is 1146 Ha. The Total Land available for development is 3493 Ha out of which 1647 Ha is available for development with DDA. DDA also gave a breakup of the land allotted by DDA to various agencies including Forest, infrastructure agencies, UP Govt. irrigation Dept., NTPC Badarpur for development of Eco-Park, and for greening. The breakup of the area, as submitted by DDA before the committee, is as follows: -

S.No.	Heads	Areas (Hectare)	
1	Total Area of Zone 'O'	9,700	
2	Tentative area of River Yamuna (average)	1,146	
3	Total land available for development	3,493	
4	Total Land not available with DDA	5,061	
A.	Total land available for development	3,493	
B.	Land allotted to various agencies (inclusive of areas with Forest)	1,846	
		Permanent allotment	1,724

		Temporary allotment	122 Ha
C.	Total Land available for development	1,647	
(i)	Land allotted to INFRASTRUCTURE agencies	1,152	
(ii)	Land allotted to FOREST agencies * Figures needs to be confirmed by Forest Department	694	
(iii)	Land allotted to UP Government (Irrigation Department)	370	
	Restoration works being taken up on UP Government (Irrigation Department) land		
	Balance land (allotted- works being taken-up)	62	
(iv)	NTPC Badarpur Eco-Park	358	
(v)	Yamuna Biodiversity Park	185	
C.	Land allotted for Green other than DDA's restoration project	694+308+358+185 =1,545	
D.	TOTAL GREEN	1647+1545=3,192	

10. That, the HLC asked DDA to clarify on certain issues regarding the data specially on the detailed break-up of the area under flood plains, apart from the 'O' Zone details. The committee stressed on the granularity of data required from DDA for this exercise, which included a detailed department-wise/ agency-wise break-up of area in terms of ownership and land use.

11. That, subsequently, the issue of encroachment in the flood plains and its removal, was taken up by the HLC with various agencies including MCD and Revenue Department and directed DDA, MCD and District Magistrates to submit detailed encroachment details of the flood plain under the jurisdiction of DDA, MCD and Revenue Department.

12. That, the HLC directed that DDA shall submit the area which is clearly free from encroachment and encumbrances and also enquired from DDA about the area under private ownership and DDA was directed to provide this detail at the earliest.

13. That, the HLC directed GSDL to procure high resolution images for better compliances of this Hon'ble Tribunal directions especially with regard to identification and demarcation of land parcels.
14. That, the committee directed that all concerned departments i.e. Urban Development, Revenue, Forest, DJB, Irrigation, Industries, MCD, DDA, GSDL and L&DO shall nominate Nodal Officers and provide GSDL all relevant information to enable GSDL to prepare various layers of ownership and land use of the flood plains under various departments/ agencies. And, the onus would be on the concerned department to provide the details to GSDL.
15. The HLC decided the following broad actions that need to be taken up and the timelines to complete the same.

S. No.	Subject	Concerned Department	Timelines
1	Remote determination of area (based on ownership and land-use separately)	GSDL (data to be provided by concerned departments)	2 weeks
2.	Preparation of high-resolution images on determined area to facilitate ground demarcation	GSDL (data to be provided by concerned departments)	2 weeks
3.	Ground verification	Revenue Deptt led team of DDA & MCD	4 weeks
4.	Demarcation on ground	DDA	in shortest possible time

16. That, for ground verification, there are mainly 06 Revenue Districts (North-East, Shahdara, East, Central, North and South-East) which fall under Yamuna flood plains and the concerned DMs of Revenue Department were directed by the committee to ensure nomination of 01 Tehsildar and 02 Patwaris per district for the purpose.
17. That, for demarcation, DDA has been asked by the HLC to take all necessary steps before hand so that demarcation on the ground can start immediately once the preparation of maps and ground verification is completed.
18. That, the HLC deliberated at length the timelines required for the exercise and found that the entire operation needs massive inter departmental collaboration, collection of data, ground surveys and verifications and on-ground demarcation to ensure effective implementation of this Hon'ble Tribunal's directions and thus requires more time, and in the above circumstances and as decided in the HLC meeting, it is prayed that further time of 12 weeks may be granted to enable the concerned agencies to complete the exercise and ensure compliance.
19. The present status reports may kindly be taken on record.

Date: 29-01-2024  
Place: New Delhi

  
(Nigam Agarwal)  
Director (Environment)  
Department of Environment,  
Govt. of NCT of Delhi

**Department of Environment, Govt. of NCT of Delhi**6<sup>th</sup> Level, C-Wing, Delhi Secretariat, IP Estate, New Delhi-110002[www.environment, delhigovt.nic.in](http://www.environment.delhigovt.nic.in)

No. DPCC/(10)/(10/(86)/Legal Cell/4917-28

Dated 02/11/2023

**ORDER**

In view of the recent floods in the capital that inundated several unauthorized colonies in low-lying areas, a news report was published in TOI on 22.08.2023 titled, "**Why Flooding Has Forced DDA's Master Plan Rethink.**" Hon'ble NGT had taken cognizance of the above mentioned news report vide order dated 17.10.2023 and registered the same as O.A. No. 537/2023 where it has been mentioned that flooding in Delhi is on account of unauthorized constructions in the river flood plain highlighting the requirement of delineation of Yamuna to prevent illegal developments in flood plains, and the Hon'ble Tribunal is of the view that the flood plain of Yamuna in the area concerned is required to be identified, demarcated and notified in the light of the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016. Hon'ble NGT directed to constitute a High Level Committee for this purpose.

Accordingly, in compliance to the directions of the Hon'ble NGT contained in the order dt. 17.10.2023, the High level Committee is constituted as below:-

1. Chief Secretary, Delhi – Chairman
2. Nominee from Delhi Development Authority (DDA) - Member
3. Pr. Secretary (Environment), GNCTD - Member ( nodal agency for coordination and compliance)
4. Secretary, Ministry of Jal Shakti (MoJS), - Member
5. Executive Director, National Mission for Clean Ganga (NMCG) – Member
6. Commissioner, Municipal Corporation of Delhi (MCD). – Member

The mandate of the High Level Committee would be to get spot inspections and demarcation of flood plains of Yamuna in the area concerned and suggest measures to prevent and remove the encroachment and unauthorized constructions falling within the flood plains. The Joint Committee is mandated to complete the exercise within a period of 3 months from the date of Hon'ble NGT order

The Committee may co-opt other members, as may be required

This issues with the approval of Chief Secretary

  
(Dr. K. S. Jayachandran)  
Spl. Secretary (Environment)

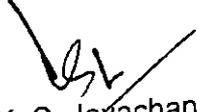
Contd .

No. DPCC/(10)/(10)/(86)/Legal Cell/4917-28

Dated 02/11/2023

Copy to:-

1. Vice Chairman, Delhi Development Authority, Vikas Sadan, New Delhi.
2. Secretary, Ministry of Jal Shakti (MoJS), National Mission for Clean Ganga Address : 1st Floor, Major Dhyan Chand National Stadium India Gate, Delhi (NCT), New Delhi - 110001
3. Commissioner, Municipal Corporation of Delhi (MCD), K.G. Marg, Delhi.
4. Executive Director, National Mission for Clean Ganga (NMCG) 1st Floor, Major Dhyan Chand National Stadium, India Gate, New Delhi - 110002
5. SO to CS, Delhi, GNCTD, Level 5<sup>th</sup>, A-Wing, Delhi Secretariat, New Delhi.
6. PPS to.Pr. Secretary, Environment, GNCTD.

  
(Dr. K. S. Jayachandran)  
Spl. Secretary (Environment)