

9753

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

I.A. No. 537/2023

In

Original Application No. 06/2012

**IN THE MATTER OF:-**

Nizamuddin West Association

.... Applicant

Versus

Union of India &Ors.

....Respondents

**D.O.H:-23/02/2024**

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NEW Delhi  
Dated:- 19/2/2024

Through



Puja Kalra  
(Advocate)

Chamber no. 430-31  
Lawyer Chamber

BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

Original Application No. 06/2012  
(I.A. No. 857/2023)

DOH: - 23.02.2024

Nizamuddin West Association .....Applicant

Versus

Union of India &Ors. ....Respondent(s)

**Joint report by senior officers of DJB and MCD.**

In terms of the order of the Hon'ble NGT order dated 09.01.2024, a meeting of the DJB and MCD officials was held on 17.01.2024 and 05.02.2024. The meeting notice and minutes of the meeting and attendance sheet are appended herewith as Annexure "A".

A joint site inspection of the GK-I drain was also carried out on 07.02.2024 in which all the senior officers of DJB and MCD along with members of the petitioner RWA as mentioned below:

**Name of the officers of DJB**

1. S.K. Bhardwaj CE(DR)PR-I
2. S.K.Dhaiya, SE(M-10)
3. R.K. Lakhera, SE(C)-4
4. A.M.Sharma, EE(C) DR-VI

Name of the officers of MCD

1. Sudhir Mehta, CE (Central Zone)
2. Ajay Agrawal, SE-I/SZ
3. S. K. Meena, EE(M)II/SZ

From petitioner RWA

1. B. B. Patel
2. P.P. Singh Ahluwalia

During the said meetings and site inspection, the following was discussed:

1. A proposal for covering of Nallah from Press Enclave road passing through Sheikh Sarai, Chirag Delhi, Panchsheel Enclave, Greater Kailash-I, Andrews Ganj upto Ring Road behind Police Station Defence Colony for providing parking/road cum parking under the jurisdiction of MCD (which includes the stretch of Nallah of subject matter of present I.A.) was approved for funding under JNNURM by erstwhile Ministry of UD, Govt. of India vide order dated 24.12.2009. As per the Detailed Project Report (DPR) made available by the Executing Division of the said project i.e. EE (Project)-II, Central Zone, MCD. The said project involves covering of Drain/Nallah in a length of about 3885 meters intended to be used as road/parking and green area. It is on record that approx. 1175 meters of the drain was covered till the time, Hon'ble NGT vide orders dated 13.01.2015 in O.A. No. 06/2012 and M.A. Nos 967/2013 & 275/2014 in the matter of Manoj Misra V/s Union of India & Ors. the covering of drain was stopped herewith. The operative

part of the judgment dated 13.01.2015 is reproduced as under.

*“To Keep the matters beyond ambiguity and with reference to the report filed on behalf of the South Delhi Municipal Corporation and the photographs annexed thereto, we direct that no further construction work would be carried on in the G.K.-I drain and all the iron rods, especially in the middle section of the drain shall be entirely removed. The part of the drain which has been covered would be permitted to remain, while it will be ensured that the same is neither occupied by unauthorized occupants nor is used as a platform for duping, as is even evident from the photographs submitted by the Corporation. No further construction work would be carried out in the Andrews Ganj drain and the entire middle section where iron bars are visible shall be removed”*

2. Vide I.A. No. 537/2023 the aforesaid RWA has requested for covering drain from H. No. B-159 to B-187, Greater Kailash-I, New Delhi in the length of about 140 meters, as it is emitting fould smell causing health effects and environmental pollution out of total 945 meters approximately drain present in the said block.

3. The catchment area of the drain receives discharge from the far flung areas of SangamVihar, Ghitorni, MehrauliSultanpur village, Tigari, Fatehpur, Devli, Dakshinpuri, PushpVihar, Chirag Delhi and Saket, which are on the upstream side and discharging effluent into GK-I drain and tapping of the same is being done by DJB as mentioned in para 5 at Sl. No. 7, 8, 10 & 11.

4. It is an established fact that there has been a phenomenal growth in the habitation in the areas of the outskirts of the Delhi city. DJB had made plans for laying

of sewerage system in these areas. Apart from the same, comprehensive works are under execution in various U/A colonies & villages and further scheme/plan has also been prepared for trapping of the drains, carrying mix waste, likely to be executed by 30.06.2025 as already submitted before the Hon'ble NGT.

**Long Term Solution:-**

5.As per the affidavit filed by the CEO, DJB before the Hon'ble Court of NGT the timeline submitted for completion of tapping of the drains as follows:-

S. No.	Location	Status	Short Term Action Plan	Long Term Action Plan	Target date of completion
7	Sewage falling into the drain from Jagdamba Camp (JJC Camp) behind Triveni Market.	Trapping of the sewage into the sewer line is not feasible at source, however it has been trapped ultimately at Krishi Vihar trapping.	The flow is very nominal, however it is trapped at Krishi Vihar.		31.03.2024
8	To make functional and maintain the already constructed trapping at Chirag Delhi Drain near Krishi Vihar Culvert.		Work of raising of broken wall has been completed at Krishi Vihar. However, during peak hour i.e. from 10:00 am to 11:30 PM drain overflows as discharge in the trunk sewer is itself is more. Excess discharge from the drain is trapped at Andrews Ganj trapping. DJB has undertaken work of 124 MGD STP at Okhla which will be commissioned functional by 31.03.2024 after which all the discharge of drain shall be trapped through Barapula Drain.		31.03.2024 (Remarks) DJB is undertaking commissioning of additional 124 MGD STP at Okhla which will be commissioned by 31.03.2024. 4. The full functionality of trapping will be completed after commissioning of additional 124 MGD STP Okhla

					by 31.03.2024
10	Sewage coming from Tigri and Sangam Vihar near Vayu Sena (Air Force Station) Dakshinpuri into Chirag Delhi Drain.	Trapping partially done as an interim measure and sewerage system yet to be laid.	As an interim measure, sewage coming from Trigri and Sangam Vihar etc. has partially been trapped into peripheral sewer line leading to Okhla STP. Further as an interim trapping of drain is done at Krishi Vihar. DJB is undertaking up-gradation of Okhla STP which shall also be functional by 31.03.2024. after completing Okhla STP the trapping will be made functional.	Out of 47 U/A colonies on Ratia marg, Mangal Bazar Road and Tigri Road, 39 U/A colonies are on the Forest area/O-zone. Request has been sent to Forest Deptt. for issuing sewer lines in these U/A colonies. Sewer lines in these colonies will be laid in 12 months after received of NOC from the forest department . In the rest 8 Nos. U/A colonies, sewer lines is being laid and is likely to completed by March 2024.	31.03.2024
11	Sewage coming from Mehrauli	The sewage flow from western road and IGNOU Road (Saidulla Jab Village and colony, Neb Sarai Village and	The Sewage flow from Westend road and IGNOU road (Saidullajab Village and colony, Neb	Recently it has been observed that at Mehrauli	30.06.2025

	colony (20 points programme) Freedom Fighter Colony, Paryavaran Complex, etc) is likely to be connected by Dec. 2023. However, as an immediate measures flow has been trapped at Krishi Vihar.	Sarai Village and colony (20 Points programme), Freedom Fighter Paryavaran colony, Complex, etc.) likely connected to is be by February, 2024 as the permission from PWD&Traffic were Received recently on 16.12.23 & 27.12.23 respectively. The DJB has undertaken work of 124 MGD STP which shall be commissioned/ functional by 31.03.2024.	STP more than the designed capacity of the plant i.e. 5 MGD sewage is received, therefore being proposal for the capacity augmentation of Mehrauli STP shall be taken up by DJB. The work is likely to be completed by June 2025.	
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6. With regards to desilting of the drains in the area, the said drainage system is under the jurisdiction of MCD. Action plan for desilting for each drain round the year is prepared and the same is monitored at the highest level in MCD/Govt. An action plan for desilting of drain prepared for the whole of south zone for the year 2024-2025 is enclosed as Annexure "B". Drain less than 4 ft. wide/deep are desilted by the Sanitation Department through Departmental Swachta Saniks round the year and drains above 4 feet are desilted by Engineering Department through mechanical means out sourced through contract as per site requirement. As per order dated 22.11.2023 in which the suggestion was put forth by Hon'ble Bench to increase the number of vents in addition to the already existing 10 number of vents at

distance of approximately 30 meters. The work of providing vents was taken up by the department and RCC slab was punctured at 4 places. The further work was stopped by the petitioner RWA suggesting that it will not serve any remedial measure to prevent the toxic gases emitting from the untreated sewage entering to the storm water drain. The petitioner RWA submitted the same before the Hon'ble NGT and representation submitted to the MCD in this regard (Enclosed as Annexure "C").

7. The basis for banning of covering of drains as observed in para 13 of order dated 13.01.2015 in O.A. No. 06/2012 in the matter of Manoj Mishra V/s Union of India is "reduced recharge of ground water impeding the natural ecological flow due to concretization base of the drain". It is further submitted that in the entire stretch of drain under jurisdiction of this division from Lala Lajpat Rai Marg to Press Enclave road there exists either road/passage/open land alongside the drain. Only the residences along this small open stretch from H. No. B-159 to B-187 GK-I has direct access from rear side towards the drain. Since the base of the drain along with vertical RCC walls have already been casted and only the roof casting remains in stretch from B-159 to B-187, GK-I (Existing site photographs are enclosed as Annexure "D").

**Short Term Solution:-**

8. In order to mitigate suffering of the petitioner RWA and to safeguard the residents from the foul gases emitting out from this the open portion, RWA may be

permitted to temporary covering by placing Arch shaped transparent Acrylic fiber sheet or removable pre-cast RCC slabs, for which the RWA also agreed during informal meeting and has desired to do the same out of their own funds.

9. In this regard it is pertinent to mention that Hon'ble NGT has allowed part covering of 2 drains in the jurisdiction of MCD in past. The details are as under:-

A. The covering of the part portion of Subhash Nagar drain in West Delhi was allowed by the Principal Committee constituted by the Hon'ble NGT in order dated 13.01.2015 in O.A. No. 06/2012. The Chairman Principal Committee recommend that "the uncovered area of the drain having 55m (Keshopur Mandi Culvert) and 60 m length (Chaukandi Culvert) may be covered with the condition that the addition of such coverage will not be considered for the NGT clause of more than 85% completion work" (Enclosed as Annexure "E").

B. Maharani Bagh Co-Operative House Building & Welfare Society Ltd. has filed this application before the Hon'ble Bench of NGT with a prayer that the concerned agencies including Delhi Jal Board and South Delhi Municipal Corporation be directed to reinstate and cover the portion of Maharani Bagh drain running through the Maharani Bagh Colony. The Hon'ble Court of NGT vide order dated 26.07.2016 (Enclosed as Annexure "F") observed in para 5 as under:-

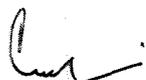
*“We would have normally not permitted even the covering of the remaining part of the drain but for the reason that the status existed since 1965. The applicants are not praying for carrying out any fresh alterations or a project which will be entirely laid down or cover the drain. All the drains in Delhi are expected to carry water free from obstruction, free of metals, acidic substance and smell. Once the drain trapping and STPs work, in terms of the judgment dated 13th January, 2015 is completed, Delhi will be a much healthier and better place to live. So far as the drainage system is concerned, the applicants have prayed that the status as it existed since 1965 should be restored particularly when a very small part of the drain remains to be covered and the major part of the drain is already covered.*

*Only with a view to restore the status as it existed, we would permit covering of the Maharani Bagh drain in Maharani Bagh temporarily by use of pre-cast RCC slabs which will not be cemented, leaving vents in between which will not be covered by laying down mud, or grass or in any other form whatsoever. The major portion of the drain would be kept open once the requisite number of STPs/CETPs, in terms of the judgment dated 13th January 2015, at Maharani Bagh are established/constructed and made operational”.*

The Hon’ble Court of NGT allowed the covering of the Maharani Bagh drain with pre-cast RCC slab subject to the to the following:-

*“The residents of applicant's association also contribute to the pollution of the drains, besides they want this work to be done on certain assumptions and for their benefit. In view of that they must be liable to pay as contributory to the 'Precautionary Principles' and Polluter Pay Principles'. The total estimated cost is stated to be Rs. 4.68 Crores. Major part thereof should be incurred by the authorities. However, 15% of the total cost should be borne by the Society and its residents. Restoration of the drain to its status prior 1965 shall be subject to final orders which the Tribunal may pass in the main case. We further direct that till further orders, the drain would be kept in the same status as of prior to 1965, without covering the slabs by soil, grass or any other material and would be kept in a removal condition”.*

The above report is submitted for kind consideration before the Hon'ble NGT please.

  
CE(SZ)

  
CE(CNZ)

  
SE-I(SZ)

  
EE(M)I/SZ

  
CE(DR)PR-I

  
SE(M-10)

  
SE(C)-4

  
EE(C)DR-VI

9764

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI  
OFFICE OF THE EXECUTIVE ENGINEER (M) 50  
ENGINEERS BHAWAN, 2<sup>nd</sup> FLOOR, ANDREWS GANJ,  
NEAR MOOLCHAND CROSSING, NEW DELHI 110049  
Email id: eem50gk@gmail.com



No.-DJB/EE(M)50/2023-24/ 2637

Date: 16.01.2024

MEETING NOTICE

In compliance to directions of Hon'ble NGT orders Date 09/01/2024 in the matter of Nizamuddin West Association V/s Union of India & Ors. (I.A. No. 537/2023 IN Original Application No. 06/2012), a meeting has been scheduled under the **Chairmanship of Superintending Engineer (M)-10 at Conference room of Delhi Jal Board Office, 1<sup>st</sup> Floor Engineers Bhawan, Andrews Ganj Near Moolchand Crossing, New Delhi-110049, on 17.01.2024 at 11:00 AM.**

It is requested to make it convenient to attend the meeting.

1. Superintending Engineer-I, South Zone, MCD, Green Park , New Delhi
2. Superintending Engineer (C)-IV, DJB
3. Superintending Engineer (C)-DR-IV, DJB
4. Executive Engineer (M)-II, MCD, Gulmohar Park, New Delhi-110049
5. Executive Engineer (C) Dr-VI, DJB, Jal Sadan, New Delhi.
6. Executive Engineer (P)-SR-II, DJB
7. Executive Engineer (E&M)-M-10, DJB
8. Executive Engineer (M)-48, DJB, Delhi.
9. Executive Engineer (M)-46, DJB
10. Executive Engineer (SDW)-V



PA  
✓ EEM/EE  
A 14/1  
All Concerned

  
16-01-2024  
(R.G. Saraswat)  
Executive Engineer (M)-50

Copy to :-

1. Chief Engineer Nodal (Drainage) : for kind information.
2. Chief Engineer (Drainage) Project-I
3. Chief Engineer South, MCD, 19<sup>th</sup> Floor SPM Civic Centre, New Delhi-110002
4. Superintending Engineer (M)-10
5. Superintending Engineer (M)-11
6. Sh. Santosh Kumar Verma, AE(M)-50: to attend along with all relative details.

2290/ABEMR  
19-01-24

ABT  
M.M.

J.R.

Executive Engineer (M)-50



DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI  
OFFICE OF THE EXECUTIVE ENGINEER (M) 50  
ENGINEERS BHAWAN, 2<sup>nd</sup> FLOOR, ANDREWS GANJ,  
NEAR MOOLCHAND CROSSING, NEW DELHI 110049

Email id: eem50gk@gmail.com

No.-DJB/EE(M)50/2023-24/2682

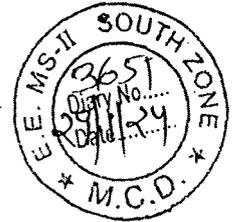
Date: 23.01.2024

MINUTES OF MEETING

In compliance to directions of Hon'ble NGT orders Date 09/01/2024 in the matter of Nizamuddin West Association V/s Union of India & Ors. (I.A. No. 537/2023 IN Original Application No. 06/2012), a meeting was held under the Chairmanship of Superintending Engineer (M)-10 at Conference room of Delhi Jal Board Office, 1<sup>st</sup> Floor Engineers Bhawan, Andrews Ganj Near Moolchand Crossing, New Delhi-110049, on 17.01.2024 at 11:00 AM.

The following officers,/officials was present.

1. Sh. S.K. Dahiya, SE(M)-10, DJB ..... in chair
2. Sh. Ajay Kr. Aggarwal, SE-I, MCD
3. Sh. R. K. Lakhera, SE (C)-IV, DJB
4. Sh. Sawant Singh (M)-46, DJB
5. Sh. S.K. Meena, EE (M)-II, MCD
6. Sh. A.M.Sharma, EE(C) Dr-VI, DJB
7. Sh. A.S. Grewal, AE(P)-SR-II, DJB
8. Sh. Rakesh Ahuja, AE(M-II)SZ, MCD
9. Sh. Jitender Srivastav, AE(M)-43 & 44, DJB
10. Sh. Rahul Yadav, AE(C)-Dr-VI, DJB
11. Sh. Abhishek Rai, AE(E&M) C/o EE(SDW)-V, DJB
12. Sh. Neeraj Kumar Meena, JE-173, MCD
13. Sh. Balroop, JE(E&M) C/o EE (SDW)-V, DJB



The following points was discussed during the meeting:-

1. It has been apprised by AE concerned that there is no adequate pumping at G.K. Enclave-I SPS. It was directed that EE(E&M)M-10 will ensure sufficient pumping for preventing the overflow discharge in Krishi Vihar drain.
2. It was apprised by AE(P)-SR-II, DJB that the repair work of 700mm dia damaged sewer line emanating from Chirag Delhi near trunk sewer will be completed with in 15 days.
3. It was apprised that existing manholes of 1100mm dia sewer line just adjacent to drain near Krishi Vihar trapping are surcharging and also filled huge quantity of silt. It was requested to SE (C)-IV, DJB for taking necessary action in this regard on priority.
4. It was suggested by SE-I, South Zone, MCD that the bioremediation may be done at Krishi Vihar drain for abatement of fauls and bad smell.

23 61/AG(M)P  
30-01-2024

All Concerned

AG I  
29/1/24

23.01.2024  
(R.G. Saraswat)  
Executive Engineer (M)-50

P-1/2

13

9766

Copy to :-

1. Chief Engineer Nodal (Drainage) : for kind information.
2. Chief Engineer (Drainage) Project-I
3. Chief Engineer South, MCD, 19<sup>th</sup> Floor SPM Civic Centre, New Delhi-110002
4. Superintending Engineer (M)-11
5. Sh. Santosh Kumar Verma, AE(M)-50: to pursue and report.

Executive Engineer (M)-50

P-2/2

9767

(14)

DELHI JAL BOARD: GOVT. OF NCT DELHI  
OFFICE OF THE EXECUTIVE ENGINEER (C) DR-VI,  
JAL SADAN, LAIPAT NAGAR, NEW DELHI  
Tel no. 011-29818103



No. DJB/EE(C)DR-VI/2024/343-349

Dated: 02/02/2024

MEETING NOTICE

In compliance to direction of Hon'ble NCT orders Date 09/01/2024, in the matter of Nizamuddin West Association V/s Union of India & Ors. (IA No 537/2023 IN Original Application No. 06/2012), a meeting has been scheduled under the Chairmanship of Chief Engineer (Dr)Pr-I in his chamber at room no. 301, Varunalaya Phase -1 Karol Bagh New Delhi -110005 on 05/02/2024 at 3.00 PM.

It is requested to make it convenient to attend the meeting.

1. Chief Engineer (South) MCD.
2. Chief Engineer (Central) MCD.
3. Chief Engineer (SIW), DJB.
4. Superintending Engineer (C)-4, DJB.
5. Superintending Engineer (C)-1, DJB.
6. Superintending Engineer (Dr)Pr-IV, DJB.
7. Superintending Engineer (M)-10, DJB.
8. Superintending Engineer (M)-11, DJB.
9. DIQC, DJB.

All Concerned

-sd-  
Executive Engineer (C)DR-VI

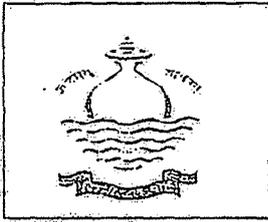
Copy to :-

1. Superintending Engineer (South Zone) MCD.
2. Executive Engineer (P)-SR-II, DJB.
3. Executive Engineer (P & M)-M-10, DJB.
4. Executive Engineer (M)-46, DJB.
5. Executive Engineer (M)-48, DJB.
6. Executive Engineer (M)-50, DJB.
7. Executive Engineer (SIW)-V, DJB.

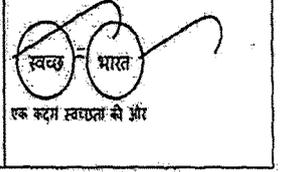
02/02/2024  
Executive Engineer (C)DR-VI

9768

(15)



**DELHI JAL BOARD: GOVT. OF NCT DELHI**  
**OFFICE OF THE EXECUTIVE ENGINEER(C)DR-VI**  
**JAL SADAN: LAJPAT NAGAR: NEW DELHI**  
 Email : eecdr6.djb@gmail.com



No. DJB/EE(C)DR-VI/2024/ 440-453

Dated: 13.02.2024

**MINUTES OF MEETING**

In compliance to direction of Hon'ble NGT orders Date 09/01/2024, in the matter of Nizamuddin West Association V/s Union of India & Ors. (IA No 537/2023 IN Original Application No. 06/2012), a meeting was held under the Chairmanship of CE(DR)PR-I in his chamber at room no. 301, Varunalaya Phase-I, Karol Bagh New Delhi -110005 on 05/02/2024 at 3.00 PM.

The following officers/officials were present.

- |                            |   |                       |
|----------------------------|---|-----------------------|
| 1. Sh. S. K. Bhardwaj      | : | CE(DR)PR-I - In chair |
| 2. Sh. Sudhir Kr. Mehta    | : | CE(Central)MCD        |
| 3. Sh. R.K. Lakhera        | : | SE(C)-4               |
| 4. Sh. S. K. Dahiya        | : | SE(M)-10              |
| 5. Sh. Sandeep Kulshrestra | : | SE(DR)PR-IV           |
| 6. Sh. P. K. Gupta         | : | SE(P)-3               |
| 7. Sh. Ajay Aggarwal       | : | SE-I, (MCD)SZ         |
| 8. Sh. R. G. Saraswat      | : | EE(M)-50              |
| 9. Sh. R. K. Gupta         | : | EE(P)SR-II            |
| 10. Sh. S. K. Meena        | : | EE(M-II), SZ, MCD     |
| 11. Sh. Rakesh Ahuja       | : | AE(M-II) SZ, MCD      |

The following points were discussed during the meeting:

1. It was decided by the Chair that the regular desilting should be carried out of the covered and open drain regularly by MCD to minimize the stagnation of water and foul conditions.
2. It was also decided for joint site visit on 07.02.2024 at 10.30 AM with Representative of the Petitioner.
3. It was also instructed to make arrangement for assessment of silt level during site inspection.
4. It was directed to the concerned DJB engineers to trap the sub-drains out falling in GK Drain within the timeline given before the Hon'ble NGT.

All Concerned

Copy to:-

1. CEN(DR)
2. AE-I/IV
3. Office copy/Master file

Sd/-  
 (A. M. SHARMA)  
 EE(C)DR-VI

*AM*  
 13/02/2024

EE(C)DR-VI

9769

16

Attendance Sheet

ET: Meeting in the matter of Nizamuddin West Association v/s Union of India & Ors.  
 (IA No. 537/2023 in original Applications No. 06/2023)

Name	Designation	Department/ Firm	e-mail	Mobile Number	Signature
Sudhirk Kelts	Chief Engineer Central	MCD	Chief Engineer Central @g mail - Com	971788032	
S.K. Dey	SE M-10	DJB		965091161	
R.K. Lalder	SE (C) 4	DJB		9650838989	
R.G. Saraswat	EE (M) - 50	DJB		965029080	
A.M. SHARMA	EE (C) DR - VI	DJB		9650291540	
R.K. GUPTA	EE (R) SR - II	DJB		9650508974	
Sandeep Kulkarni	SE (Dr) Pr - IV	DJB		9650311411	
Ajay Agral	SE (P) 58	MCD		971778258	
S.K. Meena	EE (M - II) S2	MCD		971778287	
P.K. GUPTA	SE (P) 3	DJB		965030876	

ET: \_\_\_\_\_

Name	Designation	Department/ Firm	e-mail	Mobile Number	Signature
Rakesh Ahuja	AE (M) II / SZ	MCD / SZ		9717757858	

9771

ANNEXURE 'B' (19)

Municipal Corporation of Delhi  
OFFICE OF THE SUPERINTENDING ENGINEER-I & II  
SOUTH ZONE, GREEN PARK, NEW DELHI-16

Sub.: Action plan of desilting of drains/nallahs from 15.01.2024 to 15.01.2025 (Above 4' in depth and width)

Name of CE-SZ: Sh. V.K. Bhatia  
Name of SE-I/SZ: Sh. Ajay Aggarwal  
Name of SE-II/SZ: Sh. Ramesh Kumar

Name of EE (M-I)/SZ : Sh. Deepak Gahlot, M. No. 8588888575  
Name of EE (M-II)/SZ : Sh. S K Meena, M. No. 9717787870  
Name of EE (M-III)/SZ : Sh. R C Meena, M. No. 9717787040  
Name of EE (M-IV)/SZ : Sh. Shadab Alam, M. No. 9650798702

S.N o.	Div.	Ward No.	Name of Drain	R.D.		Section of Drains (in mtrs)				Qty of silt to be desilted (From 16.01.2024 to 31.05.2024) ( in MT) Phase - I	Qty of silt to be desilted (From 01.08.2024 to 15.01.2025) ( in MT) Phase - II	Qty. of silt to be desilted (In MT) (From 16.01.2024 to 15.01.2025)	
				From	To	L(Approx)	(B) (Approx)	D of Nalla (Approx)	Depth of silt (Avg.)				
						Open	Covered						
1	M-I	148	Jia Sarai outfall drain along IIT Boundary wall	0	80		80	0.65	1.40	0.20	7	5	12
2	M-I	148	Gautam Nagar Nallah from Indian Oil to bridge behind AIIMS (reach from IOC to F-130, F-110 Gautam Nagar)	0	310	25	285	8	Silt chamber	0.1	157	105	262
3	M-I	148	Gulmohar Enclave outfall drain covered (20 Nos. Manhole)	0	210	--	210	0.5		0.2	13	9	22
4	M-I	150	Arjun Nagar Nalla from Humayunpur to A.I.I.M.S. (Near Cremation Ground Green Park)	0	1500	350	1150	1.80	3.00	0.06	103	68	171
5	M-I	150	Green Park Nalla from MCD School to Aurbindo Marg Evergreen Sweets	0	650	0	650	1.50	1.00	0.05	31	21	52
6	M-I	150	Nauroji Nagar nalla from Bhikaji Cama Plaec to Ring Road	0	1250	1250	0	2.30	4.30	0.07	128	85	213
7	M-I	150	K&P block SDA drain from Saint Paul School to Narender Kumar Pandey Marg	0	350	300	50	0.5		0.14	16	10	26
8	M-I	150	Covered drain from C-2/60 SDA to Aurbindo Marg	0	150	0	150	0.75	1.20	0.10	7	5	12
9	M-I	151	Munirka drain from D.D.A. Flat to Outer Ring Road	0	450	0	450	0.60	1.60	0.10	17	12	29
10	M-I	151	Nalla No. 2 R.K. Puram from Church to DDA park Sect. IV, R.K. Puram	0	1350	700	650	0.95	4.50	0.12	98	65	163
11	M-I	151	Nalla No. 3, Sect.-3, R.K. Puram from H.No. 506 type IV, Sect.-3 R.K. Puram to Masjid Olf Palme Marg	0	700	700	0	0.90	3.30	0.15	60	40	100
12	M-I	151	Minirka Vihar outfall dain	0	300	0	300	0.60	1.20	0.10	11	8	19

S.N o.	Div.	Ward No.	Name of Drain	R.D.		Section of Drains (in mtrs)				Qty of silt to be desilted (From 16.01.2024 to 31.05.2024) ( in MT) Phase - I	Qty of silt to be desilted (From 01.08.2024 to 15.01.2025) ( in MT) Phase - II	Qty. of silt to be desilted (In MT) (From 16.01.2024 to 15.01.2025)	
				From	To	L(Approx)	(B) (Approx)	D of Nalla (Approx)	Depth of silt (Avg.)				
13	M-I	151	Munirka Village outfall drain from Village to DDA flats Munirka	0	160	0	160	0.60	1.50	0.10	6	4	10
14	M-I	152	DPS Nalla R.K. Puram from DPS School to Ambedkar Basti (Covered during CWG)	0	480	0	480	1.10	4.65	0.04	13	9	22
15	M-I	152	Ambedkar Basti J.J. Camp Nalla from Kushta Camp to Ring Road	0	900	625	275	1.00	6.10	0.15	86	57	143
16	M-I	152	Nalla No.5 R.K. Puram from Outer Ring Road to Sangam Cinema, R.K. Puram	0	950	950	0	0.90	3.20	0.05	27	18	45
17	M-I	152	Som Vihar nalla from Som Vihar Apartment to DPS School	0	320	0	320	0.80	1.20	0.10	16	11	27
18	M-I	152	Nallah No. 6 from Outer Ring Road near Kendriya Vidyalaya Sec.-VIII R.K. Puram to T-point of Rao Tula Ram Marg and Som Nath Sharma Marg in R.K. Puram	0	950	950	0	0.90	2.00	0.05	27	18	45
19	M-I	152	Nalla No. 4 R.K. Puram from Outer Ring to EKTA camp	0	910	910	0	1.00	5.30	0.25	145	96	241
20	M-I	153	Vasant Vihar Nalla from Culvert on Munirka Marg to H.No. A-25, Olf Palme Marg	0	1450	1450	0	1.20	3.00	0.08	88	59	147
21	M-I	153	Guru Harkishan Public School Nalla in Vasant Vihar from DDA park to Vasant Vihar	0	500	500		1.00	1.80	0.04	13	8	21
22	M-I	153	Indian Air Lines nalla in Vasant Vihar from H.No. 38 to Poorvi Marg, Indian Airlines	0	400	400	0	1.00	1.60	0.05	13	8	21
23	M-I	153	U/S. Nalla No. 6 & Vasant Enclave Drain	0	100	100		1.10	1.65	0.07	5	3	8
			<b>Total M-I</b>	<b>0</b>	<b>14420</b>	<b>9210</b>	<b>5210</b>	<b>29.65</b>	<b>53.5</b>	<b>2.37</b>	<b>1086.73</b>	<b>724.49</b>	<b>1811</b>
1	M-II	149	Local Shopping Centre Sarvpriya Vihar to Begumpur Village Malviya Nagar	0	300		300	0.90	1.50	0.20	38.07	25.38	63.45
2	M-II	165	L-Block Nallah from H. No. 322 L-Block to culvert near Mount Columbus School C-Block Dakshin Puri	0	573	460	113	1.00	1.50	0.12	38.16	25.85	64.01
3	M-II	171	Masjid Moth DDA Flat drain from DDA flat to outer Ring Road near Motor Mkt.	0	100	100	--	1.70	1.50	0.10	12.00	8.00	20.00
4	M-II	172	Chirag Delhi Vill. Nalla from Press Enclave Road to Outer Ring Road	0	1250	1250	--	2.50	4.00	0.15	330.46	220.34	550.80

S.N o.	Div.	Ward No.	Name of Drain	R.D.		Section of Drains (in mtrs)				Qty of silt to be desilted (From 16.01.2024 to 31.05.2024) ( in MT) Phase - I	Qty of silt to be desilted (From 01.08.2024 to 15.01.2025) ( in MT) Phase - II	Qty. of silt to be desilted (In MT) (From 16.01.2024 to 15.01.2025)	
				From	To	L(Approx)	(B) (Approx)	D of Nalla (Approx)	Depth of silt (Avg.)				
5	M-II	172	Jagdamba Camp nalla from Triveni Complex culvert to Chirag Delhi nallah	0	200	200	--	1.50	3.00	0.14	29.40	19.60	49.00
6	M-II	172	S-block Panchsheel Park covered drain from S-I to S-60	0	200	--	200	0.90	1.20	0.05	6.60	4.40	11.00
7	M-II	172	Shapur Jat drain from DDA Flats to August Kranti Marg Nallah	0	1280	1280	--	0.85	1.50	0.08	61.20	40.80	102.00
8	M-II	172	Nallah along August Kranti Marg from Panchsheel Club to Kamla Nehru College	0	1694	1000	694	2.40	3.00	0.12	203.04	135.36	338.40
9	M-II	173	<b>GK Nallah from Chirag Delhi Flyover to link road culvert near Central School</b>	0	<b>2075</b>	<b>900</b>	<b>1175</b>	<b>3.00</b>	<b>4.00</b>	<b>0.16</b>	<b>304.80</b>	<b>203.20</b>	<b>508.00</b>
10	M-II	173	R&S Block Nallah from Outer Ringh Road to S-363 to B- 272 GK-I	0	1435	1435	--	1.80	3.00	0.02	36.60	24.40	61.00
11	M-II	173	Ajeet Arcade Nallah near LSR College from Lal Lajpat Rai Marg to Kalka Devi Marg	0	134	134	--	3.00	2.00	0.10	28.20	18.80	47.00
12	M-II	173	Sant Nagar Covered drain	0	258	258	--	1.80	3.00	0.02	6.60	4.40	11.00
			<b>Total M-II</b>	<b>0</b>	<b>9499</b>	<b>6759</b>	<b>2740</b>	<b>21</b>	<b>29</b>	<b>1</b>	<b>1095.13</b>	<b>730.53</b>	<b>1825.66</b>
1	M-III	155	Mehrauli dargah Nallah & Dargah Jamali Kamali Nallah	0	220	102	118	2.50	2.00	0.10	38.78	25.85	64.63
2	M-III	155	Nallah from Mandir to Police Station Mehrauli	0	300	0	300	0.80	1.20	0.10	16.92	11.28	28.20
3	M-III	155	Samshi Talab Nallah Mehrauli from Bagh to Samsi Talab	0	440	0	440	1.20	1.25	0.10	37.22	24.82	62.04
4	M-III	155	Sector-A Pocket B & C from Shiv Mandir to Jal board office Vasant Kuni	0	600	0	600	0.60	1.50	0.10	25.38	16.92	42.30
5	M-III	161	Nallah from Jalebi Chowk (Teenu Public School) to Durga Vihar	0	1200	605	940	1.20	1.30	0.15	152.28	101.52	253.80
6	M-III	162	Nallah from M.B. Road to Jalebi chowk (Teenu Public School)	0	1610	900	710	1.30	1.90	0.15	221.33	147.56	368.89
7	M-III	162	Nallah from Janta Jewan Camp to M.B. Road via Pico Factory	0	620	100	520	1.20	1.50	0.15	78.68	52.45	131.13
8	M-III	164	Block 14, 16, 17 & 20 nallah Dakshinpuri Pocket 16 to main road Maharishi Balmiki Marg.	0	337	337	0	1.60	1.00	0.10	38.01	25.34	63.36
9	M-III	164	From H.No.760 Block No.3 Dakshinpuri Extn. to Boundary Wall of Jahan Panah City Forest	0	147	147	0	1.00	1.30	0.10	10.36	6.91	17.27
10	M-III	164	Nallah from Block No.2 to Dakshinpuri Nallah at Maharishi Balimiki Marg	0	259	259	0	1.50	1.00	0.15	41.08	27.39	68.47

S.N o.	Div.	Ward No.	Name of Drain	R.D.		Section of Drains (in mtrs)				Qty of silt to be desilted (From 16.01.2024 to 31.05.2024) ( in MT) Phase - I	Qty of silt to be desilted (From 01.08.2024 to 15.01.2025) ( in MT) Phase - II	Qty. of silt to be desilted (In MT) (From 16.01.2024 to 15.01.2025)	
				From	To	L(Approx)	(B) (Approx)	D of Nalla (Approx)	Depth of silt (Avg.)				
11	M-III	166	Central Market Madangir nallah from Shiv Nanda Public School upto Parking near DDA Market Madangir Phase-II	0	673	673	0	2.00	1.50	0.12	113.87	75.91	189.79
12	M-III	166	RPS Drain from BRT Corridor near DDA Flats Madangir to DSIDC F-Block.	0	1064	360	704	3.00	2.00	0.15	337.55	225.04	562.59
13	M-III	166	Pushp Vihar main nalla from MB Road to culvert near DPS International School, Pushp Vihar	0	1504	1179	325	3.05	2.00	0.15	485.10	323.40	808.49
14	M-III	166	Pushp Vihar District Center, Saket Nalla from Mandir Marg M-Block culvert to culvert on Pankaj Jewel Marg in Pushp Vihar	0	565	565	0	6.00	1.50	0.15	358.49	239.00	597.49
15	M-III	166	From DPS School Pushp Vihar Sector-6 to Press Enclave Road	0	440	440	0	3.50	0.00	0.10	108.57	72.38	180.95
16	M-III	166	D/S Virat drain from BRT Corridor to main Nallah Pushp Vihar Sector - 4	0	400	400	0	1.00	0.00	0.10	28.20	18.80	47.00
17	M-III	166	Central Market Nallah from BRT to main Nallah Pushp Vihar	0	270	270	0	2.40	0.00	0.10	45.68	30.46	76.14
18	M-III	166	Nalla from Saket PT/ Huaz rani Red Light to toward pushp Vihar Nallah Merge point through Gate No.1 & 2 of Saket Court complex at Press Enclave Road	0	360	360	0	10.00	4.00	0.20	507.60	338.40	846.00
19	M-III	167	Nallah from Raju Park C-14 to Sainik Farm Gate No.1 in Khanpur	0	2200	0	2200	1.10	1.60	0.10	170.61	113.74	284.35
			<b>Total M-III</b>	<b>0</b>	<b>13209</b>	<b>6697</b>	<b>6857</b>	<b>44.95</b>	<b>26.55</b>	<b>2.37</b>	<b>2815.73</b>	<b>1877.15</b>	<b>4692.89</b>
1	M-IV	154	Katwaria Sarai Nalla Sh.Jeet Singh Marg to Culvert IIT	0	120	120	-	1.00	4.50	0.27	24	16	40
2	M-IV	154	M-Block Nalla, Saket from Anupam Cinema to M-Block, Saket Mandir Marg	0	970	970	-	1.00	4.50	0.30	213	142	355
3	M-IV	156	Phirni Nallah, Rajokari Village	0	1537	1537	-	0.60	1.30	0.26	176	117	293
4	M-IV	156	Pocket D-3, 4 Gate No.1 to Shopping Centre, Vasant Kuni	0	260	-	260	0.45	1.30	0.28	24	16	40
5	M-IV	157	Aya Nagar phirni road drain	0	320	320	-	0.90	1.40	0.34	72	48	119
6	M-IV	157	Aya Nagar Sunday market drain upto outfall	0	870	-	870	0.75	1.20	0.48	229	153	382
7	M-IV	158	Zonapur Village Nallah from Zonapur Village to 250m	0	175	-	175	1.50	1.80	0.40	77	51	128
8	M-IV	159	Chattarpur Mandir Nalla from Mandir to Chattarpur Pahari	0	600	-	600	1.30	3.00	0.35	200	133	333

S.N o.	r.	Ward No.	Name of Drain	R.D.		Section of Drains (in mtrs)				Qty of silt to be desilted (From 16.01.2024 to 31.05.2024) ( in MT) Phase - I	Qty of silt to be desilted (From 01.08.2024 to 15.01.2025) ( in MT) Phase - II	Qty. of silt to be desilted (In MT) (From 16.01.2024 to 15.01.2025)	
				From	To	L(Approx)	(B) (Approx)	D of Nalla (Approx)	Depth of silt (Avg.)				
9	M-IV	160	Saidulajab Nalla from Gali No-2 to IGNOU Road Saiiulajab	0	320	-	320	0.60	2.10	0.23	32	22	54
			<b>Total M-IV</b>	<b>0</b>	<b>5172</b>	<b>2947</b>	<b>2225</b>	<b>8.1</b>	<b>21.1</b>	<b>2.91</b>	<b>1046</b>	<b>697</b>	<b>1744</b>
<b>63</b>			<b>Subtotal (M-I,II,III&amp;IV)</b>	<b>0</b>	<b>42300</b>	<b>25613</b>	<b>17032</b>	<b>104</b>	<b>130</b>	<b>9</b>	<b>6044</b>	<b>4030</b>	<b>10073</b>



Greater Kailash

## BLK-B (NORTH) GK-1 RWA

January 1, 2024  
The Executive Engineer  
MCD, M-2 South Zone  
Gulmohar Park  
New Delhi

RE: Emission of Toxic Gases from the Rain Water Drain behind B Block Greater Kailash - 1 - due to discharge of untreated sewage in the drain for over 20 years – Matter presently being heard in the Hon'ble NGT, Delhi

Dear Sir,

Chimneys / Vents are not a solution as it does not address the root cause of sewage being discharged into the Rain / Storm Water drain

We regret to state that untreated sewage is being discharged into the Rain / Storm Water Drain touching our houses for over 20 years leading to the emission of Toxic Gases causing irreparable permanent damage to the health of the residents.

It is unfortunate that whereas the Root Cause has not been addressed & the toxic gases continue to be emitted, the MCD has suggested making 40 more vents / Chimneys which will not stop emitting toxic gases and also not address the Root cause of stopping the discharge of untreated sewage into this Rain / Storm water drain.

Since the toxic gases generated and emitted are heavier than normal air, will not automatically go up in the sky through chimneys. Evidence is the TEN chimneys already made have been totally ineffective. As there is no difference in the spreading of toxic gases, when sewage comes out of the mouth of the NALLAS and passes with the wind in the open air, all the toxic gases are released and spread in the open, behind our ELEVEN HOUSES. Therefore, the proposed Chimneys/vents are absolutely no solution to our 20 years old suffering. Therefore, it makes no sense in making Chimneys/vents & not address the Root Cause of the problem.

Therefore, in all earnestness, we request MCD to address the Root Cause & not undertake the action of Vents / Chimneys that do not solve the real problem.

Moreover, the cost of making so-called chimneys will be much more than putting a lead may be temporary, and will serve all the purpose of transferring emitted gases into an open area where there are no residences or any settlements around.

For B Block (North) GK-I RWA

President



CC: Mr. Ahuja J.E. 9717787858

2177/AE(M2)  
03-01-24  
Pl. report  
A2-5  
21/1/24

**A & B BLOCK WELFARE SOCIETY**

Affiliated to Greater Kailash Resident's Welfare Association (Regd.)

President

**ARUN VOHRA**

B-222 Greater Kailash-I

New Delhi-110048

Ph. 9811089104

Secretary

**BIMAL KAPOOR**

B-270 F.F, Greater Kailash-I

New Delhi-110048.

Ph. 9818428885

2 Jan 20 24,

The Executive Engineer

MCD

South Zone

Delhi

RE : Emission of Toxic Cases from the Rain Water Drain behind B Block Greater Kailash - 1 - due to discharge of untreated sewage in the drain for over 20 years - Matter presently being heard in the Hon'ble NGT, Delhi

Chimneys / Vents not a solution as it does not address the root cause of sewage being discharged into the Rain / Storm Water drain

2187] A/B [MCD]  
08-01-2024

Dear Sir,



We regret to state that untreated sewage is being discharged into the Rain / Storm Water Drain touching our houses for over 20 years leading to emission of Toxic Gases causing irreparable permanent damage to the health of the residents.

It is unfortunate that whereas the Root Cause has not been addressed & the toxic gases continue to be emitted, the MCD has suggested making 40 more vents / Chimneys which will not only cause more toxic gases emission but also not address the Root cause of stopping the discharge of untreated sewage into this Rain / Storm water drain.

The proposed Chimneys / vents are absolutely no solution to our 20 years old suffering. Therefore it makes no sense in making Chimneys / vents & not addressing the Root Cause of the problem. Moreover, the gases emitted by sewage rotting in stagnating water in the drain are heavier than air & hence will not travel up the chimneys / Vents & would aggravate the suffering of the residents / surroundings.

Therefore, In all earnestness, we request MCD to address the Root Cause & not undertake the action of Vents / Chimneys that do not solve the real problem.

Regards.

Secretary (A & B Block Welfare Society)

9778

ANNEXURE D

28



9779

26



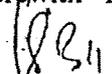
T-03/2016-17/534/NMCG/Phase II  
National Mission for Clean Ganga  
Ministry of Water Resources, River Development &  
Ganga Rejuvenation

1<sup>st</sup> Floor,  
Major Dhyan Chand National Stadium  
India Gate, New Delhi-110002  
Dated: 25<sup>th</sup> January, 2019

**OFFICE MEMORANDUM**

**Subject: Minutes of the 6<sup>th</sup> Meeting of the re-constituted Principal Committee in the matter of O.A. No. 06 of 2012 – Manoj Mishra Vs Union of India & Ors**

A copy of Minutes of Meeting of Principal Committee held at Conference Room, MoWR, RD&GR on 14.01.2019 at 10.30 AM under the Chairmanship of Secretary, Ministry of Water Resources, RD&GR is forwarded herewith for information/necessary action.

  
(D. P. Mathuria) 25.1.2019

Executive Director (Technical)

Member Secretary, Principal Committee

To:

1. Shri Shashi Shekhar, C – II/155, Satya Marg, Chanakyapuri, New Delhi – 110021
2. Additional Secretary, Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhavan, Jorbagh Road, New Delhi – 110032
3. Joint Secretary, Ministry of Water Resources, RD&GR Shram Shakti Bhavan, Rafi Marg, Sansad Marg Area, New Delhi, Delhi 110001
4. Chief Secretary, GNCTD, Delhi Secretariat, IP Estate, Near Indra Gandhi Indoor Stadium, Delhi - 110002
5. Secretary, Irrigation Department, Govt. of Haryana, Haryana Civil Secretariat, Sector-1, Chandigarh, Haryana
6. Secretary, Irrigation Department, Govt. of Himachal Pradesh, H.P. Secretariat, Shimla-171002
7. Secretary, (UP) Irrigation Department, Babu Bhawan Sachivalya, Government of UP, Lucknow – 226 001
8. Secretary, Irrigation Department, Govt. of Uttarakhand, 4 Subhash Road, Secretariat, Forth Floor, New Building Dehradun, Pin code-248001
9. Secretary, Department of Environment, Govt. of NCT of Delhi, 6<sup>th</sup> Floor, Delhi Secretariat, IP Estate, New Delhi
10. Secretary, Department of Irrigation & Flood Control, Varunalaya Complex (Phase-II), Karol Bagh, New Delhi-110005
11. CEO, Delhi Jal Board, Delhi Jal Board, Varunalaya Complex (Phase-II), Karol Bagh, New Delhi-110005

28

From: Ruby Raju <rubyraju2008@gmail.com>

ddl.Cmr (Engg)  
- in C  
2/CNZ  
- E(WZ)

To: WZ  
CEN  
CEN

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dheeraj singhal <cwc.dheerajsinghal@yahoo.com>,  
sandeep@njsprojects.com, rymonitoringcommittee@gmail.com

Shub  
25/1/19  
Product  
AUS/Est/WZ  
S/W/WZ  
25/1/19

Date: Friday, January 25, 2019 01:23 PM

Subject: Minutes of the 6th Meeting of re-constituted Principal Committee on the matter OA No. 06 of 2012

3328  
25/1/19  
SDMC

25/1/19  
R.D.M.C.

259  
28/1/19  
Engineer in Chief  
Municipal

आयुक्त कार्यालय  
क्रमांक Email/9868/sdmc  
दिनांक 25/01/2019  
दक्षिणी दिल्ली नगर निगम

474/AE-III(MR)-II/WZ  
13.02.2019

Respected All,

Please find enclosed OM dated 25th January 2019 from Shri D. P. Mathuria, Executive Director-Technical regarding minutes of the 6th Meeting of re-constituted Principal Committee held on 14.01.2019 at 10:30 AM and its related Annexes for information and necessary action.

Regards,  
Ruby Raju  
National Mission for Clean Ganga

D. Nuxem Sen  
Dr. Madan kr JEE  
13/1/19  
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Attachments:

MoM-14.09.2019.pdf Annexure-II.pdf Annexure-III.pdf Annexure-IV.pdf

Respected All,

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- these areas will reach river Yamuna directly. It was requested that the Committee may consider for extending such basic amenities to prevent pollution load to Yamuna.
- iv. Director General NMCG along with other members, considering the objectives of the Committee, concurred to the idea of extending such basic facilities (sewerage and water facilities) so that no untreated discharge goes to Yamuna.
  - v. President RWA Hari Nagar colony requested that a copy of the physical demarcation and floodplain demarcation report submitted to NGT/ Principal Committee by DDA may be provided to them.
  - vi. Additional Commissioner (landscape) DDA informed that the report regarding 1 in 25 year floodplain was submitted to Hon'ble NGT while the physical demarcation report is under-preparation. It was also informed that 'O-zone' has not been demarcated.

After detailed discussion, following was recommended by Principal Committee:

- Basic civic amenities such as water and sanitation facilities may be extended within the approved demarcated area in order to prevent, control and abate pollution to R. Yamuna.

(Action: DJB)

- DDA to submit the progress of demarcation report (1 in 25 year floodplain) to Principal Committee.

(Action: DDA)

- The demarcation reports will be deliberated in the next meeting of the Principal Committee.

Agenda 4: South Delhi Municipal Corporation's application for seeking permission for completion of remnant work of covering of Subhash Nagar Drain from Najafgarh Road to Najafgarh drain

- i. Representatives from SDMC informed that the covering of the drain was to be carried out in two phases. In first phase, a length of 1.7 km (Subhas Nagar Block - 11 to Najafgarh road) was completed in 2013. In second phase, a length 2.9km (Najafgarhroad to Najafgarh drain) was proposed to be completed by August 2015. Till first week of January 2015, out of 2.9 km, 2.1 km was completed and the balance work of 800 m was remaining.

Meanwhile, Hon'ble Tribunal vide judgement dated 13.01.2015 directed that 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.

It was also informed that about 82.6% of the total physical work is complete, screen channels are provided in the covered areas at regular interval, vent for release of gas is provided. While the uncovered 800m, located in densely populated area, has become a site for open dumping of solid waste by the residents. SDMC is carrying out regular cleaning of the drain, even then the situation remains the same due to rise of unauthorized colonies and slum areas in the vicinity, which makes regulation and operation of the drains difficult. It was also informed that de-silting of the drains is carried once every year in pre-monsoon period.

Therefore, SDMC requests Principal Committee to allow completion of remnant work of covering of Subhash Nagar Drain.

- ii. Prof. A.K.Gosain informed that covering or concretizing natural storm water drains are not conducive for sustenance of proper drainage management. This may also lead to flash flooding. It was also informed that concretizing drains are short term measures and suggested long term measures needs to be ensured in order to have discharge of only storm water in the natural drains.
- iii. Prof. C.R.Babu suggested that beautification of the area such as plantation on either side of the drain can be adopted for prevention of open dumping and bad odour arising from the drain.
- iv. Director General NMCG highlighted that it is the responsibility of the Municipal Corporations and RWAs of the resident colonies, to ensure proper collection and transportation of municipal solid waste so that no solid waste is being dumped into the drain. In a way, the problem of solid waste dumping in the drain is largely due to residents and RWA needs to be sensitive to keep the drain clean and trash free.

- v. Additional Commissioner (landscape) DDA informed that these abrupt openings are threat to life and suggested that the uncovered areas may be partially covered by installing mesh or climbers to prevent loss of life as well as blockage of the drain.
- vi. Director Technical-II, NMCG suggested that small opening of 55m and 60m at two locations may be considered by the Committee for coverage in view of bigger safety issues arising due to partial completion of the work. Coverage of such small openings will not have any significant impact, as either side of such openings are covered. Further, solid waste will find its way into the drain through these abrupt small openings.
- vii. Chairman, Principal Committee suggested that cleaning of drains is not a one-time process and SDMC may take up cleaning of drains on regular basis. It was also highlighted that SDMC should ensure MSW Rules 2016 are followed and should perform its mandated duties.

Following recommendations were made by Principal Committee:

- The uncovered area of the drain having length of 460 and 250 m may be provided with adequate measures to prevent dumping of garbage and other materials, and to ensure safety. If needs the drain can be covered by provision of wire mesh arrangements instead of concrete slabs.

(Action: SDMC)

- Possibilities of beautification and alternate method to discourage people from dumping may be explored for these stretch.

(Action: SDMC)

- SDMC to clean the drain within a month and to submit its report to the Committee. Regular cleaning of drains may also be carried out.

(Action: SDMC)

- DPCC to ensure that the sludge/ waste obtained after cleaning of the drain are disposed off properly and submit its report to the Committee.

(Action: DPCC)

- The uncovered area of the drain having 55m (KeshopurMandi culvert) and 60 m length (Chaukandi culvert) may be covered with the condition that the addition of such coverage will not be considered for the NGT clause of more than 85% completion work.

(Action: SDMC)

Mr. Siddhartha Nagpal for Mr. Sumeet Pushkarna, Adv. for DJB.  
Mr. Juhi, Adv. for Mr. Sakshi Popli, Adv.

**JUDGMENT**

**PRESENT:**

**Hon'ble Mr. Justice Swatanter Kumar (Chairperson)**  
**Hon'ble Mr. Justice Raghuvendra S. Rathore (Judicial Member)**  
**Hon'ble Mr. Bikram Singh Sajwan (Expert Member)**

Reserved on: 6<sup>th</sup> July, 2016  
Pronounced on: 26<sup>th</sup> July, 2016

1. Whether the judgment is allowed to be published on the net?
2. Whether the judgment is allowed to be published in the NGT Reporter?

**JUSTICE SWATANTER KUMAR, (CHAIRPERSON)**

Maharani Bagh Co-operative House Building & Welfare Society Ltd. has filed this application with a prayer that the concerned agencies including Delhi Jal Board (for short, 'DJB') and South Delhi Municipal Corporation (for short, 'SDMC') be directed to reinstate and cover the portion of Maharani Bagh drain running through the Maharani Bagh colony, and to that extent they have sought this clarification of the judgment of the Tribunal dated 13<sup>th</sup> January, 2014.

2. In the case of *Manoj Misra v. Union of India & Ors.*, Original Application No. 300 of 2013, the Tribunal had passed a detailed judgment dated 13<sup>th</sup> January, 2014 which related to cleaning of River Yamuna under the project "Maily se Nirmal Yamuna"

Revitalization Project, 2017. A number of directions were passed *inter-alia* also relating to the prohibitory orders against covering the storm water and major drains of Delhi which ultimately were meeting into Yamuna and were a source of serious pollution and degradation of water of River Yamuna. Some of the relevant directions in relation to drains in Delhi are as follows:

- V. We direct all the concerned authorities, corporations, bodies including Resident Welfare Associations to clean all the 157 natural storm water drains as identified by the Committee, within four months from the date of passing of this judgment and the drains should be made obstruction free and no waste should be permitted to be dumped in such drains. The drains may be cleaned mechanically or manually as the situation may demand. Such cleaning would include the dredging of the drains besides compliance of the specific recommendations of the Expert Committee. There shall be controlled dredging of River Yamuna to remove the huge accumulation of sediments and siltage for restoration of the cross section and flood carrying capacity of the River Yamuna.
- VI. We direct all concerned to make every possible effort to ensure that the storm water drains do not carry sewage. Sewage may be carried through those drains upon which the STPs have already been installed, till the completion of the project. After the completion of the project, steps shall be taken so that only minimal quantity of treated water from the STPs reaches Yamuna.
- VII. 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. Such construction and/or removal shall be carried on in terms of paragraph no. 61 of this judgment.

2. The Applicant Society has been registered to promote welfare to its members and provide healthcare facilities for the community. Under its objects, it has to also take up any work or activity associated with maintenance of civic amenities, welfare and cultural

activities, etc. According to the Applicant Society, vide letter dated 6<sup>th</sup> April, 1965, the Municipal Corporation of Delhi conveyed the approval of Standing Committee vide Resolution No. 967 dated 2<sup>nd</sup> December, 1964 as to the proposal of covering the nallah running through Maharani Bagh layout colony which was to be completed in 12 months from the date of sanction i.e. 2<sup>nd</sup> December, 1964. And in 1965, the drain was fully covered with the sanction of the Municipal Corporation of Delhi. As per the Master Plan for Drainage of Storm Water, 1976, the Maharani Bagh drain, with a total length of 3.7 kms and catchment area of 554 hectares, had a maximum discharge of 19.5 Cumecs and was recognized as being built up almost in its entire reach and in total cover on the downstream side beyond Mathura Road (from RD. 2256 to 3093) and for a portion in Srinivas Park (from RD. 1174 to 1220).

3. As there was persistent problem of water-logging caused *inter-ally* due to silt in the storm water drain, the Delhi High Court vide its orders dated 30<sup>th</sup> April, 2013 and 22<sup>nd</sup> August, 2013 in '*Nyaya Bhoomi v. Commissioner MCD, W.P.(C) 8683/2011*' had ordered the Delhi Municipal Corporation and Public authorities to clean and de-silt all the storm water drains in Delhi including Maharani Bagh drain. The SDMC had broken/opened the Maharani Bagh drain at various locations of the colony around August, 2013 for the purpose of cleaning and de-silting the drain in furtherance of the order of the Delhi High Court. The entire process was carried out in a hurried, unplanned and slipshod manner. Despite request to the contrary, severe damage was caused to the two parks, namely, the

Central Park and the E-Road Park. The Association approached the SDMC on various occasions and requested to cover the drain. However, the request was not acceded to. This drain carries sewage and other polluted and dirty water rather than storm water and leaving the drain open has resulted in unbearable stench emanating from the drain, stagnation of water, breeding of mosquitoes, spread of diseases, unhygienic and polluted conditions, etc. They had also made a representation to the Lt. Governor of Delhi on 12<sup>th</sup> and 22<sup>nd</sup> June, 2014 but still no order covering the drain has been passed. The SDMC Engineering Department had prepared a plan for covering the open portion of Maharani Bagh drain with pre-cast RCC at an estimated cost of Rs. 4.68 Crores. However, no further work has been done. So far as the covered drains existing since 1965 is concerned, the Tribunal in its judgment dated 13<sup>th</sup> January, 2015 had also observed that 85% work has been completed through the concerned authorities. Though, in the present case, no new work is to be carried out and it has primarily been the prayer for restoration of the work and status of the nature as it existed in 1965.

It is also averred that Delhi High Court in its judgment in the case of *IFS Co-operative Society & Ors. v. GNCTD in WP(C) 2385/2011* dated 24<sup>th</sup> April, 2014 had observed that whether the drain should be covered or not must be a decision taken on each case depending on various factors. The Supreme Court of India in the case of *Subhash Kumar v. State of Bihar & Ors.*, (1991) 1 SCC 598, has held that right to live is a fundamental right under Article

59/c

21 of the Constitution and it includes right to enjoyment of pollution free water and air for full enjoyment of life. Thus, the residents of Maharani Bagh Society have a right to cleaner environment. It has been averred in this application that the chemical analysis of the Maharani Bagh drain had been undertaken in June 2014 and the analysis report shows levels of Oil & Grease, Chromium, Sulphide, COD, Iron, Copper, Mercury, Arsenic, and Lead overshooting the prescribed limits. According to the Society, all these pollutants and metals have serious environmental and health effects. Lead toxicity may cause symptoms like headache, vomiting, abdominal pain, and severe toxicity may also lead to Motor neuropathy, Encephalopathy, Cerebral edema, Seizures, Coma, severe abdominal cramping, Epiphyseal lead lines in children (growth arrest) and Renal failure. In case of Mercury, anaerobic organisms bio-transform the inorganic form to methyl mercury which gets bio-accumulated in food chain and is the most toxic form of mercury and has adverse health effects like neurological disorders. Similarly, highest concentration is found in kidney and liver. Cadmium contamination associated with low diet in calcium causes disease like Itaitai. Chronic exposure to arsenic can result in poisoning of the nervous system, liver damage and peripheral vascular disease, leading to gangrene of the lower limbs.

4. In the main judgment dated 13<sup>th</sup> January, 2015, all aspects had duly been considered by the Tribunal. The Expert Reports which were submitted by the Experts and examined by the Principal Committee and then scrutinized with approval of the

Tribunal in its judgment had concluded that the storm water drain of Delhi should carry rain water and no sewage and they should be kept open in the interest of ecology, environment and public health. Comparative study was also carried out in relation to the public health factors. In fact, it is impossible in Delhi to segregate the sewage from the drain water and storm water. There are more than 1200 unauthorized colonies in Delhi which do not have sewer line and they directly discharge sewage and domestic effluent into the main drain. It was keeping in view the entire scenario that appropriate directions be passed. Thus, we do not see any reason to permit covering of the drains as a beneficial feature.

It has also been contended on behalf of the applicants that the Tribunal so far has not passed any direction for demolition of the constructions raised by the Public Authorities or private persons in and around the natural storm water drains of Delhi. In fact, where the public authorities have raised some constructions by dividing the drains, even that has not been directed to be demolished as yet. It is true that as of now the Tribunal has not passed any direction for removal of construction in the drains. Passing such a direction would be considered once the 23 existing STPs are upgraded and 32 new STPs are established which treat the sewage and discharge the water which could either be reutilized or could be permitted to flow in the drains without any environmental damage and degradation.

The judgment has been pronounced by a larger bench and has attained finality between the parties. There is no reason to change the judgment.

ST/C

5. We would have normally not permitted even the covering of the remaining part of the drain but for the reason that the status existed since 1965. The applicants are not praying for carrying out any fresh alterations or a project which will be entirely laid down or cover the drain. All the drains in Delhi are expected to carry water free from obstruction, free of metals, acidic substance and smell. Once the drain trapping and STPs work, in terms of the judgment dated 13<sup>th</sup> January, 2015 is completed, Delhi will be a much healthier and better place to live. So far as the drainage system is concerned, the applicants have prayed that the status as it existed since 1965 should be restored particularly when a very small part of the drain remains to be covered and the major part of the drain is already covered.

Only with a view to restore the status as it existed, we would permit covering of the Maharani Bagh drain in Maharani Bagh temporarily by use of pre-cast RCC slabs which will not be cemented, leaving vents in between which will not be covered by laying down mud, or grass or in any other form whatsoever. The major portion of the drain would be kept open once the requisite number of STPs/CETPs, in terms of the judgment dated 13<sup>th</sup> January 2015, at Maharani Bagh are established/constructed and made operational.

The residents of applicant's association also contribute to the pollution of the drains, besides they want this work to be done on certain assumptions and for their benefit. In view of that they must be liable to pay as contributory to the 'Precautionary Principles' and

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**'Polluter Pay Principles'**: The total estimated cost is stated to be Rs. 4.58 Crores. Major part thereof should be incurred by the authorities. However, 15% of the total cost should be borne by the Society and its residents. Restoration of the drain to its status prior 1965 shall be subject to final orders which the Tribunal may pass in the main case. We further direct that till further orders, the drain would be kept in the same status as of prior to 1965, without covering the slabs by soil, grass or any other material and would be kept in a removal condition.

With the above directions, this application stands disposed of with no order as to costs.

**Swatanter Kumar**  
Chairperson

**Raghuvendra S. Rathore**  
Judicial Member

**Bikram Singh Sajwan**  
Expert Member

**New Delhi**  
26<sup>th</sup> July, 2016

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