

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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**In re: News report published in The Times of India dated 22.08.2023 titled  
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**STATUS REPORT IN COMPLIANCE OF ORDERS**

**DATED 17.10.2023 AND 30.01.2024**

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, flowing 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 above mentioned order dated 17.10.2023 of Hon’ble Tribunal in OA No. 537/2023 was also discussed in the eighth meeting of HLC constituted vide order dated 09.01.2023 in OA. No. 21/2023 in the matter of “Ashwani Yadav Vs. Govt. of NCT of Delhi”, during which, DDA, GSDL and Revenue Department- GNCTD were directed to submit relevant information to the Joint Committee.

4. 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. Minutes of the meeting is annexed at **Annexure 2**.
5. 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.
6. That the interim Report of the above-mentioned Joint Committee constituted by this Hon'ble Tribunal vide order dated 17.10.2023 was submitted to the Hon'ble Tribunal on 29.01.2024.
7. That Hon'ble Tribunal looking to the nature of the issue and also seriousness of the matter including need for inter-departmental coordination found it appropriate to implead Govt. of NCT of Delhi, DPCC, Ministry of Jal Shakti, National Mission for Clean Ganga, Ministry of Environment, Forests and Climate Change and Municipal Corporation of Delhi as respondents vide order dated 30.01.2024 and directed to file their responses.

8. That in pursuance of the decisions of the HLC on 18.01.2024, DDA as well as IF&C department has shared information on the Zone "O" boundary, and subsequently GSDL has mapped the flood plain area as per inputs provided by DDA and I&FC department.
9. After ground verification, DDA had shared coordinates of left-out areas, which the GSDL is utilizing to update the boundary accordingly. Department of Forest and Wildlife (DFW) has provided plantation sites and notified protected forests in Yamuna Flood Plains in kml format to GSDL.
10. DDA has also provided details of Development Project Sites details at Zone "O", details of colony (authorised and unauthorised) boundaries and denotified land in kml format to GSDL. The layers in terms of ownership and land use pertaining to various departments are thus been comprehensively overlaid with the help of inputs from all concerned departments by GSDL. The remaining information is also being compiled.
11. That a review meeting was held on 22.02.2024 under Chairmanship of Pr. Secretary (Env. & Forest), GNCTD, in view of the pending issues emanating from compliance of HLC constituted by this Hon'ble Tribunal. Officers of DDA, GSDL, Revenue Districts (North-East) ( Shahdara) (East) (Central), (North) and (South-East), MCD, Forests & DSIIDC attended the meeting.
12. During the meeting, the various gaps in portions of land along river Yamuna belonging to different departments which needs to be demarcated & for which the data needs to be provided in KML format by respective land owing agency to GSDL for preparation of maps was discussed. In the meeting, it was directed to concerned departments to ensure above

compliance within a week, to enable preparation of high-resolution images on determined area to facilitate ground demarcation.

13. That the present status report may please be taken on record.

Date: 19-03-2024  
Place: New Delhi

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

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**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.

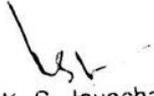
Accordingly, in compliance to the directions of the Hon'ble NGT contained in the order dt. 17.10.2023, the High level Committee is constituted as below:-

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)

**Department of Environment,**

Government of NCT of Delhi, 6<sup>th</sup> Level, C-Wing, Delhi Secretariat  
New Delhi-110002, Ph. 011-23392306 (e-mail: [msdpcc@nic.in](mailto:msdpcc@nic.in))

F.No. F.DPCC/(10)/(86)/Leg-2023/ pt.file-1/8524-41

Dated: 2<sup>nd</sup> February, 2024

**Minutes of Meeting**

The meeting of the High Level Committee (HLC) constituted vide order dt. 02.11.2023 in compliance to Order dated 17.10.2023 in OA No. 537/2023 titled In re: News report published in The Times of India dated 22.08.2023 titled "**Why Flooding Has Forced DDA's Master Plan Rethink,**" was convened under the chairmanship of Chief Secretary, Delhi on 18.01.2024 at Delhi Secretariat.

1. The meeting was attended by the members of High Level Committee (HLC) and senior officers of various departments including District Magistrates of districts falling within the Yamuna floodplains. Record of attendance is at **Annexure I.**

2. At the outset, the Chief Secretary welcomed all the officers and thereafter, with due permission of the Chair, Special Secretary (Environment), GNCTD gave a brief presentation about the Hon'ble NGT directions, constitution of the HLC and its mandate. He briefed the Committee that this original application is registered in *suo motu* exercise of power on the basis of the Newspaper report published in Times of India dated 22.08.2023 titled "Why Flooding Has Forced DDA's Master Plan Rethink". As per the said report, flooding in Delhi is on account of unauthorised constructions in the river flood plain. Around thousands of hectares of flood plain is present in 22 km stretch of Yamuna, falling in Delhi, from Wazirabad to Palla. The delineation of Yamuna is required to prevent illegal development in flood plains. It is stated that there are about 76 un-authorised colonies in the area concerned and large-scale encroachment exists.

3. The Committee was also informed that the Hon'ble Tribunal was of the view that flood plains 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. The Hon'ble Tribunal directed -

*"5. We are also of the view that the flood plains 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.*

*6. Hence, at this stage, we deem it proper to form a High Level Committee headed by Chief Secretary, Delhi and comprising of nominee from Delhi Development Authority (DDA), the Secretary, Environment, Govt of NCT of Delhi (GNCTD), Secretary, Ministry of Jal Shakti (MoJS), Executive Director, National Mission for Clean Ganga (NMCG) and Commissioner, Municipal Corporation of Delhi (MCD). The Secretary, Environment, GNCTD will act as the nodal agency for coordination and compliance. The joint Committee will get the spot inspection done and ensure demarcation of flood plains of*

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*Yamuna in the area concerned and suggest measures to prevent and remove the encroachment and unauthorized constructions falling within the flood plains.*

*7. Let the aforesaid exercise be completed by the joint Committee within a period of three months and the report be filed before the next date of hearing .. ”.*

4. Another High Level Committee on River Yamuna which was constituted by the Hon'ble National Green 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 this issue on 10.01.2023 and the DDA, GSDL and Revenue Department, GNCTD were directed to submit information relevant to the mandate of the Joint Committee. The Committee was informed that the Department of Environment, GNCTD had series of meetings during the month of December, 2023 with GSDL on various requirements of maps of areas surrounding River Yamuna as per the requirement of Hon'ble NGT order dated 17.10.2023.

5. The High Level Committee is mandated to get the spot inspection done and ensure 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. Special Secretary (Env.) also apprised that this exercise is to be completed by the HLC within a period of 03 months and the report be filed in the Hon'ble NGT before the next date of hearing i.e. 30.01.2024.

6. Chief Secretary, GNCTD, highlighted the importance of this exercise and the positive impact it could have on the long-term conservation of the river flood plains. The Chairman asked DDA about the status of O zone demarcation and demarcation of flood plains of river Yamuna and its breakup thereof. On behalf of nodal officer from DDA (Commissioner LM), Director (LM) and Director (Landscape) presented the information pertaining to DDA. Ms. Neelima Soni, Director (Landscape), 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. Copy of the presentation is at **Annexure II**

7. 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-authorised 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.

8. Director (Landscape) DDA 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 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	

9. Since there were data gaps in the break-up of area presented above, DDA was asked to rectify the data and submit detailed break-up of the area under flood plains, apart from the 'O' Zone details. The granularity of data required from DDA for this exercise includes a detailed department-wise/ agency-wise break-up of area in terms of ownership and land use.

**[Action: DDA]**

10. Subsequently the issue of encroachment in the flood plains and its removal, was taken with various agencies including MCD and Revenue Department. The chair directed DDA, MCD and District Magistrates to submit detailed encroachment details of the flood plain under the jurisdiction of DDA, MCD and Revenue Department.

**[Action: DDA, MCD & Revenue Deptt]**

11. It was decided that DDA shall submit the area which is clearly free from encroachment and encumbrances. The Chairman also enquired from DDA about the area under private ownership and DDA was directed to provide this detail within a week.

**[Action: DDA]**

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12. It was decided that DDA to prepare a note requesting Hon'ble High Court, Delhi to club all the land related cases in the Yamuna flood plains and the O zone, so that effective representation of cases with court can be ensured.  
**[Action: DDA]**

13. Chief Secretary, GNCTD directed GSDL to procure high resolution images for better compliances of Hon'ble NGT directions especially with regard to identification and demarcation of land parcels.  
**[Action: GSDL]**

14. Chief Secretary, GNCTD directed that all concerned departments i.e. Urban Development, Revenue, Forest, DJB, Irrigation, Industries, MCD, DDA, GSDL and L&DO to nominate Nodal Officer and provide GSDL all relevant information within 01 week to enable GSDL to prepare various layers of ownership and land use of the flood plains under various departments/ agencies. The onus will be on the concerned department to provide the details to GSDL.

**[Action: UD, Revenue, Forest, DJB, I&FCD, Industries, MCD, DDA, GSDL & L&DO (MoHUA)]**

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. 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 shall ensure nomination of 01 Tehsildar and 02 Patwaris per district for this purpose.

**[Action: Revenue Deptt]**

17. For demarcation, DDA shall take all necessary steps before hand, so that ground demarcation can start immediately once the preparation of maps and ground verification is completed.  
**[Action: DDA]**

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18. There are various directions of Hon'ble NGT including recommendations of the Yamuna Monitoring Committee specifically to DDA on the same issue of demarcation of flood plain, on which actions taken so far are required by committee to understand the gaps. DDA may provide an ATR on the Hon'ble Tribunal's directions within 2 weeks to the committee. DPCC to provide a format containing previous directions to DDA within 3 working days.

**[Action: DDA, DPCC]**

19. Since the report by the HLC is to be submitted before the NDOH, i.e., 30.01.2024, and the concerned agencies were requesting for time to complete the exercise, Chief Secretary, Delhi directed Pr. Secretary (Env. & Forests), GNCTD to seek additional 12 weeks time from the Hon'ble NGT.

**[Action: Director, Env. Department]**

Meeting ended with a vote of thanks to the chair.



(K. S. Jayachandran)

Special Secretary (Environment & Forests)

**Copy to: -**

1. Secretary, DoWR, RD & GR, Ministry of Jal Shakti (MoJS), Govt. of India
2. Addl. Chief Secretary, Urban Development Department, GNCTD
3. Addl. Chief Secretary, Industries Department, GNCTD
4. Divisional Commissioner, GNCTD
5. Chairman, Delhi Pollution Control Committee.
6. Commissioner of Police, Delhi
7. Pr. Secretary, Environment & Forests, GNCTD
8. Vice Chairman, Delhi Development Authority, GNCTD
9. Executive Director, National Mission for Clean Ganga (NMCG), Govt. of India
10. Commissioner, Municipal Corporation of Delhi
11. Addl. Principal Chief Conservator of Forest, GNCTD
12. Land & Development Officer (L&DO), Ministry of Housing & Urban Affairs, Govt. of India
13. Managing Director, GSDL.
14. District Magistrates (North-East, Shahdara, East, Central, North and South-East), Revenue Department, GNCTD

**Copy for kind information to:**

1. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
2. Staff Officer to Chief Secretary, GNCTD,
3. Director, Department of Environment, GNCTD.
4. SEE (WMC-II), Delhi Pollution Control Committee



(K. S. Jayachandran)

Special Secretary (Environment & Forests)