

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**  
**ORIGINAL APPLICATION NO. 633 OF 2024**

**IN THE MATTER OF:-**

NEWS ITEM TITLED "THE CURIOUS CASE OF DELHI'S DISAPPEARING WATER BODIES" APPEARING IN THE HINDU DATED 25.04.2024

**INDEX**

<b>SL. NO.</b>	<b>PARTICULARS</b>	<b>PAGE</b>
1.	Status Report on behalf of Respondent No. 1/Wetland Authority of Delhi	1-5
2.	<b>ANNEXURE-A:</b> (Notification dated 23.04.2019)	6-8
3.	<b>ANNEXURE-B:</b> (Copy of the minutes dated 28.03.2022)	9
4.	<b>ANNEXURE-C:</b> (Copy of the directions dated 21.06.2022)	10-13
5.	<b>ANNEXURE-D:</b> (Copy of the directions dated 21.06.2022)	14-16
6.	<b>ANNEXURE-E:</b> (Copy of the order dated 08.04.2024)	17-36
7.	<b>ANNEXURE-F:</b> (Copy of the letter dated 27.05.2024)	37-41

RESPONDENT:  
THROUGH

Wetland Authority of Delhi

Dated: 14.09.2024  
NEW DELHI

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**  
**ORIGINAL APPLICATION NO. 633 OF 2024**

**IN THE MATTER OF:-**

NEWS ITEM TITLED "THE CURIOUS CASE OF DELHI'S DISAPPEARING WATER BODIES" APPEARING IN THE HINDU DATED 25.04.2024

**STATUS REPORT ON BEHALF OF RESPONDENT NO. 1 IN COMPLIANCE WITH ORDER DATED 29.05.2024 PASSED IN THE CAPTIONED ORIGINAL APPLICATION.**

**MOST RESPECTFULLY SHOWETH:-**

1. The present status report is being filed on behalf of Respondent No.1 through the Wetland Authority of Delhi in compliance of the order dated 29.05.2024 passed by this Hon'ble Tribunal.
  
1. That the present application relates to the disappearance of water bodies in Delhi. As per the news item, despite Delhi witnessing the worst flood in its history last year, there has been no improvement in the miserable state of water bodies in the city, which could hold extra water and help in flood mitigation.
  
2. That water bodies are spread over the entire area of Delhi. These water bodies are under the management and control of different authorities which have ownership of the land on which such water bodies exist.
  
3. That by Rule (5) and Rule (7) of the Wetlands (Conservation & Management) Rules 2017 notified by MoEF&CC, Govt. of India vide GSR 1203(E) dated 26<sup>th</sup> September, 2017, the Lt. Governor of Delhi

has constituted Wetlands Authority for the purpose of the conservation and management of wetland for the Union Territory of Delhi. Copy of the notification dated 23.04.2019 is annexed herewith and marked as **ANNEXURE–A.**

4. That the Hon'ble Delhi High Court in *Vinod Kumar Jain v. Govt. of NCT of Delhi*, WP (C) 3502 of 2000, appointed Mr. V.K. Tandon, Advocate as the Court Commissioner for identification, inspection and revival of water bodies under the control and administration of various civic agencies falling under the Government of NCT of Delhi. Sh. V.K Tandon, has conducted inspections from time to time with different civic agencies.
5. That presently water bodies in Delhi are being maintained by different authorities under whose jurisdiction they fall and their maintenance is being done as per inspection reports of Court Commissioner and directions given.
6. That it is immensely necessary to expedite protection and restoration of Water Bodies in Delhi in a time bound manner and to support efficient conservation and management of wetlands in consonance with (Wetland [Conservation & Management] Rules, 2017), and hence the directions has been issued to all District Magistrates and land owning agencies for strict compliance.
7. That a meeting with the nominated members of the Expert Committee was held on 28.03.2022 for briefing the members about the current status of the deletion list and devising a Standard Operating Procedure

(SOP) for the task. Copy of the minutes of meeting dated 28.03.2022 is annexed herewith and marked as **ANNEXURE-B**.

8. That the Wetland Authority of Delhi had directed the land-owning departments vide letter No. F5(10)/WA/DIRECTIONS/2021-22/2004-13 dated 21.06.2022 to take several measures towards protection of water bodies under one's jurisdiction as well as restoration and rejuvenation of water bodies in respective jurisdiction. Copy of the directions dated 21.06.2022 is annexed herewith and marked as **ANNEXURE-C**.
9. That the Wetland Authority of Delhi had directed the District Magistrates vide letter No. F5(10)/WA/DIRECTIONS/2021-22/2014-15 dated 21.06.2022 to take several measures towards protection of water bodies under one's jurisdiction as well as restoration and rejuvenation of water bodies in respective jurisdiction. Copy of the directions dated 21.06.2022 is annexed herewith and marked as **ANNEXURE-D**.
10. That Hon'ble Delhi High Court vide order dated 08.04.2024 in WP(C) No. 9617/2022 titled as "Court on its own motion Vs. Govt. of NCT of Delhi & Ors. directed to complete Ground Truthing of 1023 water bodies out of 1367 (including 322 water bodies identified through satellite imagery). Copy of the order dated 08.04.2024 is annexed herewith and marked as **ANNEXURE-E**.
11. Wetland Authority of Delhi has requested Revenue Department to complete Ground Truthing of water bodies and submit the data. Data received from Revenue Department has been compiled by

Wetland Authority. Copy of the letter dated 27.05.2024 to all District Magistrates is annexed herewith and marked as **ANNEXURE-F**.


12. That after scrutiny, it is seen 674 (631 + 43) number of water bodies are found existing on the field. Details are given below:-

S. Nos.	District	No. of Water Bodies (1367)		Ground Truthing of water bodies		Total No. of Visible Water Bodies Out of 1367
		Listed Water Bodies (1045)	Wetlands identified through Satellite imagery (322)	No. of Visible Water Bodies (Out of 1045)	No. of Visible Water Bodies (Out of 322)	
1.	East	46	4	6	0	6
2.	North East	32	15	11	0	11
3.	Shahadara	28	9	6	1	7
4.	North	196	79	143	0	143
5.	North West	135	32	100	4	104
6.	South	135	55	64	14	78
7.	South East	50	17	22	4	26
8.	South West	274	56	209	7	216
9.	West	64	22	39	3	42
10.	New Delhi	62	12	17	3	20
11.	Central	23	21	14	7	21
<b>Total</b>		<b>1045</b>	<b>322</b>	<b>631</b>	<b>43</b>	<b>674</b>

13. That the following action are being taken in compliance to Hon'ble Delhi High Court order dated 08.04.2024 :

- (i) Making entries of water bodies in revenue records, by assigning responsibilities of each of such water body to specific officer, who shall visit such water body every fortnight to ensure its upkeep.
- (ii) Committees responsible for ground truthing and rejuvenation of these water bodies and execution of projects at ground at District Level was constituted.
- (iii) Cleaning of water bodies through de-silting and removing of floating and other invasive aquatic plant species.

14. That a meeting of Wetland Authority of Delhi has been conducted under the Chairmanship of Chief Secretary, GNCTD on 09.08.2024 and the District Magistrates were directed that completion of the restoration of water bodies has to be ensured through the District Committees formed by the Hon'ble Delhi High Court order dated 08.04.2024 (W.P(C) No. 7594/2018) and it shall be ensured without fail that the work is completed after removal of encroachment before 31.12.2024.
15. It is humbly submitted that the Respondents have the highest respect and regard for the orders and majesty of this Hon'ble Court. The present status report along with its annexures is being placed before this Hon'ble Court for its consideration.



Dr. Suneesh Buxy  
(Member Secretary)  
Wetland Authority of Delhi

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

81

ANNEXURE-A

रजिस्ट्री सं. डी.एल.-33002/99

भारत सरकार

REGISTERED No. D.L.-33002/99

GOVERNMENT OF INDIA

  
 सत्यमेव जयते  
**दिल्ली राजपत्र**  
**Delhi Gazette**

असाधारण

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दिल्ली, बृहस्पतिवार, अप्रैल 25, 2019/वैशाख 5, 1941

[ रा.रा.रा.क्षे.दि. सं. 25

No. 77]

DELHI, THURSDAY, APRIL 25, 2019/VAISAKHA 5, 1941

[N.C.T.D. No. 25

भाग—IV

PART—IV

राष्ट्रीय राजधानी राज्य क्षेत्र, दिल्ली सरकार

GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI

पर्यावरण विभाग

अधिसूचना

दिल्ली, 23 अप्रैल, 2019

सं.फा.1(07)/डी.पी.जी.एस./सी.केस/2017-18/9397.9429.—पर्यावरण वन, वन्यजीव एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार, जी.एस.आर. 1203(ई) दिनांकित 26 सितंबर, 2017 द्वारा अधिसूचित आर्द्रभूमि (संरक्षण एवं प्रबंधन) नियम 2017 के नियम (5) व नियम (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दिल्ली के उपराज्यपाल केंद्र शासित प्रदेश दिल्ली में आर्द्रभूमि (संरक्षण एवं प्रबंधन) के उद्देश्य से निम्नलिखित सदस्यों को निहित करते हुए, आर्द्रभूमि प्राधिकरण का गठन करते हैं:—

i.	मुख्य सचिव	अध्यक्ष
ii.	उपाध्यक्ष, दिल्ली विकास प्राधिकरण	सदस्य पदेन
iii.	सचिव, प्रभारी—पर्यावरण विभाग	उपाध्यक्ष
iv.	प्रधान सचिव, प्रभारी—लोक निर्माण विभाग	सदस्य पदेन
v.	सचिव, प्रभारी—शहरी विकास विभाग	सदस्य पदेन
vi.	आयुक्त—सह—सचिव, प्रभारी—विकास विभाग	सदस्य पदेन
vii.	मुख्य कार्यकारी अधिकारी, दिल्ली जल बोर्ड	सदस्य पदेन
viii.	सचिव, प्रभारी—मतस्य पालन विभाग	सदस्य पदेन

ix.	सचिव, प्रभारी-सिचाई एवं बाढ़ नियंत्रण विभाग	सदस्य पदेन
x.	सचिव, प्रभारी-पर्यटन विभाग	सदस्य पदेन
xi.	सचिव, प्रभारी-राजस्व विभाग	सदस्य पदेन
xii.	प्रधान मुख्य वन संरक्षक, वन एवं वन्यजीव विभाग, दिल्ली	सदस्य पदेन
xiii.	प्रबंध निदेशक, भू-स्थानिक तथ्य समिति (जी.एस.डी.एल.)	सदस्य पदेन
xiv.	सदस्य सचिव, दिल्ली प्रदूषण नियंत्रण समिति	सदस्य पदेन
xv.	सदस्य सचिव, जैव विविधता बोर्ड	सदस्य पदेन
xvi.	आयुक्त, दिल्ली नगर निगम (उत्तर, दक्षिण एवं पूर्व)	सदस्य पदेन
xvii.	प्रमुख, दिल्ली ईकाइ, केंद्रीय भू-जल बोर्ड	सदस्य पदेन
xviii.	सचिव, दिल्ली छावनी बोर्ड	सदस्य पदेन
xix.	अतिरिक्त प्रधान मुख्य वन संरक्षक, क्षेत्रिय कार्यालय पर्यावरण वन, वन्यजीव एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार, लखनऊ, उत्तर प्रदेश	सदस्य पदेन
xx.	निदेशक, दिल्ली चिड़ियाघर	सदस्य पदेन
xxi.	अधीक्षक, पुरातत्वविद, भारतीय पुरातत्व सर्वेक्षण	सदस्य पदेन
xxii.	निदेशक, पर्यावरण विभाग	सदस्य पदेन
xxiii.	वन संरक्षक / मुख्य कार्यकारी अधिकारी, डी.पी.जी.एस.	सदस्य पदेन

निम्नलिखित सदस्यों को विशेषज्ञ के रूप में नामित किया जाता है:-

- I. श्री आई. एच. खॉन, प्रधान मुख्य वन संरक्षक, सेवानिवृत्त
- II. श्री मनु भटनागर, इनटेक
- III. निदेशक, डी.टी.यू. / प्रतिनिधि, डी.टी.यू.
- IV. निदेशक, आई. ए. आर. आई. / प्रतिनिधि, आई. ए. आर. आई.

राष्ट्रीय राजधानी क्षेत्र दिल्ली  
के उपराज्यपाल के नाम व आदेश से,

मधुप व्यास, सचिव (पर्यावरण एवं वन)

## DEPARTMENT OF ENVIRONMENT, FORESTS AND WILDLIFE

### NOTIFICATION

Delhi, 23rd, April, 2019

**No. F.1(07)/DPGS/C.Case/2017-18/9397-9429.**— In exercise of the powers conferred by Rule (5) and Rule(7) of the Wetlands (Conservation & Management) Rules 2017 notified by MoEF&CC, Govt. of India vide GSR 1203(E) dated 26<sup>th</sup> September, 2017, the Lt. Governor of Delhi is pleased to constitute Wetlands Authority for the purpose of the conservation and management of wetland for the Union Territory of Delhi consisting of the following members:-

i.	Chief Secretary, Delhi	Chairperson
ii.	Vice Chairman, DDA	Member, Ex-officio
iii.	The Secretary-in-Charge of the Department of Environment	Vice-Chairman
iv.	Pr. Secretary-in-Charge PWD	Member, Ex-officio
v.	The Secretary-in-Charge of the Department of Urban Development	Member, Ex-officio

vi.	The Commissioner-cum-Secretary-in-Charge of the Department of Development	Member, Ex-officio
vii.	CEO, Delhi Jal Board	Member, Ex-officio
viii.	The Secretary-in-Charge of the Department of Fisheries	Member, Ex-officio
ix.	The Secretary-in-Charge of the Department of Irrigation & Flood Control	Member, Ex-officio
x.	The Secretary-in-Charge of the Department of Tourism	Member, Ex-officio
xi.	The Secretary-in-Charge of the Departments of Revenue	Member, Ex-officio
xii.	Principal Chief Conservator of Forest, Delhi	Member, Ex-officio
xiii.	Managing Director, Geo Spatial Data Limited (GSDL)	Member, Ex-officio
xiv.	Member Secretary, Delhi Pollution Control Committee	Member, Ex-officio
xv.	Member Secretary, Biodiversity Board of UT	Member, Ex-officio
xvi.	Commissioner of MCD(North, South and East)	Member, Ex-officio
xvii.	Head of Delhi unit of CGWB	Member, Ex-officio
xviii.	Secretary, Delhi Cantonment Board	Member, Ex-officio
xix.	Addl. PCCF of the regional office of Ministry of Environment, Forest & Climate Change, Lucknow	Member, Ex-officio
xx.	Director, Delhi Zoo	Member, Ex-officio
xxi.	Superintendent, Archaeologist, Archaeological Survey of India	Member, Ex-officio
xxii.	Director, Environment	Member, Ex-officio
xxiii.	Conservator of Forest/CEO(DPGS)	Member Secretary

The following members are nominated as experts :-

- (i) Sh. I.H. Khan, PCCF (Retd.)
- (ii) Sh. Manu Bhatnagar, INTACH
- (iii) Director, DTU/Representative of DTU
- (iv) Director, IARI/Representative of IARI

By Order and in the Name of  
Lt. Governor of the National Capital Territory of Delhi,  
MADHUP VYAS, Secy. (Env. & Forest)

F. No. F3(02)/WA/DELETION/2021-22 / 460.

Dated: 25/4/2022

**Sub: Minutes of meeting held with the nominated members of the Expert Committee**

An online meeting with the nominated members of the Expert Committee was held on 28.03.2022 (Monday) at 12:30 PM for briefing the members about the current status of the deletion list and devising a Standard Operating Procedure (SOP) for the task. The meeting was attended by the Chairman Prof. C. R. Babu and 7 other committee members.

- Prof. C. R. Babu (Chairman)
- Sh. Vivek Kumar Tandon (Member)
- Sh. Arvind Sah (Member)
- Dr. P. S. N. Rao (Member)
- Prof. Faiyaz Ahmed Khudsar (Member)
- Prof. Radhey Shyam Sharma (Member)
- Sh. Abhishek Kumar (Member)
- Dr. K.S. Jayachandran (Member Convenor)

The committee collectively agreed that the wetlands/area would be thoroughly checked before any action towards deletion and actions need to be considered for restoration and rejuvenation of the wetlands. The Chairman of the committee Prof. C. R. Babu proposed preparation of "Red Documents" for each of the wetland in the Deletion list mirroring the brief documents. Considering the comments from all the members, it was concluded to devise a Standard Operating Procedure (SOP) based on the following discussed points.

- I. Sound scientific analysis and ground truthing to be carried out for all wetlands in the deletion list.
- II. Tracing historical importance of the wetlands and establishing hydraulic connections with the main river system or groundwater aquifers can be cited as strong reasons for retaining them as wetlands.
- III. Possibility of restoration of the wetlands would be carefully examined and necessary actions will be taken.
- IV. Wetland Authority will constitute field squads for ground truthing and preparation of red documents comprising an expert and representatives from Revenue department, respective land owning agencies and GSDL. Sh. Abhishek Kumar (Member) volunteered to lead the field squads.
- V. Members of the committee assured that University students who are well versed with the concept of wetland ecology would also be deputed as part of the field squads for ground truthing.
- VI. A field visit schedule will be prepared by Wetland Authority of Delhi after mapping and spatially grouping the wetlands.

Meeting ended with thanks to the Chair.

  
**(K.S. Jayachandran)**  
**Member Secretary**  
(Wetland Authority)

**85**  
**OFFICE OF THE WETLAND AUTHORITY ANNEXURE-C**  
 DEPARTMENT OF ENVIRONMENT, GOVT. OF N.C.T. OF DELHI  
 "C" Wing, 6<sup>th</sup> Level, Delhi Secretariat, I.P. Estate, New Delhi – 110002  
 Tele-Fax : 011-23392736, Email : [ceodpqsenv.delhi@nic.in](mailto:ceodpqsenv.delhi@nic.in)  
 Website: <http://dpgs.delhigovt.nic.in>

No.F.5(10)/WA/DIRECTIONS/2021-22 2004-13. Dated: 24/06/2022

**Subject: Directions on protection and restoration of water bodies in Delhi.**

To expedite protection and restoration of Water Bodies in Delhi in a time bound manner and to support efficient conservation and management of wetlands in consonance with (Wetland [Conservation & Management] Rules, 2017), following directions are issued for strict compliance:

1. Protection of water bodies under one's jurisdiction through the following actions: -
  - (1) Ensure that the following activities shall be prohibited within the wetlands, namely,
    - (i) conversion for non-wetland uses including encroachment of any kind;
    - (ii) setting up of any industry and expansion of existing industries;
    - (iii) manufacture or handling or storage or disposal of construction and demolition waste covered under the Construction and Demolition Waste Management Rules, 2016; hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms Genetically engineered organisms or cells, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008; electronic waste covered under the E-Waste (Management) Rules, 2016;
    - (iv) solid waste dumping;
    - (v) discharge of untreated wastes and effluents from industries, cities, towns, villages and other human settlements;
    - (vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of commencement of Wetland Rules, 2017; and,
    - (vii) poaching.
  - (2) Ensure that the above prohibited activities in water bodies are taken cognizance of, swiftly acted upon and removed, if needed through existing mechanisms of STF for encroachment removal constituted by the office of the Divisional Commissioner, Govt. of NCT of Delhi vide order no. F.36(35)Div.Comm/Pt.File/201/1038-1045 dated 26.03.2014, or the grievance committee constituted in Districts vide F.5(01)/WA/2019/519-531 dated 01.07.2021.

- 86
- (3) Identify all water bodies, ensure listing and preparation of brief documents of all water bodies in the concerned jurisdiction as per the definition of Wetlands in Wetland Rules, 2017 with the master list of the Wetland Authority of Delhi, so that none of the water bodies in Delhi is left unlisted, unmapped and documented under the statutory framework.
  - (4) Undertake measures for enhancing awareness within stakeholders and local communities on values and functions of wetlands.
  - (5) Consider the objections, if any, referred to by Wetland Authority of Delhi from the concerned and affected persons, during the process of notification of wetlands in the district by the Government of NCT of Delhi.
2. Restoration and rejuvenation of water bodies in respective jurisdiction through the following actions:
- (1) Take measures to restore and rejuvenate all wetlands in the jurisdiction either departmentally or through work departments such as DJB, I&FC Department, PWD etc. and supervise their implementation in a time bound manner, in line with the management plan prepared on the basis of guidelines set by Wetland Authority of Delhi. The broad guidelines are as follows:
    - a) Water body should be cleaned through bio-remediation measures, desilting, aeration, removal of floating and other invasive aquatic plant-species or any other technology suiting local conditions.
    - b) Shore-line of the water bodies should be properly fenced to protect them from encroachment. Inlet and outlet of the water body should be strengthened.
    - c) Inflow of domestic/ industrial sewage into the water body should be arrested and only treated effluent adhering to standards prescribed by CPCB may be allowed into the water body.
    - d) Catchment area treatment via afforestation, storm water drainage management, silt traps, etc. may be undertaken.
    - e) Water front development around the water body may be taken up, keeping in view the eco-system based approach for the aquatic body, conforming to prevalent environmental legislation and maintaining social and cultural sanctity of the place, in consonance with Wetland Rules 2017.
    - f) Creation of public spaces may be taken up to ensure public eye and vigilance to protect from encroachment or throwing garbage.
    - g) Participation of private sector, community based organizations, philanthropic foundations may be encouraged in rejuvenation and maintenance of water bodies.
    - h) Plantation plays a significant role in absorption of storm and rainwater for maintenance of ground water table, prevention of soil erosion and run-off and encourage growth of natural habitat for flora and fauna.

- i) Undertake plantation near water bodies, public spaces, parks and on roadside to improve green ~~87~~er and water cycle.
- j) Monitor quality of water in the selected body on regular basis at least eight times a year, communicate the quality data to Wetland Authority of Delhi and undertake appropriate action to improve wherever necessary.
- (2) The land owning agency or department shall prepare a management plan containing restoration actions in line with the catchment area and watershed principles and on the basis of the guidelines set by Wetland Authority of Delhi in consonance with Wetland Rules 2017.
- (3) After getting the management plan, duly approved by the Wetland Authority of Delhi, the land owning agency shall ensure that the work plan and estimates be prepared departmentally/internally or through work departments such as PWD, DJB, IFCD etc.
- (4) The budget for the implementation of the restoration project shall be provided by the GNCTD through the Wetland Authority of Delhi, or planned through the departmental budget of the land owning department / agency. AMRUT guidelines also allow funding for rejuvenation of water bodies.
- (5) Identify mechanisms for convergence of implementation of the management plan with the existing development plans and programmes.
3. The water body owning agency shall submit timelines on the following actions for water bodies in the district:
- (i) Identification of unlisted water bodies and communication to Wetland Authority of Delhi.
  - (ii) Preparation of brief documents and management plan containing restoration actions by land owning agencies of all water bodies in one's jurisdiction.
  - (iii) Preparation of estimates for restoration projects either departmentally or by work departments (PWD, DJB, IFCD etc.) after approval of management plan containing restoration actions by Wetland Authority of Delhi.
  - (iv) Restoration of water bodies either departmentally or through work departments.
4. Regular monthly report shall be submitted by the water body owning agencies to the Wetland Authority of Delhi by 7<sup>th</sup> of every succeeding month clearly showing progress against declared timelines.

This issues with the approval of Chief Secretary, GNCTD/Chairperson, Wetland Authority of Delhi.

  
(K.S. Jayachandran)  
Member Secretary  
Wetland Authority of Delhi

To,

1. All Additional Chief Secretaries /Pr. Secretaries /Secretaries /Commissioner (MCD)/ CEO (DJB) / All District Magistrates /Engineer in Chief (PWD) /All Head of Departments, GNCTD with water bodies under their jurisdiction.
2. Vice Chairman, Delhi Development Authority
3. C.E.O, Delhi Wakf Board, Govt. of NCT of Delhi
4. CEO, Delhi Urban Shelter Improvement Board, Govt. of NCT of Delhi
5. Managing Director, Delhi State Industrial & Infrastructure Development Corporation Ltd.
6. Vice Chancellor, Jawahar Lal Nehru University, New Delhi
7. Director & Officiating Chairman, IIT, Hauz Khas, New Delhi
8. Director General, CPWD, A-Wing, Room No.- 111 , Nirman Bhawan, New Delhi
9. Chairman and Managing Director, NTPC Limited, NTPC Bhawan, SCOPE Complex, Institutional Area, Lodhi Road, New Delhi
10. Director, Archaeological Survey of India, GPO Complex, Block-D, 3<sup>rd</sup> Floor, Puratatva Bhawan, INA, New Delhi

**(K.S. Jayachandran)**  
Member Secretary  
Wetland Authority of Delhi

89

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

No.F.5(10)/WA/DIRECTIONS/2021-22 | 2014-15. Dated : 24/06/2022

**Subject: Directions on protection and restoration of water bodies in Delhi.**

To expedite protection and restoration of Water Bodies in Delhi in a time bound manner and to support scientific conservation and management of wetlands in consonance with (Wetland [Conservation & Management] Rules, 2017), following instructions/directions are issued for strict compliance:-

1. Protection of water bodies in the district through the following actions:-
  - (1) To ensure that the following activities shall be prohibited within the wetlands, namely,
    - (i) conversion for non-wetland uses including encroachment of any kind;
    - (ii) setting up of any industry and expansion of existing industries;
    - (iii) manufacture or handling or storage or disposal of construction and demolition waste covered under the Construction and Demolition Waste Management Rules, 2016; hazardous substances covered under the Manufacture, Storage and Import of Hazardous Chemical Rules, 1989 or the Rules for Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms Genetically engineered organisms or cells, 1989 or the Hazardous Wastes (Management, Handling and Transboundary Movement) Rules, 2008; electronic waste covered under the E-Waste (Management) Rules, 2016;
    - (iv) solid waste dumping;
    - (v) discharge of untreated wastes and effluents from industries, cities, towns, villages and other human settlements;
    - (vi) any construction of a permanent nature except for boat jetties within fifty metres from the mean high flood level observed in the past ten years calculated from the date of commencement of Wetland Rules, 2017; and,
    - (vii) poaching.
  - (2) To ensure that the above prohibited activities in water bodies are taken cognizance of, swiftly acted upon and removed, if needed through existing mechanisms of STF for encroachment removal constituted vide order no. F.36(35)Div.Comm/Pt.File/201/1038-1045 dated 26.03.2014, or the grievance committee constituted vide F.5(01)/WA/2019/519-531 dated 01.07.2021.

- (3) To identify all water bodies and ensure listing of all water bodies in the concerned district as per the definition of Wetlands in Wetland Rules, 2017 with the master list of the Wetland Authority of Delhi, so that none of the water bodies in the district is left unlisted and unmapped under the statutory framework. The department owning the water body shall also be identified and communicated to the Wetland Authority of Delhi. The enumeration of water bodies and cross checking with revenue records including Geo tagging, identification and classification of all encroachments (Temporary or Permanent) and removal of temporary encroachments shall also be part of District Water Conservation Plan.
- (4) To undertake measures for enhancing awareness within stakeholders and local communities on values and functions of wetlands. For organizing IEC Activities, the Rain Centre/Jal Shakti Kendra constituted under control of DM's vide no. DJB/DOR/201/2021/2816 dated 17.03.2021 as below, shall play a central role: -
- |               |   |   |
|---------------|---|---|
| ADM (Distt.)  | - | Head of JSK                               |
| EE (DJB)      | - | Technical Advisor                         |
| BDO/Tehsildar | - | Member                                    |
| NYKS          | - | Member                                    |
| Co-Ordinator  | - | An educated person appointed on contract. |
- (5) To consider the objections, if any, referred to by Wetland Authority of Delhi from the concerned and affected persons, during the process of notification of wetlands in the district by the Government of NCT of Delhi.
- (6) To verify ownership of all wetlands in the district and identify departments or agencies or entities responsible for the preservation of waterbodies and communicate to Wetland Authority of Delhi. In case of wetlands in the process of being handed over to DDA, the committee shall liaise with concerned agencies and ensure handing over of water bodies to DDA.
- (7) To identify mechanisms for convergence of implementation of the management plan with the existing development plans and programmes including flagship programs like Jal Shakti Abhiyan, Jal Jeevan Mission etc.
2. In addition, the District Magistrates should complete the following actions within one month and communicate to Wetland Authority of Delhi through the office of Divisional Commissioner:
- (1) Coordinate and decide the landowning departments of 36 water bodies (List annexed).
  - (2) Conduct grievance committee meetings and resolve the grievances with wetlands.
  - (3) Complete restoration of identified 118 model ponds in the districts.

This issues with the approval of Chief Secretary, GNCTD/Chairperson, Wetland Authority of Delhi.

  
**(K.S. Jayachandran)**  
 Member Secretary  
 Wetland Authority of Delhi

91

To,

1. All District Magistrates, Govt. of NCT of Delhi.

Copy to:-

2. Divisional Commissioner, GNCTD with a request to monitor and submit the action taken reports on a monthly basis.



**(K.S. Jayachandran)**  
Member Secretary  
Wetland Authority of Delhi



\$~A-43 & 44

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 7594/2018 & CM APPL. 30022/2018

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

UNION OF INDIA & ORS

..... Respondents

Through:

Mr.Ripu Daman Bhardwaj, CGSC  
with Mr.Kushagra Kumar and  
Mr.K.Manaswini, Advocates for UOI.  
Mr.Anuj Aggarwal, ASC with  
Ms.Arshya Singh, Mr. Siddhant Dutt  
and Mr.Yash Upadhyay, Advocates  
for GNCTD.

Ms.Puja Kalra, Standing Counsel for  
MCD.

Ms.Rashmi Chopra, Advocate for  
DDA.

Mr. Tushar Sannoo, ASC for NDMC.

+ W.P.(C) 9617/2022

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

GOVT. OF NCT OF DELHI AND ORS

..... Respondents

Through:

Mr.Anuj Aggarwal, ASC with  
Ms.Arshya Singh, Mr. Siddhant Dutt  
and Mr.Yash Upadhyay, Advocates  
for GNCTD.



93



2024 : DHC : 2874-DB



Mr.Kirtiman Singh, CGSC with Mr.Waize Ali Noor, Ms.Shreya V.Mehra and Mr.Kartik Baijal, Advocates for UOI.

Mr.Tushar Sannoo, ASC for NDMC. Ms.Malvi Balyan, Advocate with Ms.Aarushi Behl, Advocate for Ms.Sangeeta Bharti, Standing Counsel for DJB.

Ms.Rashmi Chopra, Advocate for DDA.

Mr.Sanjeev Sabharwal, Standing Counsel for MCD.

%

Date of Decision: 08<sup>th</sup> April, 2024**CORAM:****HON'BLE THE ACTING CHIEF JUSTICE****HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA****JUDGMENT****MANMOHAN, ACJ : (ORAL)**

1. Delhi has been facing the fury of river Yamuna in spate year after year with last year (2023) being particularly bad. Waterlogging, flooding and related collapse of civic services have become perennial issues.
2. We have heard the Chief Secretary, Government of NCT of Delhi ("GNCTD") at length on the previous dates of hearings, perused the presentation dated 26<sup>th</sup> February, 2024 and 15<sup>th</sup> March 2024 on the measures taken by the authorities to prevent water logging and improving water quality.
3. Clearly, the efforts have not yielded much result despite decades of judicial pronouncements and half-baked attempts by city administration to

*W.P.(C) Nos.7594/2018 & 9617/2022**Page 2 of 20*

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address endemic issues. There is an absolute lack of coordination between different agencies / departments. A mechanism to address the same with a unified command at an appropriate level of seniority, that can ensure inter-departmental / agency and inter-government coordination seamlessly, is the need of the hour.

#### **(A) Integrated Drainage Management Plans (DMPs)**

4. It is observed from the presentation dated 26<sup>th</sup> February, 2024 that neither any action has been taken on integrated drainage management system since the year 1995, nor any major modeling / remodeling / extension of drains has been done post 1995, even as the population of the Capital trebled during this period. It is seen from this presentation that a Drainage Master Plan prepared by IIT-Delhi over six years in 2018, was not acted upon by GNCTD till date.

5. This Court was informed that the PWD has awarded the consultancy work for preparation of Drainage Master Plan for Najafgarh Basin consisting of 63.06% of drainage area of Delhi on 10<sup>th</sup> June, 2023. It was stated that consultancy work for Barapullah Basin [having 24.28% of drainage area of Delhi] and for Trans-Yamuna Basin [having 12.66% drainage area of Delhi] is likely to be awarded shortly. It was informed that timelines for submission of Detailed Project Report (DPR) for the Drainage Management Plan (DMPs) by consultant for Najafgarh Basin is one year and for Barapullah Basin & Trans Yamuna Basin is six months after award of consultancy work.

6. The urgency for implementation of DMP cannot be emphasized enough; however, the apathy of the administration is evident in the





aforenoted facts and hence it has become imperative that time bound directions are issued to GNCTD.

7. Therefore, the GNCTD is hereby directed to:

- (i) ensure that DPRs of DMPs for all the basins are finalized by 15<sup>th</sup> September, 2024, and
- (ii) take administrative decisions on such DPRs by 30<sup>th</sup> November, 2024 for initiating implementation on or before 31<sup>st</sup> December, 2024.

### **B) Multiplicity of Authorities for Management of Drainage System**

8. The Chief Secretary has provided the details of the major drains which areas under:

Details of Storm Water Drains		
• Total Length	- 3740.31 km	
• PWD	- 2064.08 km	(55.18%)
• MCD	- 521.87 km	(13.95%)
• I&FC Deptt.	- 426.55 km	(11.40%)
• NDMC	- 335.29 km	(8.96%)
• DSIIDC	- 98.12 km	(2.62%)
• Others		
• DDA	- 251.30 km	(6.72%)
• DCB	- 39.68 km	(1.06%)
• NTPC & Old Agra Canal	- 3.42 km	(0.09%)

9. The aforesaid chart shows that the major storm water drains of about 3740.31 km in Delhi are managed by various agencies, under the



jurisdiction of various governments. While PWD<sup>1</sup> and I&FC<sup>2</sup> Department under GNCTD manage 2064.08 km and 426.55 km, respectively, the local body MCD<sup>3</sup> manages 521.87 km, NDMC<sup>4</sup> under Government of India (“GoI”) manages 335.29 km, DDA<sup>5</sup> under GoI manages 251.30 km, DSIIDC<sup>6</sup> a corporation under GNCTD manages 98.12 km and Delhi Cantonment Board under GoI manages 39.68 km and others manage 3.42 km. Further, there are twenty-two (22) open drains which are out-falling in river Yamuna. Not only this, even in case of such Drains, there are multiple agencies involved in the maintenance and operations of a single drain. For example, management of water regulators to stop backflow in case of increase of water in river Yamuna is managed by I&FC Dept. but pumping of sewage at such times is managed by MCD. Management of drain(s) by multiple agencies leads to blame game between agencies wherein one agency accuses others of shortfall in undertaking management activities. It also makes it difficult to fix responsibility on the erring officials and the brunt of the resultant chaos is borne by the State and its citizens due to the collapse of the infrastructure. There is no incentive for efficient management of the drainage system due to this administrative chaos. The city and its citizenry waits with apprehension when monsoons are approaching due to this mismanagement of drains while the administrative agencies have been adopting an Ostrich like approach wishing the flooding

<sup>1</sup> Public Works Department, GNCTD

<sup>2</sup> Irrigation and Flood Control Department, GNCTD

<sup>3</sup> Municipal Corporation of Delhi

<sup>4</sup> New Delhi Municipal Council

<sup>5</sup> Delhi Development Authority

<sup>6</sup> Delhi State Industrial and Infrastructure Development Corporation Ltd.





won't happen. There is a need for a vision by the administrators to manage the present needs and anticipate the future.

10. We may also take judicial notice of the flooding of the carriageway and bungalows in the High Court pool at Purana Quila Road and Mathura Road in the 2023 monsoon. In this area as informed by PWD the storm water drain from India Gate to Yamuna River (passing through Purana Quila Road) is sectioned in six jurisdictions of four distinct authorities in the following manner:

- (i) India gate to Priya Nursey to NSCI Club Gate: Jurisdiction NDMC
- (ii) Purana Quila Road (Priya Nursery) to NSCI Club Gate to Petrol Pump: Jurisdiction PWD
- (iii) The road ahead of Petrol Pump to Gate No. 5 of ITPO, where drain no. 14 starts: Jurisdiction MCD
- (iv) Gate No. 5 to Open Nallah: Jurisdiction PWD
- (v) Open Nallah to Control Gate at Ring Road: Jurisdiction MCD
- (vi) Control Gate Ring Road to Yamuna River: Jurisdiction Irrigation and Flood Control Department.

11. Not only was this storm water drain flooded during the monsoons but the newly built tunnel connecting to Bharat Mandapam on the Purana Quila Road, which is maintained by Larsen and Toubro under the supervision of PWD was also flooded and closed for traffic during the said period.





12. There is no dispute that multiplicity of authorities has resulted in mismanagement of drains. All such drains finally outfall in the river Yamuna, in the process, not only polluting it, but ultimately making the people of Delhi suffer.

13. The agencies have reported that due to control of multiple authorities, a consistent slope/level of the drain is not maintained. The report of the agencies leaves no manner of doubt that the flooding of water on the roads, tunnel and the bungalows is a clear consequence of multiple agencies being involved who are unable to harmonise the issue within themselves and find a resolution to the problem in question. Since the agencies admit that it is the multiplicity of authorities which has led to the problem at hand, it will only be in the fitness of things that only one authority/agency is placed in charge of operation, maintenance and control of the storm water drains in the City so that the problem at hand is resolved effectively.

14. Therefore, it is hereby directed that:

- (i) GNCTD shall assign the responsibility of management and operations of all twenty-two (22) open drains, which are out falling in river Yamuna, to one Department / Agency.
- (ii) The GNCTD shall identify such Department / Agency and orders be issued by 30<sup>th</sup> April, 2024.
- (iii) Such Department / Agency shall submit a report to this Court by 15<sup>th</sup> May, 2024, which shall, inter-alia, include assessment of quantity of silt in these twenty-two (22) drains; action plan for de-silting of such drains should be undertaken on a war footing and be completed by 31<sup>st</sup>



99



2024 : DHC : 2874-DB



December 2024 in 21 drains excluding Najafgarh drain and de-silting of Najafgarh drain shall be completed by 30<sup>th</sup> June, 2025. Further, removal of encroachments from such drains should be completed simultaneously.

- (iv) The nominated department must ensure an operative plan for regular repair and maintenance of such drains, including embankment of such drains; prevention of dumping of solid waste in such drains including (a) dissuading public from disposing garbage in such drains and (b) penal actions against defaulters; and bio-fencing and afforestation alongside such drains.
- (v) The need for a unified and centralized command is imperative and is hereby directed.

### C) Rejuvenation of Water Bodies

15. It was informed that there are 1,367 water bodies (1,045 listed water bodies and 322 other water bodies identified through satellite imagery) out of which ground truthing has been completed for 344 water bodies. It was also informed that 272 water bodies have been restored, restoration of seventy-two (72) is in progress. It was informed that several water bodies, out of 1045 listed water bodies, do not exist on ground as on date.

16. Accordingly, the GNCTD is hereby directed:

- (i) To complete the geo-tagging and geo-referencing for ground truthing of remaining 1023 water bodies by 15<sup>th</sup> May, 2024.



100



2024 : DHC : 2874 - DB



- (ii) The GNCTD shall ensure that estimates for rejuvenation of water bodies, after ground truthing, be prepared by 30<sup>th</sup> May, 2024.
- (iii) The tenders be floated once the Model Code of Conduct is over, and the works be awarded by 30<sup>th</sup> June, 2024.
- (iv) These works shall be completed by 31<sup>st</sup> December, 2024 after removing encroachments (if any).
- (v) Also, it is important to ensure that the rejuvenated water bodies are maintained properly and remain encroachment free. Therefore, the GNCTD shall take appropriate measures for making entries of waterbodies in revenue records, by assigning responsibilities of each of such water body to specific officer, who shall visit such water body every fortnight to ensure its upkeep.
- (vi) Also, public participation may be explored by the GNCTD in such operation and maintenance activities of water bodies.
- (vii) The following authorities shall be responsible for ground truthing and rejuvenation of these water bodies:
- (A) *At District Level:* A committee consisting of District Magistrate, Revenue Deptt. GNCTD; Deputy Commissioner, MCD (in case of NDMC include Secretary NDMC; and in case of Delhi Cantonment Board include CEO Delhi Cantonment Board); Superintendent Engineer DDA, Superintendent Engineer DJB and Superintendent Engineer I&FC Deptt. shall be responsible for execution of projects at ground for each of 11 Districts.



101



2024 : DHC : 2874-DB



(B) *At NCT of Delhi Level*: Integrated Drainage Management Cell (“IDMC”), which was constituted as per order of Hon’ble NGT dated 05<sup>th</sup> March, 2020 in OA No.06/2012 for remediation and management of drains, shall be responsible for execution of projects at ground.

#### **D) Rain Water Harvesting (RWH)**

17. The Unified Building Bye Laws 2016 for Delhi make it mandatory to provide for Rainwater Harvesting System (“RWH”) for new constructions above 105 sq. m. plot area for inclusive and sustainable green urban development. Further, this Court was informed about the incentivization given by the Delhi Jal Board (“DJB”) through subsidy and rebate in water bill to promote RWH systems. It was also informed that treated water from Sewage Treatment Plants (STPs) is used / planned to be used in such rejuvenated water bodies.

18. This Court was also informed that RWH system is yet to be installed at 1,362 Government buildings, where it is feasible to have RWH systems. The Chief Secretary acknowledged that there is a need to create appropriate Rain Water Harvesting Structures (RWHS) to catch the rain, where and when it falls, for drives to make check-dams, water harvesting pits, rooftop RWHS, etc.; removal of encroachments in and de-silting of water bodies to increase their storage capacity; removal of obstructions in the channels, which bring water to them from the catchment areas, etc.; using defunct and unused water bodies so as to put water back etc. with the active participation of the people.





19. Therefore, the appropriate Government is hereby directed:
- (i) To ensure that RWH systems be provided at such 1362 remaining buildings by 30<sup>th</sup> September 2024.
  - (ii) All statutory authorities/municipal authorities/land owning agencies shall check the existence and functionality of RWH Systems before granting Occupation Certificate as per law.
  - (iii) Further, the GNCTD shall explore creating RWH systems / pits in low lying areas to capture the rainwater during the forthcoming monsoon session and ensure public participation to make it a mass movement. A report in this regard shall be placed before this Court within four weeks, which shall be executed within a period of three months.

#### **E) Restoration and rejuvenation of Yamuna River Flood Plains**

20. DDA in coordination with all concerned agencies is hereby directed to ensure removal of encroachments from Yamuna River Flood Plains. Delhi Police shall provide necessary force to the DDA as and when requested, to maintain law and order during such encroachment removal drives to remove encroachment from Yamuna Flood Plains.

21. Further, DDA shall submit an action taken report on development of ten bio-diversity parks / wetland areas in Yamuna River Flood Plain including an action plan with timelines for completion of pending projects. Cities and Towns around India, which have been developed along rivers, are doing horticulture and green development of river fronts for their citizens as symbols of urban pride.

22. DDA shall explore green horticultural development of river fronts and recreational zones with public amenities to increase public participation





and awareness about rejuvenation of River Yamuna in accordance with extant guidelines.

23. It is necessary to do green development of the banks of the Yamuna as wetlands and public spaces, parks for open green spaces, access to civic amenities, zones of entertainment or playgrounds for the children. This will lead to buy-in by the common citizen, a sense of ownership and consequent pressures on the authorities to ensure maintenance. All this will go hand in hand with ecological restoration, maintenance, and protection of the flood plains.

24. A large number of religious devotees pray at different locations, discharging solid waste in the river water, adding to an already serious problem. Recognising this need of the residents of the State, DDA should construct select number of ghats or platforms on stilts along the riverbank, for such purposes to ensure that the devotees get space and the authorities are able to deal with the challenge of waste scientifically.

25. With respect to forty-four (44) number of court cases pertaining to encroachment in Yamuna River Flood Plain (a list of which is handed over by the Chief Secretary, GNCTD, in Court) pending before various Benches of this Court, let the Registry club all such cases and list all Division Bench cases before a Division Bench presided over by Hon'ble Ms. Justice Rekha Palli and all Single Bench cases before the Bench of Hon'ble Mr. Justice Dharmesh Sharma for early disposal in accordance with law.

#### **F) Rejuvenation of River Yamuna**

26. DDA, being the designated owner of the Yamuna Flood plains, is also hereby directed to ensure removal of construction waste / debris from



104



2024 : DHC : 2874 - DB



the Yamuna river accumulated during constructions of bridges, rail lines, metro lines, regional rail network, etc. and for this purpose the DDA may call upon the concerned agencies like DMRC, PWD, NCRTC, MCD, etc. to remove such debris by 30<sup>th</sup> June, 2024 failing which DDA shall take up works for cleaning of such construction waste / debris at the cost of defaulters.

27. DDA shall also declare nodal officers for each stretch of the flood plain who would be responsible for sustained upkeep of their jurisdictional area free from encroachment and free of construction & demolition (“C & D”) waste.

28. MCD shall also develop a large facility of requisite capacity to convert 100% C & D waste generated in this city into aggregate (Rodi)/ tiles/paver blocks etc. for use in public infrastructure.

29. Bio-gas plants shall also be installed near all the nine authorised dairies in Delhi for creation of dry manure and biogas fuel / Compressed Biogas (CBG) production, for which an action plan along with timelines shall be prepared within a period of four weeks of passing of this order.

30. Further, during the recent flooding of river Yamuna, it has been observed that the 22 km stretch of Yamuna flowing through Delhi is no longer navigable. The riverbed is so high and the river so shallow that it can no longer support any aquatic life. Because of the high riverbed, every monsoon sees an overflow of the river water, many a times causing floods. We have been informed that the river has been consistently becoming shallow and hence lacks the capacity to carry excess water during the monsoon or maintain life during the rest of the year. Hence, we see the





Yamuna becoming a veritable putrid drain, especially during the summer months.

31. DDA shall take up the matter with concerned authorities, such as Irrigation and Flood Control, National Ganga Mission etc., for carrying out controlled and scientific dredging for removal of silt both upstream and downstream and for creation of series of small ponds adjoining the river to improve the carrying capacity of the river Yamuna. This becomes more so important after the floods seen during the year 2023. This exercise shall be done on a war footing and be completed by 30<sup>th</sup> June, 2025. DDA, being an agency under GoI and the other concerned departments being under the jurisdiction of GoI as well as GNCTD, a mechanism for seamless coordination should be put in place within a period of four weeks of passing of this order.

32. Further, GNCTD is hereby directed to submit an action taken report to this Court to increase the existing capacity of STPs from 667 MGD to 964.5 MGD within a period of four weeks of passing of this order and to ensure that treated water from these STPs shall meet the prescribed norms viz., pH (5.5-9.0), BOD (10 mg/l), TSS (20 mg/l), COD (50 mg/l), N-Total (10 mg/l), Phosphorus Total (1 mg/l), NH<sub>4</sub>-N (5 mg/l) and Fecal Coliform (<230 MPN/100 ml), the existing capacity of STPs shall be increased from 667 MGD to 964.5 MGD by 31<sup>st</sup> March, 2025. It is not out of context to mention that such parameters were recommended by the Expert Committee and accepted by the National Green Tribunal ("NGT") vide its judgment dated 30<sup>th</sup> April, 2019 in OA No. 1069/2018 titled '*Nitin Shankar Deshpande vs. Union of India*'; and such decision of NGT was upheld by





the Hon'ble Supreme Court vide its order dated 17<sup>th</sup> May, 2019 in Civil Appeal No. 5036 of 2019 titled '*Municipal Corporation of Greater Mumbai vs. Nitin Shankar Deshpande*'. This is required so that no untreated sewage is dumped into river Yamuna beyond 31<sup>st</sup> March, 2025 at any cost.

33. GNCTD is directed to undertake requisite work for capturing sewage in the unauthorised colonies and Jhuggi Jhopri (JJ) clusters as per its existing policy so as to ensure that 100% sewage can be captured and untreated sewage is not dumped into river Yamuna, but rather diverted to *in situ* waste treatment plants and only treated water is released into Yamuna.

**G) Interconnection of storm water drains with sewerage network and vice versa**

34. It is directed that GNCTD shall submit an action plan with timelines with regard to 121 points where storm water is still entering into sewerage drains, and 191 points where sewage is entering into storm water drains. All such interconnection points shall be tapped by 30<sup>th</sup> June, 2024.

**H) Industrial Discharges**

35. It was informed that treated water from all 13 CETPs<sup>7</sup> is meeting the prescribed standards and that two CETPs at Narela and Bawana are under upgradation by DSIIDC. It is however, observed that several unauthorized polluting industries are operating from residential areas in NCT of Delhi.

Therefore, the GNCTD is hereby directed:

- (i) To submit an action taken report and an action plan on such polluting industries, within a period of four weeks of passing of this order.

<sup>7</sup> Common Effluent Treatment Plants



107



2024 : DHC : 2874-DB



(ii) Surprise inspections shall be conducted on regular basis by cross functional teams belonging to MCD/ Revenue Dept. / Delhi Police/ DPCC/ DISCOMS etc. to identify such unauthorized polluting industries and submit a report, so that concerned officers who fail to stop such unauthorized polluting industries are held accountable.

(iii) It is to be ensured by the GNCTD that no industrial unit discharges its untreated effluent into open drains, and if any industrial units fails to do so, the same shall be shut down and electricity & water connection of such industrial unit shall be disconnected.

36. It is emphasized here that efforts of rejuvenation of the Yamuna can be successful, if undertaken with sincerity and seamless coordination, sans a blame game, between all stakeholders, that includes the GoI, State Government, Municipal Bodies and others. The court has noted, as per the submission made by the Chief Secretary that BOD levels went down by 40% in Shahdara Drain and by 31% at ISBT in Yamuna in May, 2023 compared to May, 2022. Similarly, BOD levels went down by 37% in Najafgarh Drain during the same period.

37. On a month-on-month basis from January, 2023 to May, 2023, significantly noticeable and consistent improvements were noticed in the BOD levels in the water of the Drain and the River in comparison to the same months in the year 2022.

38. Carried out by the DPCC as per standard protocol of testing water samples at different locations, the BOD levels in the Najafgarh Drain that stood at 80 mg/l in January, 2022, came down to 53 mg/l in January, 2023.





The figure for May, 2022 stood at 76 mg/l that came down to 48 mg/l in May, 2023.

39. In case of Yamuna, at ISBT, after the Najafgarh Drain meets the river, BOD levels that stood at 42 mg/l in January, 2022, came down to 38 mg/l in January, 2023. The figure for May, 2022 stood at 55 mg/l that came down to 38 mg/l in May, 2023.

40. Similarly, in the Yamuna at the site after the Shahdara Drain meets the river, BOD levels that stood at 60 mg/l in January, 2022, came down to 56 mg/l in January, 2023. The figure for May, 2022 stood at 80 mg/l and came down to 48 mg/l in May, 2023.

41. Even during the intervening months of February, March and April, the figures for the year 2023 showed consistent decrease from the figures of corresponding months in 2022.

42. This underlines that efforts if undertaken seriously can yield results.

#### **I) Water-logging points within the City**

43. In its presentation the GNCTD has submitted details of the water logging points, as under:

### Status of Water Logging

- Year-wise water-logging locations as per Delhi Traffic Police:
  - 2020 - 136
  - 2021 - 195
  - 2022 - 207
  - 2023 - 200
- W.r.t. 207 locations of the year 2022, PWD completed Short Term measures at 47 locations, and Long Term Measures at 55 locations. Long Term measures are in progress at 49 locations. 56 locations pertains to other Deptts. from which action taken report is being taken.
- 7 critical water-logging locations (viz. Minto Bridge, Pul Prahladpur Underpass, Ring Road opposite WHO, Jhangirpuri Metro Station Road, Under Zakhira Flyover, Loni Road Golchakkar, and Karala Kanjhawla) work completed on first 4 locations and will be completed by 31.05.2024 on remaining 3 locations



109



2024 : DHC : 2874-DB



- (i) GNCTD is hereby directed to submit an action taken report and an action plan on 105 remaining water logging locations reported by the Delhi Traffic Police in 2022 where action is yet to be taken, as well as action taken report and an action plan on 200 water logging locations reported by the Delhi Traffic Police in 2023. Such action taken reports and action plans be submitted within a period of four (4) weeks of passing of this order.
- (ii) An action taken report be also submitted for the remaining three major water-logging point (viz. Under Zakhira Flyover, Loni Road Golchakkar, and Karala Kanjhawla) within a period of four weeks of passing of this order.

44. Here again, it is underlined that Delhi Police, being under the GoI shall assist during implementation of such plans to ensure delivery of a well-managed City as opposed to vision of a City submerged in monsoons.

**J) Usage of Technology for monitoring**

45. It is observed that parameters of water in river Yamuna at several points are to be kept under monitoring to verify the outcome of efforts made for rejuvenation of River Yamuna. For this purpose, it is hereby directed:

- (i) The parameter of sewage of twenty-two (22) drains out falling in river Yamuna (before they fall in river Yamuna) along with parameters of treated water of every STP / DSTPs/ CETPs be monitored on real time basis.
- (ii) These parameters be checked on a real-time basis and data be available in public domain. Also, a centralized Command and



110



2024 : DHC : 2874 -DB



Control Centre would be required for real-time monitoring for these parameters and to decide interventions, so required.

- (iii) Accordingly, GNCTD shall take appropriate action for setting up of a robust parameters monitoring system by 30<sup>th</sup> June, 2024 for monitoring of such data on a real time basis and submit an action taken report to this Court within a period of four weeks of passing of this order.

### **K) Third Party Audit**

46. To verify the actions taken by the concerned Agencies on ground, it is must to undertake third party Audits of all above mentioned works from independent agencies. This would ensure that the work done are realized at ground instead of being done on paper only. Therefore, necessary action shall be taken by the GNCTD, DDA and all other concerned agencies to undertake third party audit by Central Government or State Government or their PSUs / Agencies of all the works carried out in compliance of above-mentioned directions. First of such report of third party(s)audit shall be made available in the public domain by 30<sup>th</sup> June, 2024.

### **L) Action Taken Report**

47. An action taken report be submitted by the IDMC for compliance of above mentioned directions, before this Court on last working day of every month. IDMC shall be jointly and severally responsible for implementation of above stated directions of this Court and is liable for any delay in implementation such directions. In case any difficulty in implementation of



111



2024 : DHC : 2874-DB



above mentioned directions are faced by the IDMC, then the IDMC shall approach this Court accordingly.

48. List the matter before Court on 20<sup>th</sup> May 2024.

**ACTING CHIEF JUSTICE**

**MANMEET PRITAM SINGH ARORA, J**

**APRIL 8, 2024**

js



**ANNEXURE-F**

No.F.1 (26)/WA/W.P.(C)-9617/2024-25/ 807-845.

Date: 27/05/2024.

To,

1. Distt. Magistrate (East), Room No.-06, L.M. Bundh, Shastri Nagar, Delhi – 31
2. Distt. Magistrate (North East), Nand Nagri, Opposite Gagan Cinema, Delhi – 93
3. Distt. Magistrate (Shahdara), Nand Nagri, Opposite Gagan Cinema, Delhi – 93
4. Distt. Magistrate (North), Room No-1, DM Office Complex, Alipur, Delhi-36
5. Distt. Magistrate (North West), DC North West Complex, Kanjhawala, Delhi- 81
6. Distt. Magistrate (South), M.B. Road, Saket, New Delhi – 68
7. Distt. Magistrate (South East), Old Gargi Building, Lajpat Nagar, IV, N. D.– 110024
8. Distt. Magistrate (South West), Old Terminal Tax Building, Kapashera, N.D.- 37
9. Distt. Magistrate (West), Old Middle School Bldg., Lawrence Rd., Rampura, Delhi-35
10. Distt. Magistrate (New Delhi), 12/1, Jam Nagar House, Sahajahan Road, N.D.- 11
11. Distt. Magistrate (Central), Old Employment Exchange, 14, Darya Ganj, N.D.- 02
12. Commissioner, MCD, 9<sup>th</sup> Floor, Dr. SPM Civic Centre, Minto Road, Delhi- 02
13. Secretary, New Delhi Municipal Council (NDMC), New Delhi – 110001
14. Chief Executive Officer, Office of Cantonment Board, Sadar Bazar, Delhi Cantt-10
15. Chief Engineer (HQ & QAC)/ Nodal Officer, Water Bodies, DDA, E-3, Ground Floor, Vikas Sadan, INA, New Delhi-110023
16. Chief Engineer-I&FC (Zone-1), LM Bund Office Complex, Shastri Nagar, Delhi –31
17. Sh. Anil Bharti, Superintending Engineer (WB), Nodal Officer, Water Bodies, Delhi Jal Board, A' Building, Varunalaya, Karol Bagh, New Delhi – 110005

**Sub: Compliance of Hon'ble Delhi High Court Order dated 08.04.2024 in WP(C) No. 9617/2022 titled as "Court on its own motion Vs. Govt. of NCT of Delhi & Ors.**

Sir/Madam,

Kindly refer to this office letter dated F.1(26)/WA/WP(C)-9617/2024-25 dated 24.04.2024 (**attached**) wherein request was made regarding compliance of Hon'ble Delhi High Court order (**attached**) in WP(C) No. 9617/2022 titled as "Court on its own motion Vs. Govt. of NCT of Delhi & Ors.

In this regard the details on receipt of Ground Truthing Reports of water bodies is mentioned below:-

Sl. Nos.	District	No. of Water Bodies shared by Wetland Authority of Delhi	No. of Water Bodies for Ground Truthing Reports received	No. of Ground Truthing Pending	Ground Reports
1	East	50	46	4	
2	North East	47	24	23	
3	Shahadara	37	0	37	
4	North	249	112	137	
5	North West	194	0	194	
6	South	190	0	190	
7	South East	67	0	67	
8	South West	330	0	330	
9	West	86	64	22	
10	New Delhi	44	0	44	
11	Central	73	0	73	
	<b>Total</b>	<b>1367</b>	<b>246</b>	<b>1121</b>	

Hon'ble High Court has directed **113** complete Ground Truthing and Geo referencing of water bodies by 15<sup>th</sup> of May' 2024. The following Districts have still not responded regarding Ground Truthing of Water Bodies:-

- 1) Shahdara
- 2) North West
- 3) South
- 4) South East
- 5) South West
- 6) New Delhi
- 7) Central

It is requested to comply with the directions of Hon'ble Delhi High Court and send complete Ground Truthing reports to this office on an emergent basis. The next date of hearing is fixed for 29.05.2024.

Encls: as above

  
Member Secretary  
Wetland Authority of Delhi

No.F.1 (26)/WA/W.P.(C)-9617/2024-25/ 807-845.

Date: 27/05/2024.

Copy for necessary action to:-

1. Vice Chairman, DDA, 1<sup>st</sup> floor, 'B' Block, Vikas Sadan, INA, New Delhi – 110023
2. Divisional Commissioner-cum-Secretary (Revenue), Revenue Deptt., GNCTD, 5, Sham Nath Marg, Delhi -11005
3. Commissioner, MCD, 9<sup>th</sup> Floor, Dr. SPM Civic Centre, Minto Road, Delhi- 02
4. Pr. Secretary (I&FC), Transport Deptt, GNCTD, 2<sup>nd</sup> Floor, 5/9, Under Hill Road, Delhi – 54
5. CEO, Delhi Jal Board, Varunalaya, Phase-II, Jhandewalan, Karol Bagh, N. Delhi-05
6. Additional Principal Chief Conservator of Forests, Deptt. of Forests and Wildlife
7. Vice Chancellor, Jawaharlal Nehru University, New Delhi – 110067
8. Director & Officiating Chairman, IIT, Hauz Khas, New Delhi – 110016
9. C.E.O, Delhi Wakf Board, GNCTD, Vikas Bhawan-II, A-Wing, 7<sup>th</sup> Floor, Upper Bela Road, Delhi- 54
10. Director General, CPWD, A-Wing, Room No.- 111, Nirman Bhawan, New Delhi-11
11. Engineer in Chief, PWD, 12th Floor, MSO Building, I.P. Marg, New Delhi – 110002
12. MD, DSIIDC, N-Block, Bombay Life Building, Connaught Circus, New Delhi-01
13. CMD, NTPC Limited, NTPC Bhawan, SCOPE Complex, Institutional Area, Lodhi Road, New Delhi - 110003
14. CEO, DUSIB, Punarwas Bhawan, I.P. Estate, New Delhi-110002
15. Member Secretary, Delhi Pollution Control Committee (DPCC), 4th Floor, ISBT Building, Kashmere Gate, Delhi-110006.
16. HOO, Deptt. of Archaeology, GNCTD, Department of Archaeology, Vikas Bhawan - II, 'B' Wing, IInd Floor, Civil Line, Delhi – 110054
17. Superintending Archaeologist, Archaeological Survey of India, GPO Complex, Block-D, IIIrd Floor, Puratatva Bhawan, INA, New Delhi – 110023
18. OSD to Chief Secretary, Delhi, GNCTD
19. P.S. to Pr. Secretary (Env.), GNCTD

  
Member Secretary  
Wetland Authority of Delhi

No.F.1 (26)/WA/W.P.(C)-9617/2024-25/ 139-199.

Date: 24/4/2024.

To,

1. Distt. Magistrate (East), Room No.-06, L.M. Bundh, Shastri Nagar, Delhi – 31
2. Distt. Magistrate (North East), Nand Nagri, Opposite Gagan Cinema, Delhi – 93
3. Distt. Magistrate (Shahdara), Nand Nagri, Opposite Gagan Cinema, Delhi – 93
4. Distt. Magistrate (North), Room No-1, DM Office Complex, Alipur, Delhi-36
5. Distt. Magistrate (North West), DC North West Complex, Kanjhawala, Delhi- 81
6. Distt. Magistrate (South), M.B. Road, Saket, New Delhi – 68
7. Distt. Magistrate (South East), Old Gargi Building, Lajpat Nagar, IV, N. D.– 110024
8. Distt. Magistrate (South West), Old Terminal Tax Building, Kapashera, N.D.- 37
9. Distt. Magistrate (West), Old Middle School Bldg., Lawrence Rd., Rampura, Delhi-35
10. Distt. Magistrate (New Delhi), 12/1, Jam Nagar House, Sahajahan Road, N.D.- 11
11. Distt. Magistrate (Central), Old Employment Exchange, 14, Darya Ganj, N.D.- 02
12. Commissioner, MCD, 9<sup>th</sup> Floor, Dr. SPM Civic Centre, Minto Road, Delhi- 02
13. Secretary, New Delhi Municipal Council (NDMC), New Delhi – 110001
14. Chief Executive Officer, Office of Cantonment Board, Sadar Bazar, Delhi Cantt-10
15. Chief Engineer (HQ & QAC)/ Nodal Officer, Water Bodies, DDA, E-3, Ground Floor, Vikas Sadan, INA, New Delhi-110023
16. Chief Engineer-I&FC (Zone-1), LM Bund Office Complex, Shastri Nagar, Delhi –31
17. Sh. Anil Bharti, Superintending Engineer (WB), Nodal Officer, Water Bodies, Delhi Jal Board, A' Building, Varunalaya, Karol Bagh, New Delhi – 110005

**Sub: Compliance of Hon'ble Delhi High Court Order dated 08.04.2024 in WP(C) No. 9617/2022 titled as "Court on its own motion Vs. Govt. of NCT of Delhi & Ors.**

Sir/Madam,

Please find enclosed herewith order dated 08.04.2024 passed by the Hon'ble Delhi High Court in WP(C) No. 9617/2022 titled as "Court on its own motion Vs. Govt. of NCT of Delhi & Ors.

Hon'ble Delhi High Court directed that, "It was informed that there are 1,367 water bodies (1,045 listed water bodies and 322 other water bodies identified through satellite imagery) out of which ground truthing has been completed for 344 water bodies.

Accordingly, the GNCTD is hereby directed:

- (i) To complete the geo-tagging and geo referencing for ground truthing of remaining 1023 water bodies by 15<sup>th</sup> May' 2024. **(District Magistrates to take action in coordination with land owning agencies and GSDL.)**
- (ii) The GNCTD shall ensure that estimates for rejuvenation of water bodies, after ground truthing, be prepared by 30<sup>th</sup> May' 2024. **(The land owning agencies may seek the help from PWD).**

- (iii) The tenders be floated once the Model Code of Conduct is over, and the works be awarded by 30<sup>th</sup> June, 2024.
- (iv) These works shall be completed by 31<sup>st</sup> December, 2024 after removing encroachments (if any).
- (v) Also, it is important to ensure that the rejuvenated water bodies are maintained properly and remain encroachment free. Therefore, the GNCTD shall take appropriate measures for making entries of water bodies in revenue records, by assigning responsibilities of each of such water body to specific officer, who shall visit such water body every fortnight to ensure its upkeep.
- (vi) Also, public participation may be explored by the GNCTD in such operation and maintenance activities of water bodies.

The following authorities shall be responsible for ground truthing and rejuvenation of these water bodies:

**At District Level:**

A committee consisting of District Magistrate, (Revenue Deptt.) GNCTD; Deputy Commissioner (MCD) (in case of NDMC include Secretary NDMC; and in case of Delhi Cantonment Board include CEO Delhi Cantonment Board); Superintendent Engineer (DDA), Superintendent Engineer (DJB) and Superintendent Engineer (I&FC Deptt.) shall be responsible for execution of projects at ground for each of 11 Districts.

It is requested to comply with the directions of Hon'ble Delhi High Court and send an action taken report to this office on an emergent basis.

*Encls: as above*

  
Member Secretary  
Wetland Authority of Delhi

No.F.1 (26)/WA/W.P.(C)-9617/2024-25/ 139-191

Date: 24/4/24.

*Copy for necessary action to:-*

1. Sh. Anil Kumar Gupta, Nodal Officer, Water Bodies, Municipal Corporation of Delhi (MCD), 9<sup>th</sup> Floor, Dr. SPM Civic Centre, Minto Road, Delhi- 110002
2. Director (Panchayat), 1, Kripa Narain Marg, Delhi – 110054
3. Sh. Sharvan Kumar, SE/Nodal Officer, Water Bodies, PWD, South Maintenance Circle-(M44), Sukhdev Vihar, New Delhi -110025
4. Sh. Manish Kumar, SE, Nodal Officer, Water Bodies, CPWD, Vigyan Bhawan Circle, N.D-11
5. DCF, South Forest Division, Near Karni Singh Shooting Range, Tuglaqabad, Delhi- 66
6. DCF, West Forest Division, Mandir Marg, Delhi- 60
7. DCF, North Forest Division, Kamla Nehru Ridge, Delhi-07
8. DCF, Central Forest Division, Kamla Nehru Ridge, Delhi-07
9. Surveyor Officer / Nodal Officer-Water Bodies, ASI Delhi Circle, GPO Complex, 3<sup>rd</sup> Floor, Block - D, Puratatava Bhawan, INA, New Delhi-110023

10. HOO, Deptt. of Archaeology, GNCTD, Department of Archaeology, Vikas Bhawan - II, 'B' Wing, IIInd Floor, Civil Line, Delhi – 110054
11. C.E.O, Delhi Wakf Board, GNCTD, Vikas Bhawan-II, A-Wing, 7<sup>th</sup> Floor, Upper Bela Road, Delhi- 54
12. Superintending Engineer, Nodal Officer, Water Bodies, DUSIB
13. Sh. Pawan Aggarwal, Executive Engineer (CD-12)/Nodal Officer-Water Bodies, DSIIDC, DSIIDC Site office, Auchandi road, Bawana, Delhi-110039
14. Registrar, Jawaharlal Nehru University, New Delhi – 110067
15. Nodal Officer- Water Bodies, Jawahar Lal University (JNU), New Delhi – 110067
16. Sh. Anuj Gaur, Executive Engineer (CD-II), Nodal Officer, Water Bodies, Indian Institute of Technology (IIT), Hauz Khas, New Delhi – 110016
17. Sh. Kulveer Singh, AGM (Civil), NTPC Ltd., Badarpur Thermal Power Station, Mathura Road, New Delhi -110003

Copy to:-

1. Vice Chairman, DDA, 1<sup>st</sup> floor, 'B' Block, Vikas Sadan, INA, New Delhi – 110023
2. Divisional Commissioner-cum-Secretary (Revenue), Revenue Deptt., GNCTD, 5, Sham Nath Marg, Delhi -11005
3. Commissioner, MCD, 9<sup>th</sup> Floor, Dr. SPM Civic Centre, Minto Road, Delhi- 02
4. Pr. Secretary (I&FC), Transport Deptt, GNCTD, 2<sup>nd</sup> Floor, 5/9, Under Hill Road, Delhi – 54
5. CEO, Delhi Jal Board, Varunalaya, Phase-II, Jhandewalan, Karol Bagh, N. Delhi-05
6. Additional Principal Chief Conservator of Forests, Deptt. of Forests and Wildlife
7. Vice Chancellor, Jawaharlal Nehru University, New Delhi – 110067
8. Director & Officiating Chairman, IIT, Hauz Khas, New Delhi – 110016
9. C.E.O, Delhi Wakf Board, GNCTD, Vikas Bhawan-II, A-Wing, 7<sup>th</sup> Floor, Upper Bela Road, Delhi- 54
10. Director General, CPWD, A-Wing, Room No.- 111, Nirman Bhawan, New Delhi-11
11. Engineer in Chief, PWD, 12th Floor, MSO Building, I.P. Marg, New Delhi – 110002
12. MD, DSIIDC, N-Block, Bombay Life Building, Connaught Circus, New Delhi-01
13. CMD, NTPC Limited, NTPC Bhawan, SCOPE Complex, Institutional Area, Lodhi Road, New Delhi - 110003
14. CEO, DUSIB, Punarwas Bhawan, I.P. Estate, New Delhi-110002
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17. Superintending Archaeologist, Archaeological Survey of India, GPO Complex, Block-D, IIIrd Floor, Puratatva Bhawan, INA, New Delhi – 110023
18. OSD to Chief Secretary, Delhi, GNCTD
19. P.S. to Pr. Secretary (Env.), GNCTD

  
 Member Secretary  
 Wetland Authority of Delhi