

From

Director General  
Environment & Climate Change Department, Haryana,  
Cum Member Secretary State Wetland Authority, Haryana  
SCO 1-3, 2<sup>nd</sup> Floor, Sector-17D, Chandigarh

To

Sh. Anil Grover,  
Additional Advocate General, Haryana.  
[groveradvocate@rediffmail.com](mailto:groveradvocate@rediffmail.com)

Memo No. SWAH/2021/ 166

Dated: 22/01/21

**Subject:** EA No. 16/2019 in OA no. 153/2014 titled as Indian National Trust for Art & Culture Heritage Vs. Govt. of NCT of Delhi & Ors. before the Hon'ble NGT.

**Reference :** Order of the Hon'ble NGT dated 17/09/2020 on the subject noted above.

In this connection, it is intimated that the Divisional Commissioner, Gurugram had submitted the Report of the Committee constituted vide order dated 14.02.2020 to consider all the issues related to Najafgarh Water Body, vide letter No. 2020/LFA/2340 dated 19/08/2020 (**copy enclosed**).

The Report of the Divisional Commissioner, Gurugram was placed before the State Wetland Authority's Members in its 2<sup>nd</sup> Meeting dated 19/10/2020 held under the Chairmanship of Hon'ble CM, Haryana.

The following decisions were taken in the above Meeting:

- i) **The Report of Divisional Commissioner, Gurugram shall be forwarded to Technical Committee (SWA) for carrying out the detailed analysis of the report. The Technical Committee (SWA) may constitute a sub-committee or Committee(s) at their own level for any assistance required.**
- ii) **The Revenue Department shall examine temporary discontinuation of registry of sale deed of land falling below the contour level 211 and only agricultural and allied activities be permitted in the said contour level till the final notification of the Wetland or till further orders. CLU shall not be further permitted in the area by Town & Country Planning Department till further orders.**
- iii) **The already constituted Committee under Chairmanship of the Divisional Commissioner, Gurugram shall be the Standing Committee for the**

**Najafgarh Wetland issues. The matter requiring detailed exercise can be referred to this Standing Committee.**

It is further submitted that vide letters dated 13/11/2020 and 03/12/2020, the Minutes of the 2<sup>nd</sup> meeting were sent to the Technical Committee of State Wetland Authority for detailed analysis of the Report.

Apart from the above it is also submitted that on the 3 decisions made in the 2<sup>nd</sup> Meeting of the State Wetland Authority, Haryana, reminders were issued to the quarters concerned on 06/01/2021 for taking action on the relevant points (**copy enclosed**).

But, till date, no Action Taken Reports from any quarter concerned has been received in this office.

This is being sent for your information and further necessary action please.

**DA/ As above**

  
Joint Director  
For Director General, Environment &  
Climate Change Department -cum-  
Member Secretary State Wetland Authority,  
Haryana



010/0001  
F.R. No. 1813  
Date 21-08-2020

To

Additional Chief Secretary to Govt. Haryana  
Environment & Climate Change departments,  
Chandigarh.

RO  
Memo. No. 2020/LFA/ 2340  
Dated: 19.8.2020

ACS, Env.  
21.8.2020

Sub: Report of the Committee- Najafgarh Jheel.

D. Env. (Buel)  
21/8/20

Kindly refer to your office endst. No. DE & CCH/2020/6842-54 dated 14.2.2020  
whereby the committee had been constituted.

ARO  
✓

The Committee has prepared and finalised the report. The report of the  
Committee is attached and is submitted for consideration of the State Wetland Authority.

Encl: Report

Commissioner, Gurugram Division,  
Gurugram

19/8/20

**“Declaration of Najafgarh Jheel as a Wetland”**

*Report of the committee headed by  
Sh. Ashok Sangwan, IAS, Commissioner, Gurugram Division*

**ABSTRACT**

A committee was constituted under the Chairmanship of Commissioner, Gurugram Division vide Additional Chief Secretary to Govt. Haryana, Environment & Climate Change Order No. DE&CCH/2020/6842-54 dated 14.02.2020 regarding issues related to the Najafgarh Water Body colloquially referred to as Jheel as mentioned in the minutes of the first meeting of the State Wetland Authority. The relevant part of the minutes of the first meeting of the State Wetland Authority is reproduced as under:

*"After deliberations on various issues like the extent of submergence at various contour levels (during Monsoon and post Monsoon), CLUs granted in the catchment area of the colloquia term 'jheel', its zone of influence, Master Plan development notified by the Town and Country Planning Department, major agricultural activities undertaken by the owners during the submergence and receding of water, construction plan of remaining portion of the badshapur Drain and its effect on the quantum of water and reduction in the area of submergence, controlling and monitoring of Najafgarh Drain upto Delhi, role of stakeholders and beneficiaries, it was decided that a committee constituted as under shall consider all the issues including those listed above and submit the report to the State Wetland Authority for consideration and further action...."*

Meetings of the committee were convened on the following dates:

1. 26.02.2020 (First Meeting)
2. 20.03.2020
3. 02.06.2020
4. 03.07.2020
5. 08.07.2020
6. 24.07.2020
7. 31.07.2020 (Consultation with GMDA)
8. 17.08.2020 (Final Meeting)



Detailed discussions were held. Inputs of the concerned farmers/beneficiaries of the concerned villages were also obtained by holding meetings at village level by BDPOs. Reports/comments were sought from relevant departments. After considering the matter, the report of the committee is as under:

**Issue no. 1:**

**CLUs granted in the catchment areas of the colloquia term 'jheel'; Its zone of influence; Master plan for development notified by Town and Country Planning Department:**

District Town Planner, Gurugram has reported that the khasra nos. for catchment of Najafgarh Jheel fall within villages Daultabad, Kherki Majra, Dhankot and Budhera in reference to the *Shijra* received through email dated 17.07.2018. The said khasra nos. have been examined vis-a-vis final abstract of NCZ sent by Committee on 09.06.2016 and published Final Development Plan GMUC-2031 AD. It was found that same fall out of **NCZ** and are in Agriculture Zone. As per the office record of District Town Planner (Enf), Gurugram, no CLU has been granted in these khasra numbers. The said area has been tentatively marked on the FDP-GMUC-2031 AD in blue colour (copy enclosed). However in the immediate surroundings, few sectors have been planned & plan is attached showing different licenses granted sites in these sectors.

**Issue no.2:**

**Major activities undertaken by the owners during the submergence and after receding of water:**

As per the report of DRO, Gurugram, 75% to 80% of the total land measuring 4707 Kanal 11 Marla belonging to village Daultabad, Dharampur, Dhankot, Kherki Majra and Budhera remains waterlogged due to Najafgarh Drain and rain water. The remaining 20%-25% land can be cultivated only when there is no overflow from

Najafgarh Drain and rainfall. But most of the time the Najafgarh drain remains in over flow condition and thus this land remains uncultivated.

**Issue no.3:**

**Extent of submergence at various contour levels (during and post monsoon);  
Construction plan of remaining portion of Badshahpur drain and its effect on  
the quantum of water and reduction in area of submergence:**

**i. Extent of submergence at various contour levels (during and post monsoon)**

As informed by GMDA, there are three contour levels, which broadly define the maximum and minimum submergence levels of the Najafgarh depression. These as are as under:

Contour Level	Area in acres	Remarks
209 mts.	917	Mean Flood Level
210 mts.	3436	--
212.5 mts.	12871	Maximum Flood level

The extent of submergence at various contour levels: Year-wise data (During monsoon and post monsoon) is reported as under:

Year /Date With Significant Flooding	Area (acres)
24/09/1977	12871
16/10/2010	3186
17/11/2013	1188
09/09/2016	1776
10/10/2017	1431
25/11/2018	1408

Lean season submergence area:

Submerged in Pre-monsoon period during winter and summer (Dates)	Area (acres)
28/02/2013	333
29/06/2012	177

Submergence Area in relation to 209 m contour:

Year/Dates With Significant Flooding	Total Extent (acres)	Within 209m (acres)	Percentage of Contour line 209m water logged
1977	12871	917	100.00
2010	3186	917	100.00
2011	697	582.76	63.55
2013	1188	745	81.24
2016 Sept	1776	917	100.00
2016 Oct	1420	784	85.50
2017	1431	759	82.77
2018	1408	875	95.42

From the above, it emerges that the submergence has been contained broadly within 209 mts. Contour level which has been breached only thrice during the last 40 years.

## II. Construction Plan of remaining portion of Badshahpur drain and its effect on the quantum of water and reduction in area of submergence:

The regular inflow of water into the najafgarh depression comes from three main drains from Gurugram under jurisdiction of GMDA, known as Leg-I, II & III (popularly known as Badshahpur Drain).

The construction of remaining portion of Badshahpur drain and Leg-II upto the Najafgarh drain is still pending. There is a length of 3270 mtr., in Leg-III, and 550 mtr.

Leg-II which has not been constructed. Additional land for ROW was required in both the drains and the status of acquisition of this land is as under:

Drain	ROW acquired with 30 m width	Land yet to be acquired
Leg-III (Badshahpur drain)	3100 meters	170 meters
Leg-II	550 meters	Nil

However, it is pertinent to mention here that construction of Badshahpur drain will not resolve the problem of water logging as the submergence is mainly and primarily due to the overflow of the Najafgarh drain and non-desilting of Najafgarh Drain in Delhi portion. The balance length of Badshahpur drain shall have to be considered for construction by GMDA after the bunding of Najafgarh drain in Haryana portion. There will be considerable reduction in quantum and area of submergence if Haryana portion of Najafgarh Drain is bunded and there is no back flow from Delhi.

#### **Controlling and monitoring of Najafgarh drain up to Delhi**

The jurisdiction of Najafgarh Drain originating from drain No. 8 till up to the Delhi falls under the jurisdiction of Irrigation Department, Government of Haryana. The jurisdiction of Leg-I, II & III up to the point of culminating in Najafgarh Drain falls under the jurisdiction of GMDA.

#### **Issue no.4:**

#### **Comments on cost of bunding of submerged area of the Jheel; Details of the bund on the R/side of the Najafgarh Drain**

Najafgarh drain from Km 0 to tail falls in the jurisdiction of Delhi Govt. and there is a Bund on Left side of entire Najafgarh Drain on Delhi side. In case a parallel bund is constructed on the right side of the drain, it is seen that a portion of 0.937 meters (Km

5.800 to Km. 6.737) falls under the jurisdiction of Delhi Govt. The length from Km 6.737 to Km 11.734 (Right side) of Najafgarh Drain falls in the boundary of Haryana. The proposed bund is shown as Y-Z on the map. Accordingly 75 Acres Land is required for constructing the Embankment (Total length 4.997 Km) from Km 6.737 to 11.734 along Najafgarh Drain.

**Issue no.5:**

**Role of Stakeholders and Beneficiaries**

Primarily the stakeholders and beneficiaries of the Najafgarh depression/proposed wetland will be landowners, farmers, Gram panchayats and environmentalists. The District Development has obtained the views of the landowners/ panchayats. Broadly, the villagers have demanded either compensation for the land in question or land measuring equal size in the adjoining areas. The inputs received from the Divisional Forest Officer are also attached.

**Recommendations/Views of the Committee**

- i. After detailed deliberations with various stakeholders, the committee proposes that GMDA may complete the leg-2 and leg-3 (Badshahpur drain) up to the Najafgarh drain so that there is no unwanted spillage into the proposed wetland. Provision of sluice gates may be provided by GMDA for maintaining a fixed level of water in the proposed wetland under emergent conditions/lean season, provided the quality of water (BOD,COD levels) match the standards set by wetland authority. This aspect should also be taken up with the technical committee to ward off any adverse repercussions in future.
- ii. The committee is also of the view that bunding of Najafgarh drain on Haryana side is necessary for the section Y-Z to prevent back-flow of water from Najafgarh drain onto the Haryana side. Any solution without bunding would be



futile as it would not fix the problem of drain water over flowing into area demarcated for the proposed wetland.

- iii. An area marked (with orange boundary) may be considered for declaration as core area of the proposed Wetland measuring 333 acres based on lean period submergence data. Around the core zone of the wetland, multiple iterations have been depicted at an interval of 100 m each up to 500 metres which may be considered by the wetland authority for declaration as buffer zone, as deemed appropriate. The committee proposes that this area may be exclusively used for activities permitted under wetland (Conservation & Management), Rules.
- iv. The committee recommends that a mechanism must be developed with Govt. of NCT Delhi for regular de-silting of Najafgarh drain in a joint manner.
- v. The tentative costs indicated by GMDA for executing the works above is as under:

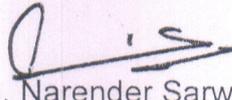
Proposal	Length	Cost*	Remarks
Construction of bund of Najafgarh drain on Haryana side (Pt Y to Z)	a) Length of bund on Najafgarh drain -4997 m	15.40 cr	75 acre to be acquired for bund on Najafgarh drain
Construction of drains till Najafgarh drain	b) Construction of Badshahpur drain (Leg-III) upto Najafgarh drain from Pt K to L 3515 mtr & Construction of balance portion of Leg-II of 550 mtr	160 cr	3.18 acre to be acquired for Construction of drain
<b>Total</b>		<b>175.40 cr</b>	

Note: 1 Cost includes construction cost only. Cost of acquisition of land to be worked out separately. The Collector rates of land for the 6 villages in the zone of influence of the proposed wetland are enclosed.

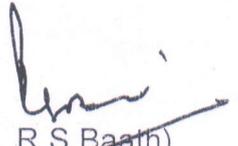
Note: 2 A pumping mechanism will be required for flow of water from Leg-II and III into Najafgarh drain to prevent backflow of water. The cost of this will have to be worked out separately.



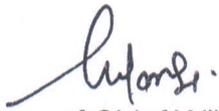
(Sh. Basti Ram)  
DRO, Gurugram



(Sh. Narender Sarwan)  
DDPO, Gurugram



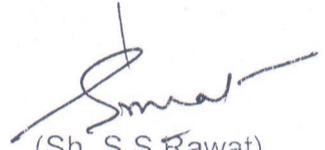
(Sh. R S Baath)  
DTP, Gurugram



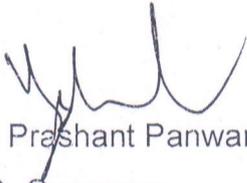
Rep. of Chief Wildlife Warden,  
Gurugram (D.W.L.O.)



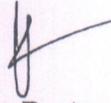
(Sh. Rajesh Bansal)  
S.E. GMDA



(Sh. S S Rawat)  
S.E. Irrigation, Gurugram



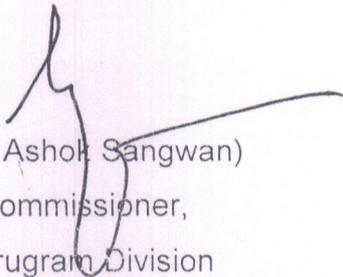
(Sh. Prashant Panwar)  
ADC, Gurugram



(Sh. Vinay Pratap Singh)  
Commissioner MCG



(Sh. Amit Khatri)  
DC, Gurugram



(Sh. Ashok Sangwan)  
Commissioner,  
Gurugram Division

From

Director General,  
Environment & Climate Change Department,  
Haryana, Chandigarh

To

1. Additional Chief Secretary to Government of Haryana, Revenue and Disaster Management Department
2. Divisional Commissioner Gurugram  
Gurugram, Haryana.

Memo No. DEH/2020/Wetland/ 52-53

Dated 06-01-2021

**Subject: Minutes of the 2<sup>nd</sup> Meeting of State Wetland Authority (SWA) held on 19-10-2020 under the Chairmanship of Hon'ble Chief Minister-cum-Chairman State Wetland Authority**

Kindly refer to earlier letter no. DEH/2020/Wetland/8347-8361 dated 13-11-2020 on the subject noted above

A copy of the minutes of the 2<sup>nd</sup> meeting of State Wetland Authority (SWA) held on 19-10-2020 under the Chairmanship of Hon'ble Chief Minister-cum-Chairman State Wetland Authority and a copy of the report submitted by the Commissioner Gurugram Division (Chairman of the Committee) regarding issues of Najafgarh Jheel is hereby again forwarded for further necessary action.

Enclosed: 1. Minutes of the meeting

2. Report submitted by the Commissioner Gurugram Division

Joint Director  
for Director General, Department of Environment  
& Climate Change-cum-Member Secretary,  
SWA.

From

Director General,  
Environment & Climate Change Department,  
Haryana, Chandigarh

To

- 1) Sh. M.D. Sinha, IFS, 76 HIPA Complex, Sector 18, Gurugram, Haryana 122001 (Chairman Technical Committee on State Wetland Authority Haryana)
- 2) Member Secretary, Haryana State Pollution Control Board, Sector 6, Panchkula
- 3) Director, Urban Local Bodies Department, Bays 11-14, Sector 4, Panchkula, Haryana
- 4) Director, Town and Country Planning Department, Plot No. 3, Sec-18A, Madhya Marg, Chandigarh 160018
- 5) Director, Development of Panchayat Department, Plot No. 3, Sector 28, Chandigarh
- 6) The Deputy Commissioner Gurugram, Haryana.
- 7) Sh.Subhash Yadav, IFS, Divisional Forest Officer, Gurugram Metropolitan Development Authority, Metro Station, Plot No3 Sector 44, Near HUDA City Centre, Gurugram, Haryana 122003
- 8) Chief Engineer, Irrigation & Water Resources Department, Sinchai Bhawan, Sector 5, Panchkula, Haryana
- 9) Director, Fisheries, Bays No-31-32, Sector 4, Panchkula Haryana
- 10) Senior Scientist, SG (Environment/Forest) HARSAC, Haryana Agricultural University, Hisar, Haryana 125004

Memo No. DEH/2020/Wetland/ 8347-8361

Dated 05-10-2020

**Subject: Minutes of the 2<sup>nd</sup> Meeting of State Wetland Authority (SWA) held on 19-10-2020 at 3.00 P M. at CM Camp Office.**

Kindly refer to earlier letter no. DEH/2020/Wetland/8347-8361 dated 13-11-2020 and DEH/2020/Wetland/8496-8505 dated 03-12-2020 on the subject noted above

A copy of the minutes of the 2<sup>nd</sup> meeting of State Wetland Authority (SWA) held on 19-10-2020 under the Chairmanship of Hon'ble Chief Minister-cum-Chairman State Wetland Authority and a copy of the report submitted by the Commissioner Gurugram Division (Chairman of the Committee) regarding issues of Najafgarh Jheel is hereby again forwarded for further necessary action.

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Joint Director,  
for Director General, Department of Environment  
& Climate Change-cum-Member Secretary,  
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