

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH AT NEW DELHI**

**Original Application No 537/2023**

**In the matter of:**

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

**NDOH:- 02.07.2024**

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Filed by

DPCC

New Delhi

Dated: 27.06.2024

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
ORIGINAL APPLICATION NO 537 / 2023**

**In the matter of:**

**News Item titled "Why Flooding Has Forced DDA's Master Plan Rethink" appearing in Times of India dated 22.08.2023.**

**RESPONSE OF DELHI POLLUTION CONTROL COMMITTEE (DPCC)  
WITH RESPECT TO ORDER DATED 21.03.2024.**

1. That this Hon`ble Tribunal has taken up the above referred matter suo- moto on 17.10.2023 based on the News Item titled "Why Flooding Has Forced DDA's Master Plan Rethink" published in Times of India dated 22.08.2023 regarding flooding in Delhi on account of unauthorized constructions in the river flood plain.
2. That in compliance of Order dated 30.01.2024 in above referred matter, DPCC filed its Response on 14.03.2024.
3. That Hon`ble Tribunal vide Order dated 21.03.2024 in the said matter directed as follows:

*"4. The response which have been placed on record reflect that in terms of the above order, the authorities are intending to define the flood plain zone by taking 1:25 years as the criteria whereas the Rejuvenation Order, 2016 defines the flood plain as under:-*

*"3. (l) "flood plain" means such area of River Ganga or its tributaries which comes under water on either side of it due to floods corresponding to its greatest flow or with a flood of frequency once in hundred years;"*

5. *Therefore, in terms of the above, river Yamuna being tributary of Ganga, the flood plain corresponding to its greatest flow or with a flood frequency once in 100 years, is required to be demarcated.*
  6. *Nothing has been placed on record to show that what criteria or SOP (Standard Operating Procedure) has been adopted for demarcation of flood plain or the contour intervals taken for demarcation of flood plain or the contour mapping which is done for that purpose. Therefore, prima facie it appears that no effective step till now has been taken for demarcation of the flood plain of river Yamuna for the stretch concerned, though the earlier order of the Tribunal was passed in the year 2015.*
  7. *In light of above, learned Counsel appearing for CPCB as also Government of NCT have sought further three week's time to file a fresh report. The fresh report be filed keeping in view the observations which have been made above.*
  8. *List on 02.07.2024."*
4. Hon`ble Tribunal vide order dated 17.10.2023 has constituted a High Level Committee headed by Chief Secretary, Delhi and comprising of nominee from Delhi Development Authority, Secretary, Environment, Govt. of NCT of Delhi, Secretary, Ministry of Jal Shakti, Executive Director , National Mission for Clean Ganga and Commissioner Municipal Corporation of Delhi for ensuring demarcation of flood plains of Yamuna and suggesting measures to prevent and remove encroachment and unauthorized constructions falling within the flood plains.
  5. That a meeting of the High Level Committee (HLC) was held on 07.05.2024 under the chairmanship of Chief Secretary, Govt. of NCT of Delhi. In the said Meeting, Directions of Hon`ble Tribunal vide Order dated 21.03.2024 in respect

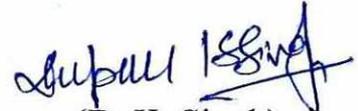
of "the flood plain corresponding to its greatest flow or with a flood frequency once in 100 years is required to be demarcated" was discussed.

Copy of the Minutes of the Meeting of HLC held on 07.05.2024 is at Annexure-1.

6. That in the said Meeting of HLC held on 07.05.2024, Executive Director, National Mission for Clean Ganga, one of the members of the HLC, informed the committee that Ministry of Jal Shakti had constituted a committee for joint flood management study of river Yamuna for its reach between Hathnikund and Okhla Barrage in which Principal Secretary, Irrigation & Flood Control Department (I&FCD) is a member from GNCTD and the report broadly focuses on cause of event and measures for better ground preparedness in case of such events in future. Further, I&FCD informed that for this exercise, the department has engaged Central Water and Power Research Station (CWPRS), Pune for determining area and outer limit of 1:100 years floodplain based upon flood frequency analysis and water level stimulation. It was informed that the outcome is awaited. I&FCD was directed to expedite the exercise. Accordingly it was further decided that demarcation of flood plain with flood frequency once in 100 years will be taken up once I&FCD completes the above mentioned exercise. However floodplain once in 25 years basis shall be completed.

7. That in respect of Standard Operating Procedure (SOP) adopted for demarcation of flood plain, I&FCD during HLC Meeting held on 07.05.2024 submitted that "On the direction of Hon'ble NGT in Manoj Mishra Vs Union of India OA 06/2012 vide judgment dated 13.01.2015 I&FCD was directed to prepare flood maps for flood of 1 in 25 years in interest of ecology, bio-diversity and river flow. Flood of 2011 was identified as 1 in 25 frequency flood. The water level recorded at ORB was 205.75 m. Since GSDL had contour of min. of 1m. interval, so the water level was considered as 206.00 m. for 1 in 25 years flood frequency."

8. That the flood plain needs to be protected from all kinds of encroachments. Further all STPs of DJB must meet the prescribed standards which is not the case at present. There is need for conservation of water and proper water tariff to that effect so that public values water as resource. Further, there is need to enforcing planned development of Delhi where proper civil amenities exist, rather than allowing slums/ JJ Clusters and having a policy framework to that effect.
9. That the above Response of DPCC may please be taken on records please.

  
(D. K. Singh)

Addl. Director (Engg.) & I/c, WMC-II,  
Delhi Pollution Control Committee

Delhi

Dated : 26.06.2024

By e-mail

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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)

F.No. F.DPCC/(10)/(86)/Leg-2023/ pt.file-I / 797-820

Dated: 14/03/2024

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 07.05.2024 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 A.
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 constitution of the HLC, its mandate and Hon'ble NGT's directions. The last order of Hon'ble NGT dated 21.03.2024 was appraised to the members that:

"....., authorities are intending to define the flood plain zone by taking 1:25 years as the criteria whereas the Rejuvenation Order, 2016 defines the flood plain as under:-

"3. (l) "flood plain" means such area of River Ganga or its tributaries which comes under water on either side of it due to floods corresponding to its greatest flow or with a flood of frequency once in hundred years;"

Therefore, in terms of the above, river Yamuna being tributary of Ganga, the flood plain corresponding to its greatest flow or with a flood frequency once in 100 years, is required to be demarcated"

.....what criteria or SOP (Standard Operating Procedure) has been adopted for demarcation of flood plain or the contour intervals taken for demarcation of flood plain or the contour mapping which is done for that purpose.

.....prima facie it appears that no effective step till now has been taken for demarcation of flood plain of river Yamuna for stretch concerned, though earlier order of Tribunal was passed in 2015.

In light of above, learned Counsel appearing for CPCB as also Government of NCT have sought further three weeks' time to file a fresh report. Fresh report be filed keeping in view observations which have been made above.

3. The committee was informed that IFCD had clarified on the criteria or SOP (Standard Operating Procedure) to be adopted, that: "On the direction of Hon'ble NGT in Manoj Mishra Vs Union of India OA 06/2012 vide judgment dated 13.01.2015 I&FC department was directed to prepare flood maps for flood of 1 in 25 years in interest of ecology, bio-diversity and river flow. Flood of 2011 was identified as 1 in 25 frequency flood. The water level recorded at ORB was 205.75 m. Since GSDL had contour of min. of 1m. interval, so the water level was considered as 206.00 m. for 1 in 25 years flood frequency."

4. The Hon'ble NGT's direction that the flood plain corresponding to its greatest flow or with a flood frequency once in 100 years is required to be demarcated was discussed. Executive Director, National Mission for Clean Ganga, one of the members of the HLC, informed the committee that Ministry of Jal Shakti had constituted a committee for joint flood management study of river Yamuna for its reach between Hathnikund and Okhla Barrage in which Principal Secretary IFCD is a member from GNCTD and the report broadly focuses on cause of event and measures for better ground preparedness in case of such events in future. Further, IFCD informed that for this exercise, the department has engaged CWPRS (Central Water and Power Research Station, Pune) for determining area and outer limit of 1:100 years floodplain based upon flood frequency analysis and water level stimulation. It was informed that the outcome is awaited. IFCD was directed to expedite the exercise. Accordingly it was further decided that demarcation of flood plain with flood frequency once in 100 years will be taken up once IFCD completes the above mentioned exercise. However floodplain once in 25 years basis shall be completed.

(Action: IFCD)

5. Meanwhile, on compliances of previous directions of the HLC regarding the first mandate of the committee to get spot inspections and demarcation of flood plains of Yamuna in the area concerned, GSDL informed that the demarcation of Zone "0" as well as 1:25 years on map has been completed, but there are some gaps in pockets which need ground truthing. No physical ground truthing have been done yet by DDA, and hence while demarcating the same digitally, GSDL is facing shifting issues related to boundaries as certain pockets are falling even under the jurisdiction area of Uttar Pradesh. DDA was directed to complete the ground truthing of the shifting issues, without further delay, preferably within a fortnight to finalise the boundary.

(Action: DDA, GSDL)

6. Representative from DDA apprised the committee that the demarcation of 1:25 year's flood plain of River Yamuna according to the 2015 Hon'ble NGT order is marked with 591 Bollards, 375 Flag Posts & 27 sign boards for the stretch from Wazirabad barrage to Jaitpur. DDA was asked to share the geo coordinates with Revenue Department for physical verification of the bollards/ flag posts/ sign boards based on their latitudes and longitudes. Chief Secretary

directed that the said physical verification shall be jointly done by DDA and Revenue Department within a fortnight and a report be submitted on the boundary length covered and uncovered.

**(Action: DDA, Revenue Department)**

7. The second mandate of the HLC as directed by the Hon'ble NGT was to suggest measures to prevent and remove encroachment and unauthorized constructions falling within flood plains. GSDL informed that built up Area under Zone "O" including 1: 25 (Built up/Encroached), Land ownership information (Private or Government) and Khasra Wise Litigation Details has not been received from DDA in the required format. DDA was directed to provide the information without further delay. A compliance report in this regard shall be submitted within a week's time to HLC.

**(Action: DDA, GSDL)**

8. GSDL informed that they have handed over maps and Khasra information as available in GSDL database to the Revenue Department and DPGS training was also provided by GSDL to Revenue Department. Still, the built up Area under Zone "O" including 1: 25 (Built up/Encroached), Land ownership information (Private or Government) and Khasra Wise Litigation Details has not been received from Revenue Department. Revenue Department was directed to provide the information without further delay. A compliance report in this regard shall be submitted within a week's time to HLC.

**(Action: Revenue Department, GSDL)**

9. Chief Secretary directed Services Department to ensure deployment of probationers presently posted in Delhi for coordination and field visits in order to complete the mandate of the committee in a time bound manner on a dedicated basis including proposed action in para - 6 above.

**(Action: Services Department)**

10. On compliances of previous directions of the HLC, it was informed that DDA is yet to provide an ATR on all earlier Hon'ble Tribunal's directions including YMC specifically on demarcation to the HLC. DDA was asked to submit the information in the format communicated by DPCC to DDA, without further delay. A compliance report in this regard shall be submitted within a week's time to HLC.

**(Action: DDA)**

11. GSDL informed that high resolution images have been procured for better compliances of Hon'ble NGT directions especially with regard to identification and demarcation of land parcels.

12. DDA informed that Hon'ble High Court, Delhi has been requested 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.
13. For demarcation, DDA was again directed to 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]

Meeting ended with a vote of thanks to the chair.

*Nigam Agarwal*  
(Nigam Agarwal)  
Director (Environment)

To

1. Divisional Commissioner, GNCTD
2. Principal Secretary, Irrigation Flood and Control Department, GNCTD
3. Vice Chairman, Delhi Development Authority
4. Principal Secretary, Services Department, GNCTD
5. Commissioner, Municipal Corporation of Delhi
6. Secretary (IT), GNCTD
7. Managing Director, GSDL.
8. District Magistrates ((North-East, Shahdara, East, Central, North and South-East), Revenue Department, GNCTD

Copy for kind information to:

1. Secretary, DoWR, RD & GR, Ministry of Jal Shakti (MoJS), Govt. of India
2. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
3. Addl. Chief Secretary, Urban Development Department, GNCTD
4. Addl. Chief Secretary, Industries Department, GNCTD
5. Chairman, Delhi Pollution Control Committee.
6. Executive Director, National Mission for Clean Ganga (NMCG), Govt. of India
7. Land & Development Office (L&DO), Ministry of Housing & Urban Affairs, Govt. of India
8. Pr. Secretary, Environment & Forests, GNCTD
9. Commissioner of Police, Delhi Police
10. Staff Officer to Chief Secretary, GNCTD,
11. Addl. Principal Chief Conservator of Forest, GNCTD
12. MD, DSIIDC
13. SEE (WMC-II), Delhi Pollution Control Committee
14. Guard file, Department of Environment

- 15. Staff Officer to Chief Secretary, GNCTD
- 16. Special Secretary (Environment), GNCTD

*Nigam*  
(Nigam Agarwal)  
Director (Environment)