

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL AT  
NEW DELHI

E.A. NO. 5 OF 2024

IN

Original Application No. 6 of 2012

In the matter of:

Nizamuddin West Association (Regd.)

Applicant

Versus

Union of India and Others

Parties

... Opposite

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Through

New Delhi

DATED: 1/8/24

  
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**ACTION TAKEN / STATUS REPORT ON BEHALF OF  
RESPONDENT/ MUNICIPAL CORPORATION OF DELHI/ MCD.**

I, ChamanLal S/o Lt. Sh. Balwant Singh aged about 59 years, presently posted as Executive Engineer (Maintenance)-I, Central Zone, Municipal Corporation of Delhi, having its office at Round About, Arjun Marg, Defence Colony, New Delhi-110024 on the basis of official records maintained by the Respondent/Municipal Corporation of Delhi (hereinafter referred to as 'MCD') do hereby solemnly affirm and declare as under:

1. That MCD is responsible for desilting of drains in its jurisdiction for which action plan is prepared in advance for the drains having depth 4 feet and above on the basis of estimation of quantity of silt based on past experience. For the year 2024 action plan was prepared for

desilting of drains in two phases, first phase from 01.01.2024 to 30.06.2024, second phase 01.07.2024 to 31.12.2024.

In first phase, desilting of 713 drains was planned where from 78,062 MT silt was to be taken out through contract basis through the required machinery such as excavator, poclain, trucks etc. the departmental labour and machinery is regularly engaged for cleaning/removal of floating materials from the drain. The quantity of silt is measured by way of quantity dumped at designated SLF sites. The wait measurements are available to all stake holders on the online portal on real time basis.

Accordingly, desilting was carried out from these drains and 83,835 MT silt has been taken out.

2. That the drains having depth less than 4 feet in internal lanes of colonies are also cleaned by DEMS Department of MCD. There are 20,884 Nos of drains having depth less than 4 feet where from 81,432 MT silt has been removed against the target of 82,642 MT. The cleaning/desilting of these drains is regular feature and is being done throughout the year. This work is done by Safai Karamcharis attached to that specific ward with the help of T&P.

3. That there are 22 Nos of drains out falling in River Yamuna out of which namely Najafgarh Drain, Shadhara Drain and Barapulla Drain are with I&FC Department. Further, out of 22 drains, 5 Nos of drains are with I&FC Department, 2 Nos of drains with PWD and 15Nos of drains are with MCD which shall be handed over to I&FC Department after current monsoon season, in compliance of the direction issued by Hon'ble High Court of Delhi in WPC No. 7594/2018. The desilting of MCD drains is being carried out by MCD till the same are handed over to I&FC Department.

The details of these drains are as under:

S. No.	Name of drain	Silt load in drain/ silt assessed (MT)	Desilting done this season (MT)	Desilting to be done this year	Drain Owning Agency
1	Metcalf House Drain	-	-	-	PWD
2	Khyber Pass Drain	-	-	-	MCD
3	Sweeper Colony Drain	19.17	Ist Phase Completed ( 41.74)	2nd Phase to be done after monsoon	MCD
4	Magazine Road Drain	45.85	Ist Phase Completed (50.71)	2nd Phase to be done after monsoon	MCD
5	Tonga Stand drain	-	-	-	PWD
6	Civil Military Drain	11.14	Ist Phase Completed ( 14.22)	2nd Phase to be done after monsoon	MCD

7	Moat drain (Vijay Ghat)	61.6	Ist Phase Completed (88.10)	2nd Phase to be done after monsoon	MCD
8	Drain No.14	1715.33	Ist Phase Completed (1805)	2nd Phase to be done after monsoon	MCD
9	Tekhhand Drain	1053.5	Ist Phase Completed (1170)	2nd Phase to be done after monsoon	MCD
10	Tughlakabad Drain (Kalkaji Drain merged in this drain)	400	Ist Phase Completed (400)	2nd Phase to be done after monsoon	MCD
11	Sen Nursing Home Drain (Drain No. 12)	1316.67	Ist Phase Completed (1899)	2nd Phase to be done after monsoon	MCD
12	Delhi Gate Drain/ Power House Drain	1468	Ist Phase Completed (1682)	2nd Phase to be done after monsoon	MCD
13	Najafgarh Drain	-	-	-	I&FC
14	Shahdara Drain	-	-	-	I&FC
15	AbulFazal Drain	798	Ist Phase Completed (940)	2nd Phase to be done after monsoon	MCD
16	ISBT Drain (QudsiaBagh/ Mori Gate Drain)	40.94	Ist Phase Completed (51.21)	2nd Phase to be done after monsoon	MCD
17	Sonia Vihar Drain (On Eastern Bank of Yamuna)	-	-	-	I&FC
18	Kailash Nagar Drain (On Eastern Bank of Yamuna)	263	Ist Phase Completed (270)	2nd Phase to be done after monsoon	MCD
19	Shastri Park Drain (On Eastern Bank of Yamuna)	271.44	Ist Phase Completed (245)	2nd Phase to be done after monsoon	MCD
20	Maharani Bagh Drain	2667.33	Ist Phase in progress (1639)	2nd Phase to be done after monsoon	MCD
21	Jaitpur Drain	-	-	-	I&FC
22	Barapulla Drain	-	-	-	I&FC

4. That Barapulla Nallah from Lajpat Rai Marg to Ring Road is under the jurisdiction of I&FC Department since October 2023. I&FC Department has initiated the process of desilting in Barapulla Nallah and work of desilting of Barapulla Nallah is in progress.

The dredging of Barapulla Nallah has been started by I&FC Department. The final level of bed of Nallah is required to be defined by I&FC Department with respect to invert levels available at bottom of bridges/culverts at Lala Lajpat Rai Marg, Mathura Road, Nizamuddin Bridge and Ring Road because these levels are fixed since long, at the time of construction of these bridges/culverts. The gradient of bed of Nallah between two bridges will be defined by two invert levels.

5. That the water logging in Nizamuddin West, Nizamuddin East, Jangpura Extn. and Jangpura-B area occurs only due to back flow of storm water from Barapulla Nallah at the time when there is rise in water level in River Yamuna which is outfall for Barapulla Nallah. At the time of heavy rains, storm water from entire catchment area of Barapulla reaches in Barapulla Nallah and due to back flow, water

enters into colonies. The catchment area of Barapulla Drain covers Sarai Kale Khan, Nizamuddin East & West, half of NDMC area, Lodhi Colony, INA, Kidwai Nagar, Moti Bagh, Dhaula Kuan, Kushak Village, entire South Delhi upto Mehrauli, Saket, Sainik Farm, Khanpur, Deoli Village, Sangam Vihar, Dakshinpuri, Madangir, Pusph Vihar, Panchsheel Park, Malviya Nagar, G.K.-I & II, East of Kailash, Lajpat Nagar, South Extn. Part-I & II, Defence Colony, Bhogal, Jangpura Extn., Sidharth Nagar, Sidharth Extn. etc.

6. That Kushak Nallah from Railway track near Silver Oak Park to Lala Lajpat Rai Marg is under the jurisdiction of MCD which was desilted before onset of Monsoon of this year and 1735 MT silt was taken out. It is further stated that **Kushak drain is upstream part of Barapulla drain**. There will be no issue of flooding from Kushak Nallah if Barapulla Drain in the stretch from Lala Lajpat Rai Marg to Ring Road is desilted/dredged upto the desired designed bed level.
7. That sewage from all the colonies abutting on Barapulla Nallah, Kushak Nallah, Gautampuri Drain, Chirag Delhi/Defence Colony Drain, Lajpat Nagar Drain and its link drains, is discharged into these drains due to which there is continuous deposition of solid

waste on the bed of drains for which regular cleaning is required. That till the time the sewage is intercepted by the Delhi Jal Board the problem will continue.

8. It is a established fact that there is phenomenal growth in the habitation in the area of outs cult of Delhi City. That it is further mentioned that in the affidavit filed by applicants in I.A. No. 537 of 2023 in O.A. No. 6 of 2012 the applicant filed objections against the affidavit of CEO DJB, wherein it is stated that Nalla identified as R and S-Block Nalla outer road to S/363 to B/272 GK-I near corner DDA park krishi Vihar has not been trapped and sewage is still being discharged into the Kushak Drain. So therefore till the time DJB trapped the sewage into the Kushak drain, the problem of back flow shall be continue. There has to be complete stoppage of discharge of sewage into the open drains.

DJB is responsible for stopping the direct flow of sewage in these drains. DJB has tapped the dry weather flow (Non Raining Season) from Nallah into the trunk sewer / public sewer of nearby colonies. DJB may be directed to disconnect all the sewer lines discharging sewage from colonies into storm water drains.

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9. That in the second phase desilting of all the drains in jurisdiction of MCD will be carried out after monsoon season and completed by the end of December 2024.

*Chandy*  
DEPONENT

**VERIFICATION:**

Verified at New Delhi on this 1<sup>st</sup> day of August, 2024 that the contents of the above affidavit are true and correct; no part of it is false and nothing material has been concealed there from.

*Chandy*  
DEPONENT