

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

I.A. No. 537/2023

In

Original Application No. 06/2012

IN THE MATTER OF:-

Nizamuddin West Association

... Applicant

Versus

Union of India & Ors

... Respondents

INDEX

<u>S.NO.</u>	<u>PARTICULARS</u>	<u>PAGES</u>
1.	A Status Report on measures taken by Respondent /Municipal Corporation of Delhi (MCD).	

Through



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NEW DELHI
DATED:-

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**A STATUS REPORT ON MEASURES TAKEN BY RESPONDENT
MUNICIPAL CORPORATION OF DELHI (MCD).**

1. That the applicant namely Block B (North) GK-I RWA, in the captioned case raised their grievance by filing I.A. No. 537 of 2023, in respect of storm water drain namely Kushak drain- Barapulla drain, a large portion of which is covered, but a small portion touching back of some houses i.e. B-159 to B-187 in Block-B (North), GK-I, has been left open, from which foul gases are emitting and apart from being a health hazard is causing inconvenience to namely residents.
2. That a joint report was also filed on 19.02.2024 by senior officers of answering respondent MCD and DJB.
3. That the portion of drain/nallah under the jurisdiction of the M-II/SZ division starts from Press Enclave Road to Lala Lajpat Rai Marg. The starting point of the said drain on the upstream side is somewhere from Khanpur and the end point on the downstream side is located at

Lala Lajpat Rai Marg in Defence Colony Nallah, discharging into Barahpula Nallah through Kushak drain. The total length of the drain/nallah under the jurisdiction of this division is approximately 3325 meters. (Lala Lajpat Rai Marg to Press Enclave Road) out of which 1175 meters approx. of the length of the drain is covered and 2150 meters approx. of the drain is open.

4. The catchment area of the drain/nallah received discharge from the far-flung areas of Sangam Vihar, Khanpur, Tigri, Devli, Dakshinpuri, Pushp Vihar, Sainik Farm, Chirag Delhi, Ghitorni, Sultanpur Village, Mehrauli, Fatehpur, Saidulajab Village, Freedom fighter colony and Saket which are on the upstream side and discharging effluent into GK-1 drain and tapping of the same is being done by DJB.
5. The stretch of the drain as referred by the petitioner is from the link road connecting BRT and Hansraj Gupta Marg to Lala Lajpat Rai Marg. The length of the affected drain is approximately 945 meters, and out of this approximately 645 meters is covered and 300 meters is open drain.

The following measures have been taken by the department to mitigate the foul smell and to maintain the flow of the drain.

6. As per the policy of the department, the desilting of the drain is carried out in two phases in a calendar year i.e. 1st phase starts from 15th January & 2nd phase starts from 1st October.
7. The desilting of the said drain in the previous year i.e. 2023 of 1st phase from 16.01.2023 to 31.05.2023 was carried out by deploying poclain machines, JCB, etc.,
8. The 2nd phase of desilting of the drain from 1st October to 15th January 2023 was also carried out by deploying JCB machines, poclain & Super sucker machines.
9. The poclain machine was deployed in 2nd phase on 06.11.2023, 08.11.2023, 09.11.2023, 10.11.2023, 16.11.2023, 19.12.2023 & 20.12.2023 and desilted of open portion of the drain.
10. The cover portion of the drain having 10 Nos. of vent shaft at the approximate interval of 30.00 meters was desilted by removing cover slabs through a small bucket JCB in 2nd phase on 09.11.2023, 15.11.2023, 16.11.2023, 13.12.2023, 14.12.2023, 15.12.2023 & 16.12.2023, and by deploying super sucker machine on 11.11.2023, 14.11.2023, 16.11.2023, 01.01.2024, 02.01.2024 & 03.01.2024.

11. A total of 841.06 MT of silt was removed from the GK-1 drain in the previous year i.e. 2023 and sent to SLF Okhla. The expenditure incurred during the last financial year 2023-24 Rs. 15 Lacs.

12. As per the order dated 22.11.2023 in which the suggestion was put forth by Hon'ble Bench to increase the number of vents in addition to the already existing 10 number of vents at a distance of approximately 30 meters. The work of providing vents was taken up by the department and RCC slabs were punctured at 4 places. The further work was stopped by the petitioner RWA suggesting that it will not serve any remedial measure to prevent the toxic gases emitting from the untreated sewage entering to the storm water drain. The petitioner RWA submitted the same before the Hon'ble NGT and representation was submitted to the MCD in this regard.

13. The screening is also installed at certain locations to trap the floating material with cleaning regularly by the departmental nallah beldars.

14. The desilting work for 1st phase of the current year 2024 has been started recently by deploying the JCB & poclain machine and the work is in progress. Approximately 50 MT of silt has been extracted from the drain.

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15. It is pertinent to mention here that the desilting of drains is a continuous process and as per the policy of the department the desilting activity is carried out throughout the year i.e. pre-monsoon & post-monsoon. 60% of the desilting is to be done in 1st phase (pre-monsoon) and 40% to be done in 2nd phase (post-monsoon).

16. It is further submitted that the department maintained the flow of water in the drain regularly and checked the quantum of silt time to time. The foul smell /gasses emitting from the flowing sewage water can't be stopped until the Delhi Jal Board will not trap the whole sewage water from the upstream catchment areas as mentioned above in para no. 2.



Executive Engineer

Maintenance Division-II, South Zone, MCD