

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

EA 22/2023

IN THE MATTER OF:

JAGDEV

..PETITIONER

VERSUS

LIEUTENANT GOVERNOR OF DELHI & ORS. ...

RESPONDENT

N.D.O.H.: 03-04-2024

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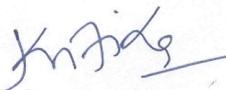
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New Delhi

Dated: 01-04-2024

FILED BY:



KRITIKA GUPTA | LATIKA MALHOTRA

Counsel for Respondent /DDA

Enrol No: | D/2750/2015

Chamber No. 155, Block I, High Court of Delhi

+91-8826331177 | kritika0504@gmail.com

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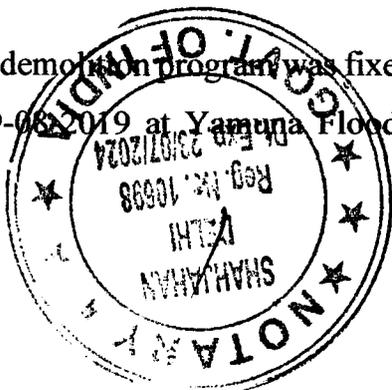
STATUS REPORT OF BEHALF OF RESPONDENT/DDA

I, Bijendra Kumar, aged about 44 years, S on of Sh. Bishan Lal Singh,
working as Dy. Director (Part) office at Delhi Development Authority, INA,
Vikas Sadan, New Delhi, do hereby solemnly affirm and state on oath as under:

1. That I am presently working as Dy. Director (Part), and as such am duly authorised and competent to affirm the present Affidavit on behalf of the Respondent No. 2 /DDA ("Answering Respondent").
2. That this Affidavit has been drafted under my instructions and I say that the facts stated therein are based upon records of the case which I believe to be true and correct to the best of my knowledge and belief.
3. That the Respondent craves leaves of this Hon'ble Tribunal to reserve its liberty to file additional affidavit/ submissions during the course of the proceedings, if the need so arises.
4. That the action undertaken by the Respondent/ DDA in the Yamuna Flood Plains is as follows:



5. That an OA No 6/2012 titled *Manoj Mishra versus Union of India & Ors.* was filed before the Hon'ble NGT. Vide various orders passed in the aforesaid OA, the Respondent/DDA has been entrusted with the affirmative duty to protect the River Yamuna, its morphology and its flood plains. It has been directed by the Hon'ble NGT that the Yamuna Flood Plains are to be protected and no encroachment or construction of any kind ought to be permitted therein. It was in a bid to fulfil this mandate and keep the Yamuna flood plains encroachment free, that demolition/removal action is being regularly undertaken by Respondent/DDA. In compliance of Judgment dated 13-01-2015 passed in OA 6/2012, the following demolitions were planned by the Respondent/ DDA (Horticulture Divison-2) including in the area, which is the subject matter of present execution application, and areas in the near vicinity:
- a. A demolition program was fixed vide letter no.F.2 (2)2018/Hort.II/DDA/2662 dated 14-09-2018 at Yamuna Flood Plain Zone near Majnu Ka Tila Pakistani Hindu family was fixed. However, the demolition program could not be held on 18-09-2018. True Copy of letter dated 14-09-2018 was annexed herewith as **Annexure R1**.
 - b. A demolition program was again fixed vide letter no. F.2(2)2018/Hort.II/DDA/2730 dated 20-09-2018 at Yamuna Flood Plain Zone near Tibet Colony near Majnu ka Tila. The demolition program was successfully held on 26-09-2018. True Copy of letter dated 20-09-2018 is annexed herewith as **Annexure R2**. True Copy of the demolition proceedings are annexed herewith as **Annexure R3**.
 - c. Another demolition program was fixed vide letter no.F.2(2)2019/Hort.II/DDA/1560 dated 02-07-2019 at Yamuna Flood Plain Zone near Tibet Colony near Majnu Ka Tila and held on 16-07-2019 successfully. True Copy of letter dated 02-07-2019 is annexed herewith as **Annexure R4**. True Copy of the demolition proceedings are annexed herewith as **Annexure R5**.
 - d. A demolition program was fixed vide letter No. F.2(2)2019/Hort.II/DDA/2086 dated 09-08-2019 at Yamuna Flood Plain Zone near Mori Gate Drain opposite ISBT,



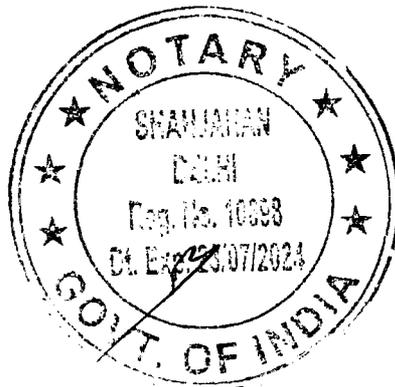
Kashmere Gate. The demolition program was held on 06-09-2019 successfully. True Copy of letter No. F.2(2)2019/Hort.II/DDA/2086 dated 09-08-2019 is annexed herewith as **Annexure R6**. True Copy of the demolition proceedings are annexed herewith as **Annexure R7**.

6. That it is pertinent to note that a Principal Committee headed by Secretary, Ministry of Jal Shakti was formulated by the Hon'ble NGT in the year 2015 which, through its report in October 2015 directed that *"the area around Nigambodh Ghat between the River and the Ring Road needs to be redeveloped keeping in mind the social, religious and mythological significance of the site. Institutions like INTACH, Aga Khan Foundation etc could be involved."*
7. That in compliance with these directions, the Respondent/ DDA signed a MoU with INTACH on 22-09-21, and after a series of meetings and deliberations on the restoration scheme, the work of restoration at site started in June 2022. It is most humbly submitted that till date, 1.3 km long stretch of Yamuna bank has been cleaned by the Respondent/DDA and, is in the process of restoration to its natural riparian state. Moreover, 145 meter length of Ghat with 25 steps have been restored. Around 5 hectare of green area has been developed in Charbagh style on the lines of Mughal Garden with a Baradari and numerous chhatris along with a 300kg metal bell specially procured from the Jalesar UP, has been installed at the site.
8. That the Respondent/ DDA has also signed a MoU with 'Badi Panchayat Samiti' for evening Aarti to be held twice a week. Visitors' attractions like Face mound, large sized elephant sculptures, seasonal tulip beds etc. are being maintained. 2.1 km of pedestrian track and 1.3 km long cycle track have been created. Three parking lots with capacity of 200 cars, 107 scooters, and 05 busses. A statue of Maa Yamuna with Aarti and information about Yamuna inscribed on the pedestal is to be installed at site. Over 2000 number of native and naturalized species of trees and 4 lakh approximate number of riverine grasses are planned to be planted at the site to convert it into an ecological

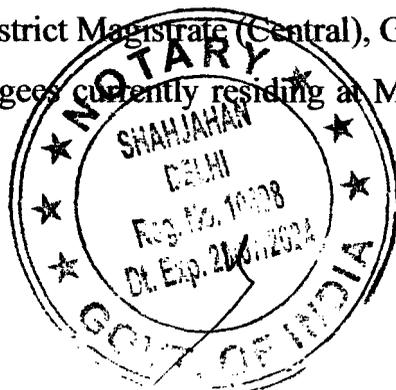


landmark. Thus, the Respondent/ DDA has been completely committed to restoration of Yamuna river plain and in letter and spirit and has been making all efforts to comply with directions of this Hon'ble Tribunal issued from time to time.

9. That it is respectfully and most humbly submitted before this Hon'ble Tribunal that the Respondent/ DDA has been making earnest effort to act against the illegal encroachments at Yamuna Flood Plain zone and adjoining areas even before the Original Application No. 622/2019 got admitted before the Hon'ble NGT.
10. That thereafter, Original Application No 622/2019 titled *Jagdev Versus Lieutenant Governor of Delhi & Ors* was filed before the Hon'ble NGT. Vide an interim Order dated 30-07-2019 passed in this OA, the Hon'ble NGT had directed the DDA, PCCF (GNCTD) and CPCB to jointly submit a factual and action taken report in the matter with respect to the area under dispute (i.e. south of Gurdwara Majnu Ka Tila on the Yamuna River bed in Delhi). True Copy of Order dated 30-07-2019 is annexed herewith as **Annexure R8**.
11. That pursuant to the above directions of Hon'ble Tribunal, the site was inspected on 27-08-2019 by – (1) Shri Shripal, Principal Commissioner (Horticulture), DDA, (2) Shri Ishwar Singh, PCCF, Forest and Wildlife Department of GNCTD and (3) Shri Danish Meena, Scientist B, CPCB.
12. That based on the said visit, an Inspection Report was issued by the inspecting officers vide letter no.PS/PC (Pers., Hort. & LS) 2019/DDA/225 dated 27-09-2019. It is pertinent to mention here that this inspection report covered/ reported all the points pertaining to the directions of the Ministry of Home Affairs (MHA) given to GNCTD since 2013 regarding grant of LTV and basic facilities to the Pakistani nationals who came to India on Pilgrim visa. True Copy of Inspection Report dated 27-09-2019 is annexed herewith as **Annexure R9**.



13. That as regards the directions of the MHA, it is also submitted before the court that in the year 2013, a writ petition being WP© 3712/2013 was filed before the Hon'ble High Court of Delhi seeking directions to the respondents therein not to deport and to provide social security to 482 Pakistan- Hindu nationals, whose visas have expired. The same was dismissed by the Hon'ble High Court vide its order dated 29-05-2013 on the grounds that, *"since the respondents are taking steps to accommodate the said 482 Pakistani nationals in accordance with the statutory provisions and necessary administrative instructions. In view of the said submissions of learned Additional Solicitor General, we see no reason to pass any further directions."* True Copy of Order dated 29-05-2013 is annexed herewith as **Annexure R10**.
14. That the above submission is being brought this Hon'ble Tribunal to bring forth the fact that notwithstanding the intentions of the Respondent/DDA, the Central Government, GNCTD to clear the Yamuna flood plains of all illegal encroachment endangering environment and also earnest efforts made to implement the orders of this Hon'ble Tribunal, the issue of rehabilitation and provision of services to these migrants staying in the area in question has been raised before multiple fora and has been dealt with through multiple stakeholder interactions over past several years.
15. That a few months after the Judgment dated 17-10-2019 passed by the Hon'ble NGT towards the end of year 2019, and especially in early 2020, the COVID pandemic hit the country and almost the entire country was in the grip of pandemic related devastation in no time. Thus, the issue of protecting life of inhabitants of the country and humanitarian aspects arising out of the pandemic taking prime seat, no action of removal of the encroachment in this regard could be undertaken by DDA for almost 1.5 years when the first two waves of the pandemic were on.
16. That a series of meeting were subsequently held on 03-06-2021 and 09-12-2021 under the Chairpersonship of District Magistrate (Central), GNCTD to discuss issues related to the Hindu Pakistani Refugees currently residing at Majnu ka tTla and shifting them to

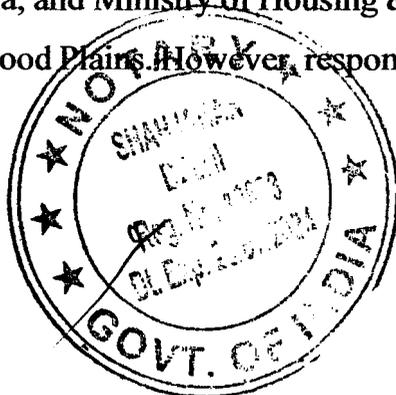


some other place where they can avail all basic necessities. Minutes of Meeting were issued vide letter no. F.SDM/CL/2021/23/18-58 dated 04-06-2021 and 09-12-2021 to various departments, which are annexed herewith as **Annexure R11 Colly**.

17. That during these meetings officers/representatives from the DDA, categorically refused to give their assent to set up transformers for electrical supply or handover / sell the land to DUSIB to set up shelters at the subject site. The officers of the DDA also brought the directions of Hon'ble NGT in the regard of floodplains of River Yamuna, which is recorded in the minutes of these meetings. The deliberations in these meeting were also conveyed to NHRC by the SDM District Magistrate (Central), GNCTD through letter no. F.SDM/CL/2021/7155-60 dated 11-12-2021 in reference to a violation of Human-rights complaint by the Hindu refugees occupying the subject site. True Copy of letter dated 11-12-2021 is annexed herewith as **Annexure R12**.
18. That on 18-07-2022, a joint inspection was carried out by DM (Central), GNCTD along with officers of DUSIB, MCD, Delhi Police, DDA, and SDM (Civil Lines), GNCTD to assess the ground situation of Pakistani Hindu Refugee camp and Status Report was submitted to Deputy Registrar (Law), NHRC vide letter No. 78 SDM/CL/2021/15342 dated 27-10-2022. This report was filed in reference to yet another complaint by a Hindu refugee alleging human-rights violation while occupying the subject site. This report also recorded the categorical denial by the officers of DDA clearly stating that Yamuna floodplains have to be restored by the orders of the Hon'ble NGT and this area cannot be encroached. True copy of letter dated 27-10-2022 is annexed herewith as **Annexure R13**.
19. That it is pertinent to submit here that in March 2024, a demolition program was fixed by the Executive Engineer/DDA on 07-03-2024 and 08-03-2024. However, the demolition program could not be conducted due to non-availability of Police Force. True Copy of the letter sent to Delhi Police in March 2024 is annexed herewith as **Annexure R14**. True Copy of the response received from Delhi Police is annexed herewith as **Annexure R15**.



20. That against the notice issued to the inhabitants occupying the area to vacate or face demolition, the aggrieved parties approached the Hon'ble High Court of Delhi in WP(C) 3656/2024 titled Ravi Ranjan Singh vs DDA. Vide order dated 12-03-2024, the Hon'ble High Court of Delhi has taken note of the statement made on behalf of the then ASG of India, as recorded in order dated 29-05-2013 in WP(C). 3712/2013 that the Union of India shall make endeavor to extend all support to the Hindu Community which has entered India from Pakistan, and has directed that no coercive action shall be taken against the petitioners therein, till the next date of hearing. Thus, as of now, due to the imposition of the orders of the Hon'ble High Court, the Respondent is unable to to move further in the matter. True copy of orders passed in WP(C) 3656/2024 are annexed herewith as **Annexure R16**.
21. That it is also brought before the Hon'ble Tribunal that there have been some issues regarding the land demarcation with L&DO Department and the Respondent/ DDA has been constantly pursuing the same with the concerned agencies. The site in dispute in this matter (i.e. the Pakistani Hindu Refugee Camp) is a part of 123 Acre land handed over by the L&DO to the Respondent/DDA for "*care and maintenance*" in the year 1973. However, Pakistani Hindu Families are staying in the area running along the Ring road which is falling under the jurisdiction of PWD and, the 'Right of Way' of the Ring Road is not clear. Therefore, it is difficult to ascertain whether Pakistani Hindu Refugees are staying in the land under the jurisdiction of PWD or L&DO.
22. That various joint site inspections and meetings have been held so far to clarify the land status. The numerous minutes of the meetings have been held under the Chairpersonship of CLM, DDA and numerous letters have been written to the L&DO requesting to clearly demarcate the land. Additionally, the Worthy Vice Chairman -DDA vide D.O. No. PS/VC/DDA/2023/E file C. No: 71293/192 dated 28-11-2023 wrote to Sh. Manoj Joshi, Secretary, Government of India, and Ministry of Housing & Urban Affairs requesting for the TSS plan of the Yamuna Flood Plains. However, response for the same is still awaited.



The work on the balance restoration project is also pending in the absence of the same.

True Copy of the letter dated 28-11-2023 is annexed herewith as Annexure R17.

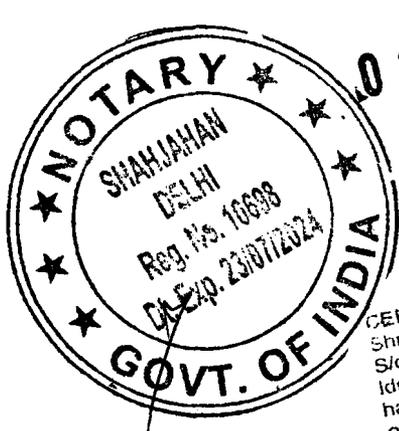
- 23. That in view of the submissions made hereinabove, the Respondent/DDA seeks kind indulgence of this Hon'ble Tribunal to grant a time of atleast 6 months to ensure compliance of Judgment dated 17-10-2019 passed in OA 622/2019.

Bijendra Kumar
DEPONENT
Bijendra Kumar
 Dy. Director
 Hort. Div. No.-2
 DDA, Pitampura, Delhi-34

01 APR 2024

VERIFICATION: Verified at New Delhi on this the 30 day of March 2024 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.

Lalika
 I identified the deponent who signed/put in my presence.



01 APR 2024

Bijendra Kumar
DEPONENT
Bijendra Kumar
 Dy. Director
 Hort. Div. No.-2
 DDA, Pitampura, Delhi-34

CERTIFIED THAT THE DEPONENT
 Shri/Smt./M/s. _____
 S/o W/o D/o _____
 Identified by _____
 has solemnly affirmed before me at Delhi
 on _____ that the contents of the affidavit which
 have been read & explained to him are
 true and correct to his knowledge.

114

Lalika
Melhele
Ash

Notary Public

DELHI DEVELOPMENT AUTHORITY
HORTICULTURE DIVISION NO. II
RAMA MARKET PITAM PURA

No. F.2(2)2018/Hort.II/DDA/ 2662

Date: 14/09/18

To

The Dy. Commissioner of Police
Civil Lines Zone, Delhi - 54

Sub : Regarding Demolition Program of New Jhuggis & Tin Shade of Pakistani Hindu Refugee Family Living Illegally in DDA's land at Majnu Ka Tilla Gurudwara near Sanjay Akhara.

It is brought to your kind notice that some Pakistani Hindu Refugee's Family have been living illegally in DDA's land near Majnu Ka Tilla Gurudwara. Earlier they used to live in reed and bamboo hut but now they have started constructing permanent structures & carrying out commercial activities like selling of tobacco products, mobile covers and other articles by encroaching the footpath on the ring road & also they used to cut the green and dry trees for cooking of food items, Jhuggis making and also making kacha structure to pucca structure of temple (Old temple) and are encroaching more and more land of DDA which is illegal. When our officials try to stop them, they misbehave, abuse them and even dare to beat them. Such an incident was happened on date 12.09.2018 when DDA officials had made police complaint dialing 100 regarding the unauthorized construction they begun misbehave and done stone pelting on our staff even in presence of police force.

In this regard, we want to state that a demolition program is fixed on date 18.09.2018 for removal of Jhuggis & tin shade from the above said land. Therefore, you are here by requested to provide 1 Platoon Lady Police force & 2 Platoon of men police force on date 18.09.18 at 10.00 am to remove unauthorized encroachment from DDA's land.

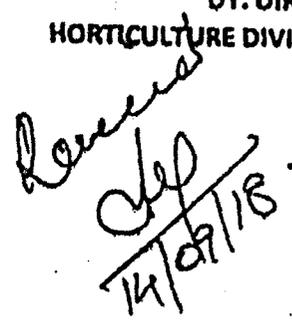
DY. DIRECTOR
HORTICULTURE DIVISION-II

Copy to

- 1. Director (Hort.) NW DDA for information & P.L. 1, 1.
- 2. DD (L.M.) II Block for information & P.L. 1, 1.
- 3. AD (HIV) to pursue the matter.
- 4. STATION HOUSE OFFICER P.S. for information & P.L. 1, 1.
- 5. S.D.M. Civil Line Tis-hajari Court.


14/9/18
DY. DIRECTOR
HORTICULTURE DIVISION-II

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14/09/18

DELHI DEVELOPMENT AUTHORITY
HORTICULTURE DIVISION NO. II
RAMA MARKET PITAM PURA

No. F.2(2)2018/Hort.II/DDA/ 2730

Dated :- 20/9/2018

To

The Station House Officer
P.S. Timarpur
Delhi

Sub : To Provide Police Force Assistance to DDA Staff for Carrying out Demolition/removal program
Fixed for 26.09.18 on DDA's Land at Yamuna River Bank Majnu Ka Tilla.
Ref: 1. F.2(2)2018/Hort.II/DDA/2018/2712 dated 18.09.18

Please refer our earlier letter dated 18.09.18 vide reference no. F.V(MISC)SDV/Hort-II/DDA2018/57 regarding re-establishment of Unauthorized Encroachment at DDA land at bank of Yamuna River, Majnu Ka Tilla near Tibbet Colony. In This regard we want to state that a demolition program for the removal of Unauthorized encroachment in the form of unauthorized jhuggis/ cultivation has been fixed on date 26.09.2018.

Therefore, you are requested to arrange sufficient police force along with lady police force to assist and safeguard the DDA staff in order to maintain law and order situation during the demolition operation/removal of unauthorized cultivation and jhuggies. The meeting point will be Police Station Timarpur at 10.00 am on 26.09.2018.

This issue with the approval of the competent authority.

DY. DIRECTOR
HORTICULTURE DIVISION-II

Copy to

1. P.S. to P.C(LM) Vikas Sadan for kind information Pl.
2. P.S. to P.C(Hort.) Vikas Sadan for kind information Pl.
3. Director(Hort.) NW DDA for information Pl.
4. Dy. Commissioner of Police Civil Line Zone for kind information Pl.
5. EE/WD-5 with the request to provide man & machinery for the above mentioned demolition program i.e. 20 labour with Hammer, 1 JCB Machine with operator, 2no. of truck
6. EE/ND-5 For fencing the land vacated on urgent basis pl.
7. AD-V /HD-II For information pl.
8. 467/10 Rompura Chandra quarter, Delhi-35


20/9/18
DY. DIRECTOR

DELHI DEVELOPMENT AUTHORITY
HORTICULTURE DIVISION NO. II
RAMA MARKET PITAM PURA

No. F.2(2)2019/Hort.II/DDA/1580

Dated :- 2/7/19

To

The S.H.O
Police Station, Timarpur,
Delhi -110054

Sub :- Regarding Demolition Program proposed for Removal of Unauthorized *Jhuggis* (slum Huts/Dwelling) from Yamuna Bank opposite to Tibbati Colony near Majnu Ka Tilla.

Sir,

It is hereby informed you that there are several Unauthorized *Jhuggis* (Slum Settlements) made-up of woods and polythene sheds have been installed along Yamuna bank opposite to Tibbati Colony near Majnu Ka Tilla by a group of some people who grow Vegetable in the Yamuna Basin which is under authority of DDA. Some of them are professionally *Kabaadiwale* (Junkyard) collect useless items for daily earnings. They are landless so trying to establish a permanent shelter to stay along Yamuna bank by devastating the green vegetation, in the way they have been spotted throwing waste material in river & construction debris to heighten and level their shelters yards and thus violating the Delhi high Court "Eviction order from Yamuna Pustha" and NGT order to save Yamuna according to which the court has ordered to levy a penalty of rupees 5,000-50,000 for polluting Yamuna by throwing waste material and construction debris etc. The *Jhuggis*'s people even destroy the planted perineal trees and grow vegetable crops instead. In addition to cropping they are engaged in illegal activities like selling liquor and drugs therefore the removal of the same is quite urgent & necessary to protect the Gov. land from illegal encroachment. Earlier the *Jhuggis* were demolished and debris were removed from there but these were re-installed.

You are, therefore requested to provide sufficient police protection force on dated 16.07.2019 at 10.00 am for successful removal of Unauthorized *Jhuggis* from Gov. property.

DY. DIRECTOR(HORT.)
HORTICULTURE DIVISION-II

Copy to:-

1. PS to PC(H), Vikas Sadan, DDA for kind Information Pl.
2. Director(Hort.) N/W, DDA for kind Information Pl.
3. DD(LM), LU Block, Pitampura for kind Information and necessary action pl.
4. Dy. Dir(Land), A-Block, Vikas Sadan for kind Information and necessary action pl.
5. AE(QRT)/HQ/NZ, ND-1, DDA Pitampura for kind Information and necessary action pl.
6. EE(Civil)/ED-8, Shakarpur, Lakshmi Nagar for kind Information and necessary action pl.
7. EE/WD-5 with the request to provide man & machinery for the above mentioned demolition program i.e. 20 labour with hammer, 2 JCB Machine with operator.
8. M/s Sandeep Sharma, Bharat Builders Constrction Co., 464/10, Rampura, Chander Quarter, Delhi-35 for necessary arrangement pl.
9. Dy. Commissioner, NMCD, 16 Rajpur road civil lines, for kind information Pl.
10. AD-V /HD-II for information pl.

DY. DIRECTOR(HORT.)
HORTICULTURE DIVISION-II

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ANNEXURE R6227

12

DELHI DEVELOPMENT AUTHORITY
HORTICULTURE DIVISION NO. II
RAMA MARKET PITAM PURA

W. R. 2019/1 Hort. II/ DDA/ 2086

Dated: 9/8/19

The S.H.O
Police Station, Kashmiri Gate,
Delhi - 110054

Sub :- Demolition Program proposed for Removal of Unauthorized encroachment at Mori Gate Drain opposite to ISBT, Kashmiri Gate on dated 6.09.2019 at 10.00 AM regarding.

Sir,

It is hereby informed you that a detailed proposal has been made by Delhi Jal Board to set up a Pumping Station at Mori Gate drain for construction of Sewage Treatment Plant. It's a strict order of Hon'ble NGT to use STP treated sewage water in parks to conserve the ground water. Before setting up this plant the site is need to be cleared from all type of encroachments and also to seize the hindrances coming in the way. Basically there are some tea stalls, Metro Construction debris and metro labor huts which were left over there after completion of the work, are to be removed.

You are, therefore requested to provide sufficient police protection force on dated 6.09.2019 at 10.00 am for successful removal of these Unauthorized encroachments.

[Signature]
9/8/19
DY. DIRECTOR(HORT.)
HORTICULTURE DIVISION-II

Copy to:-

- 1: PS to PC(HI), Vikas Sadan, DDA for kind information Pl.
2. Director(Hort.) N/W, DDA for kind information Pl.
3. DD(LM), LU Block, Pitampura for kind information and necessary action pl.
4. Dy. Dir(Land), A-Block, Vikas Sadan for kind information and necessary action pl.
5. AE(QRT)/HQ/NZ, ND-1, DDA Pitampura for kind information and necessary action pl.
6. EE(Civil)/ED-8, Shakarpur, Lakshmi Nagar for kind information and necessary action pl.
7. EE/WD-5 with the request to provide man & machinery for the above mentioned demolition program i.e. 5 labour with hammer, 1 JCB Machine with operator.
8. M/s Sandeep Sharma, Bharat Builders Construction Co., 464/10, Rampura, Chander Quarter, Delhi-35 for necessary arrangement pl.
9. Dy. Commissioner, NMCD, 16 Rajpur road civil lines, for kind information Pl.
10. AD-V /HD-II for information pl.

11: office copy.

[Signature]
9/8/19
DY. DIRECTOR(HORT.)
HORTICULTURE DIVISION-II

9.8.19

Item No. 12

Court No. 1

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

Original Application No. 622/2019

Jagdev

Versus

Applicant(s)

Lieutenant Governor of Delhi & Ors.

Respondent(s)

Date of hearing: 30.07.2019

CORAM

**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Present:

None

ORDER

1. Grievance in this application is against encroachments adjacent to south of *Gurudwara Majnu Ka Tila* on the Yamuna Riverbed in Delhi and massive cutting down of the trees affecting the integrity of the Yamuna River System and flood plane adversely and also affecting the eco system and overall ecology of the area.
2. The application states that *jhuggi* dwellers have put up commercial stalls all along the outer Ring Road resulting in traffic jam and in the process of this encroachment the footpaths are rendered unusable for the pedestrians thereby affecting the environment. The *jhuggi* dwellers have felled a large number of trees in the green belt owned by the DDA to make more and more space for the ever growing *jhuggies* resulting in rapid shrinking of the green belt. Google maps of the year 2015 and 2017 showing depleting green cover have been

relied on. The encroaching dwellers are releasing sewage and garbage into the River Yamuna and on the green belt on the river front thereby causing irreparable damage to the river eco-system and the flora and fauna on the riverbed. Still legal parking for buses and other motor vehicles also taking place and thinning the green cover.

3. Before proceeding further, we find it necessary to verify the allegations. A factual and action taken report is required jointly from the DDA, PCCF, NCT of Delhi and the CPCB by email at judicial-ngt@gov.in before the next date. The nodal agency for compliance and coordination will be the DDA.
4. A copy of this order be sent to the DDA, PCCF, NCT of Delhi and the CPCB by email.
5. The applicant may furnish a separate set of papers each to the DDA, PCCF, NCT of Delhi and the CPCB and file affidavit of service within one week.

List for further consideration on 17.10.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

July 30, 2019
Original Application No. 622/2019
AK

दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY
प्रधान आयुक्त (कृषि, उद्यान एवं भू-रूप)
Office of the Pr Commissioner (Pers. Hort & Landscape)
सी-1, 115, विकास सदन, नई दिल्ली-110023
C-1/115, Vikas Sadan, INA, New Delhi-110023

~~Annexure R-9~~

No.PS/PC (Pers., Hort. & LS)2019/DDA/225

Dated: 27/09/2019

Joint Inspection Report

The Hon'ble NGT in Original Application No 622/2019 titled Jagdev Versus Lieutenant Governor of Delhi & Others vide order dated 30/07/2019 directed to submit a factual and action taken report jointly by DDA PCCF of GNCTD and CPCB officials. The site was inspected by following officials

1. Sri Shripal, Principal Commissioner(Hort), DDA
2. Shri Ishwar Singh, PCCF, Forest & Wildlife Deptt of GNCTD
3. Shri Danish Meena, Scientist B, CPCB

Based on the site inspection on 27/08/2019, factual report is as under -

It is mentioned in the order in above OA that encroachment is existing on land adjacent to south of Gurudwara Majnu Ka Tila on the Yamuna Flood Plains and massive cutting down of the trees affecting the integrity of the Yamuna River System and flood plains adversely and also affecting the eco system and ecology of the area

During the inspection of the site it was found that 120 families (approx 700 persons) of Pakistani Hindu nationals who came to India on pilgrimage visa from 2011 to 2014 are staying in jhuggies and in semi permanent structures. The land under their occupation is nearly 5000 Sq yds. From the information gathered from occupants it was informed that they were asked to occupy this place by Govt. officials but there was no such written permission with the occupants

The above land belongs to L&DO under Ministry of Housing & Urban Affairs which was transferred to DDA on 07/07/1971 for care and maintenance. The land use of this piece of land is green and it falls in Yamuna Flood Plains

The occupants are staying there for last few years and the matter was pending with Ministry of Home Affairs for grant of Indian Citizenship or Long Term Visa (LTV) to such Pakistani nationals who came to India on pilgrim visa.

The Ministry of Home Affairs vide letter dated 7th August, 2013 addressed to Dy Secretary (Home/Passport), GNCTD directed DCP(SB) to complete the requisite formalities and render suitable assistance for the submission of Long Term Visa (LTV) proposals of the Pakistani nationals at the earliest. Ministry of Home Affairs also recommended that they may be treated sympathetically in accordance with the extant laws/procedure and legal provisions governing the grant of the LTV and Citizenship. The Government of NCT of Delhi & DCP(SB) were also directed to take stock of the infrastructure facilities and the living conditions of the Pakistani nationals and they were asked to submit a status report to Ministry of Home Affairs in

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Danish
27/09/2019

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27/9/19

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27/9/19

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this regard (Refer Annexure-1) This letter pertains to 486 Pakistani Nationals who came to India on Pilgrimage Visa & were staying in Sector-11 Ronini Azad Pur & in village Bijwasan.

Vide letter No.RTI/51/2014-F I dated 21st May 2014 Under Secretary MHA in response to application filed under RTI Act, 2005 by Shri Satyendra Prasad Jain, replied that in Writ Petition No 3712/2013 the Honble H.C. Court of Delhi in its order dated 29/05/2013 (Refer Annexure-II) had noted that the Ministry of Home Affairs are taking steps to accommodate 452 Pakistani nationals in accordance with the statutory provisions and necessary administrative instructions & the Writ Petition was dismissed. Copy of order in above Writ Petition is marked as (Annexure-III)

Ministry of Home Affairs also directed that basic facilities, if any to be provided to the Pakistani nationals staying in India with intention of acquiring Indian Citizenship falls under the purview of concerned State Governments

Dy Secretary(Home/PP) vide letter No.F 17/5/Citizenship/2013/Home/PPI-1946 dated 13/08/2013 requested Divisional Commissioner, GNCTD (Refer Annexure-IV) to submit a status report on infrastructural facilities & living conditions of Pakistani Nationals be furnished so as to forwarded same to MHA

Similarly Ministry of Home Affairs Govt vide their letter dated 12/05/2015 requested Dy Secretary (Passport), GNCTD to examine the request for grant of extension of stay in India on Long term Visa (LTV) in respect of 27 Pakistani nationals who had come to India in 2014 on Pilgrim Visa (Refer Annexure-V). Along with this letter, representations of Shri Dharamveer Bagri and Shri Dayal Dass, residents of Majnu Ka Tila, Ring Road Dera Jindaram, near Gurudwara Shaheb, Delhi-110054 were also enclosed

SDM-II(HQ)Raipur vide letter No.F1(58)/Raha/2014 dated 23/02/2015 requested Dy Commissioners(Revenue) to consider representations of Sh Dharamveer Baghri & other Hindu migrants from Pakistan residing at Majnu Ka Tila for providing temporary accommodation & monetary assistance (Annexure-VI)

The occupants of this settlement were initially staying in jhuggies, but later on started construction of semi permanent structures for their stay. No electricity is seen provided to this settlement but water supply was seen provided through some common taps in the settlement

Many occupants have obtained Adhar Card, Pan Card & Bank Accounts based on Majnu Ka Tila address where they are staying at present. Their children are also going to a nearby Govt. School. It was also informed by the occupants that financial assistance was given by State Govt to occupants whose jhuggies were gutted but they could not produce any document.

TC
BDS

The size of this settlement has increased during last few years and some of them are staying in jhuggies & some in semi permanent structures. Some of the occupants have started small shops near footpath which is affecting movement of pedestrians on service lanes & resulting into traffic congestion in Majnu Ka Tila area.

Danesh
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The officials of the Forest Department conducted site inspection of the area and observed stump of one tree of Vilayan Keekar (*Prosopis juliflora*). Taking cognizance of felling of this tree an offence under the relevant provisions of Delhi Preservation of Trees Act (DPTA) 1994 has been registered under North Forest Division of the Department and further process is going on. No other felling of trees was noticed in the settlement.

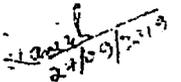
Though they are using toilets constructed by DUSIS but at few locations they have made small urinals/bathrooms for their use. It was noticed that the bathroom & other waste is flowing down to Yamuna at few locations as no arrangement for disposal of waste water was seen there. There was no system for removal of solid waste which was presently being deposited in a depression within the settlement.

As the land belongs to DDA, one demolition programme was fixed by DDA on 19/09/2018, where some structures were demolished & removed by DDA but the area could not be vacated due to resistance from occupants.

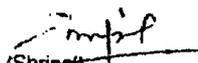
The occupants of this settlement are occupying this land for last few years. Ministry of Home Affairs (MHA) vide letter No 16035/43/2015-F.III dated 12/05/2015 (Annexure-IV) has directed Delhi Govt to take steps for grant of extension of stay in India on Long Term Visa (LTV) in respect of Pakistani Nationals who had come to India on Pilgrim Visa & staying at Majnu Ka Tila & furnish the inputs including report of FRO Delhi along with requisite documents to MHA for processing the case for grant of LTV to these Pakistani Nationals. The latest status in this regard has to be provided by Govt of NCT, Delhi.

It was informed by Pakistani Nationals to the team during site inspection on 27/08/2019 that they have not yet been issued LTV.

This factual report is submitted before the Hon'ble NGT.


(Danish Meena)
Scientist B, CPCB


(Ishwar Singh)
Pr Chief Conservator of Forest GNCTD


(Shripati)
Pr Commr (Hort), DDA

TC
BDS

Annexure-I

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F No. 27018/15/2013-F.III
Government of India/Bharat Sarkar
Ministry of Home Affairs/Girh Mantralaya
(Foreigners Division)

NDCC-II Building, Jai Singh Road,
Opp. Jantar Mantar, New Delhi-01

Dated, The 7th August, 2013

To,

1. Shri N. M. Sharma,
Deputy Secretary (Home/Passport),
Government of NCT of Delhi,
5th level 'O' wing, Delhi Secretariat
IP Estate, Delhi
2. Ms. Varsha Sharma,
Addl. DCP (SB),
Turkmer Culo, Delhi

Sub: - Grant of Indian citizenship to 486 Pakistani nationals who came to India on pilgrim visa.

Sir/Madam,

This has reference to the meeting held on the 12th July, 2013 in the office of Additional Secretary (Foreigners), Ministry of Home Affairs on the above subject. The following decisions were taken in the meeting: -

- (i) The DCP (SB) will complete the requisite formalities and render suitable assistance for the submission of the LTV proposals of the Pakistan nationals at the earliest.
 - (ii) The Ministry of Home Affairs recommends that they may be treated sympathetically in accordance with the extant laws, procedure and legal provisions governing the grant of the LTV and Citizenship. The Government of NCT of Delhi in coordination with the DCP (SB) may monitor the set procedure and keep an account in this regard.
 - (iii) The Government of NCT of Delhi and the DCP (SB) may take stock of the infrastructure facilities and the living conditions of the Pakistan nationals and send a status report specifically indicating the efforts made for the betterment of their living conditions.
2. The Government of NCT of Delhi and the DCP (SB) is requested to send the status report in regards to the implementation of the above decisions to the Ministry of Home Affairs at the earliest.

Yours faithfully,
Sd/-

(Vikas Srivastava)

Under Secretary to Government of India

Tel: 23438040

Copy to Chief Secretary, Government of NCT of Delhi, IP Estate, Delhi-01

TC
BDS

GOVT OF NCT OF DELHI
OFFICE OF THE DISTRICT MAGISTRATE (CENTRAL)

14, DARYA GANJ, DELHI-110002

F.SDM/CL/2021/23118-58

Dated: 4/6/2021

MINUTES OF MEETING

A MEETING HELD ON 03.06.2021 UNDER THE CHAIRMANSHIP OF DISTRICT MAGISTRATE (CENTRAL) TO DISCUSS ISSUES RELATED TO THE SHIFTING OF HINDI PAKISTANI REFUGEES TO SOME OTHER PLACE WHERE THEY CAN AVAIL ALL BASIC NECESSITIES. MINUTES OF THE SAID MEETING ARE AS UNDER:-

The list of Officers who attended the meeting is as under:-

1. Sh. Rajiv Ranjan, SDM (Civil Lines)
2. Sh. Kamal, Deputy Director DDA
3. Sh. Parveen Dabas, Naib Tehsildar, Civil Lines
4. Sh. Vivek Chauhan, EE (I&FC)
5. Sh. Rajender Bansal, EE (DUSIB)
6. Sh. Sunil Kumar, Additional Director, Horticulture Department DDA.
7. Sh. Pankaj Kumar, SO, Horticulture Department DDA
8. Sh. Sunil Gauniyal, AGM TPDDL.

At the outset of meeting the District Magistrate (Central), welcomed all participants and briefed the agenda of meeting.

Points which were discussed in the meeting are as under:-

1. Firstly, Electricity problem was discussed. Sh. Sunil Gauniyal (AGM, TPDDL) apprised the District Magistrate (Central) that in order to provide electricity to the Pakistani Hindu Migrants, TPDDL has to install Transformer and Poles in Pakistani Hindu Refugee Colony. In order to install Transformer and Poles, TPDDL requires NOC from the Land Owning Agency i.e. Horticulture Department (DDA). In respect of Fresh estimated cost to install Transformer and poles in said area, AGM TPDDL apprised that TPDDL will submit estimate, once they will receive NOC from the land owning agency.

(Action : TPDDL)

Horticulture (DDA) was directed to submit reply whether they can issue such NOC since land falls in O'Zone Category.

Reply of the same is to be submitted in the Office of District Magistrate (Central) within a period of one week i.e. by 10.06.2021.

(Action : Horticulture Department, DDA)

3. Executive Engineer (I&FC) apprised that there is no vacant land of I&FC near the Hindu Pakistani Hindu Refugee Colony, where possibilities of Construction of Shelter Homes for the Hindu Pakistani Migrants could be explored.

4. Executive Engineer (DUSIB) was directed to take up the matter and identify the DUSIB land where Hindu Pakistani Refugee Colony can be resettled. Further, he was directed to intimate the Office of District Magistrate (Central) the location/ address of the identified land, with expected purpose for which that identified land is to be used in near future. So that the matter may be taken to the Higher Authorities and identified land, may be get allotted to construct Shelter Homes for the Hindu Pakistani Migrants.

Reply is to be submitted within a period of One Week.

(Action: DUSIB)

5. Keeping in view the fact, Hindu Pakistani Refugee may not wish to get shifted from the location, where they are currently living, representative of DDA was directed to explore the possibilities. " Whether DDA could handover/ sell the land parcel to DUSIB, where the Hindu Pakistani Refugees are currently staying. The fact that the land falls in Zone 'O', must be kept in cognizance while taking decision on Selling/ Handing over the under consideration land.

Reply is to be submitted within a period of One Week.

(Action: Land Department DDA)

6. Executive Engineer (DUSIB) was again directed to submit the Copy of Rehabilitation Policy dated 01.01.2015 in the Office of District Magistrate (Central), as per which DUSIB conducts the drives of shifting of JJ Clusters to the Shelter Homes.

(Action: DUSIB)

7. Representatives of DDA and DUSIB were directed to ponder over the possibilities of shifting the Pakistani Hindu Refugees to the Shelter Homes of DUSIB, as per Rehabilitation Policy. If

DDA has to pay some consideration amount to the DUSIB in order to get the Refugees shifted to the Shelter Homes, the same is also to be taken in consideration. Representatives of DUSIB apprised that they have Vacant Flats (Shelter Homes) in Sawada, Ghewra and Dwarka area, where the 140 Hindu Pakistani Families (approximately 750 persons) could be shifted.

(Action: DUSIB & DDA)

Executive Engineer (DUSIB) apprised that the Rehabilitation Policy has provision of shifting the JJ Clusters which had come in Existence before year 2006 and the Pakistani Hindu Refugee Colony was established in Majnu ka Tila Area after 2006. In order to shift these Refugees in Shelter Homes of DUSIB, Special permission from the Higher Authorities might be required. EE (DUSIB) was directed to obtain all such permissions.

The meeting ended with vote of thanks to the Chair.

This issues with prior Concurrence of District Magistrate (Central).

Rajiv Ranjan 04.06.2021
(RAJIV RANJAN), DANICS
SDM (CIVIL LINES)

Copy to:

1. Sh. Kamal, Deputy Director DDA
2. Sh. Parveen Dabas, Naib Tehsildar, Civil Lines
3. Sh. Vivek Chauhan, EE (I&FC)
4. Sh. Rajender Bansal, EE (DUSIB)
5. Sh. Sunil Kumar, Additional Director, Horticulture Department DDA.
6. Sh. Pankaj Kumar, SO, Horticulture Department DDA
7. Sh. Sunil Gauniyal, AGM TPDDL.

Copy for information to:

1. CEO, DUSIB.
2. CEO, I&FC
3. PA To DM/ADM (Central).
4. Director Land Department, DDA.

GOVT OF NCT OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (CIVIL LINES)
KHASRA NO. 549, OLD NDPL BUILDING, 1ST FLOOR, NEAR BARAT GHAR,
BURARI, DELHI-110084.

F.SDM/CL/2021/7155-60

Date: 11/12/2021

To

Deputy Registrar (Law),
 National Human Rights Commission,
 (Law Division M-3), Manav Adhikar Bhawan,
 Block-C, GPO Complex, INA,
 New Delhi-110023.

Ref: NHRC Case No. 2583/30/4/2021

Sub: Complaint of Sh. Tarini Ross Regarding deplorable condition in the Pakistani-Hindu Refugee Camps in Majnu Ka Tila and Signature Bridge.

Sir,

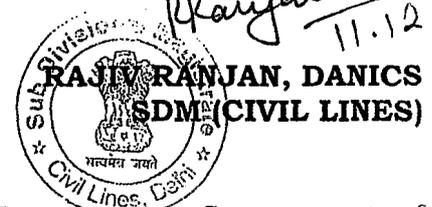
With reference to your letter No.F. 10/25-A/34/2021/HP-II/2477-84 dated 02/12/2021 addressed to Worthy Chief Secretary, Govt. Of NCT Delhi received from Dy. Secretary, Home Department regarding NHRC Case No. 2583/30/4/2021, Complaint of Tarini Ross regarding deplorable condition in the Pakistani- Hindu Refugee camps in Majnu Ka Tila and Signature Bridge.

It is informed that the Signature Bridge area does not falls under the jurisdiction of District Central.

Please find enclosed herewith the Status report in respect of Pakistani Hindu Refugee Camp at Majnu Ka Tila for your kind perusal and further necessary action.

Yours faithfully,

Encl. As above



Copy to:

1. Staff Officer to Chief Secretary, GNCT of Delhi.
2. Dy. Secretary (Home-II-B), Home (Police-II) Department, Government of NCT of Delhi, 5th Level, C-Wing, Delhi Secretariat, IP Estate, New Delhi.
3. PS to Divisional Commissioner (Revenue), GNCTD, 5, Sham Nath Marg, Delhi-54.
4. SDM (HQ), Coordination Branch, 5, Sham Nath Marg, Delhi-54.
5. PA to DM (Central).

STATUS REPORT IN RESPECT OF NHRC CASE NO.**2583/30/4/2021**

This is in reference to letter No.F. 10/25-A/34/2021/HP-II/2477-84 dated 02/12/2021 received from Dy. Secretary, Home Department regarding NHRC Case No. 2583/30/4/2021 in Complaint of Tarini Ross regarding deplorable condition in the Pakistani- Hindu Refugee camps in Majnu Ka Tila and Signature Bridge. In the complaint, it is alleged by Sh. Tarini Ross that 220 refugees families (1010 persons) resides in deplorable condition in the Pakistani- Hindu Refugee camps in Majnu Ka Tila and Signature Bridge, North Delhi. These refugees includes women and children facing lack of basic necessities viz electricity, toilets, Angadwadi, LPG connections, protection issues, waste collection and waste management, proper shelter etc.

It is informed that the Signature Bridge area does not fall under the jurisdiction of District Central.

BRIEF FACTS OF THE CASE

1. Briefly, it is stated that nearly 120-140 families are living in Majnu Ka Tila, Delhi since 2013. The matter of providing electricity to these families had been taken up in the past on several occasions. In June 2016, TPDDL had submitted an estimate of Rs. 6.56 Lakhs for providing a single temporary connection for distribution to the inmates of the camp. TPDDL had intimated that it can provide single point delivery connection by laying LT O/H network from Gurudwara at Majnu Ka Tila (Nearest available supply source). The connection shall be either in the name of Delhi Government or an NGO by the Delhi Govt. Accordingly, the matter was taken up with the HQ of Revenue Department. In July 2016, it was decided with the approval of **Deputy Chief Minister that they can be housed in the camp being operated by DUSIB.**
2. Based on the said decision, DUSIB was requested in August 2016 to erect night shelter for these people. But in June 2017, DUSIB did not accept the proposal of the Revenue department on the grounds that the land on which they are presently located, does not belong to DUSIB. Therefore, construction of new night shelter at the same location is not possible to accommodate these persons with all basic facilities.



3. Subsequently, the issue of power supply through TPDDL remained unresolved as the electricity was being provided to them through generators. But in December 2017, the generators were removed and since then, there is no arrangement of electricity supply to these families.
4. DUSIB was requested on 03.10.2019 to clarify whether DUSIB can construct night shelter at some nearby place and the migrant be shifted there? DUSIB vide reply dated 20.11.2019 submitted that there is no DUSIB land nearby to Pak-Hindu Refugees Camp Majnu Ka Tila where possibility of construction of night shelter can be explored and requested to take-up the matter with the other land owning agencies i.e. DDA or irrigation Flood & Control Department for providing the requisite land piece for the construction of night shelter.
5. Halqa Patwari (Civil Lines) was directed to submit the report regarding land owning agency where the Pakistani Hindu Refugees are residing. Halqa Patwari in his report stated that DDA is the land owning agency and Kh. No. of said land Parcel is 582, 583/1.
6. A meeting was held on 03.06.2021 under the Chairmanship of District Magistrate (Central) to discuss various issues i.e. regarding allotment of land, construction of night shelter, electricity and shifting of Hindu Pakistani Migrants to some other place where they can avail basic necessities.
7. Regarding Electricity problem, AGM, TPDDL apprised the District Magistrate (Central) that in order to provide electricity to the Pakistani Hindu Migrants, TPDDL has to install Transformer and Poles in Pakistani Hindu Refugee Colony. In order to install Transformer and Poles, TPDDL requires NOC from the Land Owning Agency i.e. Horticulture Department (DDA). In respect of Fresh estimated cost to install Transformer and poles in said area, AGM TPDDL apprised that TPDDL will submit estimate, once they will receive NOC from the land owning agency.
8. Horticulture Division (DDA) submitted reply vide letter No. F.2(2)2021/Hort.2/DDA/587 dated 05.06.2021 that possibility of installation of Transformer & Electric Poles by TPDDL in 'O' Zone (Yamuna Flood Plain) is directly violation of recommendations of Principal Committee on Yamuna Flood Plain Development of Govt.



of NCT of Delhi which was published on October 2015. The report says that any construction and encroachment that hinders environmental ecology of river in active flood plain is a violation of Yamuna rejuvenation and restoration, so, it is not possible to issue NOC for any type of construction work hampering Yamuna river flow and environmental ecology.

9. Executive Engineer (DUSIB) was directed to take up the matter and identify the DUSIB land where Hindu Pakistani Refugee Colony can be resettled. Further, he was directed to intimate the Office of District Magistrate (Central) the location/address of the identified land, with expected purpose for which that identified land is to be used in near future. So that the matter may be taken to the Higher Authorities and identified land, may be get allotted to construct. Representatives of DDA and DUSIB were directed to ponder over the possibilities of shifting the Pakistani Hindu Refugee to the Shelter Homes of DUSIB, as per Rehabilitation Policy, If DDA has to pay some consideration amount to the DUSIB in order to get the Refugee shifted to the Shelter Homes.
10. Again a meeting was held on 09.12.2021 under the chairmanship of District Magistrate (Central) to discuss issues related to Pakistani Hindu Refugees currently residing at Majnu Ka Tila camp with all concerned departments i.e. DDA, DUSIB, Power, TPDDL.
11. The representative from DDA (Sh. Kamal, Ex. Deputy Director) submitted that the above mentioned Refugee Camp at Majnu Ka Tila is situated along the bank of Yamuna river which is a **"O" Zone area (Yamuna Flood Plain)**. He further stated that Hon'ble High Court passed an Order dated 03.04.2013 titled as HAQ through its member Abdul Shakeel VS DDA and Another in WP (C) 2029/2012 wherein the Hon'ble High Court has directed that all the authorities concerned i.e. DDA, MCD, PWD, DJB as well as the Central Government to forthwith remove all the unauthorized structures, Jhuggies, Places of worship and/or any other structure which are unauthorizedly put to Yamuna Bed and its embankment, within two months from today i.e. 03.04.2013. It is further stated by Ex. Deputy Director (DDA) that Hon'ble NGT passed an order dated 11.09.2019 in the case titled as Manoj Mishra Vs. UOI & Ors. bearing O.A. No. 06/2012 against DDA and other Government authorities whereby the Hon'ble NGT directed DDA and other authorities to remove all the



encroachment from the Yamuna Flood Plain and to restore and rejuvenate the same.

12. District Magistrate (Central) inquired about the current facilities of toilets at Majnu Ka Tila for the Hindu Paksitani Refugee camp. In this regard, Tehsildar Civil Lines stated that currently there are 16 toilets existing at the Refugee camp which were setup earlier by DUSIB and there are about 750 to 800 refugees currently residing at Majnu ka Tila Refugee Camp. District Magistrate (Central) directed AE (DUSIB) to increase the number of Toilets at refugee Camp.
13. Sh. Sanjeev Kumar, AM, TPDDL and Sh. Rajat Joshi, Senior Manager , TPDDL apprised the District Magistrate (Central) that in order to provide electricity to the Pakistani Hindu refugees, TPDDL has to install Transformer and Poles in Pakistani Hindu Refugee Colony for which they require NOC from the Land Owning Agency i.e. DDA.. Ex Deputy Director (DDA) submitted that in pursuance of report published on October 2015 on Flood Plain Development Yamuna River, NCT of Delhi By Principal Committee, it is not possible to issue NOC for any type of construction work hampering Yamuna river flow and damaging environmental ecology.
14. At last, District Magistrate (Central) directed the TPDDL authorities to install a temporary Electricity Connection Setup at the Majnu ka Tila Camp for these refugees and an action taken report may be submitted before the District Magistrate within three (03) days.

CONCLUSION

- NHRC may make DDA and TPDDL as parties in NHRC Matter No. 2583/30/4/2021 as DDA is the land owning agency where the Hindu Pakistani Refugees are currently residing.
- A meeting of all concerned departments may be convened under the chairmanship of Minister of Power, GNCT of Delhi to resolve the issue of electricity connection in Pakistani Hindu Refugees Camp at Majnu Ka Tila.



Ranjana
11.12.2021

**RAJIV RANJAN, DANICS
SDM (CIVIL LINES)**

राष्ट्रीय मानव अधिकार आयोग
मानव अधिकार भवन, ब्लॉक-सी, जी०पी०ओ० कॉम्प्लेक्स, आई०एन०ए०,
नई दिल्ली-110023
शिकायत के लिए लॉगिन करें:-
www.nhrc.nic.in, email-cr.nhrc@nic.in
Fax:011-24651332, For Query:011-24663333, & Toll
Free No.14433

ANEXURE R-13

27



GOVT OF DELHI

OFFICE OF THE SUBDIVISIONAL MAGISTRATE (CIVIL LINES)
KHASRA NO. 549, 1ST FLOOR, OLD NDPL BUILDING, BURARI, DELHI-110084.
(E-mail ID: sdmcivilline@gmail.com)

F. No. 78 SDM/CL /2021/ 15342

Date: 27.10.2022

To

The Deputy Registrar (Law)
National Human Right Commission
(Law Division M-3), Manav Adhikar Bhawan,
Block-C, GPO Complex, INA
New Delhi-110023



Ref.: NHRC Case No. 2583/30/4/2021

Subject: Complaint of Sh. Tarini Ross Regarding deplorable conditions in the
Pakistani-Hindu Refugee Camps in Majnu Ka Tila and Signature Bridge.

Sir,

Please find enclosed herewith the status report in respect Pakistani-Hindu
Refugee Camps in Majnu Ka Tila for your kind perusal and further necessary
action.

Yours Faithfully

(SHIMRAY ASIWO BELLROSE) D.A.P. 10
SUB DIVISIONAL MAGISTRATE
SUB DIVISION: CIVIL LINES

Copy to:

1. Staff Officer to Chief Secretary, GNCT of Delhi
2. Dy. Secretary (Home-II-B), Home (Police-II), Department, GNCT of Delhi,
5th Level, C-Wing, Delhi Secretariat, IP Estate, New Delhi
3. PA to Divisional Commissioner (Revenue), GNCTD, 5 Shyam Nath Marg,
Delhi-110054
4. PA to District Magistrate (Central), Delhi
5. SDM (HQ), Coordination Branch, 5 Shyam Nath Marg, Delhi-54

STATUS REPORT

Joint inspection of the Stakeholders was carried out in December 2021 and DM, Central and SDM, Civil Lines visited the Hindu Refugee camp in 18th July 2022 to access the ground situation.

The point wise status report on the facilities available in the Pakistani Hindu Refugee Camp at Majnu Ka Tila are as under:-

Electricity Connection:-

There was no electricity supply earlier in the camp. In this regard many letters and meetings were held with TPDDL regarding to provide the electricity connections in Pakistani Hindu Refugee Camp at Majnu Ka Tila. At present, there is proper electricity supply available in Pakistani Hindu Refugee Camp at Majnu Ka Tila and many families have electricity connections after taking connection from TPDDL.

Lack of Toilets:-

Earlier, there was no facility of toilets. Further, correspondence with MCD and DUSIB was taken up. Now, there are total 16 toilets existing at the Refugee camp which were setup by DUSIB and approx. 750 to 800 refugees are currently residing at Majnu ka Tila Refugee Camp. Further, District Magistrate (Central) had directed AE (DUSIB) to increase the number of Toilets at refugee Camp but the same are not increased yet.

No Anganwadi:-

As per the report of Tehsildar, Civil Lines, anganwadi workers are regularly visiting the camp and there is no issue in this regard in Pakistani Hindu Refugee Camp at Majnu Ka Tila.

Lack of Water Suply:-

There is a supply of water in half the Camp adjoining the Ring road, but the water does not come in half the Camp adjoining the Yamuna river because the size of the water line laid is small in size.

Lack of LPG Connection:-

As per the report of Naib Tehsildar, Civil Lines, at present there is no Gas Pipe Line available at the camp but all the refugees are using Gas Cylinder to make their requirement of food.

Basu

Aadhar Cards:-

On enquire from the local resident it is revealed that the most residents are having Aadhar Card.

Protection Issue:-

There is no issue regarding safety and security. As per SHO, Civil Lines, beat constable of the area regularly take round of the camp.

Waste Collection and waste management:-

As inquired, a big garbage dump has been kept by the MCD and small dustbins have been distributed amongst the residents. MCD garbage van visits the Camp regularly and take the garbage dumped by the residents.

Issue of Rain Water Flooding:-

On inquiry from the residents of the camp it was revealed that during the rain, the camps adjoining the Yamuna River get filled with water and it takes time for the water to drain out.

Lack of proper shelter:-

All the jhuggies in the camp are in the shape of kuccha structure but some residents have made pakka structure also.

As the land owing agency of the area is DDA and the representative from DDA (Sh. Kamal, Ex. Deputy Director) had submitted that the above mentioned Refugee Camp at Majnu Ka Tila was situated along the bank of Yamuna river which is a "O" Zone area (Yamuna Flood Plain). He had further stated that Hon'ble High Court passed an Order dated 03.04.2013 titled as HAQ through its member Abdul Shakeel VS DDA and Another in WP (C) 2029/2012 wherein the Hon'ble High Court had directed that all the authorities concerned i.e. DDA, MCD, PWD, DJB as well as the Central Government to forthwith remove all the unauthorized structures, Jhuggies, Places of worship and/or any other structure which are unauthorized put to Yamuna Bed and its embankment, within two months from today i.e. 03.04.2013. It was further stated by representative of DDA (Ex. Deputy Director DDA) that Hon'ble NGT passed an order dated 11.09.2019 in the case titled as Manoj Mishra Vs. UOI & Ors. bearing O.A. No. 06/2012 against DDA and other Government authorities whereby the Hon'ble NGT directed DDA and other authorities to remove all the encroachment from the Yamuna Flood Plain and to restore and rejuvenate the same. During the meeting, District Magistrate (Central) had desired to request the NHRC to make DDA as party in NHRC Matter No. 2583/30/4/2021 as DDA was the land-owning agency where the Hindu Pakistani Refugee were currently residing.

In the earlier meeting held in this regard under the chairmanship of District Magistrate (Central) on 03-06-2021, Executive Engineer (DUSIB) was directed to take up the matter and identify the DUSIB land where Hindu Pakistani Refugee Colony can be resettled. Further, DUSIB was directed to intimate the Office of District Magistrate (Central) the location address of the

identified land with expected purpose for which that identified land is to be used in near future. So that the matter may taken to the Higher Authorities and identified land may be get allotted to construct Shelter Homes for the Pakistani-Hindu Refugees.

Citizenship to Pakistani Hindu Refugees:-

As directed by then Worthy District Magistrate (Central), an Awareness program was organized on 17.12.2021 by the Staff of SDM Civil Lines for awareness of Documentation required for getting Indian Citizenship.

With regard to the registration for Indian citizenship to Pakistani (Hindu) refugees who have migrated to India before 31.12.2014 the same can be done on the basis of Citizenship (Amendment) Act 2019 No. 47 of 2019.

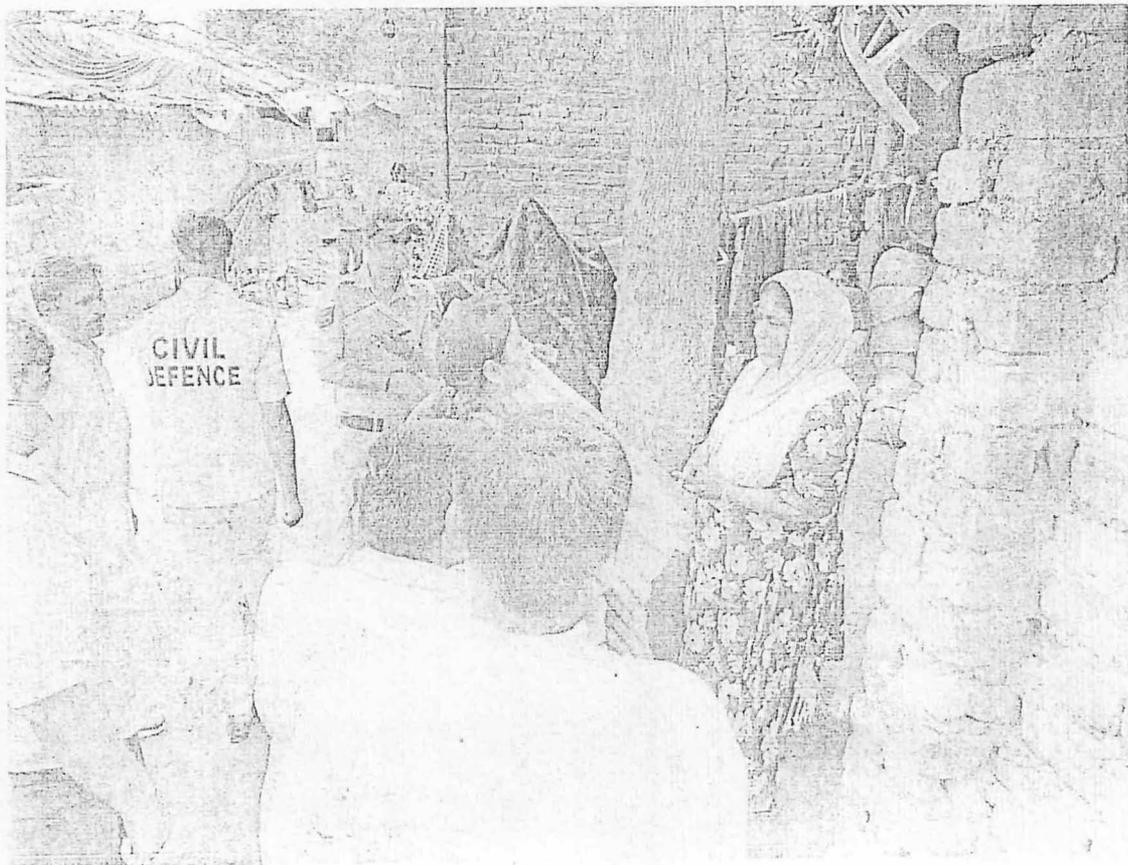
The Ministry of Home Affairs was contacted telephonically to provide the guidelines for registration under Citizenship (Amendment) Act 2019. They informed that the Citizenship (Amendment) Act 2019 has been challenged before the Hon'ble Supreme Court of India and the same is pending for decision as on date. Due to which Central Government has not issued guidelines for registering Pakistani Hindu refugee under Citizenship Amendment Act 2019.

In view of above, a file was moved to Home (department) of GNCTD through proper channel for direction in granting Citizenship to Pakistani Hindu Refugees residing at Majnu ka Tila.

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Photographs of the DM central visits in Majnukatila enclosed.





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ANNEXURE R14

**DELHI DEVELOPMENT AUTHORITY
O/O THE EXECUTIVE ENGINEER, HCD-10
SCHOOL BLOCK, SHAKARPUR, DELHI- 110092
E-Mail ID: - eehcdx@gmail.com**

No. F9(3)Misc./EE/HCD-10/2023-24/DDA/258

Date: 01/03/2024

To

✓ Dy. Commissioner of Police (North)
Khyber Pass, Civil Lines,
Delhi 110054

Subject: - Request to provide Police Assistance, Delhi Police and outer Police force to DDA staff for demolition programme in the Yamuna Flood Plain DDA land near South of Gurudwara "Majnu Ka Tilla" (Western bank).

With reference to the above cited subject, it is submitted that demolition of illegal structures to be carried out as per Hon'ble NGT order in Yamuna River Flood Plain area on DDA land near South of Gurudwara "Majnu Ka Tilla". So, for removal of illegal encroachments, there is need of Police Assistance to maintain law and order during demolition on 07-03-2024 & 08-03-2024.

A notice regarding intimation of demolition programme to the residents of labour huts of the area is being circulated /pasted as per direction of Hon'ble High Court of Delhi.

You are therefore, requested to kindly provide sufficient no. of Police force with outer force along with Ladies Police to DDA staff in order to maintain the law-and-order situation during the demolition programme at the site if any.

The meeting point will be Police Station, Civil Lines, Delhi at 10:00 AM on 07-03-2024 & 08-03-2024.

This issue with the approval of Competent Authority.

[Signature]
01/03/24
Executive Engineer
HCD-10/DDA

Copy to:

1. PS to Hon'ble Vice Chairman /DDA for kind information (By Email).
2. PS to Principal Commissioner (Hort.) for kind information (By Email).
3. PS to Commissioner (LM) for kind information (By Email).
4. The Chief Engineer, (Hort.) DDA, Vikas Minar, for kind information (By Email).
5. A.C.P. Delhi Police, Khyber Pass, Civil Lines Delhi-110054 for information & necessary action please.
6. SE/HCC-3/DDA, Vikas Minar, for kind information (By Email).
7. Director (LS)/DDA for kind information.(By Email).
8. Director (Hort.) NW/DDA for kind information.(By Email).
9. Director (Rehabilitation/sociology)/DUSIB near Shivaji college, Rajagarden, New Delhi-27 for kind information
10. Executive Engineer, HCD-9/DDA for necessary action with request to provide 05 Nos. of JCB, 30 Nos. Labours with sufficient T&P and 04 Nos. Tractor & Trolley for loading & disposal of malba/ garbage.
11. Dy. Director Veterinary Superintendent 3rd Floor New Building City SP Zone MCD, Nigam Bhawan Kashmiri Gate, Delhi-110006 for kind information.
12. S.H.O. Police Station, Civil Lines, Delhi-110054 with request to provide sufficient Police Assistance on the aforesaid area to control the law-and-order situation.
13. Dy. Director (Land & Development office) Nirman Bhawan, New Delhi-110001 for kind information and depute the concerned officials to provide land status.
14. Dy. Director (LM) Central/DDA, A- Block, Ground Floor, Vikas Sadan, INA, New Delhi-110023 for kind information and depute the concerned officials to provide land status.
15. Dy. Director, Hort.II/DDA for kind information and depute the concerned AD/SO for identification of unauthorized structures.
16. Dy. Director (PR), B-Block, Ground Floor, Vikas Sadan, INA, Delhi for information.
17. Delhi Transco Limited (DTL) Kashmiri Gate for information & depute the concern for disconnection of electricity in the area.
18. AE-I & V/HCD-10/DDA for necessary action please and co-ordinate with Land Management and Horticulture Department.

Executive Engineer
HCD-10/DDA



दिल्ली विकास प्राधिकरण
कार्यालय अधिशासी अभियंता,
उद्यान सिविल खंड-10
शकरपुर, दिल्ली-110092



सार्वजनिक सूचना

सर्व साधारण को सूचित किया जाता है कि माननीय राष्ट्रीय हरित अधिकरण के वाद संख्या 06/2012 में दिनांक 13/01/2015 को दिल्ली विकास प्राधिकरण को यमुना बाढ़ क्षेत्र से सभी अतिक्रमण को हटाए जाने के आदेश दिए गए हैं

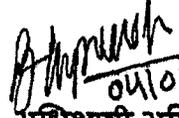
इसके अनुपालन में दिल्ली विकास प्राधिकरण द्वारा दिनांक 07/03/2024 और 08/03/2024 को यमुना बाढ़ क्षेत्र में दक्षिण के गुरुद्वारा "मजनु का टीला" के पास पश्चिमी बैंक में स्थित सभी झुग्गी झोपड़ी इत्यादि अतिक्रमण को हटाया जाना है

माननीय उच्च न्यायालय दिल्ली के वाद संख्या 6779/2021 शकरपुर स्लम यूनियन बनाम दिल्ली विकास प्राधिकरण एवं अन्य में दिनांक 02/08/2022 के आदेशानुसार प्रभावित परिवार दिल्ली आश्रय सुधार बोर्ड के निम्नलिखित रैन बसेरो में अस्थायी निवास का लाभ उठा सकते हैं

1. आश्रय गृह (रैन बसेरा) ब्लॉक 10, गुरुद्वारा गीता कॉलोनी, दिल्ली (नितिन - 8851340196)
2. आश्रय गृह (रैन बसेरा) सेक्टर 3, फेज 1, द्वारका, दिल्ली (सुदर्शन - 9811520860)
3. आश्रय गृह (रैन बसेरा) सेक्टर 1, द्वारका, दिल्ली (सुदर्शन-9811520860)

अतः यहाँ के निवासियों से अनुरोध है कि दिनांक 06/03/2024 तक उपरोक्त स्थान को खाली कर दें, अन्यथा दिनांक 07/03/2024 और उसके बाद होने वाली अतिक्रमण विरुद्ध कार्यवाही में होने वाले नुकसान के उत्तरदायी आप स्वयं होंगे।

आदेशानुसार


04/03/24
अधिशासी अभियंता

उद्यान सिविल खंड 10
दिल्ली विकास प्राधिकरण



DELHI DEVELOPMENT AUTHORITY
O/O THE EXECUTIVE ENGINEER,
HORTICULTURE CIVIL DIVISION-10
SHAKARPUR, DELHI- 110092



Public Notice

General Public is hereby informed that as per direction of Hon'ble National Green Tribunal in Case No. 06/2012 dated 13/01/2015 to the Delhi Development Authority, the River Yamuna Flood Plain area under the jurisdiction of DDA to be made free from all the encroachment.

In the compliance of order, it is proposed to organized a demolition drive against the encroachment in the River Yamuna Flood Plain area near South of Gurudwara "Majnu Ka Tilla" (Western Bank) on dated 07/03/2024 & 08/03/2024.

As per order dated 02-08-2022 of Hon'ble High Court in the case no. 6779/2021 Shakarpur Slum Union Vs DDA & Ors. the effected families can take the benefit of temporary shelter of Delhi Urban Shelter Improvement Board (DUSIB) in the following night shelters:

1. Night Shelter, Block-10, Gurudwara, Geeta Colony, Delhi, (Nitin – 8851340196).
2. Night Shelter, Sector-3, Phase-I, Dwarka, Delhi, (Sudarshan – 9811520860).
3. Night Shelter, Sector-1, Dwarka, Delhi, (Sudarshan – 9811520860).

Hence, the residence of the area is hereby requested to vacant the area by 06/03/2024. Otherwise they will be self responsible for any loss held due to any demolition drive against the encroachment on 07/03/2024 or later.

By the order

[Handwritten Signature]
 04/03/24
 Executive Engineer

HCD-10/DDA



OFFICE OF THE EXECUTIVE ENGINEER
HORTICULTURE CIVIL DIVISION-X
D.D.A., SEED BED PARK, SCHOOL BLOCK
SHAKARPUR, DELHI- 110092

No. F9(03)Misc./EE/HCD-X/DDA/2023-24/266

Dated: 05-03-2024

To,

The Dy. Land & Development Officer
Ministry of Urban Development
Land & Development Office (Govt. of India)
Nirman Bhawan, New Delhi-110001

Sub:- Request to depute the concerned official during demolition program in the Yamuna Flood Plain near South of Gurudwara "Majnu Ka Tilla" (Western Bank).

Ref.:- 1) Letter no. D.O. No. PS/VC/DDA/2023/Efile C. No:71293/192 dated 28/11/2023.

2) Letter No. F9(3)Misc./EE/HCD-10/2023-24/DDA/258 dated 04/03/2024

With reference to the above cited subject, it is submitted that demolition of illegal structure to be carried out as per Hon'ble NGT order in Yamuna River Flood Plain area near South of Gurudwara "Majnu Ka Tilla".

As per the above referred letter date 28/11/2023, you are requested to depute the concerned official to be present with proper record at site during Demolition Program on 07-03-2024 & 08-03-2024 since the partial encroached land comes under the jurisdiction of L&DO which has not yet been transferred to DDA as per detail available in this office.

Enclosure: As above.

[Handwritten Signature]
05/03/24
Executive Engineer
HCD-X/DDA

Copy to:-

1. PS to PC(Hort. & LS)/DDA for kind information.
2. CE(Hort.)/DDA for kind information.
3. Director (LS)/DDA for kind information.
4. Superintending Engineer/HCC-III/DDA for kind information.
5. DD/HD-II (Hort.)/DDA for information.
6. DD/LM (Central)/DDA for information.
7. AE-I & V/HCD-X/DDA for information.

[Handwritten Signature]
Executive Engineer
HCD-X/DDA

ANNEXURE

R15

110 436/ (11)/11
06/03/2024**SECRET****To,**

The Executive Engineer
Delhi Development Authority
HCD-10, School Block, Shakarpur, Delhi-92

Subject :- Request to reschedule the demolition programme fixed for 07.03.2024 & 08.03.2024

Sir,

It is submitted that a letter from Delhi Development Authority has been received in PS Civil Lines vide diary No. F(9) Misc./EE/HCD-10/2023-24/DDA/258 dated 04.03.2024 in which it is mentioned that demolition of illegal structures be carried out as per the Hon'ble NGT order in Yamuna River flood plain area on DDA Land near "South of Gurdwara, Majnu ka Tilla."

In this regard, it is submitted that due to ongoing farmers agitation (with a specific call of the farmer's organizations to come to Delhi in large numbers), police force can not be provided for the said programme on these dates. It is therefore, requested that demolition programme fixed for 07.03.2024 & 08.03.2024 may please be rescheduled for any other dates.

It is also submitted that sufficient time, at least three working days may be provided to Delhi Police for requisition of out side force, whenever such demolition drive are planned in future.

Thanking you for kind co-operation.

Rajiv
6.3.24

Station House Officer
PS Civil Lines, Delhi

S.H.O.
P.S. CIVIL LINES
DELHI-66

ANNEXURE R16



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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(C) 3656/2024, CM APPL. 15121/2024 & CM APPL.
15122/2024

RAVI RANJAN SINGH Petitioner

Through: Mr. R.K. Bali and Ms. Meghna Bali,
Advs.
M: 9871121187, 9968826489

versus

DELHI DEVELOPMENT AUTHORITY Respondent

Through: Ms. Prabhsahay Kaur, SC with Mr.
Bir Inder Singh Gurm, Ms. Pragati
Singh, Advs. & Mr. Bijendra Kumar,
for DDA.
M: 8171798389
Email: sahayk@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
12.03.2024

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CM APPL. 15121/2024 (For Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

W.P.(C) 3656/2024 & CM APPL. 15122/2024

3. The present petition has been filed seeking directions against the respondents not to disturb/demolish the Pakistani Hindu Refugee Camp at Majnu Ka Tilla, till some alternative piece of land is allotted to them,



especially in view of the Citizenship Amendment Act, 2019, which has already been passed by the Government of India, through which, the Government of India wants to give shelter to the persecuted Non-Muslim minorities from Pakistan, Afghanistan and Bangladesh.

4. Learned counsel appearing for the petitioner submits that Public Notice dated 04th March, 2024 was pasted in the area asking the residents to vacate the place by 06th March, 2024, failing which the respondent will demolish their Camp.

5. It is submitted that the Pakistani Hindu Refugees have been living at Majnu Ka Tilla since many years, with basic facilities being provided by the authorities. It is submitted that their children are studying in the nearby Government Schools and their examinations are in progress at present.

6. Attention of this Court has also been drawn to the order dated 29th May, 2013 passed in *W.P. (C) No. 3712/2013*, wherein statement was made on behalf of Central Government regarding extending support to the Pakistani Nationals belonging to the minority communities.

7. Issue Notice. Notice is accepted by learned counsel appearing for the respondent-Delhi Development Authority (“DDA”).

8. She submits that an order dated 29th January, 2024 has been passed by the National Green Tribunal (“NGT”), in *Execution Application No. 22/2023* in *Original Application (“O.A.”) No.622/2019*, wherein, it has been directed that all the encroachment on the Yamuna Flood Plain Zone adjacent to South of Gurudwara Majnu Ka Tilla on Yamuna River Belt in Delhi, be removed. She further submits that cost has also been imposed upon the DDA and the DDA is bound to follow the judicial orders.

9. Learned Standing Counsel appearing for the DDA also relies upon the



order dated 17th October, 2019 passed by the learned NGT, wherein, the DDA has itself brought to the notice of the NGT, the order dated 29th May, 2013 passed in *W.P.(C) No. 3712/2013*. Thus, she submits that though the DDA may have all the sympathies with the petitioner, however, the DDA is bound by the various directions that have passed by the learned NGT.

10. She further submits that the Union of India had made a statement in the aforesaid petition, i.e., *W.P.(C) No. 3712/2013* that the Union of India shall extend all the support to the Pakistani nationals belonging to minority communities, who have come to India and have taken refuge here.

11. Considering the submissions made before this Court, this Court is of the opinion that the Union of India is a necessary party before this Court. Accordingly, Union of India is impleaded as respondent no.2 in the present petition. Let amended Memo of Parties be filed within a period of three working days.

12. Issue notice to Union of India, through its Standing Counsel, returnable on 19th March, 2024.

13. Considering the statement made on behalf of the then Additional Solicitor General of India, as recorded in order dated 29th May, 2013 in *W.P.(C) No. 3712/2013* that the Union of India shall make endeavor to extend all support to the Hindu Community which has entered India from Pakistan, it is directed that no coercive action shall be taken against the petitioner, till the next date of hearing.

14. Re-notify on 19th March, 2024.

MINI PUSHKARNA, J

MARCH 12, 2024/kr

LM/LAND/0022/2023/TN/MISC-Q/o DD(CENTRAL DISTRICT)
608270/2023/O/o ADDL. CHIEF ARCHITECT (O/o VC)

सुभासिष पन्डा, भा.प्र.से.

उपाध्यक्ष, दि.वि.प्रा.

SUBHASHISH PANDA, IAS
Vice Chairman, DDA



दिल्ली विकास प्राधिकरण

विकास सदन, आई.एन.ए.

नई दिल्ली-110023

DELHI DEVELOPMENT AUTHORITY

VIKAS SADAN, I.N.A.

NEW DELHI-110023

D.O. No. PS/VC/DDA/2023/Efile C. No: 71293/192.

Dated: 28/11/2023

Respected Sir,

A piece of land measuring 123 acres from Wazirabad Barrage to Old Iron Bridge (Western Side) was allotted to DDA by L&DO on 25.05.1973 and 06.07.2004 to have integrated development of Yamuna River Front.

As per clause 2(2) of the terms and conditions of the allotment letter dated 06.07.2004 (copy enclosed), the actual extent of the area, with specified boundary proposed to be transferred to DDA, was to be surveyed and these details were to form part of the lease.

In this regard, it is stated that DDA has carried out the TSS of the area in presence of L&DO. As per the T.S.S. plan, the total land available from Wazirabad Barrage to Old Bridge (Western Side) is 232.131 Acre. 50 Acre Nazul land of Revenue Estate Bela, situated between Red Metro line bridge to Old Railway Bridge is already in ownership and possession of DDA.

The work of restoration and redevelopment of floodplains of Yamuna River from Wazirabad Barrage to Old Railway Bridge has been undertaken by DDA. The Hon'ble LG is monitoring the same on a regular basis. In this context instructions for removal of the encroachments from this area have been issued by the Hon'ble LG. However, since the land is not with DDA, we are not in a position to take any action in this regard.

It may also be appreciated that the flow of Yamuna river changes seasonally. Accordingly, the area of river bed also changes. Hence, rather than transfer of a particular plot of land, it is requested to direct the L&DO to allot/issue NOC in favour of DDA for all the remaining area of the flood plain from Wazirabad Barrage to Red Metro Line bridge bound between Ring Road and Yamuna River for integrated development of Yamuna River Floodplain.

With warm regards

Yours Sincerely

Subhasish Panda
[Subhasish Panda]

Sh Manoj Joshi
Secretary, Govt. of India
Ministry of Housing & Urban Affairs
122-C, Nirman Bhawan,
New Delhi - 110011