

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

Original Application No. 6/2012
(IA No 116/2025, IA No 420/2024, IA No 549/2024,
IA No 585/2024, IA No 329/2024, IA No 72/2024,
MA No 868/2014, IA No 276/2024, MA No 244/2019,
IA No 421/2024)

WITH

Execution Application No. 5/2024
In
Original Application No. 6/2012
(I.A. No. 550/2024)

WITH

I.A. No. 170/2024
In
Original Application No. 6/2012

Nizamuddin West Association

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 21.02.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Colin Gonsalves, Senior Advocate with Mr. Ali Qambar Zaidi &
Mr. Kamran Khwaja, Advs. for Applicant in OA 06/2012 & E.A 05/2024

Respondents: Mr. A.D.N. Rao, Senior Advocate with Ms. Richa Kapoor, Mr. Kunal
Anand, Ms. Atika Singh & Mr. Rahul Mishra, Advs. for Delhi Jal Board
Mr. Sidharth Luthra, Senior Advocate with Mr. Kunal Vajani, Mr. Kunal
Mimani, Mr. Abhinav Jain, Mr. Kushagra Raghuvanshi & Mr. Karanvir
Gogia, Advs. in I.A No. 329 & 421/2024
Ms. Jyoti Mendiratta & Ms. Ananya Basudha, Advs. with Mr. N. P.
Maurya, EE, CD-iii, IFCD, GNCTD
Mr. Bhanwar Pal Singh Jadon, Mr. Harsh Vardhan Singh Rajawat, Ms.
Gargi Chaturvedi & Ms. Anjali Sharma, Advs. for the State of UP
Mr. Pradeep Misra & Mr. Daleep Dhyani, Adv. for UPPCB (Through VC)
Mr. Narender Pal Singh & Ms. Anjali, Advs. for DPCC
Ms. Puja S. Kalra & Mr. Virendra Singh, Advs. for MCD
Ms. Prabhsahay Kaur, Ms. Deeksha L. Kakar, Mr. Rashneet Singh & Ms.
Ananya Sahu, Advs. for DDA
Mr. Paritosh Anil, Adv. for MoEF & CC (Through VC)
Mr. Raj Kumar, Adv. for CPCB
Mr. Anuj Chaturvedi & Ms. Harshita Maheshwari, Advs. for DUSIB
(Through VC)

Mr. Sandeep Mishra, Adv. in I.A. No. 170/2024 (Through VC)
 Ms. Priyanka Swami, Adv. for Irrigation Department, State of UP
 (Through VC)

ORDER

1. At this stage, the Tribunal is considering the issue of desilting of 24 drains out falling in river Yamuna in Delhi. It is not disputed that desilting work of these 24 drains is to done by Irrigation and Flood Control Department (I&FCD). The status of desilting has been disclosed by the I&FCD in its report dated 20.02.2025 as under:-

Sl No.	Issues	Status
1.	<i>Encroachment on 22 drains</i>	<p>(a) On Barapullah Drain, DUSIB has completed its survey for Madrassi Camp.</p> <p>(b) Sain Nursing Home (Drain No.12, 12A), Survey by Revenue Department has already been completed for Anna Nagar Jhuggi.</p> <p>(C) For remaining drains, "As drain has been handed over for maintenance purpose. No land status provided by land owning agency. However, request has been made to revenue and MCD for providing land boundary, Which is not received yet"</p>
2.	<i>Greening</i>	<i>After completion of desilting work, plantation work will be taken up in all (22+2 drains) in coordination with Forest Department Delhi.</i>
3.	<i>Desilting</i>	<i>Status of desilting in all (22+2 drains) is Annexed as Annexure-I, Monthly Action Taken Report Annexed as Annexure-II.</i>
4.	<i>Boundary wall</i>	<i>(a) Construction of boundary wall on Barapullah Drain wherever damaged in between outer ring road Sarai Kale Khan and Lala Lajpat Rai Marg on either side is tendered and work was in progress. Presently it is heldup due to requirement of permission from Forest Department as some plants exists near the alignment of</i>

		boundary wall. Copy of award letter is Annexed as Annexure-III.
		(b) For remaining drains, construction of boundary wall will be taken up i. Availability of fund. ii. Land status made available from agency handed over the drain and further Demarcation of drain land from revenue department, removal of encroachment.

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2. Along with the report of I&FCD has enclosed the detailed status of 24 drains which are falling in river Yamuna in Annexure – I which discloses the targeted quantity of desilting, the work which has been completed till now and the timeline for completing the desilting work. The details so disclosed are as under:-

S. No.	Name of Drain	Target Qty. (MT)	Date of Start	Time line for complete desilting	Qty. of silt desilted upto date 14.02.2025(in MT)	Status of work upto date 14.02.2025
1	3	4	5	6	7	8
1	Metcalfe House Drain	8721	01.01.2025	31.05.2025	697	8%
2	Tonga Stand Drain	680	01.01.2025	31.05.2025	81	12%
3	Khyber Pass Drain	5475	01.01.2025	31.05.2025	438	8%
4	Sonia Vihar Drain (On Eastern Bank of Yamuna)	1800	04.01.2025	31.05.2025	1.60	0.08%
5	Najafgarh drain	700000	01.01.2025	30.06.2027	81600	11.66%
6	Shahdara Drain	136000	01.01.2025	31.05.2025	24000	17.64%

7	<i>Jaitpur Drain</i>	58761	01.01.2025	31.05.2025	11200	18.94%
8	<i>Barapulla Drain</i>	113120	01.01.2025	31.05.2025	1120	1%
9	<i>Sweeper Colony Drain</i>	336	01.01.2025	31.05.2025	40	11.90%
10	<i>Magazine Road Drain</i>	304	01.01.2025	31.05.2025	21.28	7%
11	<i>Civil Military Drain</i>	2852	01.01.2025	31.05.2025	2240	78.51%
12	<i>Moat Drain (Vijay Ghat)</i>	753	01.01.2025	31.05.2025	640	84.92%
13	<i>Drain No. 14</i>	7570	01.01.2025	31.05.2025	960	12.85%
14	<i>Tehkhand Drain</i>	14428	01.01.2025	31.05.2025	4800	33.26%
15	<i>Tuglakabad Drain(Kalka Ji) Including Sarita Vihar drain</i>	27926	01.01.2025	31.05.2025	10400	37.24%
16	<i>Sen Nursing Home Drain</i>	58937	01.01.2025	31.05.2025	320	0.54%
17	<i>ISBT Drain (Qudsia Bagh/Mori Gate Drain)</i>	4358	01.01.2025	31.05.2025	523	12%
18	<i>Kailash Nagar Drain (On Eastern Bank of Yamuna)</i>	5809	11.01.2025	31.05.2025	32.00	0.55%
19	<i>Shastri Park Drain (On Eastern Bank of Yamuna)</i>	2350	03.01.2025	31.05.2025	8.00	0.34%
20	<i>Delhi Gate Drain / Power House Drain</i>	59612	01.01.2025	31.05.2025	9600	16.10%
21	<i>Abul Fazal Drain</i>	8547	01.01.2025	31.05.2025	4206	49.21%
22	<i>Taimoor Nagar/ Maharani Bagh Drain</i>	17195	01.01.2025	31.05.2025	8640	50.24%
23	<i>Kushak Drain</i>	21252	01.01.2025	31.05.2025	10400	48.93%
24	<i>Sunehri Pul Drain</i>	21692	01.01.2025	31.05.2025	8000	36.87%
	Total (MT)	1278478.00			223167.88	

3. It has been pointed out that if the desilting work is not completed by the I&FCD within the timeline then this year monsoon will start and the residents of the colony from where these drains are flowing may face

the same flooding/overflowing problem of these drains which they had faced in the previous monsoon and they may suffer the same damage and loss on account of such flooding. Hence, it is necessary that the work of desilting of these 24 drains is completed within the timeline which has been disclosed by I&FCD. Hence, we require Additional Chief Secretary, I&FCD to submit an undertaking by 25.2.2025 that the work of desilting as disclosed above will be completed within the disclosed stipulated timeline. The Additional Chief Secretary, I&FCD is directed to appear virtually on the next date of hearing to appraise us about the details of the manner in which the timeline will be adhered to and it will be ensure that no flooding/overflowing of these 24 drains take place during the next monsoon.

4. Counsel for the parties will at liberty to suggest the manner in which the monitoring of desilting work can be done by some independent monitoring Committee and its composition.

5. List on 27.02.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

February 21, 2025
Original Application No. 6/2012
& connected matters
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