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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 7594/2018 & CM APPL. 30022/2018**  
**COURT ON ITS OWN MOTION** ..... Petitioner

Through:

versus

**UNION OF INDIA & ORS**

..... Respondent

Through:

Mr. Ripu Daman Bhardwaj CGSC,  
UIO with Mr. Kushagra Kumar and  
Abhinav Bhardwaj, Advocates  
Ms. Monika Arora with Mr.  
Subhrodeep Saha, Advocates for UIO  
Mr. Anuj Aggarwal, ASC, GNCTD  
with Ms. Arshya Singh, Mr. Yash  
Upadhyay and Mr. Siddhant Dutt,  
Ms. Mahak Rankhawat, Advocates  
with Mr. Naresh Kumar, Chief  
Secretary, Delhi (through VC)  
Ms. Rashmi Chopra with Mr.  
Parikshit, Ms. Fiza Chopra and Mr.  
Puneet Rathi, Advocates for DDA  
Mr. Tushar Sannu, Ms. Kanika Singh  
and Mr. Shobhan Sachdeva,  
Advocates for NDMC  
Ms. Puja Kalra, Standing Counsel,  
MCD with Mr. Virendra Singh,  
Advocate for MCD  
Mr. Tarveen Singh Nanda and Mr.  
Ankur Mishra, Advocates for Delhi  
Cantonment Board

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+ **W.P.(C) 9617/2022**  
**COURT ON ITS OWN MOTION**

..... Petitioner

Through:

versus



GOVT. OF NCT OF DELHI AND ORS

..... Respondent

Through: Mr. Anuj Aggarwal, ASC, GNCTD with Ms. Arshya Singh, Mr. Yash Upadhyay and Mr. Siddhant Dutt, Ms. Mahak Rankhawat, Advocates with Mr. Naresh Kumar, Chief Secretary, Delhi (through VC) Ms. Rashmi Chopra with Mr. Parikshit, Ms. Fiza Chopra and Mr. Puneet Rathi, Advocates for DDA Ms. Sangeeta Bharti, Standing Counsel, DJB with Ms. Malvi Balyan, Advocate for R-9/DJB Mr. Tarveen Singh Nanda and Mr. Ankur Mishra, Advocates for Delhi Cantonment Board Mr. Ripu Daman Bhardwaj CGSC, UOI with Mr. Kushagra Kumar and Abhinav Bhardwaj, Advocates

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Date of Decision: 29<sup>th</sup> May, 2024

**CORAM:**

**HON'BLE THE ACTING CHIEF JUSTICE**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**JUDGMENT**

**MANMOHAN, ACJ: (ORAL)**

1. The Chief Secretary and other high-ranking officials of GNCTD have joined the proceedings through audio video link. The first compliance report dated 23<sup>rd</sup> May, 2024 in terms of this Court's order dated 8<sup>th</sup> April, 2024 has been filed on record.
2. The Chief Secretary has taken us through the Action Taken Report ('ATR') for the month of April, 2024 filed with the status report dated 23<sup>rd</sup>



May, 2024. He states that the I&FC<sup>1</sup> Department has been identified as the 'one single department' entrusted with the responsibility, management and operations of the 22 open drains, which are out-falling in river Yamuna vide office order dated 29<sup>th</sup> April, 2024. He states that with respect to seven action points set out by the Court in its order dated 8<sup>th</sup> April, 2024, GNCTD has been able to achieve satisfactory progress and these points find mention in the ATR filed as Annexure-R-2. He states that, however, for five other action points directed by this Court, the progress has been slow. He, however, assures that steps will be taken to achieve timely progress in these areas as well before the next date of hearing.

3. The summary of the satisfactory progress for seven action points and dissatisfactory progress for five action points has been summarized by learned Standing counsel for GNCTD, which reads as under:-

*"I. Action points with timeline of April, 2024: 1 action point Completed*

*Identification of one single department/agency - I&FC Department as one single department/agency vide order dated 29.04.2024*

*I. Action points with timeline of May, 2024: 12 Action points*

*1. Satisfactory progress – 7 Action points*

<i>Sl No</i>	<i>Action Point</i>	<i>Progress</i>	<i>Para No. of Hon'ble H.C order</i>	<i>S.No. of Monthly ATR submitted as Annexure-R-2</i>
<i>1.</i>	<i>Submission of report for the creation of RWH systems / pits in low lying areas – DJB</i>	<i>1646 recharge pits constructed, further low lying areas been assessed</i>	<i>19(3)</i>	<i>17(a)</i>
<i>2.</i>	<i>Installation of biogas plant near all the nine authorised dairies-MCD</i>	<i>Action Completed. Timelines submitted. 4 Plants</i>	<i>29</i>	<i>26</i>

<sup>1</sup> Irrigation and Flood Control



		<i>catering to 7 diaries will be installed by March 2025 (including one by July 2024). No cattle in Gharoli diary.</i>		
3.	<i>Mechanism for seamless coordination in place for dredging-DDA</i>	<i>Completed. DDA , NMCG and I&amp;FC met for coordination purposes and Action Plan being prepared for dredging of the river.</i>	31	27(a)
4.	<i>Submission of Action Taken Report on increasing existing capacity of STPs from 667 MGD to 964.5 MGD-DJB</i>	<i>Completed. Capacity 667 MGD – 712 MGD Now (Treatment 565 MGD – 610 MGD Now). Timeline for 964.5 MGD : Dec, 2026</i>	32	28(a)
5.	<i>Submission of Action Taken Report and an Action Plan on unauthorized polluting industries-MCD</i>	<i>12 Joint teams from DPCC, BSES, DJB, etc constituted to carry out survey of illegal industrial units and all such units are sealed as well as electricity and water connections are disconnected on the spot. (140 dyeing units sealed)</i>	35(1)	31
6.	<i>Submission of action taken report for the remaining three major water-logging points-PWD</i>	<i>Submitted. One completed. (Karala Kanjhawala ) One 98% completed/ Timeline 31 May. (Loni Road Golchakkar) One desilting started – cooperation</i>	43(2)	34



		requested from railways (Zakhira Flyover)		
7.	Submission of Action Taken Report for setting up of a robust parameters monitoring system for monitoring of above mentioned data on real-time basis-DPCC	Submitted. Under process of procurement of on-line monitoring systems (OLMS). Public dashboard in process	45(3)	35(d)

2. Dissatisfactory progress – 5 Action Points

Sl No	Action Point	Progress	Para No. of Hon'ble H.C order	S.No. of Monthly ATR submitted as Annexure-R-2
1.	Submission of report including assessment of quantity of silt in twenty-two (22) drains – IFCD	3 drains being assessed by IFCD. 19 drains being handed over to single agency i.e. IFCD by 31 <sup>st</sup> May. Followed by Assessment.	14(3)	5(a)
2.	Geo-tagging and geo-referencing for ground truthing of remaining 1023 water bodies – REV	236 completed Fresh deadlines prayed for: 30 June	16(1)	8
3.	Preparation of estimates for rejuvenation of water bodies, after ground truthing – PWD + REV		16(2)	9
4.	Submission of action taken report and action plan on 105 remaining water logging locations reported by Traffic Police in 2022 – PWD	Short Term measures at 47 locations, and Long Term Measures at 55 locations completed. Long Term measures are in progress at 49 more locations.	43(1)	33(a)
5.	Submission of action taken report	129 locations - short term	43(1)	33(b)



	<i>and an action plan on 200 water logging locations reported by the Delhi Traffic Police in 2023.-PWD</i>	<i>measures completed. 16 locations - long term measures completed 21 remaining locations – in progress</i>		
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4. The Chief Secretary states that an updated status report shall be filed before the next date of hearing and assures this Court that the IDMC<sup>2</sup> is consciously taking steps to implement the directions passed by this Court.

5. During the hearing, the Chief Secretary has been asked to take note of the newspaper reports pertaining to drying up of Lake Bhalaswa and threat of encroachment in the said area. The said issue would stand covered by paragraph 16.1 of this Court's order dated 8<sup>th</sup> April, 2024 and IDMC is directed to take appropriate steps to protect and rejuvenate the said water body.

6. The learned Standing Counsel for GNCTD is directed to ensure that the Action Taken Report for the months of May as well as June, 2024 is filed three days prior to the next date of hearing.

7. List on 22<sup>nd</sup> July, 2024.

**ACTING CHIEF JUSTICE**

**MANMEET PRITAM SINGH ARORA, J**

**MAY 29, 2024/mr/ms**

<sup>2</sup> Integrated Drain Management Cell