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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 17064/2024**

RAVINDER YADAV

.....Petitioner

Through: Petitioner joined through VC.

versus

GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Dhruv Rohatgi, Ms. Chandrika Sachdev, Advs. for GNCTD.

Mr. Rajeev Verma - CS Delhi, Mr. Sandeep Kumar – Pr. Sec PWD, Mr. Sanjeev Kirwar - Commissioner, MCD, Mr. Vijay Kumar Bhiduri - UD CEO DJB (All joined through VC)

Mr. Tushar Sannu, Ms. Rajbala, Mr. Vaibhav Tripathi, Mr. Fajallu Rehman and Mr. Payal Rajput ALONG WITH Mr. Prashant Verma (AE, DJB), Pankaj Kumar (Ex.en, DJB) and Rahul Garg (JE, DJB) for DJB. (M: 9911991166)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **23.05.2026**

1. This hearing has been done through hybrid mode.
2. *Vide* order dated 18th April, 2026, this Court had directed as under:

“6. The Court has also perused the affidavit filed by the MCD and status report of the GNCTD. All of these affidavits make it clear that there is lack of clarity amongst all these agencies as to who is to maintain these roads, colonies, drains and the sewer lines.



7. *In the opinion of this Court, there is an urgent need for monitoring this entire system of sewer lines, their connection to various drains as also to the CETPs and STPs.*

8. *In order to create a proper mechanism for administration and supervision of this entire system, the Chief Secretary, GNCTD shall join virtually on the next date of hearing to assist the Court.”*

3. Today, Mr. Rajeev Verma, Chief Secretary, Government of National Capital Territory of Delhi (hereinafter, ‘GNCTD’) has joined the proceedings along with various other officials from the Irrigation and Flood Control, Department (I&FCD), Public Works Department (hereinafter, ‘PWD’) and Urban Development Department.

4. It is submitted by Mr. Dhruv Rohtagi, Id. Counsel appearing on behalf of the GNCTD that an order has been issued by PWD, Secretariat on 12th May, 2026 to the following effect:



	लोक निर्माण विभाग सचिवालय PUBLIC WORKS DEPARTMENT SECRETARIAT, दिल्ली सरकार: Govt of NCT of Delhi, तीसरी मंजिल, एम एस ओ बिल्डिंग, आई पी एस्टेट, आई टी ओ नई दिल्ली-110002 3rd FLOOR, MSO BUILDING, IP ESTATE, ITO, NEW DELHI-110002	
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F.No. PS/PS(PWD)/2026/ 2082-2094

Dated: 12/05/2026

ORDER

In Delhi, drainage network is being constructed and maintained by three agencies namely I&FCD, PWD and MCD. I&FCD maintains the big drains out-falling into the Yamuna, while PWD largely maintains drains along major roads connecting and out-falling into I&FCD drain. Similarly, all small drains in various localities, constructed and maintained by MCD, mostly out-fall into PWD drains.

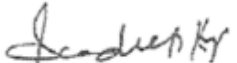
2. It has been observed during monsoon that water logging in drains belonging to one agency is attributed by the non-maintenance of drains by another agency. Further, it has also been observed that the connecting points between drains of two agencies are often choked, as each agency believes that the work is to be done by the other agency, resulting in water logging in the area.

3. Accordingly, as decided in the meeting held under the Chairmanship of Chief Secretary, a joint inspection shall be carried out by teams to inspect the drains connecting with each other and identify bottlenecks, if any, and thereafter take remedial measures well in time before the monsoon so that no water logging takes place. There will be two teams: one for drains connecting I&FCD and PWD only; and the other team will inspect the MCD drains connecting with PWD drains, including mixing of sewer lines with storm water drains and out-falling into either I&FCD drains or PWD drains. The teams will be led by the concerned Executive Engineers of the area. If required, officials of DJB/DSIIDC, etc. will be incorporated by the teams as per need. It has to be ensured that all intersection points are covered during the inspection, including the drains from unauthorized colonies.

4. In the aforesaid context, a proforma has been designed for reporting findings of inspections. All the inspections should be carried out not later than 19th May, 2026 and a consolidated report by each agency is to be submitted to the Office of Pr. Secretary (PWD) by 21st May, 2026.



5. All Chief Engineers will personally supervise the teams to carry out such inspections.
6. Details of the teams formed and proforma for reporting are attached.


(Sandeep Kumar)
Pr. Secretary (PWD)

To:

1. PS to Hon'ble Chief Minister, GNCTD, for kind information.
2. PS to Hon'ble Minister, PWD, GNCTD, for kind information.
3. S.O. to Chief Secretary, GNCTD, for kind information.
4. Commissioner (MCD).
5. CEO, DJB.
6. MD, DSIIDC.
7. Special Secretary-I & II (PWD), GNCTD.
8. EnC, PWD, GNCTD.
9. All Chief Engineers, I&FCD, GNCTD.
10. All Chief Engineers, MCD.
11. All Chief Engineers (PWD) for circulation amongst concerned EEs (PWD).

5. In terms thereof, this Court is informed that the Principal Secretary, PWD has received 32 reports out of 34 reports from I&FCD and the remaining two shall be received today. Out of the said reports, which have been received, he has perused some of the reports illustratively.

6. Principal Secretary, PWD submits that there are three categories of drains *i.e.*, Primary drains, which are run and maintained by I&FCD, the Secondary drains which are usually managed by the PWD and Tertiary drains which are maintained and managed by either the Municipal Corporation of Delhi (hereinafter, 'MCD'), Delhi State Industrial and Infrastructure Development Corporation (hereinafter, 'DSIIDC'), Delhi Jal Board (hereinafter, 'DJB') and New Delhi Municipal Council (hereinafter, 'NDMC'). As per him, some drains would require de-silting and some drains would require re-modelling. Principal Secretary, PWD submits that in some



of the drains, de-silting has already been undertaken.

7. Since the reports are to be received today, let the Principal Secretary, PWD place a status report on record by the next date of hearing in respect of all the drains and what is the work to be undertaken in the short term.

8. Insofar as re-modelling of drains is concerned, Mr. Verma submits that there is a Drainage Master Plan which has been prepared for the whole of Delhi and funding has been requested from the Government of India considering the large budget that would be required.

9. The work in respect of the long-term Drainage Master Plan may be undertaken by the GNCTD, but in the meanwhile, insofar as the short term measures are concerned, the status report of the Principal Secretary, PWD may be placed on record by 29th May, 2026. The Court would consider the same.

10. Pursuant to the order dated 28th March, 2026, Mr. Mishra, the Nodal Officer for the Integrated Drain Management Cell (hereinafter, 'IDMC') has filed a tabulated chart of 1797 unauthorized colonies and 567 authorized colonies and the manner in which the drains are being laid in these colonies, agency which is responsible and in whichever colony, the drains are to be connected or laid. This is a detailed effort undertaken by the IDMC under the supervision of Mr. Mishra.

11. Let Mr. Mishra brief the Chief Secretary, GNCTD in this regard and the report which is to be filed by the next week, shall also consider this tabulated chart and decide on the future course of action.

12. Mr. Ravinder Yadav *i.e.*, the Petitioner, who has joined virtually, has raised some issues in respect of the height of the road, which is stated to be creating more problems of water logging in the houses.



13. Accordingly, let the images in respect thereof be communicated to Mr. Dhruv Rohtagi, Id. Counsel and Mr. Mishra which shall be given to the concerned agency as well and the solution to this also be obtained by the next date of hearing.

14. Considering the multiple agencies, who seem to be in-charge of these drains, previously this Court in ***W.P. (C) 13190/2024 titled 'Maharani Bagh Co-Operative House Building and Welfare Society Ltd. & Anr. v. Union of India & Ors.'*** had directed the GNCTD vide order dated 19th August, 2025 to look into the aspect as to whether one common Agency could be established or given the task of handling all the drains and sewer lines. Relevant portion of the order dated 19th August 2025 reads as under:

“19. Ld. Counsel appearing for the Government of National Capital Territory of Delhi (hereinafter, ‘GNCTD’) submits that the instructions received are that the Integrated Drain Management Cell (hereinafter, ‘IDMC’) is the authority which oversees all the drains in Delhi.

20. However, this appears to be an inaccurate position as the IDMC does not appear before this Court as a single agency managing all drains including, storm water drains and sewage drains. Multiple agencies i.e., the MCD, PWD, Irrigation & Flood Department, DJB, and sometimes even the L&DO is required to be heard in these matters before effective directions can be passed. The IDMC, as one single agency has not appeared before this Court in any of the hearings for dealing with the issue of waterlogging, clogging of drains etc., The IDMC thus does not appear to have the mandate to deal with these issues in a comprehensive manner.

21. The purport of the order dated 28th July, 2025 was that as in the case of the New Delhi Municipal Council (hereinafter, ‘NDMC’) which takes care of all



civic amenities in the New Delhi area, there ought to be one civic agency which would deal with all issues including construction of roads, management of sewage, management of garbage, management of drain, management of storm water drains, etc. Such agency can have various departments under one management so that the conflicting works undertaken by various agencies as also the budgetary allocations can be streamlined which may make the work more effective and manageable. Presently, it takes enormous effort to ensure that these agencies coordinate with each other and take responsibility for the works being undertaken.

22. Accordingly, let the Chief Secretary, GNCTD file an affidavit after placing this order before the Id. Administrator and the Senior functionaries of the GNCTD so that the stand of the Government can be ascertained and further orders, if any, can be passed in this regard.”

15. In response, a status report was filed by the GNCTD to the effect that considering the various statutes governing these agencies, the same would not be feasible. The relevant portion of the said status report reads as under:

“2. That in furtherance of the said directions, an Affidavit was filed by GNCTD on 02.09.2025 vide Diary No. E-63111782025, whereby, some time was sought by the then Chief Secretary to “reach out on an amicable, conclusive and sustainable approach to meet the expectations of this Hon’ble Court of Delhi’.

3. That pursuant to the directions of this Hon’ble Court and in furtherance thereof, the undersigned has undertaken detailed deliberations and consultations with senior functionaries of the Government of NCT of Delhi, including an examination of the existing administrative and statutory framework governing civic functions in the National Capital Territory of Delhi.



4. That in furtherance of due consideration and deliberations on the directions of the Hon'ble Court, the Order was also placed before the Lieutenant Governor of NCT of Delhi for his consideration.

5. That upon such deliberations and in compliance of the directions of the Hon'ble Lieutenant Governor, it is respectfully submitted that the governance framework of Delhi is circumscribed by multiple statutory enactments, inter alia, the Government of National Capital Territory of Delhi Act, 1991, the Delhi Municipal Corporation Act, 1957, the Delhi Development Act, 1957, the New Delhi Municipal Council Act, 1994, and other allied statutes. These enactments envisage distinct mandates, territorial jurisdictions, and functional responsibilities for different civic and infrastructural agencies operating within different geographies of Delhi.

6. That the aforesaid statutory framework assigns specific functions relating to roads, drains, storm water management, sewage, sanitation, and allied civic services to different authorities, depending upon the area and nature of the infrastructure involved. While certain overlaps in functional domains may arise in practice, the same are addressed and harmonized through institutional coordination and inter-departmental engagement at the level of the Chief Secretary, the Hon'ble Chief Minister, and the Hon'ble Lieutenant Governor, as the case may be.

7. That in view of the existing legislative scheme and the distinct statutory character of the concerned authorities, it is respectfully submitted that the constitution of a single unified civic agency subsuming multiple statutory bodies, as separate legal entities created under distinct enactments, is not feasible within the present legal framework.”

16. The chart placed today by I&FCD shows that there is considerable



collaborative effort that would be required between the agencies to bring in over-all improvement in the water logging situation. Thus, the Chief Secretary of GNCTD and his team may consider whether a Special Task Force needs to be created. Constitution of such a Special Task Force, consisting of senior officials of the various agencies such as I&FCD, MCD, NDMC, PWD, DJB, DSIIDC, with the said STF being vested with overall supervisory and managerial powers would enable coordination and eliminate delays in decision-making considerably. Presently, there is confusion as to which agency is in-charge of which drain and which sewer line. It is seen in some places that the same drain is partially under the control of multiple agencies which completely derails proper working and maintenance. Let this issue be considered and a status report on the decision taken be placed on record by the next date of hearing.

17. The Chief Secretary, GNCTD and other officials shall join the proceedings virtually on the next date of hearing to assist the Court.

18. List on 29th May, 2026 at 2:30 PM.

PRATHIBA M. SINGH, J.

MANMEET PRITAM SINGH ARORA, J.

MAY 23, 2026/dk/ck