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

+ W.P.(C) 7594/2018

COURT ON ITS OWN MOTION Petitioner

Through : Court on its own motion

versus

UNION OF INDIA & ORS Respondents

Through : Mr. Ripu Daman Bhardwaj,
Adv. for R-1/IOI
Mr. Gautam Narayan, ASC-
GNCTD with Ms. Shivani
Vij, Advs.
Mr. Sumeet Pushkarna, SC-
Delhi Jal Board
Ms. Mini Pushkarna, SC-
EDMC/R-6 with
Ms. Swagata Bhuyan and
Ms. Shina Pandey, Advs.
Mr. D.S. Mehandru, ASC
with Mr. Sunder Khatri, SC-
NDMC/R-7
Mr. Anchit Sharma,
Mr. Ankur Mishra and
Mr. Dipankar Wadhwa,
Advs. for Delhi Cantonment
Board/R-8

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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26.07.2018

1. We are informed by Mr. Gautam Narayan, learned ASC that the meetings in terms of our order dated 16th July, 2018 have been

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convened by the Chief Secretary of the Govt. of NCT of Delhi wherein all authorities including, inter alia, the Delhi Cantonment Board and the New Delhi Municipal Council have participated.

He submits that that a report in this regard is ready which shall be filed in the Registry during the course of the day.

2. The Delhi Jal Board has filed an affidavit dated 23rd July, 2018 (page 11). In this affidavit, we are informed that so far as storm water is concerned, the Delhi Jal Board has no role to play in its management. The problem of water logging is on account of difficulties in the working of the existing storm water drainage system. Through this affidavit, we are informed that the storm water drains are constructed as per the catchment area and are maintained by the three Municipal Corporations of Delhi, the Public Works Department and the Irrigation and Flood Control Department of the Government of NCT of Delhi and the storm water flows from smaller drains to larger drains, respectively.

3. The first and foremost step which needs to be taken is that these authorities are required to map the existing storm water drains as well as put out complete information with regard to the geographical areas which they are supposed to take care as well as be responsible for.

4. The Chief Secretary shall convene a meeting of all the concerned officers of all the Municipal Corporations, the Public Works Department and Irrigation and Flood Control Department of the Govt. of NCT of Delhi to cause a single mapping of all the

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storm water drains to be prepared. On this map, the respective jurisdictions of the authority concerned will be clearly demarcated and color coded and a clear statement with regard to the jurisdictions be provided in the legend to the map, so prepared. The Chief Secretary shall also draw up clearly the responsibilities of the authorities concerned.

5. Three important points of the problem, have been set out in para 8 of the affidavit filed by the Delhi Jal Board which are :

- (i) Insufficient conveyance of the discharge of the complete flow of rain water in the storm water system to the end point in the river.
- (ii) Multiple agencies owning different rain water discharge systems.
- (iii) No planned storm water system in unauthorised colonies and illegal developments.

We take note of the three problems pointed out. These aspects shall be examined in depth later.

6. Issue court notice without process fee for the service of Vice Chairman, Delhi Development Authority, Vikas Sadan, INA, New Delhi returnable on 17th August, 2018. Copy of the order dated 16th July, 2016 shall accompany the notice.

ACTING CHIEF JUSTICE

JULY 26, 2018/kr

C.HARI SHANKAR, J

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