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

+ **W.P.(C) 9701/2023**

DR AKASH BHATTACHARYA

..... Petitioner

Through: None.

versus

DELHI DISASTER MANAGEMENT AUTHORITY & ANR.

..... Respondents

Through: Mr. Santosh Kumar Tripathi, SC,
GNCTD with Mr. Udit Malik, ASC,
GNCTD with Mr. Arun Panwar, Mr.
Pradyumn Rao and Mr. Kartik
Sharma, Advocates for GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

05.10.2023

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1. The Petitioner before this Court has filed this present petition as a Public Interest Litigation ('PIL') stating that in the monsoon season this year, on account of flooding in Yamuna River, the water level crossed danger level of 205.33 and large numbers of persons in NCT of Delhi stood displaced. The Petitioner submits that around 25,000 people, apart from livestock, were directly or indirectly affected by the floods. In the prayer clause, the following reliefs are sought:

"1. Direct Reposndents 1 & 2 to ensure essential & quality food supply in all relief camps across Delhi.

2. Direct Respondent No.2 to start a community kitchen at every flood relief camp in Delhi.

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3. *Direct Respondents 1 & 2 to provide sanitary items for the flood victims in the relief camps including soap, Sanitizer etc.*
4. *Direct Respondent No.1 & 2 to arrange required light arrangements in every flood relief camp in the State.*
5. *Direct Respondent 2 to provide a 3-month free ration including spices and basic essentials to prepare food for all victims affected by the flood.*
6. *Direct Respondent No.2 to conduct a probe on procedural lapses from the side of departments since the day one of Yamuna Flood, 2023.*
7. *Direct Respondent No. 2 to ensure there shall be no discrimination at relief camps based on caste, creed, religion, language, ethnicity etc.*
7. *Direct Respondent No. 2 to provide vaccination or other measurements for people in the relief camps against any epidemic, water-borne disease or any other diseases.*
8. *Direct Respondent No. 2 to sensitize the general public through digital, print and any other available mediums about the precautions that have to be taken in the aftermath of the flood.*
9. *Direct Respondent No. 2 to prepare for any endemic in the post-flood scenario.*
10. *Direct Respondent No. 2 to provide essential medical services for women, children and old age people at relief camps against any illness.*
11. *Direct Respondent No. 2 to make a public call for relief materials and donations for the relief works in the relief camps and rehabilitation of victims.*
12. *Direct Respondent No. 2 to appoint a nodal officer to conduct survey for the relief and rehabilitation of flood victims in every camp.*
13. *Direct Respondent No. 2 to provide immediate cash assistance of Rs. 50000 for those who lost their belonging and shelter in the flood.*
14. *Direct Respondent No. 2 to Provide Text Books and other essential materials and stationaries to all school-college-going students in the relief camp and those who are subjected to the flood.*
15. *Direct Respondent No. 2 to notify immediate flood as a natural*



disaster under DMA, Act, 2005.”

2. Today, there is no appearance on behalf of the Petitioner. We note that this Court issued notice in the matter on 24th July, 2023 and the Government of NCT of Delhi (“GNCTD”) has filed a detailed status report. Copy thereof has been handed across the board and we have perused the same. Per the report, a “Flood Control Order” is issued every year in Delhi in the last week of June, which contains the details of agencies engaged in flood control management. Further, an “Apex Committee” chaired by the Chief Minister, is in existence in Delhi which recommends, supervises and co-ordinates flood control measures. To assist the Apex Committee, a “Central Control Room” is set up every year from 15th June to 15th October at L.M. Bund, Shastri Nagar, which functions round the clock. It is stated that, for this year, the Flood Control Order-2023 was released on 06th July, 2023 and the Control Room was duly set up on 15th June, 2023. Said Control Room would be operational till 15th October, 2023 or till the withdrawal of the monsoon season.

3. The report also contains details of the measures in place to tackle floods and the steps taken in light of the flooding situation in NCT of Delhi this year. The Central Water Commission (CWC) shares advisory and flood forecasts with agencies, and when an advisory is received, the Standard Operating Procedures under the Flood Control Order-2023 are put into effect. The concerned agencies are also cognizant of the water level in Delhi, and when the level crosses the danger mark, measures are taken towards evacuation. This year, prior to the rise in water level, a regular *munadi* (public announcement) was carried out by the Revenue Administration and Police to sensitize people of the possibility of flooding



on account of incessant rain in the catchment area of the river. In fact, in the beginning of July, boats were deployed by Irrigation and Flood Control Department as also the National Disaster Relief Force, and people along with their livestock were evacuated to safety. Civil Defence Volunteers were also deployed in large numbers to augment evacuation efforts. Notably, this year, on 13th July, 2023, the water level reached 208.66 meters at the Old Railway Bridge, which is the highest ever.

4. Around 27,381 persons were evacuated from flood-affected low-lying areas and a total of 47 relief camps were established across 6 districts of NCT of Delhi. This included temporary camps as well as camps in pucca buildings i.e., schools, community centres etc. Government officers of various departments were deployed to ensure availability of facilities in every camp. Basic necessities such as food, water, medicines, sanitation, bedding etc. were made available by various departments and organisations in these camps round the clock. Specifically, drinking and bathing water was made available through the Delhi Jal Board. Shelter was provided by way of water-proof tents at some camps. Cleanliness and hygiene were maintained by MCD staff, which also carried out fumigation in each camp. Mobile toilets, electricity connections, fans, bedding, sanitary pads, etc. were also made available along with hot cooked food for inhabitants at each camp. Furthermore, doctors and ambulances were also stationed at camps to provide medical care to the flood-affected persons.

5. GNCTD's report further states that a financial assistance of Rs. 10,000/- per family was provided to 2223 families after verification, the details of which have also been enclosed along with the status report.

6. The GNCTD has also furnished details of the relief camps established



in various localities, which are reproduced as under:

“S.NO.	NAME OF THE REVENUE DISTRICT	Sub division	Location of tents / Rescue Shelter
1.	North	Alipur	Chaupal, Mohammadpur Ramzanpur Village MCD Primary School, Palla Village
2.			Model Town
3.		Patrachar Vidyalaya Outram Line	
4.		Mcd primary school, F&G-Block, Jahangirpuri, Delhi	
5.		North East	Selampur
7.	Kishan Basti Along ISBT Bridge		
8.	Camp under Flyover at Khajuri Chowk (5 th Pusta Gari Mendu)		
9.	Pakistan Refugees Near Signature Bridge		
10.	Sardar Patel Baraat Ghar Near 2 nd Pusta, Usmanpur		
11.	MCD Primary School Kaithwada, 2 nd Pusta Usmanpur		
12.	Karawal Nagar		Sarvodya Vidyalaya Buland Masjid
13.			2.5 Pusta Sonia vihar
14.			4.5 Pusta Sonia vihar
15.			Toll Tax Sonia vihar
16.			Annapurna Temple, Sonia vihar
17.		Badarpur Khadar	
18.		GBSSS, 4.5 Pusta, Sonia Vihar	
19.		MCD School, 3 rd Pusta, Sonia Vihar	
20.	Shahdara	Vivek Vihar	Thokar No. 21
21.	East	Preet Vihar	CWG Village Complex Flat
22.			Yamuna Bank, Vikas Marg
23.			Preet Vihar, (Hathi Thokar)
24.			Rainy Well, Near Jain Shikanji, NH-24, P-4
25.			Shkarpur School, School Block



26.		Mayur Vihar	<i>DND Pusta, Near Crown Plaza Mayur Vihar Phase I</i>	
27.			<i>Nursery Pusta Near Mayur Vihar Phase-I Delhi</i>	
28.			<i>Rainy well NH-24, P-5</i>	
29.			<i>EDMC Pratibha School, Pocket-4 Mayur Vihar, Phase-1</i>	
30.	South-East	Sarita Vihar	<i>Vishwakarma Colony</i>	<i>Khadar Pusta Near Madarsa Sarvodya vidyalaya (Middle) ID 1925442 Jaitpur Extn Part-2</i>
31.				<i>Sarvodya Vidyalaya (Middle) ID 1925442 Jaitpur Extn Part-2</i>
32.				<i>SBV, Madanpur khaddar, Phase-3, New delhi-110076 (school ID 1925431)</i>
33.		Defence Colony	<i>Jhuggies near Millennium Depot, Sarai Kale Khan & Gyaspur, Jain Mandir</i>	<i>Open space of Millennium Depot</i>
34.			<i>Behlolpur Near Shamshan Ghat</i>	<i>Near Power Grid Office in the vicinity</i>
35.			<i>Dhobi Ghat, Jogabai, Batla House</i>	<i>1) MCD Pratibha Vidhyalaya, Zakir Nagar-I, Girl's/Boy's English Medium, Central Zone, New Delhi. 2)Govt Sarvodaya Kanya Vidhyalaya/ Govt. Sarvodaya Bal Vidhyalayajoga Bai Batla House, new Delhi</i>
36.		Kotwali	<i>Golden Jublee Park (From Low lying area)</i>	
37.			<i>Bela Gaon A (from bela gaon)</i>	
38.			<i>Bela Gaon A (from bela gaon)</i>	
39.			<i>SVV Mori gate school no. 01 (From Yamuna Bazar)</i>	
40.			<i>Geeta colony flyover near shanti van site (A and B) (From low lying area)</i>	



41.	CENTRAL		<i>Zeenat mahal govt. school kamla Market (From anna Nagar and Kanchan colony)</i>
42.			<i>Old Iron Bridge (From Low lying area)</i>
43.			<i>Rajghat Depot (From Low lying area)</i>
44.	Civil Lines		<i>Shamshan Ghat bhoomiburaripushta (from burari, people refused to shift)</i>
45.			<i>community center ram ghat (from sur Ghat + Ram ghat)</i>
46.			<i>SKV Govt. school magazine road (from hindupaksharanarathi camp and anti ki thokar)</i>
47.			<i>RPVV school civil lines (from old chandrawal)”</i>

7. GNCTD's report also indicates that not only did the State Government provide relief and aid to flood-affected people, but various NGOs, gurudwaras, and other organisations also participated in relief activities, including distribution of stationery and clothing items. We note that, at present, the relief camps have been wound up and the flood affected people have been shifted back to their homes.

8. In light of the GNCTD's status report, no further orders are required to be passed in the present PIL and the same stands disposed of accordingly.

SATISH CHANDRA SHARMA, CJ

SANJEEV NARULA, J

OCTOBER 5, 2023

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