

# R E P O R T

The Hon'ble Speaker, Delhi Assembly referred the representation of the NGO 'CHETNA' to the Committee on Petitions under Rule 204 of the Rules of Procedure of the Delhi Assembly.

The representation sought to draw the attention of the Legislature through the Committee towards the serious problem of inundation of Delhi caused chiefly due to lapses in the de-silting work of the drains. The NGO stated in its representation that it had received information under the RTI Act from the Municipal Corporation of Delhi that an amount of Rs 46.75 Crores had been spent on the de-silting of the drains in the past three years and all the drains had been de-silted down to the bed level. The NGO's grievances are that:

1. The claim of the MCD that the drains had been de-silted completely and bed level was achieved in all the cases was wrong.
2. There was no systematic and fool-proof system in MCD for proper verification of de-silting work done
3. Action needs to be taken against the erring officials of the MCD who were responsible for providing wrong information.

## **DEPARTMENT'S REPLY:**

The representation of the NGO was forwarded to the Department of Urban Development and the Municipal Corporation of Delhi for their comments which was considered in the meeting of the Committee held on the 22nd September 2006. The Principal Secretary (Urban Development), Commissioner (MCD) and other officers of these Departments appeared before the Committee and replied to the questions of the Committee Members.

The Commissioner informed the Committee that there were about 1296 drains within the jurisdiction of the MCD which are maintained and cleaned by the MCD. The sewer lines are maintained and cleaned by the Delhi Jal Board. He was of the opinion that the drains were not only being utilized for carrying domestic and rain water, but due to faulty sewerage system in the City, the sewage waste was also being pumped in to the MCD's SW drains, which not only results in overflowing of these drains, but The solid waste so discharged become rocky hard, thus making the process of de-silting an uphill task. The Commissioner (MCD) admitted that the process of de-silting was unsatisfactory. He stated that over a period of years the silt had settled down and had become as solid as cement or rock. As a result when the process of de-silting commenced, what was actually cleared was the soft silt above the layer of this solidified waste. Elaborating on the process of de-silting he stated that each year before the monsoon, tenders were invited for the de-silting of drains (nalas). The de-silting work was carried out by Contractors, and in some cases by the Corporation staff. The silt removed from the drains was first

allowed to dry and then transported to the landfill sites where it is weighed on electronic machines. The payment was thereafter released to the contractor. The payment was made on the basis of quantity of silt that was removed.

The Departmental Representative stated that for the year 2005-2006 an estimated amount of 8,08,689.64 cubic meters was required to be cleared whereas the actual quantity removed was 2,92,798.35. Thus 36% of silt was actually removed out of the total estimated quantity of silt.

The Commissioner stated that the MCD proposed to adopt latest equipments and gadgets to solve the problem as the traditional equipments and manual cleaning was found to be inadequate to clear the hard silt which had settled down. He stated that on an experimental basis Super-suction machines had been used in the Shahdara to ensure that the cleaning was not superficial but down to the actual bed level.

The Commissioner admitted that the existing drainage system was not adequate for the growing population and expanding colonies. He was of the opinion that there was an urgent need to remodel the existing drains and also lay new lines. He stated that the Corporation proposed to appoint a Consultant for a comprehensive report on the issue. He cited the dumping of garbages and plastic bags in the drains as another reason for the choking of the drains. He also drew the attention of the Committee towards the fact that presently the storm water drains were under various authorities such as MCD, PWD, NDMC, Delhi Metro and NDMC. He suggested that these should be brought under one authority.

#### **FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE:**

1. The first grievance of the petitioner was that the Corporation had provided wrong information by claiming that the drains had been de-silted completely and bed level was achieved in all the cases. As admitted by the Department in the meeting of the Committee, the information supplied to the petitioners by MCD in this regard was not factual but far from truth. The Corporation in its deposition before this Committee has admitted that only 36% of the total quantity of silt had been removed. For the year 2005-2006 an estimated amount of 808689.64 cubic meters was required to be cleared whereas the actual quantity removed was 292798.35.

2. The second grievance of the petitioners was that there was no systematic and fool-proof system in MCD for proper verification of de-silting work done. Strictly and technically speaking the MCD does appear to have a mechanism for this purpose. The Departmental Representatives had confirmed in the meeting that the contractors were paid strictly according to the quantum of silt lifted by them. The silt was weighed on electronic machines and payment was made for the actual quantity of silt removed.

The Committee does not see any fault with the present system, which MCD has adopted for making such payments as long as no nexus exists between men operating the electronic weighing machines and the contractor engaged in de-silting of these drains, but real fault lies in the basic terms set out for such tenders. Presently the tenders are issued with the condition that payment would be released on the basis of the actual quantity of silt removed. As a result the contractors remove as much silt as is easily removable and leave the difficult and hardened part of it. Instead the tender document should clearly

specify that contractors payment shall be released only after bed level for each of these drains is achieved, for which the work has been awarded to a given contractor. The bidder should be aware that he is not going to be paid for cosmetic exercises but actual de-silting which includes the stubborn silt.

Moreover the process of desilting should commence from the outfalls and progress towards the colony drains. Desilting alone would not serve the purpose unless the waste water actually finds its discharge into the outfalls. These outfall drains finally lead to major drains viz. the Najafgargh drain, Rohini's Supplementary drain Shahdara Drain 1 & 2, Kanhaya Lal drain, Rampura drain, Kakrola drain, which ultimately fall into the river Yamuna.

It has been observed that in most of the cases there is a complete mismatch between drains internal to a colony and their outfalls. The level/gradient of almost all internal drains are faulty and there is no chance for the rain and domestic water of finding its way to their designated outfalls. Faulty structural designing of the SW drains along with complete mismatch in the two gradients of the colony drains and their respective outfalls results in stagnation of water and choking of these drains, which then become a potential health hazard. Due to the faulty sewerage and drainage system in the City the sacred Yamuna has lost its pristine glory and grandeur due to this reason.

3. The third prayer of the petitioner was that Action needed to be taken against the erring officials of the MCD who were responsible for providing wrong information.

The Delhi Right to Information Act, 2001 (Delhi Act No. 7 of 2001), and the Right to Information Act, 2005 (Act of Parliament No. 22 of 2005) are landmark pieces of legislation towards empowerment of the common man. Delhi was a pioneer in this direction to ensure the accountability and transparency of the government towards its people. It is to the credit of the government that it had decided to give the common man the power and weapon to dissect and examine the functioning of the government departments. However it is painful to observe the callous manner in which the applications under these Acts are being handled by the bureaucrats. There is a tendency amongst the officers to stonewall the flow of information which is contrary to the letter and spirit of this legislation. Information is either denied or misleading; as in the present case. The Committee appreciates the gesture of the Commissioner in admitting the lapse on the part of his department.

It is recommended that Strict action be initiated against the officers responsible for providing irresponsible and misleading information to the petitioner. Moreover proper guidelines should be framed to ensure that applications under the Right to Information Acts are not only disposed off expeditiously but also the desired information is accurate and factual in nature.

#### FURTHER RECOMMENDATIONS:

Besides the specific grievances mentioned in the petition of CHETNA, the Committee also deliberated on the issue of drainage and sewerage system of Delhi especially in view of the adverse judgments and media reports. The judiciary and media has come down heavily on the government for its failure to

ensure proper drainage and sewerage system which has given rise to problems of unhygienic conditions, water logging and mosquito breeding etc. The Committee agreed on the following recommendations in this regard:

**1. Complete overhaul of the drainage and sewerage network:** As stated by the Commissioner (MCD) in the meeting patch-work and adhoc solutions were not going to help in overcoming such a vexed problem. What is needed is a complete overhaul of the entire system in Delhi. In view of the 2010 Commonwealth Games which is scheduled to be hosted by Delhi it is imperative that the task of revamping the system be carried out on a war footing. The Commissioner had stated that a consultant was to be appointed for this process. The Committee recommends that civil engineering experts from IIT Roorkee or Delhi be involved in this work for an objective and independent appraisal.

The existing drains have been constructed using the trapezoidal-section which is more prone to accumulation of silt due to its flat bottom. Instead major structural changes for construction of such drains be considered in consultation with experts from IIT Roorkee, which has perhaps the finest Civil Engineering Department in the country and Indian Army and many other Government agencies engage them as consultant rather than shelling out Government funds for hiring Private Consultants and in certain cases it has been observed that Government Agencies often go for foreign consultants and pay hefty fee.

Presently the process of de-silting is always undertaken at the last moment when the monsoon is about to commence. The priority of the civic agency appears be merely to prevent flooding of the colony roads and streets during the monsoon session. The delayed monsoon this year was a blessing in disguise otherwise Delhi would have witnessed far worse a situation.

The cleaning and maintenance process is and should be a 24x7x365 days task. The Department claimed that it had more than hundred dedicated cleaning personnel for the cleaning of storm water drains (nala beldars) in each municipal zone. The Committee has its doubts whether these personnel are actually available and engaged for that particular job. The strength of these support staff should be increased and proper supervision should be undertaken to ensure that they perform their duties properly.

**2. Multiplicity of Agencies:** The Corporation's view that there were many agencies handling the work of drainage now and these should be brought under a single agency is practical and worth adopting. Earlier there was the Delhi Water Supply and Sewerage Disposal Board (DWSSB) under the MCD which looked after these tasks. Presently the drainage work is under the MCD's CSE Department while water supply and sewerage disposal is with the Delhi Jal Board; an independent agency. Besides the above, agencies such as PWD, Delhi Metro and NDMC also have the responsibility of drainage in their respective jurisdiction.

The Committee is of the view the work of drainage and sewerage needs to be brought under the control of a single agency or department under the MCD. Delhi Jal Board should be allowed to specifically address the problem of water supply alone. A single agency not only makes sound economic sense but will be more effective as the chain of command would be clearly laid down. The nature of work of drainage and sewerage is similar and in many cases overlapping.

The technical manpower deployed in the proposed Department should be utilized exclusively for the work of drainage and sewerage system and not transferred to other departments. This would not only ensure the availability of trained and experienced manpower but also ensure their accountability. The practice of shifting blame on other agencies and other officers needs to be discouraged.

**2. Poor drainage and sewerage :** breeding ground for diseases: The capital is reeling under the onslaught of vector-borne diseases such as dengue, chikangunya, malaria etc. There is an impression amongst the common man that the government is trying to blame him for breeding these mosquitoes in his air coolers while doing nothing about the open drains and stagnant water bodies which are breeding ground and nursery for such insects.

A newspaper article (Times of India dated 17th October 2006) titled "Ex-health Officer: dengue sting is of MCD's making" is worth mentioning here. The article states "The practice of statistical jugglery by the MCD for years rather than following a year round protocol of aggressively combating dengue may be the reason for Delhi's plight with the disease every few years." Quoting a former Health Officer of MCD it states "over the years any talk about mass mobilization to fight the disease has been limited to blaming the public in the media" Quoting physicians it states "while MCD is busy diverting attention to what it calls the 'menace of coolers', the hundreds of open drains in the city continue to serve as convenient breeding ground for the Aedes mosquito." In another article in the same newspaper ("MCD plays blame game, and the figures don't tell a story") it is stated that, "Even as cases pile up, MCD has once again resorted to blame game giving rise to a no-win situation for delhiites. In 2003 when the last outbreak happened, there were 2,882 cases and 25 deaths. Then also, MCD stubbornly refused to own up to its failure in tackling the disease and resorted to a blame game where the very citizens who are hapless sufferers in the throes of dengue are being made out to be the architects of this outbreak.

There is an urgent need to address this problem as it has become an annual phenomenon which is forgotten till the next monsoon. In the meeting with the Department the officers stated that the reason for the choking of colony drains was the plastic bags and garbage dumped into the drains by the people. Inculcating sound civic sense amongst the public is also the responsibility of the civic agencies. However for this it has to set its own house in order before it goes around preaching. It is a common sight to see the sweepers of MCD sweeping the collected garbage into the drains as it saves them the task of carrying the garbage. The public has to be taken into confidence as stake holders and not threatened as culprits.

**4. Action against erring officials:** The Committee sees no bona-fide reason for the present state of affairs and strongly feels that it is not an oversight on the part of the concerned officials but a deliberate act of criminal negligence on their part to let the system rot and degenerate to the extent of resulting in to a

near epidemic. The process of de-silting is carried out year after year with no positive results except for filling the purses of the corrupt officials and contractors, with no tangible result being achieved. The Committee feels that unless strong and deterrent measures are taken against these officials the system would continue to meander along meaninglessly. Officers and engineers who were involved in laying the drains which are completely mismatched with the outfalls and those responsible for conducting superficial and cosmetic de-silting exercises year after year be identified and a thorough enquiry be ordered against them, without further loss of time . These officials are guilty of criminal negligence and be held responsible for waste of Public funds running in to several hundred crores. Strict departmental action be initiated henceforth and criminal cases be got registered against them under various provisions of law.

5. Role of the Urban Development Department, Government of Delhi: The Urban Development Department of the Government of Delhi is supposed to monitor the working of the local bodies such as the MCD, NDMC, DJB etc.

The Principal Secretary of this Department is the administrative Secretary of the Department and answerable to the various authorities including the House Committees and Courts. The Principal Secretary (UD) stated in the meeting held on 22.9.2006 that there was no mechanism to ensure the utilization and accountability of the funds released to the local bodies.

It is shocking to note that the UD Department has no mechanism for monitoring or examining the working of the civic agencies; it is merely performing the role of a messenger. It releases funds to the local bodies and collects utilization certificates from them and that is the end of the matter. The Department has to play an important role in ensuring the effective utilization of the funds of the government. It is the interface between the legislature, the government and the local authorities. The role of this department needs to be redefined and made more useful. The administrative expense on the department is not justified unless it is made to perform more responsibly.

**CONCLUSION:** The Committee is aware that implementation of the recommendations of the Committee to restructure the entire sewerage and drainage network of the capital and bringing it under a single agency would require mammoth investment in terms of money and manpower. However as compared to the returns, in terms of hygienic and clean environment, it would be a worthy and profitable investment.

During the Commonwealth Games, 2010 the entire world would witness the performance of not only the athletes and sportsmen but also the performance of our government and civic agencies. Beautiful flyovers, parks, wide roads are necessary but these can be rendered waste if the drainage and sewerage systems are not strengthened.

Finally the Committee would like to place on record its appreciation for the NGO 'CHETNA' but for whose representation this issue would have not been highlighted. The NGO has brought into the picture the huge scam which is inflicted on the public funds year after year. In the absence of any in house

mechanism to stop such frauds it requires some introspection on the part of the Government of the day and appropriate intervention from the House Committees, Courts or the media to shake them off from their deep slumber and inertia.

The committee expects it from the government that it not only considers the recommendations of this committee on a positive note, but also implement the recommendations contained in this report in the larger interest of the City of Delhi.

The Urban Development Department should submit its action taken report on the recommendations of the committee within three months of the presentation of the Committee's Report in the Assembly.

## Petitions Committee flooded with petitions

It is giving sleepless nights to Delhi Government

Staff Reporter

**NEW DELHI:** The Delhi Assembly's Petitions Committee headed by senior Congress MLA S.C. Vats has been flooded with petitions, complaints and representations pertaining to alleged bungling in desilting of drains by the Municipal Corporation of Delhi, fast running electricity meters, privatisation of power and inflated power bills and a massive land scam in rehabilitation of Punjab migrants among other hot issues.

The pace at which Dr. Vats has been conducting proceedings daily, the past few months and holding officials accountable by summoning them for hearings before the Committee, is giving sleepless nights to the bureaucracy and

the Delhi Government. "I will not discuss anything about the proceedings of the Committee nor the contents of the petitions as it involves the Privileges of the House. I will prepare the report and put it before the House for its approval," says Dr. Vats.

Officials in the Delhi Secretariat say this is the first time the Petitions Committee of the Delhi Assembly has got such a tremendous public response. Individuals and organisations are coming to the Assembly Secretariat and Speaker Chauchary Prem Singh seeking forwarding of their petitions for consideration of the Petitions Committee.

It is felt that this massive inflow of complaints is a result of the outstanding work done by Dr. Vats as Chairman of the

Delhi Assembly's Petitions Committee headed by senior Congress MLA S.C. Vats

A result of outstanding work done by Dr. Vats as Chairman of Public Accounts Committee last year

Public Accounts Committee last year. Dr. Vats had come out with a stinging report on the privatisation of the power sector in Delhi and the bungling that occurred during the process.

### Interesting petitions

One of the most interesting petitions that have come up before the Petitions Committee pertains to the rehabilitation of Punjab migrants who continue to be robbed of their plots at Peeragarhi, Narela and Newara in the Capital due to

cleaning of drains and hardly in 10 per cent of the cases the bed level had been achieved. It had sought information from the Corporation on its queries but did not get any satisfactory reply, so it decided to file a petition before the Petitions Committee.

Similarly the Assembly Speaker has forwarded an interesting petition pertaining to privatisation of power, working of private distribution companies, fast running electricity meters and inflated bills being served on lakhs of consumers. Eminent actor and social activist Roshan Seth is one of the signatories to the petition along with United Residents' Joint Association convenor Premod Chawla and senior Supreme Court advocates P.S. Sharda.

alleged connivance of Delhi Development Authority and Delhi Government officials in which builders made huge sums of money through fraudulent means.

Officials informed that a petition had been received from NGO Chesna, complaining about the failure of the MCD to provide it with complete information on the desilting of drains for which crores are spent every year. It is learnt that Chesna has petitioned that the MCD had indulged in a big scam in

# 'Fix Capital's public transport system'

Ravi Bajpai  
New Delhi, February 20

■ THERE ARE around 55,000-odd autorickshaws plying on Delhi roads. But the transport department inspected only 4,902 autos for faulty meters in 2006.

■ Of these, 2,341 metres were found defective.

■ The total number of complaints pending against errant auto drivers in the city until October 2006 was 71,141, which is more than the total number of autos.

■ Nearly 80,000 trucks pass through the city daily. Of these, about 80 per cent are overloaded. Number of challans issued from April 2005 to March 2006 — only 704.

■ That's not all. The government does not even have a proper record of the number of buses plying on many routes, according to an RTI application reply.

■ EVEN AS the Delhi government claims it is preparing to make the Capital a world-class



**55,000**  
autorickshaws plying on Delhi roads

The total number of complaints pending against errant auto drivers in the city until October 2006 was

**71,141**

which is more than the total number of autos. The transport department has also done little to check the problem of faulty meters.

city before the 2010 Commonwealth Games, there is an urgent need to streamline the basic transport system.

The Delhi Assembly's Committee on Petitions pulled up the state transport department on Tuesday for not having a proper transport policy in place. It has

directed the department to come out with a comprehensive draft policy within a month's time.

The draft policy, the committee has ruled, should be fully compatible with the recently notified Master Plan-2021 and should complement the city's efforts to host the Commonwealth

Games 2010. The committee, headed by S.C. Vats, flayed the department for not upgrading the transport policy to suit the changing needs of the city. The committee was hearing a petition filed by NGO Chetna.

"There is a need to overhaul the entire transport system in

the city. There are problems like congested roads, mass traffic rules violations and insufficient parking space among others. We have asked the transport department to submit a draft policy in one month to get the situation under control," Vats told the *Hindustan Times*.

An hour-long presentation made by Chetna, which was largely based on the information provided by the transport department through RTI, left senior transport department officials red-faced.

Transport Commissioner R. Chandramohan and CMD of Delhi Transport Corporation Anshu Prakash were among those present during the hearing.

The major problem areas, as pointed out by the NGO, were increased vehicular load on the roads, ineffective implementation of pollution control norms and lack of sufficient public transport. "About one lakh four-wheelers and two-wheelers ply in Dwarka alone. Due to the increased congestion, fuel worth Rs 24 crore is wasted in traffic jams on every major intersection annually. This is an annual loss of about Rs 1,300 crore man hours," said Anil Sood of Chetna.