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

+ **W.P.(C) 7053/2025 & CM APPL. 31837/2025**

AJAY AGGARWAL

.....Petitioner

Through: Mr. Yogesh Goel, Adv.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr. Mukesh Gupta, Mr. Sachin Singh Shahi, Mr. Arhav Gupta, Adv. for MCD

Ms. Rachita Garg and Mr. Agam Rajput, Adv. for R-2/PWD

Mr. Kshitij Chhabra, Senior Panel Counsel with Mr. Abhijeet Vikram Singh, Adv. for R-3

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

22.05.2025

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1. The present writ petition has been filed with the prayer for directions to the respondents to remove the illegal encroachments on public roads at *Deepali Chowk, Pitampura, near Rani Bagh Police Station*.
2. There is a further prayer for direction to the respondents to take all measures to control and manage the severe traffic congestion at *Deepali Chowk, Pitampura, near Rani Bagh Police Station*.
3. Responding to the averments made in the present writ petition,



learned counsel appearing for the Municipal Corporation of Delhi (“MCD”), on advance notice, submits that all the issues which have been raised in the present writ petition with respect to encroachments on the public road, as well as managing the traffic congestion, can be referred to the Special Task Force (“STF”), as the STF has the authority to deal with the said issues.

4. Learned counsel for the MCD has handed over copy of the documents, which are taken on record.

5. He relies upon the order dated 24th April, 2018, passed by the Supreme Court in ***Writ Petition (Civil) no. 4677/1985***, titled as “***M.C. Mehta vs. Union of India & Ors.***” and, in particular, upon the following paragraphs:-

“xxx xxx xxx

It has been submitted by learned Additional Solicitor General (Mr. Nadkarni) that a Task Force is contemplated that will ensure that the orders of this Court and the applicable bye-laws are implemented and encroachments, etc. as well as unauthorized constructions are removed.

The Task Force as suggested by learned Additional Solicitor General (Mr. Nadkarni) may be constituted with immediate effect.

As a first step, the Task Force should remove encroachments on public roads, public streets and pedestrian streets, as mentioned in the immediate action submitted by Mr. Nadkarni in a Revised Note dated 18th April, 2018. The needful should be done within a period of two weeks from today.

We make it clear that the Monitoring Committee may suggest to the Task Force the areas where immediate action is required to be taken.”

xxx xxx xxx”

6. Attention of this Court has also be drawn to the Office Memorandum dated 25th April, 2018, issued by the Ministry of Housing and Urban Affairs, Government of India, relating to the constitution of the STF. The said Office Memorandum dated 25th April, 2018, is reproduced as under:-



No. O-33911/1/2006-DD, I
Government of India
Ministry of Housing and Urban Affairs

निर्माण भवन/Nirman Bhavan,
नई दिल्ली/New Delhi.
Dated the 25th April, 2018.

OFFICE MEMORANDUM

Subject: Constitution of Special Task Force (STF).

It has been noticed that there are some violations of building bye-laws and provisions of Master Plan for Delhi - 2021 relating to, inter-alia, construction activities and land use in Delhi. Besides, the problem of illegal constructions and encroachments including on public lands, parking spaces, roads, pavements, etc. has also come to notice. It seems there is lack of coordination among various agencies and timely & effective action by such authorities entrusted with the task of ensuring compliance with the provisions of the applicable Acts, Rules & Regulations in this regard.

2. In view of the above, a Special Task Force to comprehensively address the aforementioned issues and to oversee the enforcement of provisions of MPD-2021 and the Unified Building Bye-laws for Delhi is hereby constituted with the following composition:

- | | |
|---|--------------------|
| 1. Vice Chairman, Delhi Development Authority (DDA) | - Chairperson |
| 2. Secretary to Lt. Governor of Delhi | - Member |
| 3. Chairperson, New Delhi Municipal Council | - Member |
| 4. Commissioner, South Delhi Municipal Corporation | - Member |
| 5. Commissioner, North Delhi Municipal Corporation | - Member |
| 6. Commissioner, East Delhi Municipal Corporation | - Member |
| 7. CEO, Delhi Jal Board | - Member |
| 8. Secretary/Commissioner, Transport, GNCTD | - Member |
| 9. Secretary, UD/Director Local Bodies, GNCTD | - Member |
| 10. Secretary, Revenue/Divisional Commissioner, GNCTD | - Member |
| 11. Spl. Commissioner, Police (Law & Order), Delhi Police | - Member |
| 12. Spl. Commissioner Police, (Traffic), Delhi Police | - Member |
| 13. Chief Fire Officer, GNCTD | - Member |
| 14. Representative of Central Ground Water Board | - Member |
| 15. Commissioner (Planning), DDA | - Member Secretary |

3. Objectives of STF:

- Identify encroachments on Government land in different localities of NCT Delhi and to reclaim the encroached Government land;
- Suggest course of action to the Government of India with respect to the unauthorised colonies of NCT, Delhi and regular follow-up till its resolution;
- Oversee the effective and proper enforcement of the applicable laws by the local bodies particularly with respect to use violation and unauthorised construction;
- Monitor action taken by the local bodies with respect to the use violations and unauthorised construction;

[Signature]

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- Identify the areas of congestions of traffic in different parts of NCT, Delhi and suggest measures to remedy the same to the local bodies and other agencies.
- See that the traffic management strategies are devised and implemented with or without consultation with traffic experts, planners and the Unified Traffic & Transportation Infrastructure (Pkg. & Engg.) Centre (UTTIPEC).
- Oversee compliance of fire safety measures and disaster management requirements particularly, in schools, colleges, hospitals etc.
- The STF may modify/add any other object which is in line with improvement of habitat in Delhi.

4. Role & Functions of STF:

- Direct the local bodies to ensure that all the layout plans, local area plans are being taken up by the concerned local bodies with respect to infrastructure provisions, parking, traffic management and also all the statutory approvals are obtained in a time bound manner.
- Direct the local bodies to ensure that the layout plans are prepared in coordination with all the service providing agencies.
- Direct the service providing agencies to ensure that all the relevant data required for assessment and augmentation of various facilities are provided in a time bound manner.
- Direct the local bodies to ensure monitoring of any unauthorized construction, misuse of land, encroachment on public land and any other irregularities observed which is not in conformity with the provisions of the Master Plan or any other prevailing law.
- Ensure that Urban Local Bodies (ULBs) shall take up formation of a unified and integrated web portal wherein all the complaints/issues within an area may be recorded which shall be reviewed by the STF in its meetings. In case, any problem is faced by local bodies or there are any ambiguity or differential norms in the Master Plan, the same shall be brought to the knowledge of the STF and if required, after discussions and deliberations, the necessary amendments may be suggested to be carried out in the Master Plan taking into consideration the ground realities.
- Direct the local bodies and the Traffic Police for preparation of Management Plan (Circulation, Parking) in consultation with the local bodies and the RWAs/Traders Associations.
- Direct the local bodies and the traffic police to remove the road blocks of any nature to ease the flow of traffic.
- Direct the local bodies and the Delhi Police to clear encroachments on footpaths, pavements, under passes and other public areas.
- Direct the local bodies and the Delhi Police to remove encroachment from Green areas of Delhi and other public places.
- Propose action against the erring officials in case any local body fails to adhere/act on their responsibilities.
- Direct the local bodies to submit the details of the Actual Site Position to the Committee on 25th of every month outlining violations if any and show cause notice issued along with the course of actions to be taken as per the law.



- Direct the local bodies to launch public awareness campaigns about following the Master Plan norms and municipal laws particularly with respect to uses of properties and construction within the sanctioned limit.
- Suggest measures for better co-ordination amongst the local bodies, Delhi Police, DDA and the GNCTD to ensure that there is no crisis in enforcement.
- Direct the local bodies to provide its field staff with GPS enabled cameras to take photographs and videos of violations and to take them as evidence for action against such violation.
- Direct the local bodies to obtain GPS co-ordinates of different localities showing the extent of constructed area so that any fresh construction which is taking place may be checked to ensure whether the same is in accordance with law.

5. The STF shall meet at least once every month. The monthly report of the STF will be sent to the Hon'ble LG, Delhi and Ministry of Housing and Urban Affairs, Govt. of India. Secretary, Ministry of Housing and Urban Affairs, Government of India will hold quarterly review meetings on the progress achieved and for reviewing the plans for future.

6. This issues with the approval of the competent authority.

(Anil Kumar)
Under Secretary (DDI)
Tel.23061681

To:

1. The Vice Chairman, DDA, Vikas Sadan, New Delhi.
2. The Commissioner, South Delhi Municipal Corporation
3. The Commissioner, East Delhi Municipal Corporation
4. The Commissioner, North Delhi Municipal Corporation
5. Secretary/Commissioner, Transport, GNCTD
6. The Chairperson, NDMC, Palika Kendra, New Delhi.
7. CEO Delhi Jal Board.
8. Secretary, UD/Director Local Bodies, GNCTD
9. Secretary, Revenue/divisional Commissioner, GNCTD
10. Spl. Commissioner, Police (Law & Order)
11. Spl. Commissioner Police, (Traffic)
12. Chief Fire Officer, GNCTD
13. Secretary to Lt Governor of Delhi
14. Chairman, Central Ground Water Board
15. Commissioner (Planning), DDA

Copy to:

1. PS to LG, Delhi.
2. PPS to Secretary (HUA)/ PS to AS (D&C)/PS (DD).
3. PS to Chief Secretary, GNCTD

7. Perusal of the aforesaid documents clearly shows that, identifying the areas where congestion of traffic occurs, and further devising traffic management strategies, is one of the functions of the STF. Further, this



Court notes that identification of encroachments of Government land and steps to clear the said encroachment, is also within the authority of the STF.

8. Accordingly, the present matter is referred to the STF. The STF shall ensure that requisite action for removal of the encroachments from public road shall be taken at the earliest. Further, the STF shall also ensure that all the measures to control and manage the traffic congestion at *Deepali Chowk, Pitampura, near Rani Bagh Police Station*, are taken expeditiously.

9. The various actions taken by the STF shall be uploaded on the website of the STF.

10. The petitioner is also at liberty to approach the STF, in case, the petitioner is aggrieved that the issues raised in the present petition, are still not resolved.

11. Copy of this order shall be sent by the Registry to the standing counsel, Delhi Development Counsel (“DDA”), who shall forward the same to the STF, for compliance.

12. With the aforesaid directions, the present writ petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

MAY 22, 2025/ab