



\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1832/2023 & CM APPL. 6999/2023, CM APPL. 11402/2023
ABHAY VERMA Petitioner

Through: None.

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Satyakam, ASC with Mr. Pradyut
Kashyap, Advocate for GNCTD.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

% **04.09.2023**

1. This Public Interest Litigation (PIL) pertains to the re-constitution of the Trans Yamuna Area Development Board (hereinafter referred to as "TYADB" or the "Board").
2. The Petitioner, an elected Member of the Legislative Assembly (MLA) representing the Laxmi Nagar constituency in the Trans Yamuna district, argues that the Government of NCT of Delhi (GNCTD) established the TYADB in March 1994. The primary objectives were the structured development of the Trans Yamuna Area (TYA), minimizing developmental disparity between TYA and other regions of Delhi, and ensuring the provision of essential amenities for TYA residents. The Petitioner asserts that although funds have been regularly allocated to the TYADB for the upliftment of the TYA, the Board has not been reconstituted since 8th July 2015. Consequently, allocated funds for 2020-21 and 2021-22 remain



unused. The lack of the Board's formation has also hindered the execution of its core duties, including suggesting new infrastructure projects, coordinating inter-agency efforts, and rectifying pre-existing infrastructure inadequacies. This situation undermines the very essence of the TYADB's establishment.

3. Owing to these concerns, the Petitioner has launched this PIL, urging the Court to issue a writ of mandamus directed at the Respondents, namely the Chief Secretary and Secretary (Director of Local Bodies) of GNCTD, pressing them to reconstitute the Board without delay.

4. Conversely, the Respondents have presented a status report reflecting that deliberations about the Board's reconstitution are still underway. However, they emphasize that since TYADB's inception in 1994, multiple schemes with analogous objectives—pertaining to local area development—have been initiated. These include the Mukhyamantri Sadak Punarnirman Yojna (MSPY), Mukhyamantri Street Light Yojna, Chief Minister Local Area Development (CMLAD), and the Member of Legislative Assembly Local Area Development Scheme (MLALAD). Additionally, new entities like the Delhi Village Development Board (DVDB), Delhi State Industrial and Infrastructure Development Corporation (DSIIDC), and the Irrigation and Flood Control Department (I&FC) have been formed to champion developmental activities in peripheral villages and unauthorized colonies. Under the aegis of MSPY and CMLAD, GNCTD commits to enhancing and refurbishing streets and roads in unauthorized colonies and various housing societies, based on recommendations from pertinent MLAs and Municipal Councillors. The CMLD scheme, furthermore, permits not only MLAs and Municipal Councillors but also public representatives, Residents Welfare



Associations (RWAs), and Societies to propose enhancements and repairs on roads and execute tasks enumerated under the MLALAD scheme.

5. Mr. Satyakam, Learned Counsel for the GNCTD has argued before this Court that the TYADB is not a statutory body but is an administrative entity birthed from the GNCTD's policy decision.

6. In light of the aforesaid, and keeping in view the reply filed by the GNCTD, as TYABD is an administrative body and not a statutory body, this Court does not find any reason to issue a mandamus to the Government to re-constitute the Board, consequently, the PIL stands dismissed.

SATISH CHANDRA SHARMA, CJ

SANJEEV NARULA, J

SEPTEMBER 4, 2023

nk