

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 737/2022
(IA No 93/2023)

Sh. Amit Aggarwal

Applicant

Versus

Delhi Development Authority & Ors.

Respondent(s)

With

Original Application No. 577/2024

News Item titled "South Delhi pond a sewage pool with defunct STP"
appearing in The Times of India dated 19.04.2024

Date of hearing: 06.08.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Garima Kumar, Advocate in OA 737/2022
Respondent: Ms. Prabhsahay Kaur, Mr. Aditya Verma & Mr. Bir Inder Singh Gurm,
Advs. with Mr. Anil Bharti (Through VC), Chief Engineer, DJB
Ms. Jyoti Mendiratta & Ms. Ananya Basudha, Advs. for R - 2 & 4 in OA
737/2022 & for R - 4 in OA 577/2024
Ms. Richa Kapoor & Ms. Atika Singh, Advs. for MoEF & CC in OA
737/2022
Mr. Kush Sharma & Ms. Vagmi Singh, Advs. for DPCC in OA 737/2022
Ms. Kritika Gupta, Adv. for DDA
Mr. Amit Singh Chauhan & Ms. Shikha Chauhan, Advs. for CPCB in OA
577/2024
Ms. Sakshi Popli, Adv. for DPCC in OA 577/2024 (Through VC)

ORDER 52

1. In these Original Applications (OAs), Tribunal is considering the issue of unauthorised use of Smriti Van and improper management and maintenance of Macchali Talab which is a water body.

2. In terms of the earlier direction of the Tribunal contained in the order dated 03.04.2025, Delhi Pollution Control Committee (DPCC) has filed the report dated 04.08.2025 stating that inspection of Decentralised Sewage Treatment Plant (DSTP) of Delhi Jal Boad (DJB) in Smirit Van

was carried out by DPCC officials on 25.07.2025. During the inspection following lapses were found:-

“3. *That inspection of Decentralized Sewage Treatment Plant (DSTP) of Delhi Jal Board in Smriti Van at Vasant Kunj was carried out by a team of DPCC officials on 25.07.2025. Observations of the team during the said inspection on 25.07.2025 are briefed below:*

- (i) DSTP is built inside the park of DDA and receives effluent from a drain entering the park from behind the park. Some part of flow of this drain is being diverted towards the intake structure and then treated through the DSTP. The remaining drain water flows directly into the pond without any treatment.*
- (ii) The treated effluent from the DSTP also goes to the same pond inside the park through a pipeline laid parallel to the parent drain.*
- (iii) The plant was found non-operational during the inspection, reportedly due to disruption in electricity supply. The DSTP resumed operation after power supply restoration.*
- (iv) During the inspection, only one operator was present on site, lacking technical knowledge of the DSTP. No DJB officials were present at the time.*
- (v) The process flow diagram of the DSTP is briefed below:
Inlet-Screening-Grit Removal-Anoxic Tank-Chemical Dosing & Mixing-Settling (Tube Settler)-Aeration (Wetland)-Disinfection (Chlorination)-Outlet*
- (vi) Only one mixing motor of the anoxic tanks was found operational out of four.*
- (vii) Alum and poly dosing are carried out for coagulation, and chlorine dosing for disinfection.*
- (viii) Log book was not found at the site.*

Copy of Inspection Report of the team of DPCC officials of Inspection of DSTP in Smriti Van at Vasant Kunj carried out on 25.07.2025 is at Annexure - 1”

3. Learned Counsel appearing for DJB seeks short time to examine the above issue and respond to it.

4. DPCC along with the affidavit has also placed on record the show cause notice dated 04.08.2025 issued to DJB for imposition of Environmental Compensation (EC) of Rs. 10 lakhs.

5. Learned Counsel for DPCC could not point out from this notice the period of violation for which this notice was issued and as to how the EC

of Rs. 10 lakhs has been arrived at. He has submitted that DPCC will have a re-look to this notice and if it is found to be improper, it will be withdrawn and a proper show cause notice in accordance with law will be issued.

6. Learned Counsel for the applicant referring to the objections dated 14.09.2024 has submitted that EC at the rate of Rs. 4 crores per month i.e. Rs.13 lakhs per day should be imposed for the environmental damage which has been caused by Delhi Development Authority (DDA) for not planting 6500 trees.

7. Learned Counsel appearing for DDA seeks time to look into the objections of the applicant.

8. We have also found that DSTP has been set up inside the park i.e. Smirit Van.

9. Applicant submits that it has been set up inside the ridge area.

10. Counsel for the DJB has referred to the paragraph 3 of the reply of DJB dated 04.08.2025 wherein following stand has been taken:

“3. At the outset, it is submitted that the Answering Respondent had applied for Consent to Establish (CTE) by way of application dated 11.02.2025 for the Smriti Van DSTP. The CTE was received by the Answering Respondent on 02.04.2025. A Copy of Consent to Establish (CTE) dated 02.04.2025 for Smriti Van DSTP is annexed and marked as Annexure R1.”

11. The question arises as to how the Consent To Establish (CTE) for setting up a DSTP in a park or ridge area has been given. DJB is permitted to place on record it's application for grant of CTE to ascertain if it was disclosed in the application that DSTP was proposed in the park or ridge area.

12. Learned Counsel for DPCC also seeks time to examine how the permission was granted to set up the DSTP in the park or the ridge area.

13. DJB, DPCC and DDA are granted four weeks' time to file further affidavit keeping in view the observations made above.

14. List on 04.11.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

August 06, 2025

Original Application No. 737/2022

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JG.