

Item Nos. 09 &10

Court No. 1

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

Original Application No. 737/2022
(I.A. No. 93/2023)

Sh Amit Aggarwal President ARWS sector A Pocket,
B and C Vasant Kunj New Delhi 110070

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: 20.11.2024

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

Applicant: Ms. Garima Kumar, Advocate for Applicant in OA 737/2022

Respondents: Ms. Kritika Gupta, Adv. for DDA (Through VC)
Ms. Jyoti Mendiratta & Ms. Ananya Basudha, Advs. for R - 2 & 4 in OA
737/2022 & for DM, South & SDM, Mehrauli in OA 577/2024 (Through
VC)
Ms. Richa Kapoor & Ms. Atika Singh, Advs. for MoEF & CC in OA
737/2022
Mr. Amit Peswani, Adv. for Ms. Nandita Rao, Adv. with Mr. Anil Bharti,
SE and Mr. Ravinder, CE, DJB
Mr. Amit Singh Chauhan, Ms. Shikha Chauhan, Mr. Neelmani Guha &
Ms. Shaima Masood, Advs. for CPCB (Through VC) in OA 577/2024
Ms. Sakshi Popli, Adv. for DPCC in OA 577/2024
Mr. Kush Sharma, Adv. for DPCC in OA 737/2022 (Through VC)

ORDER

1. In this original application, the Tribunal is considering the issue of protection of the Smriti Van which is a part of the South-Central Ridge area and also preservation of Macchali Talab, a water body located therein.

2. The Delhi Jal Board (DJB) has filed the latest report dated 13.11.2024 disclosing that a 1100 KLD De-centralised Sewage Treatment Plant (DSTP) has been completed and commissioned on 20.10.2022. The report further states that there is a drain in the park coming from the locality nearby wherein garbage and plastic waste are also coming with the sewage and that the DSTP was intended only for the treatment of stormwater/wastewater drainage and not for treatment of sewage, garbage coming from the locality nearby.

3. Mr. Anil Bharti, SE, DJB, is present and representing the DJB. We had put a query to him as to what is treated in this DSTP. Initially, he said no sewage is treated in the DSTP, it is the rainwater that is treated. After some arguments, he said it is the drain water that is treated in the DSTP. After some arguments about the treatment of drain water, he changed his stand and stated that it is the sewage also which is treated in the DSTP. On account of such repeated change of stand by the officer concerned, considerable time of the Tribunal has been wasted. It appears that an attempt has been made to mislead the Tribunal by repeatedly changing the stand. We warn him not to repeat such conduct in future.

4. Counsel for the Applicant has also raised an issue that the DSTP has been set up without obtaining any CTE and CTO. The DJB is directed to file an affidavit disclosing the status of the CTE and CTO for setting up the DSTP in question and performance of DSTP. Analytical report of DPCC dated 31.07.2024 discloses that DSTP has not been complying with the standards. The report of DPCC further discloses that the Machhali Pond has “zero” oxygen and BOD of 76 mg/l.

5. From the reply of the DJB dated 13.11.2024, we find that there is no proper coordination between the authorities of the DJB and DDA.

Hence, we direct that the CEO, DJB and the Vice Chairman/Acting Vice Chairman, DDA will hold a meeting and will settle this difference. The DJB and DDA will file the affidavit disclosing that the issue relating to lack of coordination has been solved by them and responsibility about the operation of the DSTP has been fixed. Let the same be filed within a period of three weeks.

6. It will be open to the Applicant to file rejoinder to the reply of the DJB dated 13.11.2024 within three weeks.

7. List on 07.03.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

November 20, 2024
Original Application No. 737/2022
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