

24
BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
M.A. No. 85 of 2023
IN ORIGINAL APPLICATION NO. 81 of 2023

IN THE MATTER OF:

Sunil Kumar Aledia

...Applicant

Versus

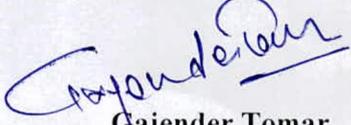
Govt. of NCT of Delhi

...Respondent

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N.D. 81-6/5/2024

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Gajender Tomar
Chief Engineer (South)
DJB, Govt. of NCT Delhi

Dated: 3.05.2024
Delhi

GAJENDER TOMAR
Chief Engineer (South)
DJB, Govt. of NCT Delhi

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STATUS REPORT IN COMPLIANCE TO ORDER DATED 26.02.2024**MOST RESPECTFULLY SHOWETH: -**

1. That the present report is being filed on behalf of Delhi Jal Board (DJB) in compliance of the order dated 26.02.2024 passed by this Hon'ble Tribunal.
2. That the bone of contention in the captioned application is that sewage is being discharged in storm water drain passing through Malviya Nagar Vidhan Sabha to Greater Kailash, Vidhan Sabha by joining sewer line to storm water drain by Delhi Jal Board for the last three years and this leads to converting fresh water of storm water drain in a sewage drain damaging environment and causing health hazards.
3. Accordingly, the Hon'ble Tribunal vide the order dated 13.03.2023 had formed a joint Committee with the direction to visit the site, collect relevant information and take appropriate remedial action, if violation of environmental norms was found. The relevant portion of which is reproduced hereunder: -

"3. In our view, the issue raised in the matter, at the first instance can be looked into by the local authorities and for purpose whereof we constitute a joint Committee comprising DPCC and District Magistrate, South Delhi who shall visit the site, collect relevant information and if finds any violation of environmental laws and norms would take appropriate remedial action in accordance with law within two months.

4. That District Magistrate, South Delhi shall be the nodal agency for coordination and compliance of this order.

5. Copy of the action taken report shall be filed by the said Committee before Registrar General of this Tribunal by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF, who shall, if find necessary for any further order place the matter before the Bench." 2

True copy of order dated 13.03.2023 is attached and annexed herewith as **ANNEXURE -1.**

4. Subsequently, an Action Taken Report (ATR) dated 25.05.2023 was filed by the District Magistrate (District South) in compliance of the order dated 13.03.2023 and was thereafter considered by the Hon'ble Tribunal on 20.09.2023 & 12.12.2023 with fresh directions to concerned District Magistrate and DJB to file a fresh report before the Next date of hearing i.e. 26.02.2024.

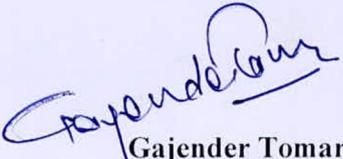
5. That in compliance of the aforementioned orders and in furtherance to the action taken report dated 26.02.2024, the Delhi Jal Board seeks to submit:

- i. In compliance of Hon'ble NGT order dated 26.02.2024 and to prevent the flowing of the sewerage into storm water drain, DJB has proactively and diligently made efforts by deploying desilting machines to clean the damage sewer line by PWD, during construction of storm water drain at Basant Kaur Marg. During cleaning of the sewer lines by desilting machines, debris such as bricks, construction material which were dumped in the various sewer manholes and sewer line during construction of storm water drain by PWD has been removed through sewer manholes.
- ii. A joint inspection dated 09.04.2024 has been done by Sh. Sunil Kumar Aledia (applicant) and DJB and inspection report has also been shared with SDM Hauz Khas, EE(PWD) SR-2 and Sh. Sunil Kumar Aledia (Applicant). True copy of Joint Inspection Report dated 15.04.2024 is attached and annexed herewith as **ANNEXURE -2.**
- iii. In spite of making efforts to functional said damaged sewer line, the blockage in part portion of the said damaged sewer line in downstream could not be removed.
- iv. In view of above and in interest to prevent the flowing of sewerage into storm water drain, the restoration of the flow of the sewerage has been done on 25.04.2024. Now it is running satisfactory and no sewer flowing into Shahpur Jat drain.
- v. That on 29.04.2024 concerned officer of DJB, MCD, PWD along with the Petitioner and Tehsildar inspected the site and observed no sewer into drain. **ANNEXURE-3 (Colly).**

6. Hence, it is most humbly submitted that there is no violation of environmental norms on the part of Delhi Jal Board as the sewage which was being discharged in the storm water drain, passing through Malviya Nagar Vidhan Sabha to Greater Kailash Vidhan Sabha, was due to damage caused to the sewer line, running on Basant Kaur Marg, by the construction work of Public Works Department, carried out in respect of drain near C-92 Shivalik to DERC(BSES) office and for no other reason that can attribute violation of environmental norms by Delhi Jal Board. Even otherwise, since 25.04.2024 no sewage is being discharged into the said storm water drain. (3)

7. This report is being submitted for perusal and consideration of this Hon'ble Tribunal and Delhi Jal Board undertakes to remain duty bound by any direction or order by this Hon'ble Tribunal.

Dated: 3.05.2024
Delhi


Gajender Tomar
Chief Engineer (South)
DJB, Govt. of NCT Delhi
GAJENDER TOMAR
Chief Engineer (South)
DJB, Govt. of NCT Delhi

Item No. 16

Court No. 2

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

Original Application No. 81/2023

Sunil Kumar Aledia

Applicant

Versus

Govt. of NCT of Delhi

Respondent

Date of hearing: 13.03.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Application is registered based on a complaint received by post/e-mail

ORDER

1. This original application under Section 14 & 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') has been registered on a letter petition dated 29.08.2022 received from Shri Sunil Kumar Aledia r/o 1-D, Shahpur Jat, New Delhi- 49.

2. The grievance is that sewage is being discharged in storm water drain passing through Malviya Nagar Vidhan Sabha to Greater Kailash, Vidhan Sabha by joining sewer line to storm water drain by Delhi Jal Board for the last three years and converting fresh water of storm water drain in a sewage drain damaging environment and causing health hazards.

3. In our view, the issue raised in the matter, at the first instance can be looked into by the local authorities and for purpose whereof we constitute a joint Committee comprising DPCC and District Magistrate,



TS
South Delhi who shall visit the site, collect relevant information and if finds any violation of environmental laws and norms would take appropriate remedial action in accordance with law within two months.

4. District Magistrate, South Delhi shall be the nodal agency for coordination and compliance of this order.
5. Copy of the action taken report shall be filed by the said Committee before Registrar General of this Tribunal by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF, who shall, if find necessary for any further order place the matter before the Bench.
6. Subject to above directions, the application is disposed of.
7. A copy of this order be forwarded to State PCB and District Magistrate, South Delhi by e-mail for compliance.

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 13, 2023
Original Application No. 81/2023
SN

ve
ve

No.DJB/EE(M)-43/2024/08

Dated: 15.04.2024

6

Subject : Inspection Report regarding joint site visit held on dt. 09.04.2024 with Sh. Sunil Kumar Aledia (Applicant) and DJB at Basant Kaur Marg, Shivalik Main Road near DERC Office.

Ref. : In the matter of Sh. Sunil Kumar Aledia Vs Govt. of NCT of Delhi Before The National Green Tribunal Principal Bench, New Delhi , M.A. No. 85/2023 in Original Application No. 81/2023.

In reference of Hon'ble NGT Order dt. 26.02.2024 regarding issue of the violation of environmental norms, DJB is making efforts to get functional badly damaged sewer line by PWD during construction of storm water drain through cleaning/de-silting of choked/badly blocked sewer line as a interim measure. In this regard, DJB has deployed super sucker/de-silting machines in entire effected length to clean the blocked sewer line.

Regarding above, DJB has made request to Sh. Sunil Kumar Aledia (Applicant) for witnessing the exercise being done by DJB.

Sh. Sunil Kumar Aledia (Applicant) with his associate has visited the site on 09.04.2024. Following is observed during inspection:

1. The work of cleaning/de-silting of sewer line which was badly damaged is in progress by deploying super sucker/de-silting machines.
2. During construction of storm water drain by PWD debris like bricks and other construction waste was dumped in the various sewer manholes resulting the sewer line blocking/chocking in the entire length. The aforesaid debris etc. has been lifted from sewer manholes during course of de-silting which was also lying adjacent to the bank of sewer manholes and same has been witnessed by the Sh. Sunil Kimar Aledia (Applicant).
3. During inspection Sh. Sunil Kimar Aledia has checked the flow of internal Shivalik drain at two points near DERC office and Khelgaon flyover before out falling into Shahpur Jat drain. At both points it was noticed that very little quantum of discharge of drain (near to negligible) was flowing in the drain towards BSES office to Shahpur Jat Drain and the same has been witnessed by Sh. Sunil Kimar Aledia (Applicant).
4. Discharge of Shahpur Jat Drain at Khelgaon flyover was also checked and there was also very little quantum discharge flowing in the drain during the inspection and the same has been witnessed by Sh. Sunil Kimar Aledia (Applicant).
5. During the inspection it has been found that DJB sewer line has cleaned from Begumpur to DERC office T-point Basant Kaur Marg. Desilting machines has been deployed to clear the section between T-point Basant Marg to Khelgaon flyover but blockage has not been removed in a section of 30-meter length approx. inspite of deploying desilting machines etc.
6. It is informed that due to non-removal of blockage, the damaged section is required to be replaced till the replacement will be taken place. It is proposed that as a interim arrangement the discharge of the damaged sewer line from Begumpur to T-Point Basant Kaur Marg may be catered to another existing sewer line by laying a 355 mm dia(OD) new sewer line in a section of approx. 30 meter length.

Sd/-
EE(M)-43

[Handwritten signature]

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Copy to:

1. CE(South) : for kind information
2. SE(M)-10 : for kind information
3. SDM ,Hauz Khas , : for kind information
M.B. Road ,Saket ,N.D.
4. EE(PWD) SR-2 (M-411) : for kind information
Joseph Tito Marg,
Andrews Ganj, New Delhi
5. Sh. Sunil Kumar Aledia : : for kind information
6. ZE(M)-43 : to do needful
7. Sh. K.K. Meena, JE(M)-43 : --do--
8. Office copy

7

S. Pan
15/4/2024
EE(M)-43

SANJAY KUMAR JAIN
Executive Engineer (M)-43/44
Sector -VII, R.K. Puram,N.D.-22
Delhi Jal Board

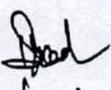
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Subject: - Joint inspection report of meeting held on 29.04.2024 at DERC office (BSES) T-Point Basant Kaur Marg. In the matter of Sunil Kumar Aledia Vs Govt. of NCT of Delhi Before The National Green Tribunal, Principal Bench, New Delhi M.A. No85/2023 in original application no 81/2023 Court No.1

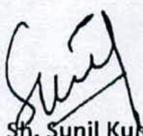
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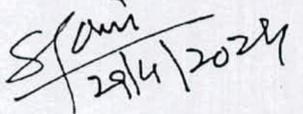
Joint inspection has been held and following is observed as under:

1. DJB has executed the work of bypass arrangement by laying additional sewer line resulting all sewerage is now flowing through bypass arrangement into DJB another existing sewer line.
2. During inspection, the joint inspection team has checked the flow of internal Shivalik drain at two points near DERC office and Khelgaon flyover before outfalling into Shahpur Jatt Drain.
 - i. Near BSES office,
There is no discharge flowing in the storm water drain towards Shahpur Jatt Drain.
 - ii. Near Khel Gaon Flyover
There is no discharge flowing in the storm water drain towards Shahpur Jatt Drain.


SDM
Hauz Khas

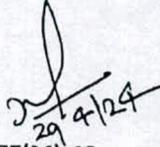
EE SR
(PWD)

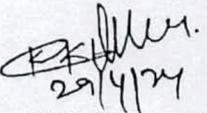

Sh. Sunil Kumar Aledia
(Applicant)

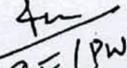

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DJB


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AE (PWD)

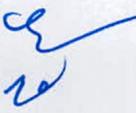

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J.E (PWD)



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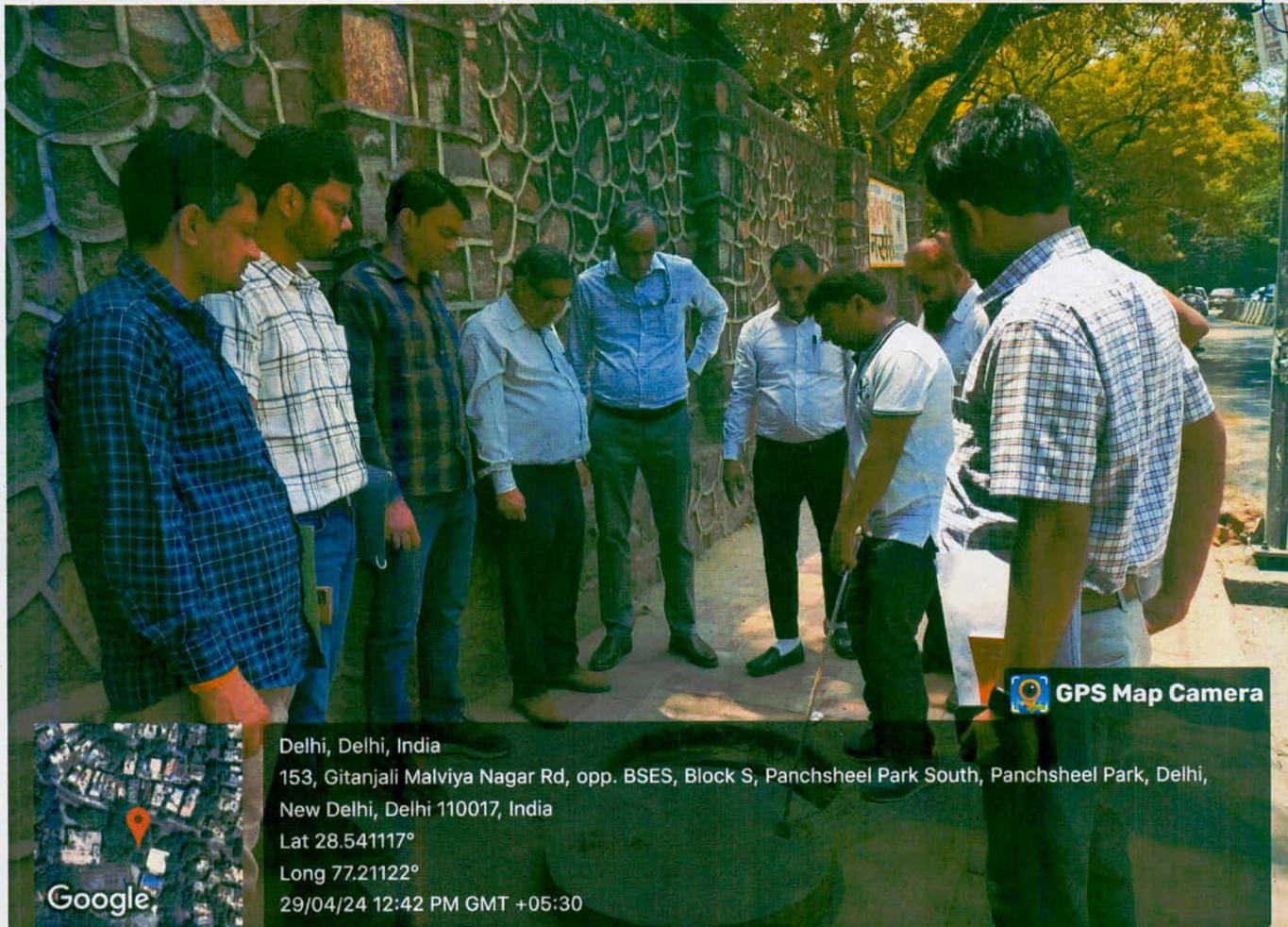
ATTENDANCE SHEET FOR MEETING HELD ON 29.04.2024 REGARDING
 Joint inspection of Sewer water Discharge
 through various drains to lake

29/04/2024

| S. No. | NAME | DESIGNATION | DEPARTMENT ADDRESS | MOBILE & EMAIL ADD. | SIGNATURE |
|--------|-----------------------------|-------------------|--------------------|---------------------|-----------|
| | S K Jain | EE(M)43 | DJB | 9650290865 | |
| | Jitesh Kumar Sri. agtave | ZE(M)43 | DJB | 9650291112 | |
| | Sunil Kumar Medha | Pohtramm | | 9811327057 | |
| | Dhruv Parwan | | | 9394610850 | |
| | Hassruddin Khan | AE(M)II/SZ | MCD | 8588883696 | |
| | Rajendra chavhan | J-E (PWD) SR-2 | PWD | 9694078590 | |
| | Ajay Sachdeva | feh(LMC) | Parwan | 989983518 | |
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| 13 | | | | | |
| 14 | | | | | |



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Delhi, Delhi, India
153, Gitanjali Malviya Nagar Rd, opp. BSES, Block S, Panchsheel Park South, Panchsheel Park, Delhi,
New Delhi, Delhi 110017, India
Lat 28.541117°
Long 77.21122°
29/04/24 12:42 PM GMT +05:30

GPS Map Camera

Google