

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI**

O.A. No. 17/2022

In the matter of:

Dr. D.S. Katara & Anr.

..... Applicants

Versus

Govt. of NCT of Delhi.

..... Respondents

NDOH:- 20.05.2022

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Filed by:

(Delhi Pollution Control Committee)

New Delhi:

Dated: 29.04.2022

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

In the matter of:

Original Application No. 17/2022

Dr. D.S. Katara & Anr.

Applicants

Versus

Govt. of NCT of Delhi

Respondent

**COMPLIANCE REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE WITH RESPECT TO ORDER DATED
28.01.2022**

1. That, this Hon'ble Tribunal was pleased to issue the following directions after hearing the matter on 28.01.2022:

"2.....it appears necessary to ascertain the factual position in the matter through a joint Committee of DPCC, Municipal Commissioner-South MCD and District Magistrate-South, Delhi to look into the grievance of the applicant. The DPCC will be the Nodal agency for coordination and compliance. The joint Committee may meet within one month and undertake site visit and look into the grievance of the applicant. Factual and action taken report which inter-alia may include quantity of waste water flowing in the drain in question, its characteristics and ultimate confluence of the said drain, interception of this drain and diverting it to the designated STP, and to take requisite action against the industry who is discharging waste water into the drain in accordance with law after following due process be furnished within three months"

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2. That, subsequent to the order of this Hon'ble Tribunal dated 28.01.2022, a Committee has been constituted comprising the officials of DM (South), DM (New Delhi), SDMC, DJB, Irrigation & Flood Department and DPCC to ascertain the factual position and resolve the grievances made by the complainant. Copy of office order dated 04.04.2022 is annexed as **Annexure-I**.
3. That the Committee met through VC on 05.04.2022 and it was decided that the Committee will inspect the area on 06.04.2022. Following observations were made by the Committee during the said inspection on 06.04.2022 :-
- (i) A small open drain about 150-200 mts in length is flowing adjacent to the boundary wall of the residential Society located at Sector E, Pocket 2, Vasant Kunj, New Delhi-110070 causing seepage into the residential complex.
 - (ii) Main contributor to drain is household discharge mostly consisting of grey water from K-II Block, Mahipalpur Village, which is an unauthorised colony.
 - (iii) E-2 Block residential Society has in-situ STP which is built and operated by DDA. Treated water from STP is being discharged through the drain into a "Johad" (pond). Wastewater in this drain doesn't lead to any STP but the wastewater is collected in the pond existing in a low lying area where garbage of the area is also dumped.
 - (iv) It was informed by DDA officials that tender has been floated for the repair and maintenance work of boundary wall of the aforementioned Society.
 - (v) The majority of the adjacent areas are devoid of piped sewerage network leading to any STP.
 - (vi) Samples were taken by DPCC Water Laboratory, to analyse the quality of effluent in drain.
 - (vii) During the said visit, some photos were clicked.

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RECOMMENDATIONS:

- (i) DDA to expedite the work to stop seepage of water in the Society located at Sector E, Pocket 2, Vasant Kunj, New Delhi-110070 and to take adequate measures to clean up the pond at Rangpuri Pahadi as land belongs to DDA.
- (ii) To inform joint inspection teams of Yamuna Cleaning Cell (YCC) headed by DJB official(s) to inspect the K-II Block, Mahipalpur & adjacent areas to identify industrial units, if any, responsible in discharging effluent in the said drain and to take immediate action against such unit as per mandate of YCC.
- (iii) DJB to initiate laying of pipeline on priority so that the wastewater from the unauthorized colonies is channelized to a STP for treatment.
- (iv) DPCC water lab to measure the quantity of wastewater as directed by Hon'ble NGT.

Copy of Inspection Report along with photos is annexed as **Annexure-II**.

4. That during the inspection on 06.4.2022, DPCC Water Lab also made certain observations as under :-
 - (a) Stagnant / Negligible flow of the drain was observed as drain was filled with debris and malba hence flow measurement was not done.
 - (b) Flow at STP (operated and maintained by DDA) was also not possible as water from drain is accumulated in pond and later taken into STP.
 - (c) STP was not operational and no data regarding flow was provided by DDA. Therefore, data could not be collected regarding the flow.

As per the analysis report of the wastewater in the drain dated 19.04.2022 (sample collected during the inspection on 06.04.2022), parameters w.r.t. TSS (128 against the prescribed limit i.e. 100 mg/l) & BOD (85 against the prescribed limit i.e. 30 mg/l) were exceeding the prescribed limits. The effluent analysis report of drain is annexed as **Annexure-III**.

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5. That as per the recommendation of the Committee, Joint inspection team of Yamuna Cleaning Cell (YCC) comprising the officials of DJB, SDMC & DPCC has inspected the nearby areas of the drain on 19.04.2022 and the team found no water polluting units in the surrounding areas of the drain. Copy of Inspection Report is annexed as **Annexure-IV**.
6. That as per the recommendations of the Committee and observations of DPCC Water Lab, Directions u/s 33(A) of Water (Prevention and Control of Pollution) Act, 1974 and u/s 5 of Environment (Protection) Act, 1986 read with Solid Waste Management Rules, 2016 have been issued to DDA & DJB vide letter dated 28.04.2022 to expedite the work as recommended by the Committee during the inspection. Copies of directions are annexed as **Annexure-V**.

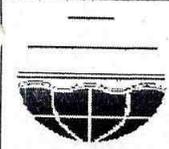
This status report may kindly be taken on record by this Hon'ble Tribunal.



(Dr. BMS Reddy)
Sr. Environmental Engineer,
Delhi Pollution Control Committee

New Delhi:

Dated:



DELHI POLLUTION CONTROL COMMITTEE
GOVERNMENT OF NCT OF DELHI
4th FLOOR, ISBT BUILDING, K. GATE, DELHI-110006
 visit us at : <http://dpcc.delhigovt.nic.in>

F.No. DPCC/OA No 17-2022/CMC-IV/2022/659

Dated: 04.04.2022

OFFICE ORDER

Hon'ble National Green Tribunal (NGT), vide its order dated 28.01.2022, has issued certain directions in O.A. No 17/2022 in the matter of Dr. D.S. Katara & Anr. Vs. GNCTD w.r.t the grievance made by the applicant reg. health hazard due to stagnant open drain on the Northern side of DDA Legal Housing Complex Society wall in Sector E-2, Vasant Kunj, New Delhi-110070.

A Committee has been constituted consisting of the following officials to comply with the directions of Hon'ble National Green Tribunal:-

- (i) Representative of DM (South)
- (ii) Shri Damandeep Singh, Tehsildar, New Delhi Dist. (Mob No - 09211999406)
- (iii) Shri H.M. Meena, E, M-II (Najargarh Zone), South DMC (Mob No - 09717787915)
- (iv) Shri Sudhir Sharma, EE, DJB (Mob No - 09650291056).
- (v) Shri Ramesh Kumar, AE, CD-1, Irrigation & Flood dept. (Mob No - 09911160223)
- (vi) Shri Ashish Uniyal, JEE, WMC-II, DPCC (Mob No - 09760371061)
- (vii) Shri Amzad Khan, JEE, CMC-II, DPCC (Mob No - 08860364102)
- (viii) Shri Sparsh Chowdhary, JEE, CMC-IV, DPCC (Mob No - 09868900176)
- (ix) Shri Abhishek, TE, Water Lab, DPCC (Mob No - 09654965475)

All the officials are requested to go through the order of Hon'ble National Green Tribunal and attend the meeting through VC to be held on **05.04.2022 at 11.30 AM** to decide the next course of action. The meeting link will be shared shortly in WhatsApp group.

B.M.S. Reddy
Incharge, CMC-IV

Dr. B.M.S. Reddy
Senior Environmental Engineer
Delhi Pollution Control Committee
4th Floor, ISBT Building
Kashmere Gate, Delhi-110006

All Concerned

Copy to:

1. District Magistrate, New Delhi district, 12/1 Jam Nagar House, New Delhi-110011
2. DM (South)
3. Commissioner, SDMC
4. CEO, DJB
5. Chief Engineer, Irrigation and Flood dept
6. Incharge, WMC-II, DPCC
7. Incharge, CMC-II, DPCC
8. Incharge, Lab Cell, DPCC
9. EE, CMC-IV, DPCC

INSPECTION REPORT

(6)

In pursuance of order of Hon'ble National Green Tribunal dated 21.01.2022 in O.A. No. 17/2022 in matter of D.S. Katara & Anr. Vs Govt. of NCT of Delhi, a Committee has been constituted comprising the officials of DM (South), DM (New Delhi), SDMC, DJB, Irrigation & Flood Department and DPCC to ascertain the factual position and resolve the grievances made by the complainant. In pursuance to the orders of Hon'ble National Green Tribunal, a meeting through VC was convened on 05.04.2022. It was decided to carry out inspection of the area by the members of the Committee on 06.04.2022 to decide further course of action.

The Committee visited the area on 06.04.2022. No officials from DM (South) & DJB were present. Shri D.S. Katara, Complainant / President, RWA, Sector E, Pocket 2, Vasant Kunj, New Delhi-110070 & Secretary, RWA also joined the team while carrying out a survey of the area. Following observations were made by the Committee:

- 1) A small open drain about 150-200 mts in length is flowing adjacent to the boundary wall of the residential Society located at Sector E, Pocket 2, Vasant Kunj, New Delhi-110070 causing seepage into the residential complex.
- 2) Main contributor to drain is household discharge mostly consisting of grey water from K-II Block, Mahipalpur Village, which is an unauthorised colony. Sh. Damandeep Singh, Tehsildar (Vasant Vihar) informed that the entire area is located on agricultural land ("Lal Dora") but under the control and jurisdiction of DDA.
- 3) E-2 Block residential Society has in-situ STP which is built and operated by DDA. Treated water from STP is being discharged through the drain into a "Johad" (pond). Wastewater in this drain doesn't lead to any STP but the wastewater is collected in the pond existing in a low lying area where garbage of the area is also dumped.
- 4) It was informed by DDA officials that tender has been floated for the repair and maintenance work of boundary wall of the aforementioned Society.
- 5) The majority of the adjacent areas are devoid of piped sewerage network leading to any STP.
- 6) Samples were taken by DPCC Water Laboratory, to analyse the quality of effluent in drain.

K-II Block, Mahipalpur Village, which is an unauthorised colony. Sh. Damandeep Singh, Tehsildar (Vasant Vihar) informed that the entire area is located on agricultural land ("Lal Dora") but under the control and jurisdiction of DDA.

E-2 Block residential Society has in-situ STP which is built and operated by DDA.

Treated water from STP is being discharged through the drain into a "Johad" (pond).

Wastewater in this drain doesn't lead to any STP but the wastewater is collected in the pond existing in a low lying area where garbage of the area is also dumped.

It was informed by DDA officials that tender has been floated for the repair and

maintenance work of boundary wall of the aforementioned Society.

The majority of the adjacent areas are devoid of piped sewerage network leading to any STP.

Samples were taken by DPCC Water Laboratory, to analyse the quality of effluent in drain.

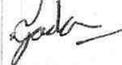
19
During the said visit, some photos were clicked and the same are annexed as Annexure-I.

RECOMMENDATIONS:

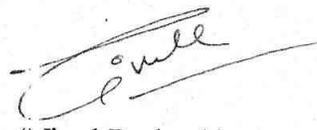
6

- a) DDA to expedite the work to stop seepage of water in the Society located at Sector E, Pocket 2, VasantKunj, New Delhi-110070 and to take adequate measures to clean up the pond at RangpuriPahadi as land belongs to DDA.
- b) To inform joint inspection teams of Yamuna Cleaning Cell (YCC) headed by DJB official(s) to inspect the K-II Block, Mahipalpur & adjacent areas to identify industrial units, if any, responsible in discharging effluent in the said drain and to take immediate action against such unit as per mandate of YCC.
- c) DJB to initiate laying of pipeline on priority so that the wastewater from the unauthorized colonies is channelized to a STP for treatment.
- d) DPCC water lab to measure the quantity of wastewater as directed by Hon'ble NGT.


(Ajay Chaudhary)
AE Civil (SDMC)

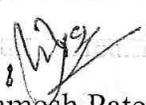

(Nitin Yadav)
JE (SDMC)


(Ramesh Kumar)
AE CDI (I&FC)

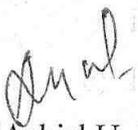

(Vivek Prakash)
AE (DDA)

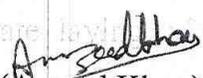

(Saurav Kumar)
AE (DDA)

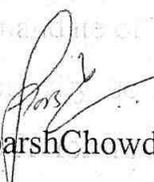

(Damandeep Singh)
Tehsildar (V. Vihar)


(Ramesh Patel)
ASI (SDMC)


(Virender Singh Dagar)
SI (SDMC)


(Ashish Uniyal)
JEE, WMC-II (DPCC)


(Amzad Khan)
JEE CMC-II (DPCC)


(Sparsh Chowdhary)
JEE, CMC-IV (DPCC)


(Abhishek Kumar)
TE, Water Lab (DPCC)

S.No. Name	Designation	Phone No	Sign
1. Ajay Chaudhary	AE Civil/SDMC	9717787695	aj
2. Nitai yadav	JE/SDMC	9968967001	yadav
3. DhananDeep Singh	Tehsildar (VV)	921999406	DSS
4. Ramesh Kumar	AE CSE ILFC	991160223	6/4/22
5. VIVEK PRAKASH			
6. Ramesh patel	AE	73113871570	Comle
7. Saurav Kumar	ASE	7289837880	
8. Visendul Singh Jagan	AE/DDA	8334999921	
9. Ashish Uniyal	SI/S.D.M.C	9811774844	Jagan
10. ABHISHEK KUMAR	JEE	9760271061	
11. AMZAD KHAN	TE (DPCU Waterlab)	9654965475	
12. Spnish chaudhary	JEE (CMC-II)	8810364102	
	JEE (CMC-IV)	988900176	

Also RWA members were present with members of committee during inspection.

Sunil Kumar Sharma
D.S. Kataria

Secretary RWA
President RWA
E-2

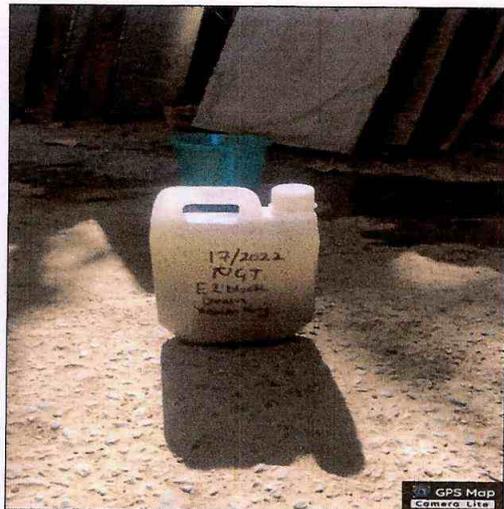
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Signatures



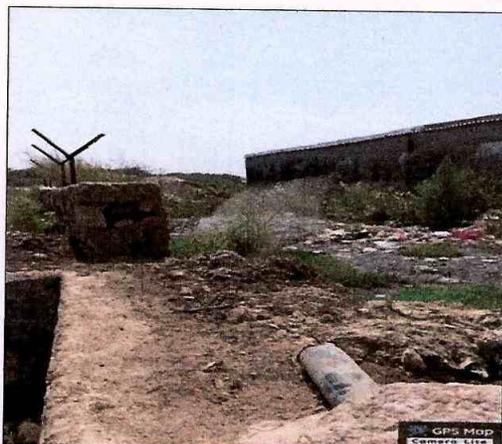
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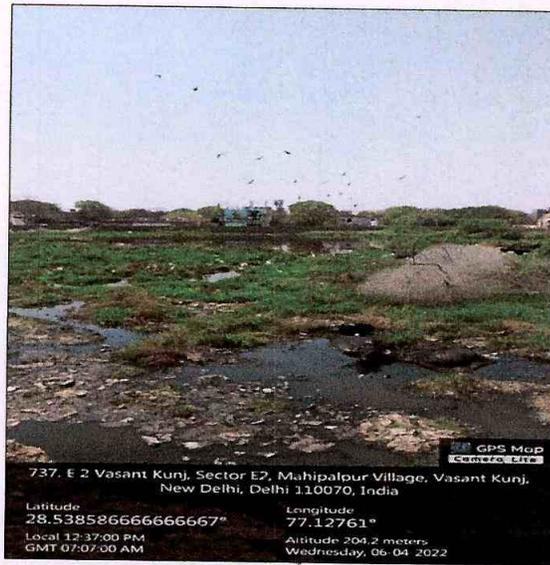
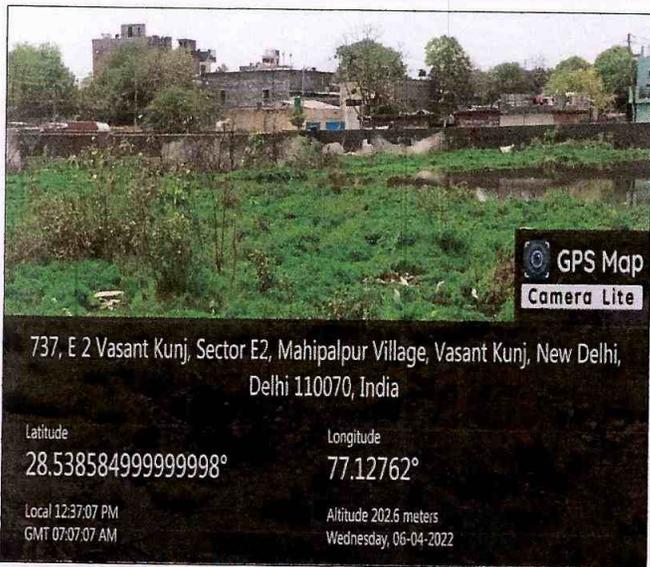
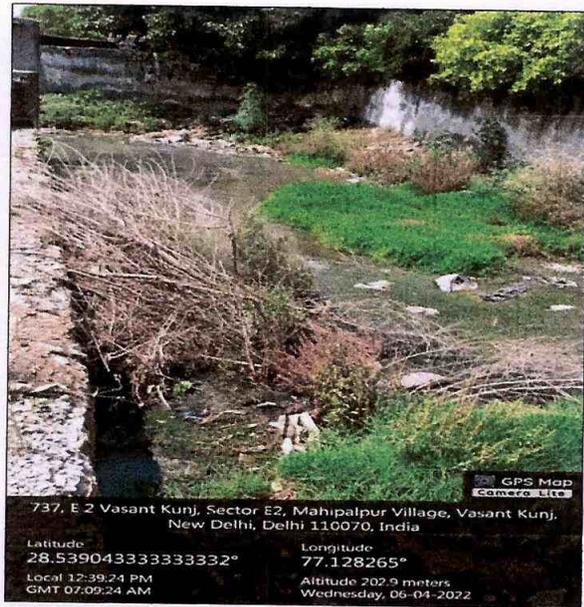
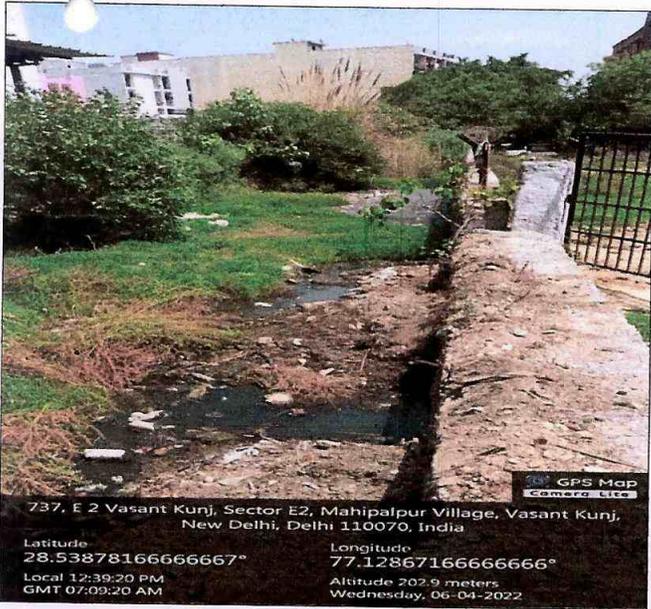
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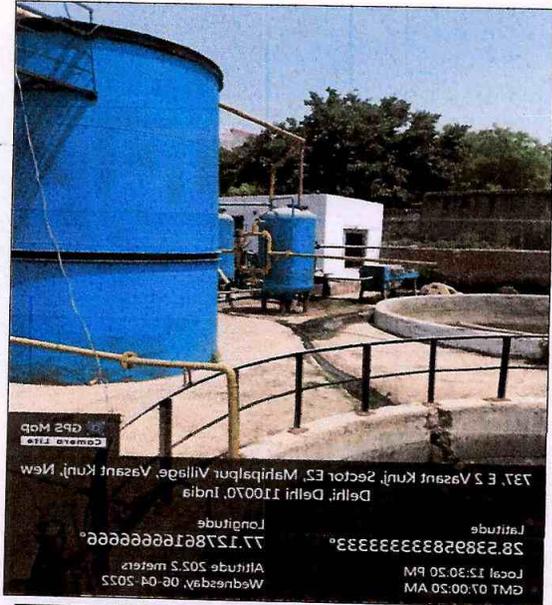
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GPS Map
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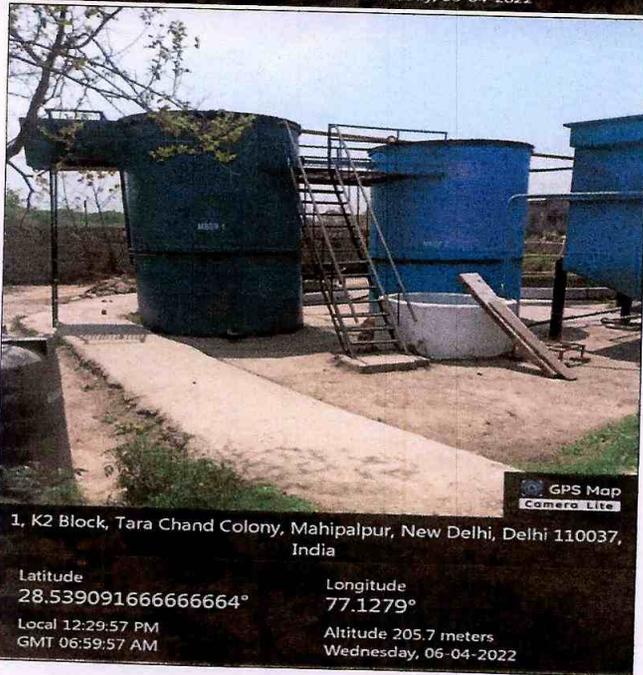
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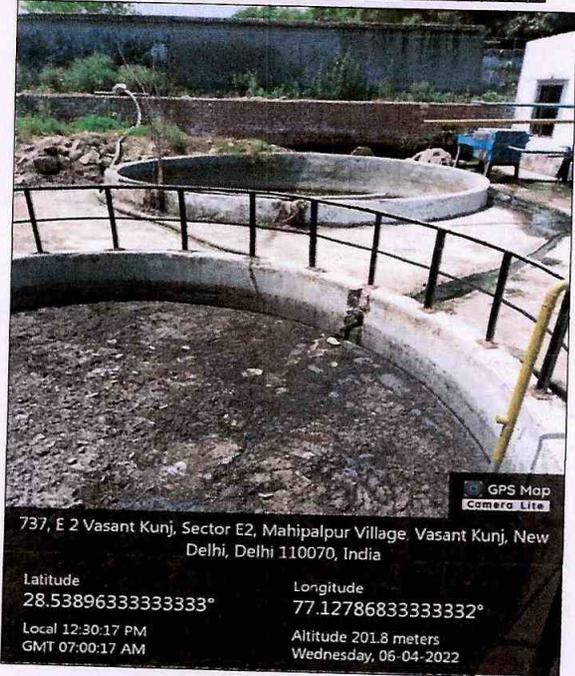
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GPS Map
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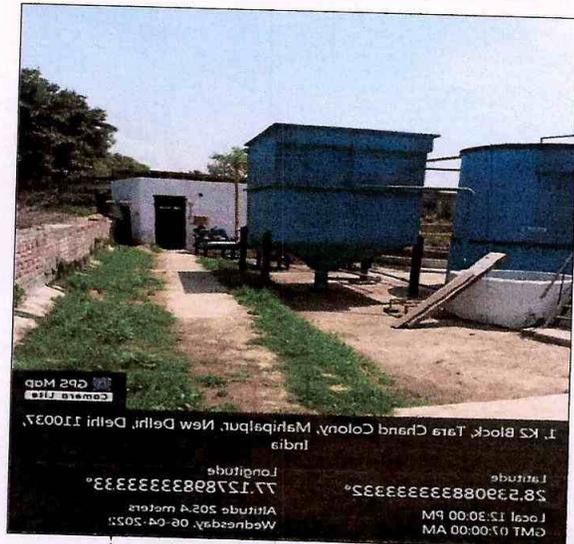
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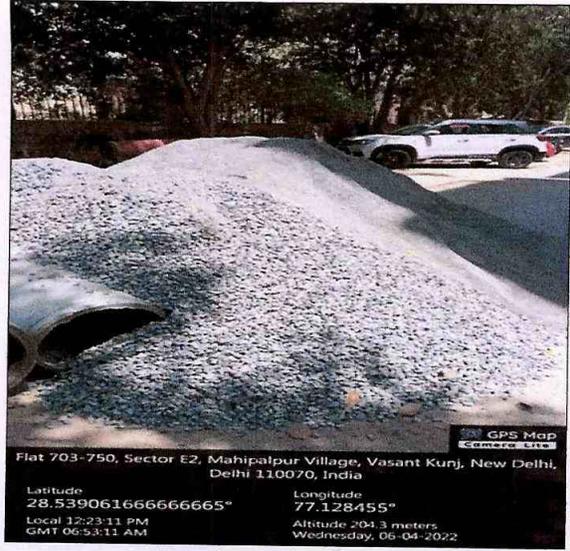
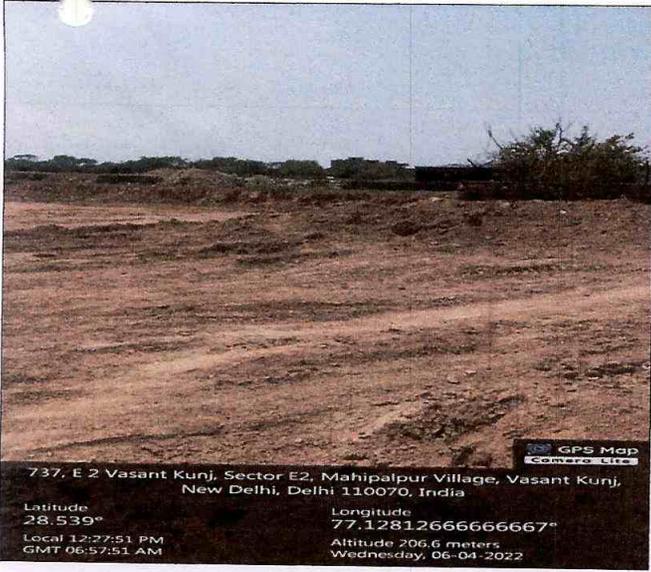


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12



177/CMC-IV
20-04-2022



DELHI POLLUTION CONTROL COMMITTEE
4thFLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
visit us at : <http://dpcc.delhigovt.nic.in>

ANALYSIS REPORT OF OPEN DRAIN

Result No.:- DPCC/W/Misc/D/2022/23/ 4726

Date 19/4/22

Location Details : Open Drain on the Northern Side of DDA Legal Housing Complex, Society Wall in Sec-2, Vasant Kunj, New Delhi-110070

Sampling location: Open Drain on the Northern Side of DDA Legal Housing Complex

Date of Sampling: 06.04.2022

Sample collected by: DPCC Water Lab, CMC-II & IV, WMC-II, DDA, DJB, I & FC, DM (South), Tehsildar & SDMC

Parameters analyzed and result:

S. No.	Parameter	Water Quality	General Standards
1	pH	7.2	5.5-9.0
2	TSS	128	100
3	COD	224	250
4	BOD (5 days at 27° C)	85	30

*All values are in mg/l except pH

Sampling location: Open Drain on the Northern Side of DDA Legal Housing Complex

Date of Sampling: 06.04.2022

Sample collected by: DPCC Water Lab, CMC-II & IV, WMC-II, DDA, DJB, I & FC, DM (South), Tehsildar & SDMC

N. Moitra
Dr. Nandita Moitra
(Sr. Scientist)

Parameters analyzed and result:

WMC-IV
25/4/22

S. No.	Parameter	Water Quality	General Standards
1	pH	7.2	5.5-9.0
2	TSS	128	100
3	COD	224	250
4	BOD (5 days at 27° C)	85	30

*All values are in mg/l except pH

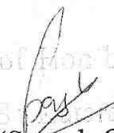
Dr. Nandita Moitra
(Sr. Scientist)

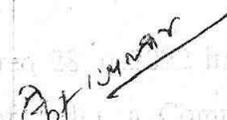
INSPECTION REPORT

In pursuance of order of Hon'ble National Green Tribunal dated 28.01.2022 in O.A. No. 17/2022 in the matter of D.S. Katara & Anr. Vs Govt. of NCT of Delhi, a Committee was constituted consisting of officials from SDMC, DJB, Revenue dept of New Delhi district, DPCC on 04.04.2022. The said Committee inspected the area and recommended to refer the matter to Yamuna Cleaning Cell (YCC) to inspect the K-II Block, Mahipalpur & adjacent areas to identify industrial units, if any, responsible in discharging effluent in the said drain and to take immediate action against such units by joint inspection teams of Yamuna Cleaning Cell (YCC) headed by DJB official(s).

Joint inspection team of Yamuna Cleaning Cell (YCC) comprising the officials of DJB, SDMC & DPCC has inspected the nearby areas of the drain on 19.04.2022 and the team found no water polluting units in the surrounding areas of the drain.


(Prashant Verma)
AE, DJB


(Sparsh Chowdhary)
JEE, DPCC


(Ajeet)
Factory Inspector, SDMC

(Prashant Verma)
AE, DJB

(Sparsh Chowdhary)
JEE, DPCC

(Ajeet)
Factory Inspector, SDMC



ANNEXURE-V

15

DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)
4TH FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6
(visit us at website : <http://dpcc.delhigovt.nic.in/>)

F. No. DPCC/CMC-IV/OA-17/2022/ 673-677

Dated: 28-04-2022

Subject: - Directions u/s 33(A) of Water (Prevention and Control of Pollution) Act, 1974 and u/s 5 of Environment (Protection) Act, 1986 read with Solid Waste Management Rules, 2016 as amended to date.

Whereas, Central Pollution Control Board is the State Board for all the union Territories to exercise powers and performs functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, as amended to date.

And whereas, Central Pollution Control Board has delegated all its powers and functions under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981, in respect of Union Territory of Delhi to Delhi Pollution Control Committee (DPCC) Vide Notification dated 15.03.1991.

And whereas, the Government of India has notified the Solid Waste Management Rules, 2016 (here after refereed as SWM Rules, 2016) notified under Environment (Protection) Act, 1986 for proper management and handling of Solid Wastes.

And whereas, as per the Rule (4) (1) every waste generator shall

- (a) segregate and store the waste generated by them in three separate streams namely bio-degradable, non-biodegradable and domestic hazardous wastes in suitable bins and handover segregated wastes to authorized waste pickers or waste collectors as per the direction or notification by the local authorities from time to time;
- (b) Wrap securely the used sanitary waste like diapers, sanitary pads etc., in the pouches provided by the manufacturers or brand owners of these products or in a suitable wrapping material as instructed by the local authorities and shall place the same in the bin meant for dry waste or non- bio-degradable waste;
- (c) Store separately construction and demolition waste, as and when generated, in his own premises and shall dispose off as per the Construction and Demolition Waste Management Rules, 2016;
- (d) Store horticulture waste and garden waste generated from his premises separately in his own premises and dispose of as per the directions of the local body from time to time.

Rule (4)(2) - No waste generator shall throw, burn or burry the solid waste generated by him, on streets, open public spaces outside his premises or in the drain or water bodies.

And whereas, directions u/s 33(A) of Water (Prevention and Control of Pollution) Act, 1974 and u/s 5 of Environment (Protection) Act, 1986 read with Solid Waste Management Rules, 2016 were issued to DDA and DJB vide letter dated 24.03.2022 w.r.t. issues at Rangpuri Pahadi-Runway 28 and following directions were given to both agencies:-

DDA shall take immediate steps for removal of the illegal dumping of garbage / general waste from the site and keep a strict vigil regularly so that illegal dumping of garbage / general waste doesn't reoccur in future.

DJB shall take immediate steps for cleaning of sewage water accumulated at the said location and take measures so as to collect the sewage from the sources and treat the same in compliance with the norms prescribed before discharging.

And whereas, DDA has submitted its reply on 04.04.2022 and informed that the work is being carried out manually to remove malba/garbage and it will take 15-20 days for completion. Further, DDA has informed that the ATR will be submitted once the entire malba/garbage is removed from the site. No Action Taken Report (ATR) has been received by this office.

And whereas, no compliance report has been received from DJB till now in response to the above said directions dated 24.3.2022.

And whereas, Shri. D.S. Katara has filed a complaint before Hon'ble National Green Tribunal and the Hon'ble NGT had issued certain directions vide its order dated 28.01.2022 in O.A No. 17/2022.

And whereas, a Committee has been constituted comprising the officials of DM (New Delhi), SDMC, DJB, Irrigation & Flood Department and DPCC on 04.04.2022 to ascertain the factual position and resolve the grievances made by the complainant.

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And whereas, the Committee met through VC on 05.04.2022 and discussed the action to be taken w.r.t. directions and its compliance.

And whereas, the Committee visited the area on 06.04.2022 and following observations were made during the inspection:-

- 1) A small open drain about 150-200 mts in length is flowing adjacent to the boundary wall of the residential Society located at Sector E, Pocket 2, Vasant Kunj, New Delhi-110070 causing seepage into the residential complex.
- 2) Main contributor to drain is household discharge mostly consisting of grey water from K-II Block, Mahipalpur Village, which is an unauthorised colony.
- 3) E-2 Block residential Society has in-situ STP which is built and operated by DDA. Treated water from STP is being discharged through the drain into a "Johad" (pond). Wastewater in this drain doesn't lead to any STP but the wastewater is collected in the pond existing in a low lying area where garbage of the area is also dumped.
- 4) It was informed by DDA officials that tender has been floated for the repair and maintenance work of boundary wall of the aforementioned Society.
- 5) The majority of the adjacent areas are devoid of piped sewerage network leading to any STP.
- 6) Samples were taken by DPCC Water Laboratory, to analyse the quality of effluent in drain.

Following Recommendations were given by the Joint Inspecting team:

- a) DDA to expedite the work to stop seepage of water in the Society located at Sector E, Pocket 2, Vasant Kunj, New Delhi-110070 and to take adequate measures to clean up the pond at Rangpuri Pahadi as land belongs to DDA.
- b) To inform joint inspection teams of Yamuna Cleaning Cell (YCC) headed by DJB official(s) to inspect the areas K-II Block, Mahipalpur which are in vicinity of the said DDA society & nearby areas to identify industrial units, if any, responsible in discharging effluent in the said drain and to take immediate action against such unit as per mandate of YCC.
- c) DJB to initiate laying of pipeline on priority so that the wastewater from the unauthorized colonies is channelized to a STP for treatment.
- d) DPCC water lab to measure the quantity of wastewater as directed by Hon'ble NGT.

And whereas, DPCC Water Lab had collected the effluent sample of the drain on 06.04.2022 and effluent analysis report dated 19.04.2022 reveals that parameters w.r.t. TSS (128 against the prescribed limit i.e. 100 mg/l) & BOD (85 against the prescribed limit i.e. 30 mg/l) were exceeding the prescribed limits.

Now therefore, the Competent Authority in Delhi Pollution Control Committee in exercise of powers conferred upon it/s 33(A) of Water (Prevention and Control of Pollution) Act, 1974 and u/s 5 of Environment (Protection) Act, 1986 as amended to date, issues the following directions:

1. DDA shall take immediate action to stop seepage of water in the Society located at Sector E, Pocket 2, Vasant Kunj, New Delhi-110070 and to take adequate measures to clean up the pond at Rangpuri Pahadi. Further, DDA shall take immediate steps for removal of the illegal dumping of garbage / general waste from the site and keep a strict vigil regularly so that illegal dumping of garbage / general waste doesn't reoccur in future.
2. DJB shall take immediate steps for cleaning of sewage water accumulated at the said location and take measures so as to collect the sewage from the sources and treat the same in compliance with the norms prescribed before discharging and to take immediate action w.r.t. laying of pipeline so that the wastewater from the unauthorized colonies is channelized to a STP for treatment.

Non-compliance of above directions shall attract penal action under the provisions of the Environment (Protection) Act, 1986 as well as Water Act, 1974.

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Copy to:-

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2. The Member (Drainage), Delhi Jal Board, Varunalaya, Phase-II, Jhandewalan, New Delhi-110055
3. Master File