

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

O.A. NO. 295/2022

IN THE MATTER:-

S. R. SANGAR

.....Applicant

Versus

Govt. of NCT of Delhi &ors.

.....Respondents

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Through

New Delhi
Dated:- 12.04.2023
MCD


PUJA KALRA
Standing Counsel

Chamber No. 430, Block-I
Delhi High Court, New Delhi.
Mob. 9312839323

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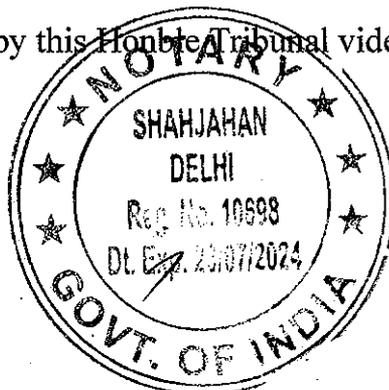
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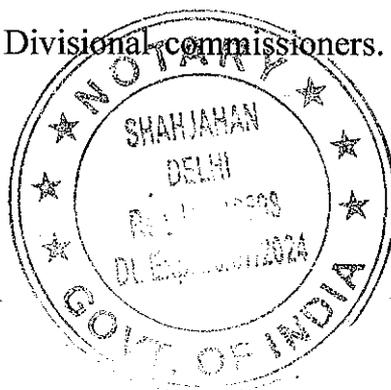
**Status Report on behalf of the answering respondent MCD in
compliance of order dated 24.01.23**

I, Keshav Lal S/o Sh. Bhagirath aged about 59 years, Deputy Director, Horticulture Department, Shahdara (South) Zone, MCD, Delhi. Do hereby solemnly affirm and declare as under:-

1. That the deponent is working as Deputy Director, Horticulture Department, Shahdara (South) Zone, MCD, Delhi and well conversant with the facts of case and as such competent to swear the present affidavit on the basis of available record and site conditions, on behalf of the Municipal Corporation of Delhi.
2. That the present status report is in continuation of the earlier status report filed by answering respondent on 23.01.23 and in compliance of the directions given by this Honble Tribunal vide order dated 24.01.23.



3. That East Delhi has more than 2000 parks in Delhi and a total of 1021 tubewells are deployed for the purpose of watering of plants. Out of 1021 tubewells, 473 tubewells have been closed till date in pursuance of directions of Honble Tribunal. These 473 tubewells are situated in the vicinity of STPs established in Kondli and Yamuna Vihar, ie they are within 5 KM of radius of STPs.
4. That due to closure of 473 Tubewells , the maintenance of 444 Nos. parks has been hampered , and the irrigation and maintenance of such affected parks is in process with the water obtained from STPs located in the vicinity through deployment of water tankers. However maintenance and irrigation of such affected parks are being carried out through water tankers deployed by MCD.
5. That on earlier occasions request has been made to VC DDA for approval of scheme “ Providing and laying underground pipe line for supply of treated effluent from STP Kondli and Yamuna for Horticulture purpose vide letter dated, 28.11.19.
6. That vide order dated 27.01.21 the Hon’ble tribunal considered the 5 th report dated 07.12.20 of Yamuna Monitoring committee constituted and considered the recommendations given by them which are reproduced in the order. It was recommended that borewells where treated water is available be sealed by DM and Divisional commissioners. Sealing of borewells be



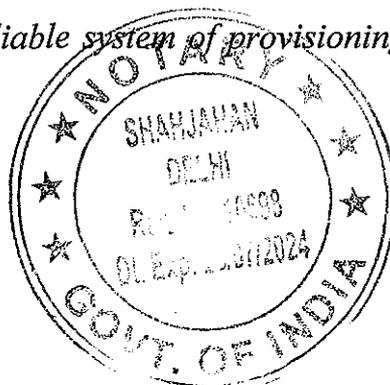
planned to synchronise with the availability of treated waste water. DJB should push for more decentralized STPs to be set in large parks.

7. That some tubewells were sealed which led to drying up of parks for want of irrigation. In response to this SDMC moved before this Honble Tribunal by filling an application in OA 6/12 against DJB seeking directions that DJB to supply treated water for irrigation purposes with adequate pressure wherever piped supply is not available. The Honble Tribunal vide order dated 26.03.21 disposed off the application directing chief secretary to look into the matter and take appropriate decision in this regard following due process of law. The order dated 26.03.21 is annexed herewith as **Annexure A**.

8. That a review meeting was held on 13.04.21, wherein worthy chief secretary of Delhi gave the directions , which are reproduced here as under;

A long-term perspective plan should be prepared for the optimum use of treated effluent in Delhi, which must include the maximum utilization of treated water for horticulture purposes including the coverage of all parks and gardens in Delhi, to replace the extraction of precious groundwater through the borewells for the purpose. In this regard, DJB shall carry out the work of survey, preparation of DPR, cost estimates, etc, of the complete scheme by providing piped network upto each park.

Any further sealing of borewells in parks, gardens should be in sync with the setting up a robust and reliable system of provisioning of treated water to the park.



9. That in the meantime a letter dated 27.11.21 was received from DJB stating that it shall with its own funds, install small modular DSTPs in all parks and laying conveyance from the nearest sewerage system to the DSTPs . the requirement of land for modular DSTPs is 75 sqm for 50 KLD. The information sought by them was provided by the then EDMC. The letter dated 27.11.21 is annexed herewith as **Annexure B**.

10. Thereafter 6th meeting was convened under the chairmanship of Worthy Chief secretary on 04.10.22, and its minutes were drawn on 27.10.22. to review the progress. It was discussed and deliberated upon that :

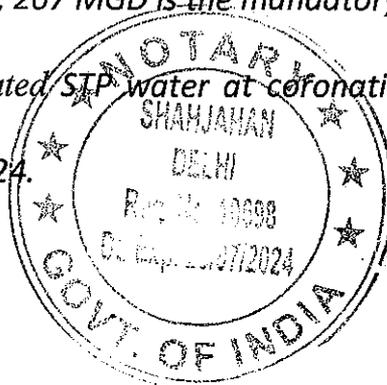
DJB to share action plan of laying separate pipelines for treated water for bulk uses like DDA parks, CPWD Parks, MCD Parks, NDMC parks, institutions etc.

(Action by DJB)

11. That a High level committee headed by Hon'ble LG Delhi constituted by Hon'ble NGT vide order dated 09.01.23 in OA 21/23 titled Ashwani Yadav vs GNCTD was held on 14.2.23. it was deliberated that :

Utilization of treated waste water

It was informed that 90MGD out of 530 MGD of treated STP water is being used mainly for Horticulture , 267 MGD is the mandatory return of flow in river Yamuna, while 70 MGD treated STP water at coronation pillar is to be treated at tertiary level by June 2024.



..... The Honble LG directed DJB to share its comprehensive action plan of utilization of treated sewage in view of day by day increasing demand of water supply in city of Delhi.

MCD Commissioner suggested that the increase in pipeline network should be initiated at least in phased manner for supply of STP treated water to parks and gardens. A separate meeting was decided to be held on this issue.

12. That as of now the affected parks are being irrigated with the help of water tankers by bringing treated water from the STP in the vicinity. The DJB has to proceed with the directions issued by Hon'ble LG and worthy Chief secretary Delhi for issues discussed and deliberated upon regarding utilization of treated water.

13. The status of the parks in question has been exhibited through photographs filed on 23.01.23 by the answering respondent MCD .

(Handwritten signature)

Deponent
Dy. Director (Hort.)
M.C.D. Shahdara(South) Zone

12 APR 2023

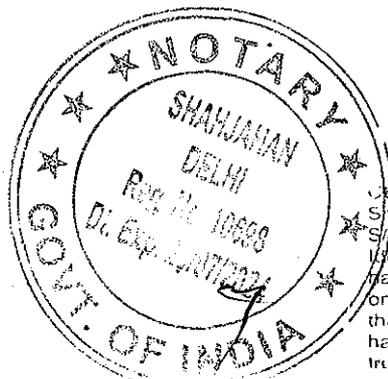
(Handwritten signature)
I identified the deponent who has
Verification: *(Handwritten signature)*
in the presence of *(Handwritten signature)*

I, the above-named Deponent, do hereby solemnly affirm on oath that the contents of the present status report are true and correct to the best of my knowledge and that nothing material has been concealed therefrom. I further state that no part of it is false.

12 APR 2023

(Handwritten signature)

Deponent
Dy. Director (Hort.)
M.C.D. Shahdara(South) Zone



CERTIFIED THAT THE DEPONENT
Sri/Smt. *(Handwritten name)*
S/o W/o *(Handwritten name)*
Identified by *(Handwritten name)*
has solemnly affirmed before me at Delhi
on *(Handwritten date)*
that the contents of the affidavit which
have been read & explained to me are
true and correct to his/her knowledge

(Handwritten signature)
(Handwritten signature)
Notary Public

Item No. 05

Court No. 1

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

(By Video Conferencing)

M.A. No. 25/2021

IN

Original Application No. 06/2012

Manoj Mishra

Applicant

Versus

Union of India & Ors.

Respondent(s)

South Delhi Municipal Corporation

Applicant in MA

Date of hearing: 26.03.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

*Applicant: Ms. Garima Prashad, Senior Advocate with Ms. Puja Kalra, Advocate for Applicant (SDMC) in MA 25/2021

Respondent: Ms. Sakshi Popli, Advocate for DJB

ORDER

1. This application has been filed by the South Delhi Municipal Corporation (SDMC) in a decided matter against the Delhi Jal Board (DJB). The grievance is that the Corporation is maintaining 6822 parks. It was having borewells for irrigation of the parks which have been sealed as per order of this Tribunal dated 27.01.2021 in O.A. No. 06/2012. The said order has been passed to conserve fresh water for drinking purposes and to use treated water for irrigation purposes. The applicant has also referred to later order of this Tribunal dated 25.02.2021 in *Execution Application No. 17/2020 in O.A. No. 386/2017, Rear Admiral A P Revi (Retd.) v. DJB & Ors.* as follows:-

"We are of the view that even though the steps are reported to have been taken, the matter needs to be taken forward, after due consideration of the objections of the applicant to ensure that fresh water is not used for gardening in public parks by the DDA and the South Delhi Municipal Corporation and instead only treated water is so used. The order of this Tribunal dated 27.01.2021 in OA No. 6/2012, Manoj Mishra v. Union of India & Ors. approving the recommendations of the Yamuna Monitoring Committee may be duly followed. The DJB may ensure supply of such treated water with adequate pressure and wherever piped supply is not available, supply may be ensured by tankers."

2. In view of above, it is stated that the DJB has to ensure supply of treated water with adequate pressure and wherever piped supply is not available, to supply such water by tankers. The DJB is in the process of providing pipe network from STP to the parks. But till such pipelines are laid, there is need for tankers for supply of water to 5357 parks. Hiring of tankers is the responsibility of the Jal Board and not of the Municipal Corporation. The Member Secretary, DPCC vide letter dated 09.03.2021 has directed the Jal Board to hire tankers. Responsibility of water supply and maintenance of sewage is the statutory responsibility of the Jal Board under the Jal Board Act, 1998.

3. We are of the view that *inter se* dispute of Municipal Corporation and the Jal Board can be better resolved at the higher level in the Administration, taking into account all practical considerations, including availability of funds and need for conserving scarce resource of drinking water, in accordance with the directions of this Tribunal already issued in the subject.

Accordingly, we dispose of the application by directing the Chief Secretary, Delhi to look into the matter and take appropriate decision in the matter, following due process of law.

The application is disposed of.

A copy of this order be forwarded to the Chief Secretary, Delhi and the Secretary to LG, Delhi by e-mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

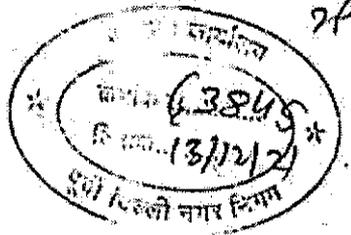
March 26, 2021
M.A. No. 25/2021 In
Original Application No. 06/2012
SN

उदित प्रकाश राय
मा.प्र.से.
Udit Prakash Rai
I.A.S
मुख्य कार्यकारी अधिकारी
Chief Executive Officer



Annexure B 9
दिल्ली जल बोर्ड
DELHI JAL BOARD
राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
Govt. of National Capital Territory of Delhi
वरुणालय फेज-2, करोल बाग, नई दिल्ली-5
Varunalaya Phase-II, Karol Bagh, New Delhi-5
Tel. : 011-2311658, 23544795
E-mail : ceodelhi.djb@nic.in

[Handwritten Signature]
Addl. Comr-III



D.O. No. DJB/CEO/2021/D-563
Dated: 23.12.2021

Office of the
Secretary
Delhi Jal Board
By: *[Signature]*
Date: 19/12/21



Dear Sir,

Delhi Jal Board is coming out with a scheme to take sewage from its conveyance system, treat it with the installed DSTPs and provide sewage treated water to all parks of Delhi.

The treated water shall be of accepted parameters of standard quantity to be used in the parks.

Further, DJB shall, with its own fund, be installing Small Modular DSTPs in all parks and laying conveyance from the nearest sewerage system to the DSTP. The requirement of land for the modular DSTP shall be 75 sqm for 50 KLD of water.

In this regard, it is requested NOC for the parks owned by East DMC may please be issued so that the treated water in substantial quantity may be provided to the East DMC. The information may be provided in the attached format.

With regards,

Encl : as above

Yours sincerely,
[Signature]

(Udit Prakash Rai)
Chief Executive Officer, DJB

Sh. Vikas Annand,
Commissioner, East DMC,
MCD Udyog Sadan, Patparganj,
Delhi - 110092

