

622

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO 737/2022

IN THE MATTER OF:

Sh. Amit Aggarwal President ARWS Sector

A Pocket B and C Vasant Kunj New Delhi – 110070

.....Applicant

Versus

Delhi Police through the Commissioner of Police & Ors.

..... Respondents

NDOH:- 06.08.2025

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Filed by

Date: 04th.08.2025

DPCC

Place: Delhi

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**RESPONSE OF DELHI POLLUTION CONTROL COMMITTEE (DPCC)
WITH RESPECT TO ORDER DATED 03.04.2025.**

MOST RESPECTFULLY SHOWETH:

I, Deepak Kumar Singh, Additional Director, Delhi Pollution Control Committee, 3rd Floor, Block - I, DMRC IT Park, Shastri Park, Delhi - 110053, do hereby solemnly affirm and state as under :

1. That, I am working as Additional Director with Delhi Pollution Control Committee (DPCC) and conversant with the facts of the present case on the basis of record maintained by DPCC in its ordinary course.
2. That this Hon`ble Tribunal has taken up the above referred matter regarding maintenance of Macchali Talab (water body) in Smriti Van at Vasant Kunj and vide order dated 03.04.2025 given various directions including following :

“2. The recent affidavit of DJB dated 05.03.2025 reveals that the DSTP in question was setup without CTE and was operating without CTO. Learned Counsel for the DJB has informed that the CTE was obtained on 03.04.2025, meaning thereby even as on today, the DSTP in question does not have CTO. Hence, appropriate steps are required to be taken by the DPCC to levy environmental compensation for violating the norms.”



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 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**

4. That samples from the inlet and outlet of the DSTP was collected by the team of DPCC officials during the inspection on 25.07.2025. As per the analysis report of the DPCC Laboratory for the sample taken from the outlet of the DSTP, DSTP is not meeting the standards prescribed by DPCC as briefed in following Table :



S. No.	Parameter	Prescribed Standards (in mg/l except pH) (Not to Exceed)	Analysis Result for Sample taken from outlet of DSTP (in mg/l except pH)	Remarks
1	pH	6.5 - 9.0	7.9	Meeting the Prescribed Standard
2	TSS	10	27	Not Meeting the Prescribed Standard
3	BOD	10	18	Not Meeting the Prescribed Standard
4	COD	50	52	Not Meeting the Prescribed Standard
5	Oil & Grease	10	1.6	Meeting the Prescribed Standard
6	Ammonical Nitrogen	5	5.54	Not Meeting the Prescribed Standard
7	Dissolved Phosphates as P	2	0.96	Meeting the Prescribed Standard

Copy of Analysis Report of DPCC for the samples taken on 25.07.2025 from Inlet and outlet of DSTP in Smriti Van at Vasant Kunj is at **Annexure – 2**

5. That Consent to Establish under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, as amended to date, was issued to Delhi Jal Board on 02.04.2025 in respect of the DSTP in Smriti Van at Vasant Kunj, Delhi.

6. That Delhi Jal Board has submitted application for Consent to Operate under the Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, as amended to date, in respect of the DSTP in Smriti Van at Vasant Kunj, Delhi however the said application was deficient / incomplete due to non submission of requisite Consent Fee and required documents. Now Delhi Jal Board has submitted the requisite Consent Fee and required documents on 31.07.2025 and the Consent to operate is under process.



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7. That in view of the above, a Show Cause Notice has been issued by DPCC to Delhi Jal Board on 04.08.2025 for imposition of Environmental Compensation of Rs.10,00,000/-(Rupees Ten Lakh only) on Delhi Jal Board for the above mentioned violations including DSTP not meeting the standards prescribed by DPCC.

Copy of Show Cause Notice issued by DPCC to Delhi Jal Board on 04.08.2025 is at **Annexure – 3**

That, the present response of DPCC may kindly be taken on record.

Anupam Singh
DEPONENT

I identify the deponent who has signed in my presence

VERIFICATION

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

04 AUG 2025

Verified at New Delhi on this 4th day of August, 2025.

Anupam Singh
DEPONENT



CERTIFIED THAT THE DEPONENT
Shri/Smt./Kmr. *D. J. C. Singh*
s/o W/o *D. J. C. Singh*
s/o *D. J. C. Singh*
identified by *D. J. C. Singh*
has seen and attested
Delhi on *04/08/2025* at *168/25*
that the contents of the affidavit which have
been read and explained to the deponent
correct to his knowledge
Oath Commissioner Delhi
04 AUG 2025

Report of Inspection of DSTP at Smriti Van, Vasant Kunj

5

An inspection of the DSTP at Smriti Van, Vasant Kunj, was carried out by a team of DPCC officials on 25.07.2025. A brief summary of the observations from the inspection is as follows:

1. This 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 flow directly into the pond without any treatment.
2. The treated effluent from the DSTP also goes to the same pond inside the park through a pipeline laid parallel to the parent drain.
3. The plant was found non-operational during the inspection, reportedly due to a disruption in electricity supply. The DSTP resumed operations after power supply restoration.
4. During the inspection, only one operator was present on-site, lacking technical knowledge of the DSTP. No DJB officials were present at the time.
5. The process flow diagram of the STP is briefly described as follows:
Inlet - Screening - Grit Removal - Anoxic Tank - Chemical Dosing & Mixing - Settling (Tube Settler) - Aeration (Wetland) - Disinfection (chlorination) - Outlet
6. Only one mixing motor of the anoxic tanks was found operational out of four.
7. Alum and poly dosing are being carried out for coagulation, and chlorine dosing is being carried out for disinfection.
8. Log book was not found at the site.
9. Team collected sample at inlet and outlet of the DSTP.
10. Photographs taken during the inspection are attached.



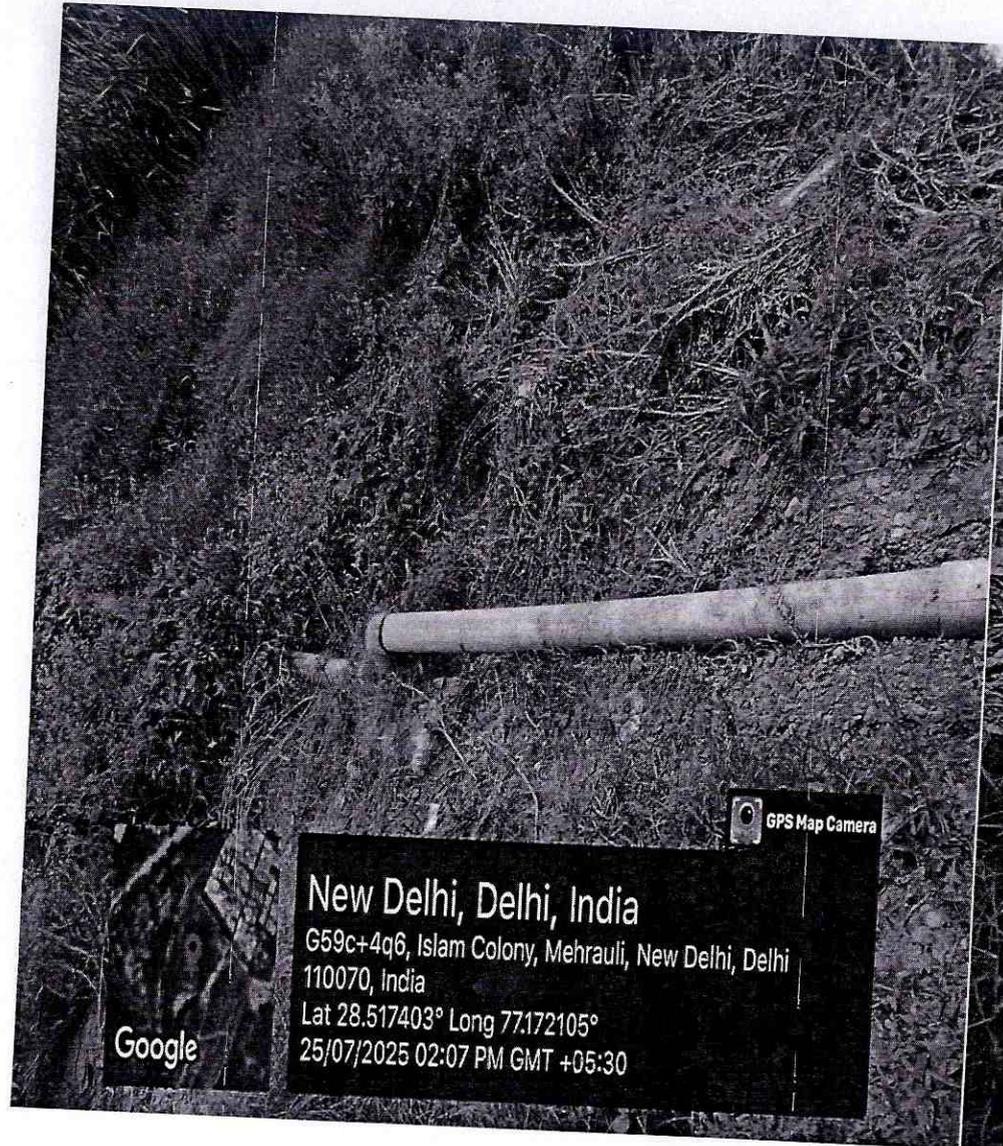
Ashish Uniyal
JEE (WMC-II)



Amzad Khan
JEE(CMC-II)



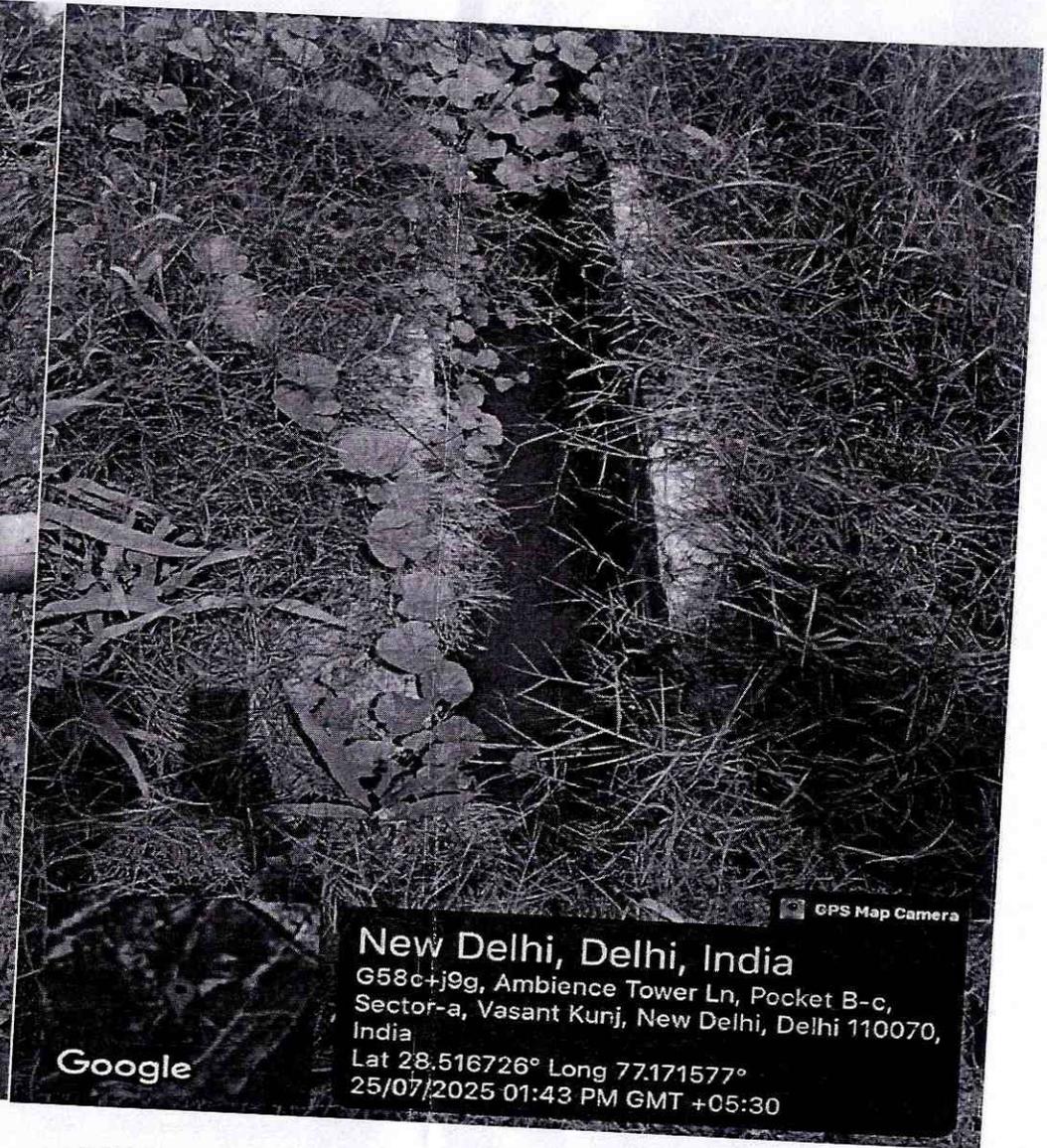
Vikash Kumar Meena
JEE(Water Lab)



GPS Map Camera
New Delhi, Delhi, India
G59c+4q6, Islam Colony, Mehrauli, New Delhi, Delhi
110070, India
Lat 28.517403° Long 77.172105°
25/07/2025 02:07 PM GMT +05:30

Google

Pipe Line laid down from Intake structure to inlet Sump



GPS Map Camera
New Delhi, Delhi, India
G58c+j9g, Ambience Tower Ln, Pocket B-c,
Sector-a, Vasant Kunj, New Delhi, Delhi 110070,
India
Lat 28.516726° Long 77.171577°
25/07/2025 01:43 PM GMT +05:30

Google

Secondary Drain diverted from Main Drain

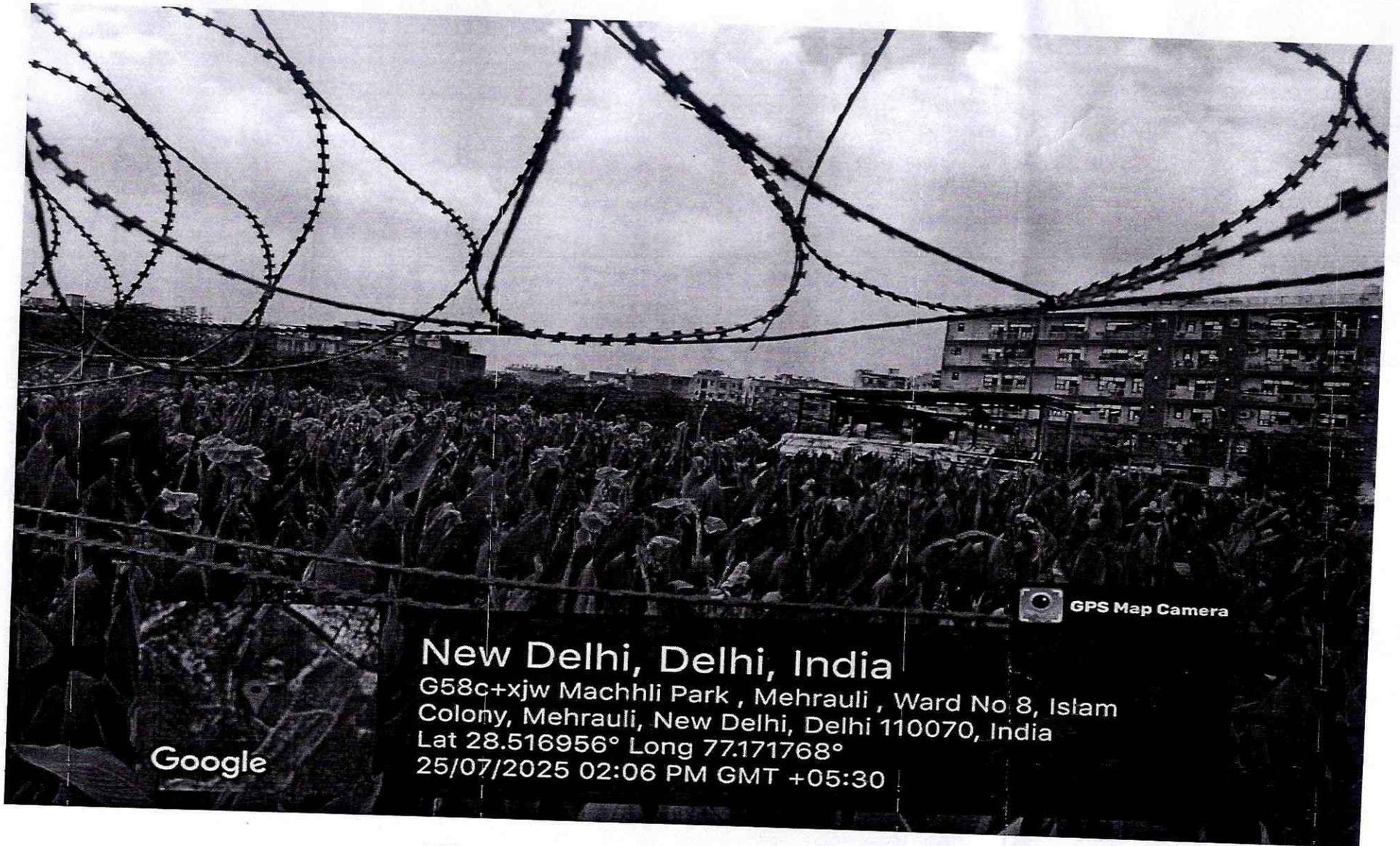


Google

GPS Map Camera

New Delhi, Delhi, India
G58c+xjw Machhli Park , Mehrauli , Ward No 8, Islam
Colony, Mehrauli, New Delhi, Delhi 110070, India
Lat 28.516981° Long 77.171766°
25/07/2025 01:32 PM GMT +05:30

DSTP Units (Preliminary Treatment, Anoxic Tank, Poly + Lime Dosing)



Aeration + Filtration (Wetland)



Alum + Poly Dosing Point

Chlorine Dosing Point

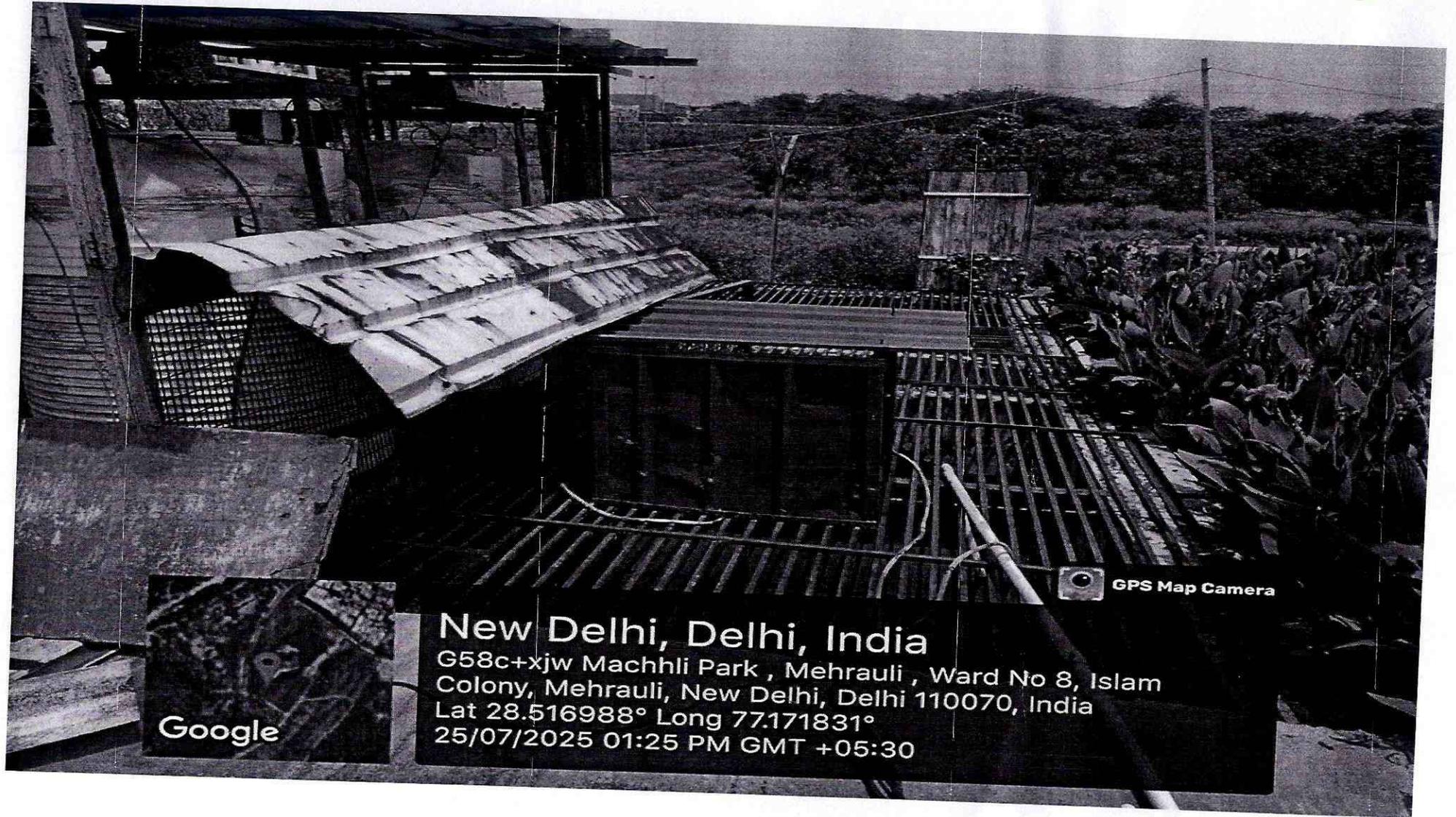


Google

GPS Map Camera

New Delhi, Delhi, India
G58c+xjw Machhli Park , Mehrauli , Ward No 8, Islam
Colony, Mehrauli, New Delhi, Delhi 110070, India
Lat 28.516886° Long 77.171828°
25/07/2025 01:47 PM GMT +05:30

Pond (Talab) [Final Discharge Point of Untreated Drain Water and Treated Drain Water]



New Delhi, Delhi, India
G58c+xjw Machhli Park , Mehrauli , Ward No 8, Islam
Colony, Mehrauli, New Delhi, Delhi 110070, India
Lat 28.516988° Long 77.171831°
25/07/2025 01:25 PM GMT +05:30

GPS Map Camera

Poly + Alum Dosing + Mixing + Tube Settler



Google

GPS Map Camera
New Delhi, Delhi, India
G58c+j9g, Ambience Tower Ln, Pocket B-c,
Sector-a, Vasant Kunj, New Delhi, Delhi 110070,
India
Lat 28.516743° Long 77.171667°
25/07/2025 01:43 PM GMT +05:30

Main Drain

635


DELHI POLLUTION CONTROL COMMITTEE

 (Government of N.C.T. of Delhi) 4th & 5th Floor, ISBT Building
 Kashmere Gate, Delhi 110006

 (Visit us at <https://www.dpccocmms.nic.in>)


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Report Number DPCC/W/MISC/DSTP/25-26/15/2037

ANALYSIS REPORT OF DSTP

Dated 30.07.2025

1. Name of STP : Smriti Van, Vasant Kunj
2. Sampling location : Inlet and Outlet of DSTP
3. Date of sampling : 25.07.2025
4. Samples collected by : DPCC Lab, WMC-II & CMC-II
5. Parameters analyzed and results :

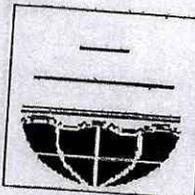
Sr. No.	STP Standard	Parameters							Remarks
		pH	TSS (mg/l)	BOD (mg/l)	COD (mg/l)	Oil & Grease (mg/l)	Ammonical Nitrogen (mg/l)	Dissolved Phosphate as P (mg/l)	
		6.5-9.0	10	10	50	10	5	2	
1	Inlet	7.4	144	125	328	11.2	13.96	2.99	
	Outlet	7.9	27	18	52	1.6	5.54	0.96	Not meeting the standards wrt. TSS, BOD, COD & Ammonical Nitrogen.

 (B) meerg
 Sampled by

Scientist B/Analyst

I/C Water Laboratory

 Dr. Shweta Gupta
 Incharge (Water Laboratory)

	<p align="center">DELHI POLLUTION CONTROL COMMITTEE Department of Environment, Govt. of NCT of Delhi 3rd Floor, Block -I, DMRC IT Park, Shastri Park, Delhi-110053 visit us at : http://dpcc.delhigovt.nic.in</p>	
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F.No: DPCC/WMC-II / CTE / Smriti Van (DSTP) / 2025/ 1151 - 1153 Dated: 04/08/2025

Subject: Show Cause Notice for Imposition of Environmental Compensation on Delhi Jal Board.

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

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

And whereas, as per Section 24 of the Water (Prevention and Control of Pollution) Act, 1974 :

- (a) No person shall knowingly cause or permit any poisonous, noxious or polluting matter determined in accordance with such standards as may be laid down by the State Board to enter (whether directly or indirectly) into any [stream or well or sewer or on land]; or
- (b) No person shall knowingly cause or permit to enter into any stream any other matter which may tend, either directly or in combination with similar matters, to impede the proper flow of the water of the stream in a manner leading or likely to lead to a substantial aggravation of pollution due to other causes or of its consequences.

And whereas, as per the section 21 of the Air (Prevention and Control of Pollution) Act, 1981, "No person shall establish or operate any industry, operation or process in an air pollution control area without the previous consent of the Board."

And whereas, as per the section 25 of the Water (Prevention and Control of Pollution) Act, 1974:

- "No person shall, without the previous consent of the State Board -
- (a) establish or take any steps to establish any industry, operation or process or any treatment and disposal system or any extension or addition thereto, which is likely to discharge sewage or trade effluent into a stream, well or sewer or on land; or
- (b) bring into use any new or altered outlet for the discharge of sewage; or
- (c) begin to make any new discharge of sewage.

And whereas **Delhi Jal Board (DJB)**, having its head office at **Varunalaya, Phase-II, Jhandewalan, Karol Bagh, Delhi -110005** are responsible for management of sewage in Delhi and operation of Sewage Treatment Plants (STPs) / Decentralized Sewage Treatment Plants (DSTPs) of DJB in Delhi including DSTP in Smriti Van at Vasant Kunj, Delhi.

And whereas, Delhi Jal Board has established a DSTP of 1100 KLD Capacity in Smriti Van at Vasant Kunj, Delhi for treating the waste water (containing sewage) taken from the nearby open drain and for utilization of the treated effluent in the Machhli Wala Talab (Water Body) located in Smriti Van at Vasant Kunj, Delhi. The said DSTP in Smriti Van at Vasant Kunj, Delhi is operational since 20.10.2022.

And whereas, the above mentioned DSTP in Smriti Van at Vasant Kunj, Delhi was constructed / established and being operated by DJB without obtaining prior Consent to Establish (CTE) and Consent to

Operate (CTO) and therefore violated the provisions of the above mentioned Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981, as amended to date.

And whereas, application for Consent to Establish (CTE) in respect of above mentioned DSTP in Smriti Van at Vasant Kunj, Delhi was submitted to DPCC on 06.03.2025 after commencing the operation of the said DSTP on 20.10.2022.

And whereas, application for Consent to Operate (CTO) in respect of above mentioned DSTP in Smriti Van at Vasant Kunj, Delhi was submitted to DPCC on 09.05.2025 after commencing the operation of the said DSTP on 20.10.2022.

And whereas, an inspection of said DSTP in Smriti Van at Vasant Kunj, Delhi was carried out by DPCC official on 13.03.2024 and DSTP was found non-operational due to defunct motor. It was also observed that logbook was not being maintained for the operation and maintenance of DSTP.

And whereas, a joint visit of said DSTP in Smriti Van at Vasant Kunj, Delhi was carried out by a team of officials from DJB, DDA & DPCC on 24.07.2024 and samples from the inlet and outlet of the DSTP was collected by DPCC during the said visit. As per the Analysis Report of DPCC Laboratory for the samples collected on 24.07.2024, DSTP was found not meeting the standards prescribed by DPCC in respect of TSS (42 mg/l against the prescribed standard of 10 mg/l), BOD (25 mg/l against the prescribed standard of 10 mg/l) and COD (84 mg/l against the prescribed standard of 50 mg/l).

And whereas, DPCC vide letter dated 28.08.2024 requested Delhi Jal Board to ensure that intake of the waste water from the drain in such a quantity which can be treated in the said DSTP conforming to the norms laid down before discharging into the pond. No untreated wastewater shall be discharged into the pond through bypass drain as observed during the said visit on 24.07.2024.

And whereas, Hon'ble National Green Tribunal (NGT) has taken up the matter regarding maintenance of Macchali Talab (water body) in Smriti Van at Vasant Kunj, Delhi in OA No. 737/2022 in the matter of "Amit Aggarwal Vs. Delhi Development Authority & Ors." and have given various directions through orders passed from time to time including following vide order dated 03.04.2025 :

"....2. The recent affidavit of DJB dated 05.03.2025 reveals that the DSTP in question was setup without CTE and was operating without CTO. Learned Counsel for the DJB has informed that the CTE was obtained on 02.04.2025, meaning thereby even as on today, the DSTP in question does not have CTO. Hence, appropriate steps are required to be taken by the DPCC to levy environmental compensation for violating the norms....."

And whereas, an inspection of said DSTP in Smriti Van at Vasant Kunj, Delhi 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. (16)
(viii) Log book was not found at the site. **638**

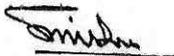
And whereas, samples from inlet and outlet of the DSTP in Smriti Van at Vasant Kunj, Delhi was also taken during the above mentioned inspection on 25.07.2025. As per the Analysis Report of DPCC Laboratory for the sample taken from the outlet of the DSTP, DSTP is not meeting the standards prescribed by DPCC in respect of TSS (27 mg/l against the prescribed standard of 10mg / l), BOD (18 mg/l against the prescribed standard of 10mg/l), COD (52 mg/l against the prescribed standard of 50 mg/l), Ammonical Nitrogen (5.54 mg/l against the prescribed standard of 5 mg/l).

And whereas, Hon'ble National Green Tribunal in its various orders in O.A.No.06 of 2012 and O.A.No.300 of 2013 in the matter of Manoj Mishra Vs. Union of India & Ors and OA No. 673 / 2018 in the matter of News item published in 'The Hindu' authored by Shri Jacob Koshy titled "More river stretches are now critically polluted:CPCB" have given various directions including directions for imposition of Environmental Compensation on the violators.

Now therefore, in view of the above and various orders passed by the Hon'ble National Green Tribunal regarding imposition / levying of Environmental Compensation on violators keeping in view the 'Polluter Pays' principle, The Member Drainage, Delhi Jal Board, Varunalaya Phase-II, Jhandewalan, Karol Bagh, Delhi-110005 is hereby called upon to show cause as to why Environmental Compensation of Rs. 10,00,000 /- (Rupees Ten Lakh only) should not be imposed / levied upon Delhi Jal Board for the above mentioned violations including DSTP not meeting the standards prescribed by DPCC.

Your reply, if any, should reach to this office within 15 days from the date of issue of this Notice failing which, it will be presumed that you have nothing to say in this regard and the aforementioned Environmental Compensation shall be imposed / levied upon the Delhi Jal Board without any further reference in this regard.

You are also directed to take immediate necessary action for rectification of the deficiencies to meet the prescribed standards.

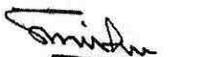

(Sandeep Mishra)
Member Secretary, DPCC

To,

The Member Drainage ,
Delhi Jal Board, Varunalaya Phase-II, Jhandewalan, Karol Bagh,
New Delhi -110005.

Copy to :

1. The Chief Executive Officer, Delhi Jal Board, Varunalaya Phase-II, Jhandewalan, Karol Bagh, Delhi-110005.
2. PS to Chairman, DPCC


(Sandeep Mishra)
Member Secretary, DPCC