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

IA NO. 170 OF 2024

In

OA No. 06 of 2012

In the matter of:

Nizamuddin West Association

...Applicant

Vs

Union of India & Ors

...Respondent

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**Filed by Adv. Rajkumar
(On behalf on Central Pollution Control Board)**

Place: Delhi

Dated: 18.12.2024

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

IA NO. 170 OF 2024

In

OA No. 06 of 2012

In the matter of:

Nizamuddin West Association

...Applicant

Vs

Union of India & Ors

...Respondent (s)

**REPLY ON BEHALF OF CENTRAL POLLUTION CONTROL BOARD
(CPCB)**

MOST RESPECTFULLY SHOWETH:

1. That CPCB, has been constituted under Section 3 of the Water (Prevention & Control of Pollution), Act 1974 (herein after referred as Water Act). It performs functions under the Water Act and Air (Prevention & Control of Pollution), Act 1981 (herein after referred as Air Act), and under The Environment (Protection) Act, 1986. It is further submitted that the State Pollution Control Boards and Pollution Control Committees (hereinafter referred as SPCBs or PCCs) have been constituted in States/Union Territories under the Water Act and the Air Act, to perform the functions and implement the provisions of these Acts in respect of their territorial jurisdiction. Moreover, the SPCB/PCC, in respect of the respective State or UT, has been fully empowered to implement the provisions of these Acts.



Para-Wise Reply

1. With reference to Paragraph No. 1 & 2 of the application, the petitioner has mentioned about Interlocutory Application (IA) No. 537/2023 filed before Hon'ble NGT. These are matter of record and hence needs no response from the Answering Respondent.
2. With reference to averment made in Paragraph No. 3, 5 & 9 of the application, it is humbly submitted that the petitioner has highlighted the maintenance of the drains. It is humbly submitted that the responsibility of the maintenance of the drains lie with the local bodies thereby no comments are offered over the same by answering respondent herein.
3. With reference to averment made in Paragraph No. 4 of the application, the petitioner has indicated about the Original Applications (OAs) filed before, Hon'ble NGT. These are matter of record and hence needs no response from the Answering Respondent.
4. With reference to Paragraph No. 6 & 7 of the application, the petitioner has mentioned about OA No. 526/2019 & OA 148/2016 filed before Hon'ble NGT. These are matter of records and hence needs no response from the Answering Respondent.
5. With reference to Paragraph No. 8 of the application, the petitioner has highlighted the arrangement for the supply of treated water to the parks by DJB. In this regard, it is to submit that DJB shall discharge the treated effluent



within the prescribed standards and other conditions prescribed under Consent to Operate (CTO) granted by DPCC.

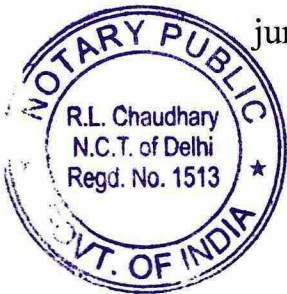
6. With reference to averments made in Paragraph No. 10 of the application, the petitioner has mentioned about OA No. 190/2021 filed before Hon'ble NGT. These are matter of record and hence needs no response from the Answering Respondent.

7. With reference to averments made in Paragraph No. 11 of the application, the petitioner has mentioned about OA No. 233/2020 filed before Hon'ble NGT. As per section 25 of The Water (Prevention and Control of Pollution) Act, 1974, any establishment discharging wastewater shall take prior consent from respective State Pollution Control Board/Pollution Control Committee. The State Pollution Control Board (SPCB)/ Pollution Control Committee(PCC) under consent mechanism is also required to prescribe conditions for discharge of effluent. In case of non-compliance of consent conditions, SPCBs/PCCs are fully empowered to take actions stipulated under The Water (Prevention and Control of Pollution) Act, 1974.

8. With reference to averments made in Paragraph No. 12 of the application, the petitioner has mentioned about OA No. 98/2021 filed before Hon'ble NGT. These are matter of record and hence needs no response from the Answering Respondent.



9. No comments are offered over the averments made in para 13 of the application wherein the petitioner has referred about his RTI application to Delhi Jal Board.
10. With reference to averments made in Paragraph No. 14 & 15 of the Application it is humbly submitted that the responsibility of the sewage management including reuse of treated water lies with the local bodies thereby the response of concerned respondents may kindly be considered in this regard.
11. With reference to averments made in Paragraph No. 16 of the Application, the applicant is presenting various grounds for consideration of prayer. These are matter of records and hence needs no response from the Answering Respondent.
12. No comments are offered by the answering respondent herein over the averments made in Paragraph No. 17 of the application wherein, the petitioner has highlighted the maintenance of the parks by MCD thereby the response of concerned respondents may kindly be considered in this regard.
13. With reference to averments made in Paragraph No. 18 & 19, the petitioner has highlighted the operation and maintenance of Sewage Treatment Plants (STP/s) by DJB. It is humbly submitted that CPCB inspected 38 STPs in Delhi and evaluated the performance of all existing & operational STPs under the jurisdiction of Delhi Jal Board (DJB) during April –May 2024 in compliance



of Hon'ble NGT direction dated 23.02.2024 in OA No. 183/ 2024. Further, CPCB issued directions to Delhi Pollution Control Committee under Section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act, 1974 regarding non-compliance status of Sewage Treatment Plants (STPs) installed in Delhi vide letter dated 12.11.2024 for ensuring compliance in a time bound manner. The report along with copy of directions is submitted before the Hon'ble NGT in the matter of OA No. 183/2024.

14. That, in the light of the above submissions, it is respectfully submitted that the Answering Respondent shall abide by all the order(s) and / or direction(s) passed by the Hon'ble Tribunal in the instant case.



A handwritten signature in black ink, appearing to be "Vishal Gandhi", written over a horizontal dashed line.

(Vishal Gandhi)
Scientist 'E'
Central Pollution Control Board



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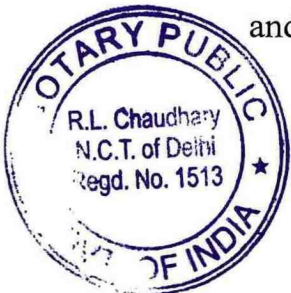
Union of India & Ors

...Respondent (s)

AFFIDAVIT

I, **Vishal Gandhi** working as Scientist 'E' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, the Respondent No. 1 in the above matter, do hereby solemnly affirm, declare on oath and state as under:-

1. That I, the deponent herein is authorized representative to represent the Respondent CPCB in the present case, and as such, I am well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent and authorized to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the



record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



DEPONENT

विशाल गांधी / Vishal Gandhi
वैज्ञानिक 'ई' / Scientist 'E'

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

Verified at New Delhi on this day of 18 DEC 2024 2024 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.



ATTESTED
 NOTARY PUBLIC
GOVT. OF INDIA

18 DEC 2024

DEPONENT

विशाल गांधी / Vishal Gandhi
वैज्ञानिक 'ई' / Scientist 'E'

केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)
(M/o Environment, Forest & Climate Change, Govt. of India)
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Item No.13

Court No. 1

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

I.A. No. 170/2024

In

Original Application No. 06/2012

Nizamuddin West Association

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 03.10.2024

**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: Mr. Sandeep Mishra & Mr. Surbhit Nandan, Advs. for Applicant in I.A.
No.170/2024

Respondents: Mr. Narender Pal Singh & Ms. Deepshikha, Advs. for DPCC.
Ms. Prabhsahay Kaur, Ms. Deeksha L. Kakar, Ms. Kavya Shukla & Mr.
Shivansh Sharma, Advs. for DDA.
Ms. Richa Kapoor & Ms. Atika Singh, Adv. for Delhi Jal Board
Ms. Jyoti Mendiratta & Ms. Ananya Basudha, Advs. for GNCTD
Ms. Puja S. Kalra & Mr. Virendra Singh, Advs. for MCD
Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)
Mr. Paritosh Anil, Adv. for MoEF & CC (Through VC)
Mr. Raj Kumar, Adv. for CPCB (Through VC)

ORDER

1. It has been pointed out that the O.A. No. 6 of 2012 in which the present I.A. has been filed is coming up for consideration on 07.11.2024.
2. It will be open to all the concerned parties to file response to the I.A. within three weeks and the applicant can file rejoinder thereto within one week thereafter.
3. List on 07.11.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

October 03, 2024
I.A. No. 170/2024 in O.A. No. 06/2012
A..

Item No. 04

Court No. 1

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

I.A. No. 170/2024

In

Original Application No. 06/2012

Nizamuddin West Association

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 07.11.2024

**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: Mr. Sandeep Mishra & Mr. Surbhit Nandan, Advs. for Applicant in I.A.
No.170/2024

Respondent: Mr. A.D.N. Rao, Senior Advocate (Through VC) with Ms. Richa Kapoor,
Mr. Kunal Anand, Ms. Atika Singh & Mr. Rahul Mishra, Advs. for Delhi
Jal Board
Mr. Narender Pal Singh & Ms. Anjali, Advs. for DPCC
Ms. Prabhsahay Kaur, Ms. Deeksha L. Kakar, Mr. Rashneet Singh & Ms.
Ananya Sahu, Advs. with Mr. Shadi Ram Bishnoi, DD, DDA
Ms. Jyoti Mendiratta, Adv. with Mr. N. P. Maurya, EE, CD-iii, IFCD,
GNCTD
Ms. Puja S. Kalra & Mr. Virendra Singh, Advs. with Mr. S.C. Yadav, Supt.
Eng., MCD
Mr. Pradeep Misra & Mr. Daleep Dhyani, Adv. for UPPCB
Mr. Paritosh Anil, Adv. for MoEF & CC
Mr. Raj Kumar, Adv. for CPCB
Ms. Richa Dhawan, Mr. Anuj Chaturvedi & Ms. Harshita Maheshwari,
Advs. for DUSIB

ORDER

1. The respondents are granted further three weeks' time to file reply to the IA.

2. List on 19.12.2024.

Prakash Shrivastava, CP

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Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

November 07, 2024
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