

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

**O.A. No. 432/2022 &**

**I.A. No. 145/2022**

**IN THE MATTER OF:-**

Jhilmil & Friends Colony Industrial

Area CEPT Society .....Applicant

Versus

Delhi Jal Board & Ors. ....Respondents

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THROUGH

  
**SWETANK SHANTANU**

COUNSEL FOR THE RESPONDENT NO.1

D-21, 3<sup>rd</sup> Floor,  
JANGPURA EXTENSION,  
New Delhi- 110014.  
Mobile-9818058809

Place: New Delhi

Date: 16.09.2022

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**O.A. No. 432/2022 &**

**I.A. No. 145/2022**

**IN THE MATTER OF:-**

Jhilmil & Friends Colony Industrial Area CEPT Society  
.....Applicant

Versus

Delhi Jal Board & Ors.....Respondents

**REPLY BEING FILED ON BEHALF OF RESPONDENTS**

**MOST RESPECTFULLY SHOWETH:**

That the contents of the Original Application are rebutted. All the averments in the reply are true, correct and well founded in law and in equity. Anything to the contrary of the Original Application be treated as denied and controverted and nothing be treated as admitted unless specifically traversed and expressly admitted hereunder.

**PRELIMINARY SUBMISSIONS:**

1. The Govt. of NCT of Delhi has constituted Yamuna Cleaning Cell to achieve the target to clean River Yamuna with CEO, DJB as Chairman and DSIIDC, DUSIB, DPCC and I&FC as members of this cell. The

Govt. of NCT Delhi is in process of transfer of CETP from DSIIDC to DJB for further up gradation and maintenance. This process of taking over of CETPs, their further up gradation and trapping of nearby drains is under the project cleaning of River Yamuna. Presently the discharge of these two drains namely Dilshad Garden drain and Jhilmil drain is going into existing Kondli STP which is already overloaded. To reduce the load on Kondli STP and optimum utilization of Jhilmil CETP, it is proposed to treat discharge of these drains at Jhilmil CETP which is already running under capacity i.e., about 4-5 MLD against the capacity of 16.8 MLD. The treated effluent of this CETP can be further utilized for Horticulture purposed in the nearby parks of EDMC, DDA, PWD etc. Accordingly, after in principle approval of Hon'ble Minister (Water) GNCT, Delhi, dated 27.01.2022, the instant proposal for trapping of Dilshad Garden drain and Jhilmil drain into Jhilmil CETP was taken up. However, connection to existing CETP will be done only after transfer of CETP's to DJB.

2. That it is most respectfully submitted that the Respondent is acting as per the procedure and the allegations made against it of not following the law or violating the law is non-est and totally uncalled for.

**PRELIMINARY OBJECTIONS:**

1. That the present application is a blatant misuse of due process of law as by way of the present application the Applicant it seems is trying to misguide this Hon'ble Tribunal.
2. That the present application deserves to be dismissed at the threshold as the bare perusal of the Original application clearly indicates conduct of the Applicant is in fact demeaning, lowering the image of the Department.
3. That the present application deserves to be dismissed as the case has been proved beyond reasonable doubt while considering the plea made by the Applicant in as much as the principal approval has been accorded by the Minister(Water), Delhi to take up this work.

4. That the present application deserves to be dismissed as it is In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken up after formal approval of Govt. of NCT of Delhi and handing over of CETPs to DJB. However, connection to existing CETP will be done after transfer of CETP's to DJB.
5. That the present application deserves to be dismissed as In-principal approval has been granted by the minister concerned and connection to existing CETP will be done after transfer of CETP's to DJB.
6. That the present application deserves to be dismissed as stay of work in totality is not justified, by granting stay the right of the general public will be violated as the roads dugged for laying of the system are to be restored on priority.

**BRIEF FACTS OF THE CASE:**

- A. That In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further

action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken up after formal approval of Govt. of NCT of Delhi and handing over of CETPs to DJB. However, connection to existing CETP will be done after transfer of CETP's to DJB. (Copy of In-principal approval of minister(water) attached as **ANNEXURE 1**).

- B. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken up after formal approval of Govt. of NCT of Delhi and handing over of CETPs to DJB.
- C. Action will be taken after approval of the competent authority as per rule.

**REPLY OF THE FACTS OF THE CASE ARE AS UNDER:-**

- 1. That the contents of para 1 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

2. That the contents of para 2 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
3. That the contents of para 3 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
4. That it is not true that Shahdara link drain being connected to CETP Jhilmil Industrial Area is in violation of any act whatsoever. The existing project/work in question is for trapping Jhilmil drain and Dilshad Garden drain to CETP Jhilmil Industrial Area.
5. That the contents of para 5 is wrong, false and hence denied. It is humbly submitted that the In-principal approval has been granted by the minister concerned.
6. That the contents of para 6 are matter of technology. Further the contents of preliminary objection are reiterated and reaffirmed.
7. That the contents of para 7 of the original application is a matter of record and hence needs no reply.

Further the contents of preliminary objection are reiterated and reaffirmed.

8. That the contents of para 8 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
9. That the contents of para 9 are wrong, false and hence denied. it is respectfully submitted that the existing sewer network was laid by the developing agency of the area as per their designee. Further the contents of preliminary objection are reiterated and reaffirmed.
10. That the contents of para 10 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
11. That the contents of para 11 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
12. That the contents of para 12 of the original application is a matter of record and hence needs no

reply. Further the contents of preliminary objection are reiterated and reaffirmed.

13. That the contents of para 13 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

14. That the contents of para 14 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

15. That the contents of para 15 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

16. That the contents of para 16 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

17. That the contents of para 17 of the original application is a matter of record and hence needs no

reply. Further the contents of preliminary objection are reiterated and reaffirmed.

18. That the contents of para 18 does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
19. That the contents of para 19 does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
20. That the contents of para 20 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
21. That the contents of para 21 does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
22. That the contents of para 22 does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
23. That the contents of para 23 does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.

24. That the contents of para 24 does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
25. That the contents of para 25 states that In-principal approval has been accorded by Minister(Water), Delhi to take up this work. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken up after formal approval of Govt. of NCT of Delhi and handing over of CETPs to DJB. However, connection to existing CETP will be done after transfer of CETP's to DJB.
26. That the contents of para 26 are matter of policy and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
27. That the contents of para 27 does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
28. That the contents of para 28 states that In-principal approval has been granted by the minister concerned. Further the contents of preliminary objection are reiterated and reaffirmed.

29. That the contents of para 29 states that In-principal approval has been granted by the minister concerned to take up this work. Further the contents of preliminary objection are reiterated and reaffirmed.
30. That the contents of para 30 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
31. That the contents of para 31 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
32. That the contents of para 32 are matter of policy and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
33. That the contents of para 33 states that In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further action for upgradation of CETP's for treatment of both wastes with required treatment process will be taken after formal approval. However, connection to existing CETP will be done after transfer of CETP's to DJB.

34. That the contents of para 34 states that In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken after formal approval. However, connection to existing CETP will be done after transfer of CETP's to DJB.
35. That the contents of para 35 states that In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken after formal approval. However, connection to existing CETP will be done after transfer of CETP's to DJB.
36. That the contents of para 36 states that In-principal approval has been granted by the minister concerned to take up this work. Further the contents of preliminary objection are reiterated and reaffirmed.
37. That the contents of para 37 states that In-principal approval has been granted by the minister concerned to take up this work. Further the contents of preliminary objection are reiterated and reaffirmed.

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38. That the contents of para 38 states that In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken after formal approval. However, connection to existing CETP will be done after transfer pf CETP's to DJB.
39. That the contents of para 39 states that In-principal approval has been granted by the minister concerned to take up this work. Further the contents of preliminary objection are reiterated and reaffirmed.
40. That the contents of para 40 of the original application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
41. That the contents of para 41 are matter of policy and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
42. That the contents of para 42 states that In-principal approval has been granted by the minister concerned to take up this work. Further the contents of preliminary objection are reiterated and reaffirmed.

43. That the contents of para 43 is wrong and denied as the due process has been followed before issuing letter in question and tender for the work by DJB.

**REPLY TO GROUNDS:-**

- i. That the contents of para - i, are wrong, false and baseless as due process and approval has been taken before issuing work order.
- ii. That the contents of para - ii, are wrong, false and baseless as due process and approval has been taken before issuing work order.
- iii. That the contents of para iii does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- iv. That the contents of para iv does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- v. That the contents of para v of the original application are matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

- vi. That the contents of para vi does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- vii. That the contents of para vii does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- viii. That the contents of para viii states that In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken after formal approval. However, connection to existing CETP will be done after transfer of CETP's to DJB.
- ix. That the contents of para ix of the original application are matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
- x. That the contents of para x does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- xi. That the contents of para xi states that In-principal approval has been accorded by Minister (Water),

Delhi to take up this work. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken after formal approval. However, connection to existing CETP will be done after transfer of CETP's to DJB.

- xii. That the contents of para xii does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- xiii. That the contents of para xiii does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- xiv. That the contents of para xiv does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- xv. That the contents of para xv does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- xvi. That the contents of para xvi does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.

- xvii. That the contents of para xvii does not pertain to Delhi Jal Board. Further the contents of preliminary objection are reiterated and reaffirmed.
- xviii. That the contents of para xviii state that due process has been followed before issuing letter in question by DJB. Further the contents of preliminary objection are reiterated and reaffirmed.
- xix. That the contents of para xix state that due process has been followed before issuing letter in question by DJB. Further the contents of preliminary objection are reiterated and reaffirmed.

**REPLY OF CAUSE OF ACTION ARE AS UNDER:-**

44. That the contents of para 44 is wrong and denied as In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further action for up gradation of CETP's for treatment of both wastes with required treatment process will be taken after formal approval. However, connection to existing CETP will be done after transfer of CETP's to DJB. Further the contents of preliminary objection are reiterated and reaffirmed.

**REPLY TO LIMITATION:-**

45. That the contents of para 45 are wrong and denied. Further the contents of preliminary objection are reiterated and reaffirmed.

**REPLY TO JURISDICTION:-**

46. That the contents of para 46 of the original application are matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

**REPLY TO NON-FILING PARA:-**

47. That the contents of para 47 of the original application are matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

48. That the contents of para 48 to 52 needs no reply.

53. That the contents of para 53 of the original application are matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.

54. The contents of para need no reply.

  
**RESPONDENT NO.1**

**(B.P. SARASWAT)**  
**Add. Chief Engineer (M)-1**

**VERIFICATION:**

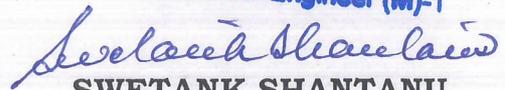
I, Bhagwati Prasad Saraswat, do hereby verify that the contents of Para nos. 1 to 54 of the reply to the Original Application are true and correct to the best of my knowledge derived from the relevant office record which are regularly maintained by the Respondents and is also believed to be correct upon information received. The contents of Para 1 to 54 of the Preliminary Objections are believed to be true on the legal advice received from the counsel and nothing material has been concealed there from.

Verified at New Delhi on this 16<sup>th</sup> Day of September, 2022.



RESPONDENT NO.1

THROUGH

**(B.P. SARASWAT)**  
Add. Chief Engineer (M)-1**SWETANK SHANTANU**

COUNSEL FOR THE RESPONDENT NO.1

D-21, 3<sup>rd</sup> Floor,  
JANGPURA EXTENSION,  
New Delhi- 110014.  
Mobile-9818058809

Place: New Delhi

Date: 16.09.2022

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

**I.A. No. 144/2022 &**

**I.A. No. 145/2022**

**IN THE MATTER OF:-**

Jhilmil & Friends Colony Industrial

Area CEPT Society

.....Applicant

Versus

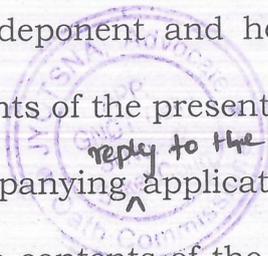
Delhi Jal Board & Ors.

.....Respondent

**AFFIDAVIT**

I, Bhagwati Prasad Saraswat Son of Sh. Roshan Lal Saraswat aged about 58 years, working as ACE (M)-1, having office at BPS & UGR, Chitra Vihar, Delhi-110092, do hereby solemnly affirm and state as under:

1. That I am the deponent and hence I am competent to swear the contents of the present affidavit.
2. That the accompanying application has been drafted by my counsel. The contents of the same have been read by me and I have understood the same. The contents of the same are true to my knowledge
3. I say that the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therein.



✓

DEPONENT

(B.P. SARASWAT)  
Add. Chief Engineer (M)-1

**VERIFICATION:**

Verified on this the \_\_\_\_\_ day of \_\_\_\_\_, 2022 at \_\_\_\_\_  
116 SEP 2022  
that the contents of the above affidavit are true and correct to  
the best of my knowledge and belief and no part of it is false  
and nothing material has been concealed there from.

✓

DEPONENT

(B.P. SARASWAT)  
Add. Chief Engineer (M)-1



*Jyoti Chahal Adv.*  
12/11/2018  
IDENTIFY THE DEPONENT EXECUTANT WHO  
SIGNED THUMB IMPRESSION IN MY PRESENCE

CERTIFIED THAT THE DEPONENT  
Shri / Smt. / Km. *Pragya Devi Sarwan*  
S/o, W/o, D/o. ....  
R/o .....  
Identified by Shri / Smt. *Pragya Devi Sarwan*  
Has solemnly affirmed before me at  
Delhi..... St. No. ....  
That the contents of the affidavit which  
have been & explained to him are  
true and correct to the knowledge

Oath Commissioner D-11-1

116 SEP 2022

Name of work:- Trapping of Jhilmil and Dilshad Garden drain to CETP at Jhilmil Industrial Area in AC-62, Shahdara Under ACE(M)-1.

Please find enclosed herewith an estimate amounting to Rs. 2,19,59,391/- only including 1% contingency based on DSR-2018 and Planning approved rates for above cited Subject.

It has been observed that the discharge coming in Dilshad garden drain (SH- TD2/R01b) and Jhilmil industrial area drain (SH-TD2/L02) from A&B block Jhilmil industrial area, Friends colony industrial area and non-confirming area of Dilshad garden industrial area and then this drain is comes in interceptor located opposite Dilshad garden metro station. The Chief Executive officer(DJB) had inspect this area on 23 January 2022 along with Additional Chief Engineer (M)-1, Dy. Superintending engineer (M)-62, me and area JE(C) and had decided to trap this drains at two points and laying of separate line from both two points to C.E.P.T plant in B block Jhilmil industrial area by providing and laying 710 mm dia and 450 mm dia. sewer line. The provision of road restoration has been taken already in estimate. Site photographs are enclosed in file also. Accordingly the estimate has been framed and submitted for approval by competent authority please

Submitted Please.

  
ZE-IV

Dy. Suptd. Engg (M)-62

DM-II

Pt. check  
by

Proposed estimate has been checked for Rs. 2,19,59,391/ only. Based on DSR-2018 & Planning circulated rates i/c 1% contingency.

Submitted for further necessary action please.

  
D/Man

Dy. Suptd. Engg (M)-62

Pt. check  
CDM



3/N

Subject :- Trapping of Jhilmil & Dilshad Garden drain to CETP at Jhilmil Industrial Area.

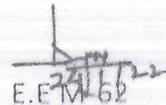
24

During weekly review meeting by worthy CEO, DJB on 15.1.22 the issue of Trapping of drain to nearest CETP was discussed & deliberated in detail and it was directed in the meeting to put up the proposal for trapping of drain fully in respective Industrial area CETP for seeking the in Principal approval from Hon'ble Minister (Copy of MOM dated 15.01.2022 of CEO, DJB placed in the file at page No. 1/C to 8/C). In compliance to above direction the intensive survey was conducted by the field staff. The average flow in Dilshad Garden is 2.74 MGD and in Jhilmil Industrial drains 1.05 MGD. Total nos. of industries unit exist in the Jhilmil Industrial area and Friends Colony Industrial are about 1700 Nos. and the capacity of existing CETP is 16.8 MLD and presently the sewerage generated from this industrial area coming for treatment in CETP about 4 to 5 MLD. The CETP at Jhilmil Industrial area was in existence and commissioning from 2001 which was maintained by R.W.A of Jhilmil Industrial area and proposed two nos. of proposal one location finalized near Nursery adjacent to Jhilmil Industrial Metro Station by laying 700 mm dia. HDPE pipe to CETP at Jhilmil Industrial area this proposal having the provision of pipe length 530 meter and other proposal proposed at Near Chintamani Restaurant to B-Block Pump House at Jhilmil Industrial area having the provision of 450mm dia. pipe in length of 610 meter. This issue again discussed in the subsequent weekly review meeting by worthy CEO, DJB on 22.1.22 and the timelines has been fixed for floating of tender on 28.1.22 (Copy of MOM dated 22.01.2022 of CEO, DJB placed in the file at page No. 9/C to <sup>17</sup>8/C).

Accordingly the estimate has been framed amounting to Rs 2,19,59,391/- based on D.S.R 2018 Including 1% contingencies and planning approved rates also restoration of roads. This proposal scrutinized by divisional D/M and CDM.

In view of above this case is forwarded/submitted to competent authority to place the case before Hon'ble Minister for seeking the in Principal Approval from being the cost of instant case is more than Rs 50 Lacs.

Submitted Pl.

  
E.E.M/62

A.C.E(M)-I

4/W

25

Reference overleaf,

This is the case of trapping of Jhilmil drain and Dilshad Garden drain into CETP at Jhilmil Industrial area. Presently the discharge of Jhilmil drain (1.05 MGD) and Dilshad Garden drain (2.74 MGD) is going into Interceptor Sewer ICs and ultimately to Kondli STP through 18 MGD SPS at Dilshad Garden. The capacity of CETP is 16.8 MLD and presently only 4-5 MLD sewage is being treated. As decided in the weekly review meeting of CEO, DJB, this proposal for trapping of these drains into CETP at Jhilmil Industrial Area has been prepared. The scope of work covers laying of 530 mtrs 710 mm dia (OD) and 610 mtrs 450 mm dia (OD) sewer line. The estimated cost of the proposal is Rs 2,19,59,391/- based on DSR 2018 and planning approved rates. This includes road restoration charges and 1% contingency.

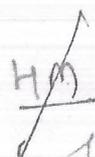
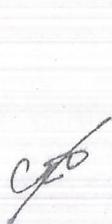
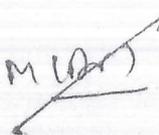
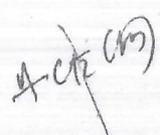
As the cost of work is more than 50 lacs, as such the case is submitted for in principal approval of Hon'ble Minister (Water) for taking up the work.

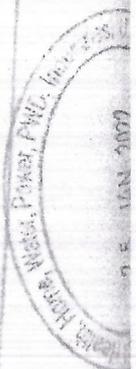
  
24/01/22  
Member (Dr)  
CEO

24-1-22  
(B P Saraswat)  
ACE(M)-I  
24.01.2022

file is pfn for trapping the  
2 drains (1) Jhilmil + (2) Dilshad  
Garden into Jhilmil CETP.

Submitted pl.

  
  
  
  
27.1.22  
24/1/22  
83  
24/1/22  
Office of the Member  
Diary No. 207  
Date. 22/1/22  
D. J. B. Varunakaya



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

**I.A. No. 145/2021**

**IN THE MATTER OF:-**

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.....Respondents

Reply to the Application for Stay.

**MOST RESPECTFULLY SHOWETH:**

That the contents of the Original Application are rebutted. All the averments in the reply are true, correct and well founded in law and in equity. Anything to the contrary of the Interlocutory Application be treated as denied and controverted and nothing be treated as admitted unless specifically traversed and expressly admitted hereunder.

**PRELIMINARY OBJECTIONS:**

1. That the present application is a blatant misuse of due process of law as by way of the present application the Applicant it seems is trying to misguide this Hon'ble Tribunal. That the Respondent herein has filed a detailed reply to the OA the details of which are not repeated herein for the sake of brevity and the

Respondent refers to relies upon the contents of the same in reply to the present application. 27

2. That the present application deserves to be dismissed at the threshold as the bare perusal of the Interlocutory application clearly indicates conduct of the Applicant is in fact demeaning, lowering the image of the Department.
3. The Govt. of NCT of Delhi has constituted Yamuna Cleaning Cell to achieve the target to clean River Yamuna with CEO, DJB as Chairman and DSIIDC, DUSIB, DPCC and I&FC as members of this cell. The Govt. of NCT Delhi is in process of transfer of CETP from DSIIDC to DJB for further up gradation and maintenance. This process of taking over of CETPs, their further up gradation and trapping of nearby drains is under the project cleaning of River Yamuna. Presently the discharge of these two drains namely Dilshad Garden drain and Jhilmil drain is going into existing Kondli STP which is already overloaded. To reduce the load on Kondli STP and optimum utilization of Jhilmil CETP, it is proposed to treat discharge of these drains at

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Jhilmil CETP which is already running under capacity i.e., about 4-5 MLD against the capacity of 16.8 MLD. The treated effluent of this CETP can be further utilized for Horticulture purposed in the nearby parks of EDMC, DDA, PWD etc. Accordingly, after in principle approval of Hon'ble Minister (Water) GNCT, Delhi, dated 27.01.2022, the instant proposal for trapping of Dilshad Garden drain and Jhilmil drain into Jhilmil CETP was taken up. However, connection to existing CETP will be done only after transfer of CETP's to DJB.

4. That the present application deserves to be dismissed as the In-principal approval has been accorded by Minister (Water), Delhi to take up this work. Further action for upgradation of CTEP's for treatment of both wastes with required treatment process will be taken after formal approval. However, connection to existing CTEP will be done after transfer of CTEP's to DJB.
5. That the present application deserves to be dismissed as In-principal approval has been granted by the minister concerned to take up this work and connection to existing CTEP will be done after transfer of CTEP's to DJB.

6. That the present application deserves to be dismissed as stay of work in totality is not justified, by granting stay the right of the general public will be violated as the roads dugged for laying of the system are to be restored on priority.

**Reply on merits:-**

1. That the contents of para 1 of the interlocutory application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
2. That the contents of para 2 are wrong, false and hence denied. Further the contents of preliminary objection are reiterated and reaffirmed.
3. That the contents of para 3 are wrong, false and hence denied. It is respectfully submitted that the existing sewer network was laid by the developing agency of the area as per their designee. Further the contents of preliminary objection are reiterated and reaffirmed.
4. That the contents of para 4 of the interlocutory application are wrong, false and denied. Further the

contents of preliminary objection are reiterated and reaffirmed.

5. That the contents of para 5 of the interlocutory application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
6. That the contents of para 6 of the interlocutory application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
7. That the contents of para 7 are matter of record as far as the waste water drainage lines of Industrial area is concerned. It is humbly submitted that the existing sewer network was laid by the developing agency of the area as per their designee. Further the contents of preliminary objection are reiterated and reaffirmed.
8. That the contents of para 8 of the interlocutory application is a matter of record and hence needs no reply. Further the contents of preliminary objection are reiterated and reaffirmed.
9. That the contents of para 9 are wrong, false and hence denied as stay of work is not justified. By granting stay the right of the general public will be violated as the

roads dugged for laying of the system are to be restored on priority. Further the contents of preliminary objection are reiterated and reaffirmed.

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10. That the contents of para 10 are baseless and false and hence denied. Further the contents of preliminary objection are reiterated and reaffirmed.

11. That the contents of para 11 are denied in the interest of justice as by granting stay the right of the general public will be violated. Further the contents of preliminary objection are reiterated and reaffirmed.

It is most respectfully prayed before this Hon'ble Tribunal that may be pleased to dismiss the application as by granting stay the right of the general public will be violated as the roads dugged for laying of the system are to be restored on priority.

  
**RESPONDENT NO.1**

**(B.P. SARASWAT)**  
**Add. Chief Engineer (M)-1**

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**VERIFICATION:**

I, Bhagwati Prasad Saraswat do hereby verify that the contents of Para nos. 1 to 11 of the reply to the Interlocutory Application are true and correct to the best of my knowledge derived from the relevant office record which are regularly maintained by the Respondents and is also believed to be correct upon information received. The contents of Para 1 to 11 of the Preliminary Objections are believed to be true on the legal advice received from the counsel and nothing material has been concealed there from.

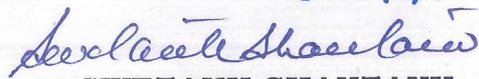
Verified at New Delhi on this 16<sup>th</sup> Day of September, 2022.



RESPONDENT NO.1

**(B.P. SARASWAT)**  
Add. Chief Engineer (M)-1

THROUGH



**SWETANK SHANTANU**  
COUNSEL FOR THE RESPONDENT NO.1  
D-21, 3<sup>rd</sup> Floor,  
JANGPURA EXTENSION,  
New Delhi- 110014.  
Mobile-9818058809

Place: New Delhi  
Date: 16.09.2022

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

**O.A. No. 432/2022 &**

**I.A. No. 145/2022**

**IN THE MATTER OF:-**

Jhilmil & Friends Colony Industrial

Area CEPT Society

.....Applicant

Versus

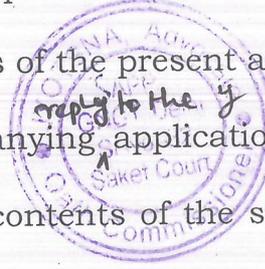
Delhi Jal Board & Ors.

.....Respondents

**AFFIDAVIT**

I, Bhagwati Prasad Saraswat Son of Sh. Roshan Lal Saraswat aged about 58 years, working as ACE (M)-1, having office at BPS & UGR, Chitra Vihar, Delhi-110092, do hereby solemnly affirm and state as under:

1. That I am the deponent and hence I am competent to swear the contents of the present affidavit.
2. That the accompanying application has been drafted by my counsel. The contents of the same have been read by me and I have understood the same. The contents of the same are true to my knowledge
3. I say that the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therein.



DEPONENT  
(B.P. SARASWAT)  
Add. Chief Engineer (M)-1

**VERIFICATION:**

Verified on this the 16 day of SEP, 2022 at \_\_\_\_\_  
that the contents of the above affidavit are true and correct to  
the best of my knowledge and belief and no part of it is false  
and nothing material has been concealed there from.



DEPONENT  
(B.P. SARASWAT)  
Add. Chief Engineer (M)-1

*Sharmada Gupta Adv.*  
DI 211/2010  
IDENTIFY THE DEPONENT EXECUTANT WHO  
SIGNED WITH THUMB IMPRESSION IN MY PRESENCE

CERTIFIED THAT THE DEPONENT  
Shri / Smt. / Km. *B.P. Saraswat*  
S/o, W/o, D/o. *Saraswat*  
R/o .....  
Identified by Shri / Smt. *Sharmada Gupta*  
Has solemnly affirmed before me at  
Delhi..... S.L. No. ....  
That the contents of the affidavit which  
have been & explained to him are  
true and correct to the knowledge  
Oath Commissioner Delhi

16 SEP 2022