

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

Original Application No. 1002/2018

IN THE MATTER OF:

Abhist Kusum Gupta

.....Applicant

Vs.

State of Uttar Pradesh & Others

....Respondents

NDOH:-03.03.2023

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Filed by

Delhi Pollution Control Committee

New Delhi

Dated: 06.02.2023

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

Original Application No. 1002/2018

IN THE MATTER OF:

Abhist Kusum Gupta

.....Applicant

Vs.

State of Uttar Pradesh & Others

.....Respondents

**STATUS REPORT ON BEHALF OF GOVERNMENT OF NCT OF
DELHI AND DELHI POLLUTION CONTROL COMMITTEE IN
COMPLIANCE TO THE ORDER DATED 03.08.2022.**

1. That this Hon'ble Tribunal took up the above referred matter on 03.08.2022 and pleased to pass directions for remedial action for protection of environment based on credible factual reports of statutory regulators – CPCB, UP PCB, NOIDA and DPCC.
2. That, as of now following issues are pending before this Hon'ble Tribunal:
 - A. Disposal of Sewer Wastes in Noida drain from Kondli, Gharoli and Khoda (Ghaziabad) causing pollution in Yamuna.
 - B. GD colony, Gharoli village and Kondli village in Delhi are discharging their untreated sewage to drainage system of PWD and contributing to pollution to NOIDA drain.
3. That the field staffs of respective agencies has taken action for abatement of pollution in the Gharoli and Kondli villages in Delhi such as closure of

of dairies, illegal industries and trapping of waste water generated from these villages including sealing of illegal bore-wells etc.

- 4. That as of now, only two issues are surviving and they are:
 - A. Trapping of entire waste water from Delhi falling into Noida drain
 - B. Treatment of waste water at Kondli STP to the prescribed standards.
- 5. That to check the trapping of waste water once again a joint inspection was carried out on 29.11.2022 by a joint team of CPCB and DPCC. The joint team has reported that entire waste water has been trapped.
- 6. That the Chief Secretary has taken a meeting to oversee the compliance of the directions passed by this Hon'ble Tribunal on 30.11.2022. Copy of the minutes of meeting dated 30.11.2022 is enclosed herewith as **ANNEXURE-1.**
- 7. That, Delhi Jal Board has submitted a status report on 11.01.2023. In the status report it has been mentioned that:

(A) All the DJB consumer of Kondli, Gharoli, GD Colony area have been provided Sewer connections.

(B) All discharge of Delhi in drains have been trapped at three locations into DJB Sewer lines i.e.:-

(a) Near Red Fox Hotel main road.

(b) Mix MIG near Kondli SPS.

(c) Near Kerala Public School in front of Khoda Colony.

The Sewage of the sewer line is ultimately carried to Kondli STP for treatment. Now no untreated water/ sewage of Delhi side is going into Kondli Drain.

Copy of the status report submitted by Delhi Jal Board is enclosed herewith as **ANNEXURE-2.**

8. That further, Delhi Jal Board has provided the compliance status of all Sewage Treatment plants at Kondli, which is as under:

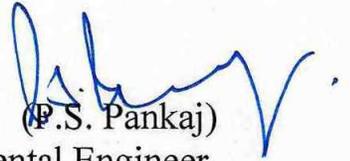
S.No.	Name of Plant	Capacity in MGD	Design Parameters	Status	Timelines
1.	Kondli Ph-I	10	10/10	Plant rehabilitated under YAP-III	Plant commissioned and has start meeting the design parameter of 10/10 mg/l
2.	Kondli Ph-II	25	30/50	Plant is closed and under rehabilitated under YAP-III	Liquid line stream is likely to be completed by 31.12.2022
3.	Kondli Ph-III	10	10/10	Plant rehabilitated under YAP-III	Plant commissioned and is likely to start meeting the design parameter of 10/10mg/1by Dec-22
4.	Kondli Ph-IV	45	20/30	Work order for rehabilitation / upgradation issued on 10.08.2022	Nov-23

9. That with regard to deposition of interim compensation of Rs 50 crores to be deposited to Central Pollution Control Board by Delhi Jal Board. Delhi Jal Board informed that it has filed a Civil Appeal before the Hon'ble Supreme Court of India against the order dated 03.08.2022 passed by this Hon'ble Tribunal. Hon'ble Supreme Court vide its order

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dated 28.11.2022 granted a stay on the impugned order, in so far as it directs Noida and the Delhi Jal Board to deposit respectively interim compensation. Copy of the Hon'ble Supreme Court order dated 28.11.2022 passed in Civil Appeal No. 8547-8548/2022 is enclosed herewith as ANNEXURE-3.

10. That the present status report may kindly be taken on record.



(P.S. Pankaj)
Sr. Environmental Engineer,
Delhi Pollution Control Committee

Minutes of the meeting held under the Chairmanship of Chief Secretary, Govt. of NCT of Delhi held on 30.11.2022 at 5:00 P.M in the matter of "Abhist Kusum Gupta Vs State of Uttar Pradesh" in O.A. No. 1002/2018.

The list of participants is **annexed**.

Member Secretary, Delhi Pollution Control committee (DPCC) welcomed all the participants and gave a presentation on the issues involved in the above matter. It was informed that following issues are before the Hon'ble NGT, since 2019 when first hearing was taken up by the Hon'ble NGT on 19.02.2019.

1. Disposal of Sewer Wastes in Noida drain from Kondli, Gharoli and Khoda (Ghaziabad) causing pollution in Yamuna.
2. GD colony, Gharoli village and Kondli village in Delhi are discharging their untreated sewage to drainage system of PWD and contributing to pollution to NOIDA drain.

The house was informed that in compliance to the various orders of the NGT, CPCB was designated as nodal agency. CPCB prepared an action plan with actionable points to be taken up by various agencies. Chief Secretary was briefed about the actions taken by various agencies such as closure of dairies, industries and trapping of waste water generated from Kondli and Gharoli including sealing of illegal bore-wells etc.

Two important issues presently is surviving were discussed:

1. Trapping of entire waste water from Delhi falling into Noida drain
2. Treatment of waste water at Kondli STP to the prescribed standards.

It was informed that w.r.t trapping a joint inspection was carried out on 29.11.2022 by a joint team of CPCB , DPCC and it has been reported that entire waste water has been trapped. As far as treatment as per prescribed standard are concerned, the following timelines were submitted by DJB.

S. N	Name of Plant	Capacity in MGD	Design Parameters	Status	Timelines
1	Kondli Ph-I	10	10/10	Plant rehabilitated under YAP-III	Plant commissioned and has start meeting the design parameters of 10/10mg/l
2	Kondli Ph-II	25	30/50	Plant is closed and is under rehabilitation in YAP-III	Liquid line stream is likely to be completed by 31.12.2022
3	Kondli Ph-III	10	10/10	Plant rehabilitated under YAP-III	Plant commissioned and is likely to start meeting the design parameters of 10/10mg/l by Dec-22

S. N	Name of Plant	Capacity in MGD	Design Parameters	Status	Timelines
4	Kondli Ph-IV	45	20/30	Work order for rehabilitation/up-gradation issued on 10.08.2022	Nov-23

Chief Secretary directed that status report may be prepared by DPCC after obtaining ATR from DJB signed by CEO, DJB mentioning the time line to achieve prescribed standards for all the parameters, particularly for BOD to achieve 10/10, by all the Kondli STPs. Other departments may also send their updated Action Taken Report on the actionable points. The regular actions to continue for complete compliance.

The meeting ended with the vote of thanks to the Chair.

Delhi Jal Board: Govt. of NCT of Delhi
Office of the Addl. Chief Engineer (M)-1
Executive Engineer (M)-57
M-16 Pocket-E: Mayur Vihar Phase-II
Delhi - 110091

Annexure-2 (7)

PHONE No. 011-22722392 & Email Id:- djb.aecm57@gmail.com

Stop Corona: 1. Wash Your Hands
Distance

2. Wear Mask

3. Maintain Social

No. DJB/EE (M)-57/2022-23/ 7108

Dated: 11.01.2023

To,

Member Secretary,

Central Pollution Control Board,

Pariwesh Bhawan East Arjun Nagar Karkardooma

Delhi-110096



Subject: - ATR/Status report in compliance of decision taken by Chief Secretary Govt. OF. NCT OF Delhi in meeting held on 30.11.2022 in the matter of Q.A No. 1002/2018 in the matter of "Abhisht Kusum Gupta v/s State of Uttar Pradesh "& others

In reference to above said matter the status report in reference of letter No. DPCC/CMC-1/NGT/2019/1912-21 dated 05.01.2023 is as under:

1. All the DJB consumer of Kondli, Gharoli, GD Colony area have been provided Sewer connections. In addition, it is to inform that all discharge of Delhi in drains have been trapped at three locations into DJB Sewer lines i.e.: -

- (a) Near Red Fox Hotel main road.
- (b) Mix M/G near Kondli SPS.
- (c) Near Kerala Public School in front of Khoda Colony.

The sewage of the sewer line is ultimately carried to Kondli STP for treatment. Now no untreated water/sewage of Delhi side is going into Kondli drain.

Sd/.

Executive Engineer (M) 57

Copy to - For Kind information.

1. PS to CEO, DJB
2. Member (Dr.)
3. CE (SDW)
4. ACE (M)-I
5. Sh. P.S Pankaj SEE, DPCC, Vth floor ISBT Kashmiri Gate
6. SE(SDW) STP Kondli
7. A E concerned
8. M/F

Handwritten notes: P.S. Pankaj, 19/01/2023, Mr. Sumit, 11/01/23

Handwritten signature: M/m 11/01/23

Executive Engineer (M) 57

Annexure-3

CA 8547-48/2022

ITEM NO.36+65

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal Nos.8547-8548/2022

NEW OKHLA INDUSTRIAL DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

THE STATE OF UTTAR PRADESH & ORS.

Respondent(s)

(With IA No.176359/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No.176361/2022 - EXEMPTION FROM FILING O.T. and IA No. 176358/2022 - STAY APPLICATION)

WITH C.A. Diary No.36763/2022

(With IA No.179810/2022 - EX-PARTE STAY, IA No.179808/2022 - PERMISSION TO FILE APPEAL and IA No.179809/2022 - CONDONATION OF DELAY IN FILING APPEAL)

Date : 28-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA

For Appellant(s)

- Mr. Mahesh Jethmalani, Sr. Adv.
- Mr. Anil Kaushi, Adv.
- Mr. Abhishek Mishra, Adv.
- Mr. Rachit Mittal, Adv.
- Mr. Rajat Rana, Adv.
- Ms. Anju Kaushik, Adv.
- Ms. Mugdha Pandey, Adv.
- Mr. Rajinder Singh, AOR

Mr. S.V. Raju, ASG
Ms. Asha Gopalana Nair, AOR
Ms. Shakshi Popli, Adv.
Ms. Nivedita Nair, Adv.

For Respondent(s)

Mr. Rajeev Singh, AOR

**UPON hearing the counsel the Court made the following
O R D E R**

- 1 Permission to file the appeal is granted.
- 2 Delay condoned.
- 3 Issue notice, returnable in eight weeks.
- 4 Pending further orders, there shall be a stay of the impugned order of the National Green Tribunal dated 3 August 2022, insofar as it directs Noida and the Delhi Jal Board to deposit respectively interim compensation of Rs 100 crores and Rs 50 crores.

(CHETAN KUMAR)
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)
Assistant Registrar