

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
Principal Bench, New Delhi**

M.A No. 72/2023

In

Original Application No.432/2022

Jhilmil & Friends Colony Industrial Area CETP Society

Applicant

Vs.

Delhi Jal Board & Ors.

Respondents

S. No.	Particulars	Page No.
1.	Response in compliance of Hon'ble NGT order dated 01.09.2022 in M.A No.72/2023 In Original Application No.432/2022, Jhilmil & Friends Colony Industrial Area CETP Society Vs Delhi Jal Board & Ors.	
2.	Annexure-I: Copy of the Hon'ble NGT Order dated 01.09.2022.	



(Ajay Aggarwal)

Scientist F

Central Pollution Control Board

Delhi-110032

Date: 19.10.2023

Place: Delhi

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

M.A. No. 72/ 2023

In

Original Application No. 432 / 2022

IN THE MATTER OF

Jhilmil & Friends Colony Industrial Area CETP Society

.....Applicant

Versus

Delhi Jal Board & Ors.

...Respondents

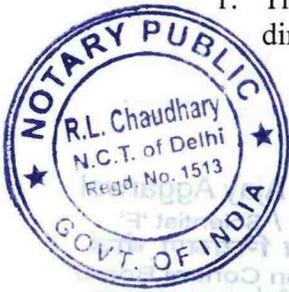
**RESPONSE OF CENTRAL POLLUTION CONTROL BOARD (CPCB) WITH
RESPECT TO REPORT OF JOINT TEAM OF CENTRAL POLLUTION CONTROL
BOARD AND DELHI POLLUTION CONTROL COMMITTEE.**

I Ajay Aggarwal S/o Late Shri K. D. Aggarwal, aged about 59 years, working as Scientist F, Central Pollution Control Board, New Delhi, do hereby solemnly affirm and declare as under:

1. That this Hon'ble Tribunal vide order dated 20.09.2022 in O.A. No. 432/ 2022, directed as follows:

'...application is disposed of accordingly with liberty as aforesaid and further directions that the CPCB and DPCC may conduct Joint inspection and study with the DJB to evaluate the status and feasibility of the proposal and proposed technological upgradation of CETPs before actual implementation. The DPCC will be the nodal agency for co-ordination and compliance in this regard...'

2. In compliance to the aforesaid directions, a report of Joint Team of Central Pollution Control Board (CPCB) and Delhi Pollution Control Committee (DPCC) was filed before this Hon'ble Tribunal on 10.02.2023 by DPCC.
3. That it is humbly submitted that this Hon'ble Tribunal in above referred matter vide its order dated 01.09.2023 has given the following directions:



"...Notice be issued to respondents no. 1 to 4 requiring them to file their response/reply to the above said report within one month at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF...".

4. That Central Pollution Control Board has examined the report of the Joint Team and is in agreement with its content and findings.
5. That it is humbly submitted that Central Pollution Control Board shall abide by any order or direction passed by this Hon'ble Tribunal.



VERIFICATION

19 OCT 2023

Verified aton this the day of October, 2023 that the contents of the above Response are correct to the best of my knowledge and belief. Nothing has been concealed therein.

ATTESTED

 NOTARY PUBLIC
 GOVT. OF INDIA
 19 OCT 2023



DEPONENT

अजय अग्रवाल / Ajay Aggarwal
 वैज्ञानिक 'एफ' / Scientist 'F'
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
 Central Pollution Control Board
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार
 (Mo Environment, Forest & Climate Change, Govt. of India)
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032



DEPONENT

अजय अग्रवाल / Ajay Aggarwal
 वैज्ञानिक 'एफ' / Scientist 'F'
 केंद्रीय प्रदूषण नियंत्रण बोर्ड
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 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

Item No.07

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

M.A No. 72/2023

In

Original Application No.432/2022

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

Versus

Delhi Jal Board & Ors. ...Respondents

Date of hearing: 01.09.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Ms. Neetu Singh, Adv for Applicant (Through VC).

Respondents: None.

Application under Section 14 of the National Green Tribunal Act, 2010.**ORDER**

1. The Jhilmil & Friends Colony Industrial Area CETP Society filed O.A. No. 432 of 2022 titled Jhilmil & Friends Colony Industrial Area CETP Society Vs. Delhi Jal Board & Ors. seeking direction to respondent no. 1 to stop work of connecting the pipeline of Shahdara Link Drain to the CETP Jhilmil.
2. Vide order dated 04.07.2022 notices were ordered to be issued to the respondents.
3. Reply was filed by respondent no. 1 vide email dated 17.09.2022 but respondents no. 2 to 4 did not file any reply.

4. The application was disposed of vide order dated 20.09.2022 with direction to the CPCB and DPCC to conduct joint inspection and study with DJB as mentioned therein and the relevant part of the order reads as under:

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XXXXX

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“12. In the facts and circumstances of the case, we are of the considered view that no further intervention by this Tribunal on the present application in exercise of its jurisdiction under the provisions of the National Green Tribunal Act, 2010 is warranted at this stage and the application is disposed of accordingly with liberty as aforesaid and further directions that the CPCB and DPCC may conduct Joint inspection and study with the DJB to evaluate the status and feasibility of the proposal and proposed technological upgradation of CETPs before actual implementation. The DPCC will be the nodal agency for co-ordination and compliance in this regard. The Joint Inspection Report may be submitted within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF, before the Ld. Registrar General, National Green Tribunal, Principal Bench, New Delhi who may, if necessary, put up the matter before this Bench for further directions.”

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5. In compliance thereof, report has been submitted by Joint Team of Central Pollution Control Board and Delhi Pollution Control Committee before the learned Registrar General on this Tribunal on 10.02.2023 and the conclusion and recommendations in the report are extracted as under:

“Conclusion and Recommendations:

- (i) DJB has not carried out any Technical Feasibility Study before going ahead for proposed project of interception of the waste water at two locations from Jhilmil Drain to the Jhilmil CETP and imparting treatment at the existing CETP.*
- (ii) As the interception of the waste water from Jhilmil Drain at the two points which are located after the discharge points of treated effluent of CETP, it will result in recirculation of the treated effluent again & again to Jhilmil CETP.*
- (iii) As the characteristics of waste water at the inlet of Jhilmil CETP have changed over a period of time, NEERI has proposed for upgradation of existing CETP by adding Biological Treatment Units for treating the organic matter i.e. quality. parameters BOD.*
- (iv) In case the waste water from the Jhilmil & Dilshad Garden Drains is considered for diverting to Jhilmil CETP for utilisation of its full capacity, only after upgradation of the Jhilmil CETP to meet the discharge standards as prescribed by DPCC for the various quality parameters including BOD, it will exhaust its capacity and will not be able to handle/treat the additional waste water to be generated in future from the associated Jhilmil & Friends Colony Industrial Areas, for which the CETP has been constructed. It will also increase the generation of hazardous waste from the CETP which will increase the sludge load manifold on TSDF and impact its design period.*

In view of above observations, findings and the prevailing situation, it is not recommendable to divert the waste water of the Jhilmil & Dilshad Garden Drains to Jhilmil CETP for its treatment.”

6. In view thereof, under the order of learned Registrar General, the original application has been listed before this bench for issuance of further directions in the matter.

7. Notice be issued to respondents no. 1 to 4 requiring them to file their response/reply to the above said report within one month at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

8. In view of the recommendations made in the above said report, the provisions made in Section 20 of the National Green Tribunal Act, 2010 which inter alia requires this Tribunal to apply precautionary principle and Section 19 (4) (j) of the National Green Tribunal Act, 2010 which empowers this Tribunal to pass an order requiring any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I and the attending facts and circumstances, respondent no. 1-DJB is restrained till further orders to the contrary from connecting Dilshad Garden Drain into Jhilmil CETP.

9. List this matter for further consideration on 20.10.2023.

10. A copy of this order be sent to respondent no. 1-DJB for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 1st, 2023

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