



\$~1(SDB) to 3(SDB)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 05th May, 2025

+ **W.P.(C) 7594/2018 & CM APPLs. 30022/2018, 41886/2024, 42188-42189/2024, 47142/2024, 48597/2024, 57187/2024, 62545/2024, 69901/2024**

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

UNION OF INDIA & ORS.

..... Respondents

Through:

Mr. Manish Mohan, CGSC & Mr. Jatin Teotia, Ms. Aishani Mohan, Advs.

Mr. Ripudaman Bhardwaj, CGSC for UOI. (M: 9910770710)

Mr. Dhruv Rohatgi, Mr. Chandrika Sachdev & Mr. Dhruv Kumar, Advs. for R-2.

Ms. Beenashaw N Soni, Adv. for MCD. (M: 9810046611)

Ms. Monika Arora, CGSC with Mr. Subhrodeep Saha, Mr. Prabhat Kumar and Ms. Anamika Thakur, Advs for UOI.

Mr. Tushar Sannu, ASC with Mr. Gauransh Vyas, ASC for NDMC.

Ms Prabhsahay Kaur, Standing Counsel DDA with Ms Deeksha L. Kakar, Mr Aditya Verma, Ms Sana Parveen, Ms Kavya Shukla & Mr Rashneet Singh, Advs.

Ms. Puja S. Kalra, Standing Counsel MCD along with Mr. Virendra Singh, Adv. with Mr. B. K. Sah, Executive engineer, Mr. K.P. Yadav, AE, MCD. (M: 9312839323)

Ms. Sangeeta Bharti, Standing Counsel, DJB, with Mr. Shreesh Pathak, Adv.



with Mr. P.K. Gupta, SE/SDWS IV (M-9650306701)

Ms. Preeti Sirohi & Mr. Sudhanshu Tiwari, Advs. for Applicant in **CM APPL.62545/2024**. (M: 7838889995)

Ms. Kanika Singh, Mr. Nikhil Saini & Mr. Aridaman Raghuvanshi, Advs.

Mr Anuj Chaturvedi, Adv, with Mr Bipul Pathak, Commissioner of Industries, Mr. Kapil Chaudhary, Deputy Comm of Industries, Mr. R Suman, EE for DSIIDC

ASI Devender Singh Parvi Officer.

Mr. Yogesh Mahajan, Applicant in person in **CM APPL.48597/2024**.

Mr. Shailendra Bhatnagar, Adv. for Applicant in **CM APPL.42189/2024**.

Mr. Jeevesh Nagrath, Sr. Adv. with Mr. Mohit K. Mudgal, Adv. for Proposed Intervenor (Mr. Pankaj Kumar)

2(SDB)

+

WITH

W.P.(C) 9617/2022

COURT ON ITS OWN MOTION

..... Petitioners

Through:

versus

GOVT. OF NCT OF DELHI AND ORS

..... Respondents

Through:

Mr. Dhruv Rohatgi, Mr. Chandrika Sachdev & Mr. Dhruv Kumar, Advs. for R-1.

Ms Prabhsahay Kaur, Standing Counsel DDA with Ms Deeksha L. Kakar, Mr Aditya Verma, Ms Sana Parveen, Ms Kavya Shukla & Mr Rashneet Singh, Advs.

Ms. Sangeeta Bharti, Standing Counsel, DJB, with Mr. Shreesh Pathak, Adv. with Mr. P.K. Gupta, SE/SDWS IV (M-9650306701)



Mr. Manish Mohan CGSC with Mr. Teotia, Adv. for UOI. (M: 8851336904)
Ms. Kanika Singh, Mr. Nikhil Saini & Mr. Aridaman Raghuvanshi, Advs.
ASI Devender Singh Parvi Officer.
Ms. Beenashaw N Soni, Adv. for MCD.
Mr. Ripudaman Bhardwaj, CGSC for UOI.

3 (SDB)

AND

+

W.P.(C) 15399/2024 & CM APPLs.4918/2025, 8786/2025

SHAIENDRA BHATNAGAR

..... Petitioner

Through: Petitioner in person.

versus

GOVT. OF NCT OF DELHI AND ORS

..... Respondents

Through: Ms. Beenashaw N Soni, Adv. for MCD.

Ms. Sangeeta Bharti, Standing Counsel for DJB with Mr. Shreesh Pathak, Adv. (M: 9811112863)

Mr. Srinivasan Ramaswamy, Adv. for R-4/DMRC. (M: 8750541571)

Dr. Harsh Pathak, Mr. Mohit Choubey, Advs. with Mr. Devender Kumar, Executive Engineer, AIIMS. (M: 8510003041)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MANMEET PRITAM SINGH ARORA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

W.P.(C) 7594/2018 & CM APPLs. 30022/2018, 41886/2024, 42188-42189/2024, 47142/2024, 48597/2024, 57187/2024, 62545/2024, 69901/2024

Flow meters and Sewage Treatment Plants

2. *Vide* order dated 28th January, 2025, it was recorded that all the 37 Sewage Treatment Plants (hereinafter 'STPs') across Delhi ought to have flow



meters installed in compliance with paragraph 15 of the previous order dated 12th November, 2024. On the said date, the Court was informed that out of 37 STPs, 22 STPs already had flow meters and in respect of four other STPs, installation was to complete by March, 2025. For the remaining 11 STPs, there was a proposal to install the flow meters.

3. In view of the aforesaid position, the Court had taken strict note of the fact that flow meters were not installed on all the 37 STPs, in breach of the directions issued in order dated 12th November, 2024 and had accordingly directed as under:

“26. This clearly reveals an unsatisfactory position. The issue of STPs is being monitored and is being dealt with by this Court since April 2024. In any event since 12th November, 2024 no steps appear to have been taken by the DJB for installation of flow meters.

27. Upon being queried as to why tenders are being called in piecemeal, Mr. Bhupesh Kumar submits that qua the 22 STPs, the flow meters were installed as part of the construction project itself almost four to five years ago. This clearly gives an impression to the Court that the DJB has not taken the orders of this Court seriously and till date only estimates being prepared is the answer that Mr. Bhupesh Kumar has given to the Court. This position is completely not acceptable to the Court. The Court is refraining from taking any action against Mr. Bhupesh Kumar as he has now given an assurance that the estimate for the remaining 11 STPs would be ready and the flow meters shall be installed within a month. If the same are not installed, the Court is clear that it would not hesitate in taking strict and stern action in accordance with law, both under the Contempt of Courts Act as also any other law which may be applicable to ensure that the directions of the Court are properly complied with.

28. On being queried as to whether these 37 STPs take



care of all the sewage which is being drained into the Yamuna river, the Court is informed that the 37 STPs only relate to sewage from domestic and residential areas - however, industrial effluents are under the jurisdiction of the DSIDC.”

4. Today, the Court has been informed that flow meters have been installed on 35 STPs out of 37 STPs. In respect of the remaining 2 STPs i.e., Delhi Gate and SNH Drain STP, the Court is informed that the water therein is not flowing into the Yamuna River but is being sent to Pragati Power Corporation Ltd for power production. The treatment of sewage in these two STPs is as per the standards prescribed by Delhi Pollution Control Committee/National Green Tribunal and the parameters are stated to be available online. In view thereof, it is the submission of Ms. Bharti, Id. Counsel that all the 35 STPs are in compliance with the directions in orders dated 12th November, 2024 and 28th January, 2025 and in two STPs, the sewage treatment is taking place as per the prescribed parameters.

5. Mr. Jeevesh Nagrath, Ld. Senior Counsel appears for Mr. Pankaj Kumar (hereinafter ‘*intervenor*’) who runs an awareness campaign under the name ‘*Earth Warrior*’ to monitor river pollution. It is submitted by the Id. Senior Counsel that the said Intervenor, has noticed that though the sensors and flow meters may be installed at the outlets of these STPs, however, a substantial portion of the water is bypassing the flow meters and sensors and directly flowing into the river. Since there are no flow meters at the inlet, it is submitted that there is no way of monitoring the volume of water/sewage entering the STP, nor to ascertain the proportion thereof that is actually being treated. This, according to the intervenor, is the cause for the pollution that is taking place in the River Yamuna.



6. On behalf of the Delhi Jal Board (hereinafter '*DJB*'), this position is disputed by Id. Counsel Ms. Bharti under instructions from Mr. P.K. Gupta, Superintending Engineer, STP, Okhla.

7. This is a very serious allegation that is being made. The entire purpose of STPs would be defeated if the water/sewage is permitted to by-pass the flow meters and the sensors at the outlet.

8. Therefore, this Court is of the opinion that since 35 out of 37 STPs are now stated to be having flow meters and are part of an online monitoring system with the sensors, the same deserve to be inspected to get the actual position from the ground.

9. Accordingly, a Special Committee of the following persons *i.e.*,

- i) Mr. P.K. Gupta, Superintending Engineer, STP, Okhla;
- ii) Mr. Pankaj Kumar, the Intervenor (Mob. No. 9971676865);
- iii) Ms. Vrinda Bhandari, Advocate (Mob. No. 9711680348) or Mr. Vivek Tandon, Advocate, (Mob. No. 7678496387) depending upon their availability;

is constituted for conducting on-site inspection at all the STPs and to give a report as to:

- i) Whether the entire sewage/water which is flowing into the Yamuna River through the STPs is being treated or not before being released into the river;
- ii) Whether there are flow meters and sensors on all the outlets of the 35 STPs;
- iii) Whether the entire discharge which is going through the in-let is passing through the flow meters/online monitoring or is there any by-passing of the same;



- iv) What is the function of the online monitoring system in supervising the treatment process in the STPs and whether it is effective;
10. Further, the Special Committee, upon inspecting shall also provide its recommendations on -
- Whether flow meters would be required even at the in-lets as well and whether the same is feasible;
 - Any other recommendations of the Special Committee to improve water/sewage treatment in the STP.
11. Since there are 37 STPs, the Local Commissioners - Mr. Vivek Tandon and Ms. Vrinda Bhandari shall carry out inspection of equal number of STPs as per their mutual convenience. Insofar as the fees of the Local Commissioners are concerned, their remuneration is fixed at Rs. 15,000/- each per STP inspected, which shall be borne by the respective owners of the concerned STPs. The intervenor shall be paid a lumpsum of Rs. 1 lakh by the Delhi Jal Board.
12. Any information requested by the Special Committee shall be provided by the concerned STPs. Let a comprehensive report on these STPs signed by all the three members of the Committee be filed by the next date of hearing.
13. Further, considering the allegations raised, the DJB shall also place on record, before the next date hearing, water treatment reports from all 37 STPs from 20th April, 2025 onwards. The report shall contain the details of the extent/quantum of sewage in-flow, out-flow of treated water, as well as the quality of water before and after treatment.

Common Effluent Treat Plants

14. *Vide* order dated 28th January, 2025, this Court had impleaded Delhi



State Industrial & Infrastructure Development Corporation (hereinafter ‘DSI IDC’) as a party and directed it to file a report on the following questions:

“The DSI IDC shall file an affidavit of a competent official giving the following information:

(i) Whether all the industries and the effluents from the industries come within its jurisdiction?

(ii) How many CETPs have been installed or are supervised by the DSI IDC? Are there any more CETPs required to be installed to curb untreated water flowing into the river?

(iii) Whether there is any monitoring or supervision of the CETPs which come under the DSI IDC and if so in what manner?

(iv) Whether the CETPs have sensors and flow meters which are installed to monitor the effluent discharge into the river?”

15. An affidavit of the Commissioner of Industries, DSI IDC, GNCTD dated 16th April, 2025 has been filed in this regard. Mr. Chaturvedi, Id. Counsel has appeared for DSI IDC and informs the Court that insofar as industries in areas of Delhi are concerned, out of 33 industrial areas, 17 areas are served by 13 Common Effluent Treat Plants (hereinafter ‘CETPs’). Out of 13 CETPs, 11 CETPs are maintained by their respective Societies and 2 CETPs are monitored by DSI IDC under the Public Private Partnership model. Insofar as remaining 16 industrial areas are concerned, they are either directly or indirectly connected to other STPs. The chart of 11 industrial areas that as per NEERI’s report are not connected to any CETP has been placed on record as Annexure D¹ the same is set out below:

¹ Internal pages 22 to 37 of the affidavit dated 16.04.2025 filed by DSI IDC

**Table 7: Observations & Recommendation of the Inspection Team**

Sr. No.	Industrial Areas	Observations of the Inspection Team (DSIIDC + NEERI)	Requirement of a CETP
1.	Kirti Nagar Industrial Area	<ul style="list-style-type: none">- The DJB officials from the area informed that the combined waste water from the area exit at Plot No. 5/35.- The waste water from the area is then diverted to Keshopur STP. Hence, no CETP is required.	No
2.	Moti Nagar DLF Industrial Area	<ul style="list-style-type: none">- The DJB officials from the area informed that the waste water from the area is diverted to Keshopur STP. Hence, no CETP is required.	No
3.	Najafgarh Road Industrial Area	<ul style="list-style-type: none">- The DJB officials from the area informed that the waste water from the area is diverted to Keshopur STP. Hence, no CETP is required.	No
4.	Shahzada Bagh Industrial Area	<ul style="list-style-type: none">-The DJB official managing this area informed that the waste water from this area is being collected under the interceptor project of DJB for further treatment at a STP.- Hence, no CETP is required.	No
5.	Tilak Nagar Industrial Area	<ul style="list-style-type: none">- No manufacturing units- Sewage generation from the area due to lack of industrial activities. Hence, no CETP is required.	No
6.	Kesopur Industrial Area	<ul style="list-style-type: none">- No manufacturing units- Sewage generation from the area due to lack of industrial activities.- Connected to the sewerage system leading to the Keshopur STP. Hence, no CETP is required.	No



7.	Patparganj Industrial Area	<ul style="list-style-type: none">- The DJB officials from the area informed that there are 3 main sewage water discharge points from the industrial area. These drains fall into the Anad Vihar Drain and Shahdara Drain.- The Anand Vihar and Shahdara drains are then further tapped under the interceptor drain project by DJB and the collected water is ultimately getting treated at the Kondli STP of DJB. Hence, no CETP is required.	No
8.	Okhla Industrial Estate – Phase 3	<ul style="list-style-type: none">- The officials from the DJB and DSIIDC who are managing this area informed that there are mostly office complexes in the area and mostly sewage water is being generated in the area.- The DJB officials from the area informed that there are two dedicated sewage pumping stations in the area.- These pumps are further discharging the wastewater into drains that are being tapped under the interceptor project of DJB. Hence, no CETP is required.	No
9.	Okhla Flatted Factory Complex	<ul style="list-style-type: none">- No manufacturing units- Mostly involve assembly of finished parts- No polluting industry in the area- Sewage generation from the area due to lack of industrial activities- DJB sewerage line flows next to the factory complex. The sewage generated from the area can be connected to this DJB sewerage line for further treatment. Hence, no CETP is required.	No



10.	Mohan Co-operative Industrial Area	<p>- This industrial area consist of mostly Automobile and associated industries</p> <p>- Director of the industrial association informed the visiting team that the industrial units along the Mathura Road have sewerage connection provided by Delhi Metro.</p> <p>- Otherwise, this area does not have any dedicated sewerage system.</p> <p>- All industrial units have dedicated soak pits/septic tanks. Hence, no CETP is required.</p>	No
11.	Jhandewalan Flatted Factory Complex	<p>- This area has just one electroplating unit and this unit has its own ETP. Hence, no CETP is required.</p>	No

16. In the opinion of this Court, the status of the above 13 CETPs also deserves to be inspected by the Special Committee as well as the status of connectivity of sewage discharged in the aforesaid 11 industrial areas with the STPs. Accordingly, for the inspection of the CETPs and industrial areas which are connected through STPs, the Special Committee is constituted with the following members.

- (i) Mr. Nithin Nandwani, Executive Engineer, DSIIDC.
- (ii) Mr. Pankaj Kumar
- (iii) Ms. Vrinda Bhandari, Advocate (Mob. No. 9711680348) / Mr. Arvind Sah, Advocate (Mob No. :9811555076)

17. The terms of inspection for the Special Committee shall be the same as for the STPs (refer para 9 and 10) and Ms. Vrinda Bhandari, and Mr. Arvind Sah, Advocate will also be considered as Local Commissioners and paid fee accordingly (refer para 11). In the case of CETPs, a lump sum fees of Rs. 1 lakh shall be paid by DSIIDC to Mr. Pankaj Kumar – the intervenor. Let a



comprehensive report signed by all the three members of the Committee be filed by the next date of hearing.

18. List on 11th July, 2025.

W.P.(C) 15399/2024 & CM APPLs.4918/2025, 8786/2025

Green Park Extension

19. Insofar as the laying of the new sewer line across AIIMS premises for avoiding water logging in Green Park Extension is concerned, the Court, upon an elaborate hearing of the parties, *vide* order dated 28th February, 2025, had directed a joint inspection to be conducted to answer the following queries.

“40. A joint inspection shall be carried out by the MCD, DJB, PWD, DMRC and AIIMS and a report shall be placed in respect of the following:

- i) Whether in Green Park and Green Park Extension, there are two separate drains for sewage and storm water or not?*
- ii) Whether the same are inter-connected at any point, if so, how the same is to be resolved?*
- iii) Which would be the agency which would take over the drain from the DMRC?*
- iv) Whether the extension or connection between the drains through AIIMS to the bigger drain is feasible and if so, in what manner.”*

20. The said joint inspection has been carried out on 11th March, 2025 and answer to question no. iv is as under in the MCD’s status report dated 15th April, 2025:

<i>iv.</i>	<i>Whether the extension or connection between the drains through AIIMS to the bigger drain is feasible and if so, in what manner.</i>	<i>On inspection, it has been noticed that the only solution is lay new sewer line across AIIMS (West Ansari Nagar) and, accordingly, it is decided</i>
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	<p><i>that DJB and AIIMS both will submit a feasibility report for lying new Sewer Line across AIIMS West Ansari Nagar (Vacant Land) with a week time.</i></p> <p><i>In pursuant to aforesaid decision Delhi Jal Board has also written a letter to SE, AIIMS regarding permission for lying of new DJB sewer line across AIIMS Campus to facilitate sewer disposal of Green Park Extension Area. Copy of letter dated 17/03/2025 as received in the office of EE(M)-I of South Zone – MCD for information regarding the same is annexed herewith as Annexure -C.</i></p>
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21. The Court is also informed that, in furtherance of this, a formal communication was sent by DJB to AIIMS on 17th March 2025, requesting its approval and cooperation for the proposed sewer alignment within its premises. However, AIIMS has not accorded its consent for the laying of the new sewer line.

22. On behalf of AIIMS, Mr. Devender Kumar, Executive Engineer, is present in Court along with his Counsel. He is carrying with him certain plans, etc. showing that there are other existing sewer lines within AIIMS. He states that the sewer lines within the AIIMS complex are maintained by AIIMS. He states that there is an apprehension that if sewer lines are laid down by DJB



there may be a breach of security and there would also be an issue as to who would have the responsibility of maintaining the said sewer lines.

23. Ms. Bharti, learned counsel for DJB states that the sewer lines will be laid by the DJB. She further states that the sewer lines are to be laid underground and will be done in a time bound manner without causing any disruption to the AIIMS complex. Ld. Counsel submits that the sewer lines after being laid down would be maintained by MCD.

24. In this Court's opinion, in order to enable the flow of water and avoid waterlogging, the connection between Green Park Extension and SDA Extension and Hauz Khas is essential. The Court is clear as to the effect that refusing to lay a sewer line is not an option exercisable by AIIMS in view of the larger public interest involved, as colonies nearby cannot be allowed to be flooded – causing harm and danger to lives and property. Therefore, the Court is of the opinion that the AIIMS administration ought to take a cooperative stand and enable laying of the sewer line, which shall be laid and maintained by the DJB and MCD respectively, in a manner as would be acceptable to AIIMS.

25. Accordingly, a meeting shall be convened within the AIIMS campus with the participation of the Executive Engineer AIIMS, officials from the MCD and DJB, as well as two to three residents of Green Park Extension, including the Petitioner—Mr. Shailender Bhatnagar, in order to finalise and resolve the specific issues pertaining to the proposed sewer alignment. **The meeting shall take place on 13th May, 2025 at 11:00 A.M.** in the office of Executive Engineer. The mobile number of Mr. Devender Kumar is ***M:9868397994.***



26. Let the report in this regard be submitted by the next date of hearing.
27. List on 26th May, 2025.

W.P.(C) 9617/2022

28. List on 11th July, 2025.

**PRATHIBA M. SINGH
JUDGE**

**MANMEET PRITAM SINGH ARORA
JUDGE**

MAY 05, 2025/Rahul/dk/Ar.