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

Date of decision: 11th September, 2025

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

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr. Vivek Kumar Tandon, Ms. Vrinda Bhandari, Mr. Parveen Gupta, Local Commissioners.

versus

UNION OF INDIA & ORS

.....Respondents

Through: Mr. Manish Mohan, CGSC with Mr. Varenym, Advs. for UOI.
Ms. Monika Arora, CGSC with Mr. Subhrdeep Saha, Ms. Anamika Thakur, Mr. Prabhat Kumar, Mr. Abhinav Verma, Advs.
Ms. Beenashaw Soni (SC, MCD) with Ms. Mansi Jain, Adv.
Ms. Sangeeta Bharti, SSC with Mr. P.K. Gupta, S.E. For DJB.
Mr. Dhruv Rohatgi, Ms. Chandrika Sachdev and Mr. Dhruv Kumar, Advs. for GNCTD.
Ms. Puja S. Kalra, Standing Counsel MCD with Mr. Virendra Singh, Advocate and Mr. K.P. Yadav, Assistant Engineer, MCD
Ms. Beenashaw N Soni, SC, MCD with Ms Mansi Jain, Advs.
Ms. Prabhsahay Kaur (Standing Counsel) with Ms. Deeksha L Kakar (Panel Lawyer), Mr. Aditya Verma, Ms. Kavya Shukla and Ms. Rashneet



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Singh, Advs. for DDA.

WITH
W.P.(C) 9617/2022

COURT ON ITS OWN MOTION

.....Petitioner

Through: Mr. Vivek Kumar Tandon, Ms. Vrinda Bhandari, Mr. Parveen Gupta, Local Commissioners.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Manish Mohan, CGSC with Mr. Varenym, Advs. for UOI.
Mr. Tushar Sannu, Ms. Ishika Jain, Adv.
Mr. Dhruv Rohatgi, Ms. Chandrika Sachdev and Mr. Dhruv Kumar, Advs. for GNCTD.
Ms. Prabhsahay Kaur (Standing Counsel) with Ms. Deeksha L Kakar (Panel Lawyer), Mr. Aditya Verma, Ms. Kavya Shukla and Ms. Rashneet Singh, Advs. for DDA.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MANMEET PRITAM SINGH ARORA

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. *Vide* order dated 5th May, 2025, this Court had appointed Local Commissioners to conduct on-site inspection at all the Sewage Treatment Plants (hereinafter, 'STPs') with the following mandate:

*"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;”

3. *Vide* the said order, this Court had also directed the Local Commissioners to conduct on-site inspection at all the Common Effluent Treatment Plant (hereinafter, ‘CETPs’)

4. Pursuant thereto, the Court has received the following reports:

- i) Interim report dated 10th July, 2025 in respect of all 34 STPs;
- ii) Final report dated 25th July, 2025 in respect of all 37 STPs;
- iii) Final report dated 9th September, 2025 in respect of 13 CETPs.

5. These reports reveal an extremely disturbing situation and some startling facts:

- i) Across Delhi, there is mixing of domestic sewage with industrial wastage and vice-versa;
- ii) Most industrial units are dumping their waste straight away into the drains without any treatment;
- iii) The treated water coming out of the STPs and CETPs gets mixed with untreated waste water before flowing into the Yamuna River -thereby neutralizing the entire purpose of treating the waste.
- iv) There is under-utilization of CETPs which also require upgradation. There may be corrosion in pipelines and breakage.
- v) Moreover, there are no live relays including inlet and outlet flow meters. Therefore, there is no live monitoring of the STPs and CETPs. However, in some of the STPs and CETPs, some readings are available on a live basis.



6. The Action Taken Report dated 29th August 2025 of the Government of National Capital Territory of Delhi (hereinafter, 'GNCTD') seems to suggest that there is satisfactory working of some STPs and CETPs which would be in contrast with the reports submitted by the Local Commissioners and the independent expert.

7. Without going into a blame game at this stage, it is clear that in order for any effective steps to be taken to curb pollution of the Yamuna River, a comprehensive attempt has to be made on all the following three aspects:

(1) A proper map would be required to understand the existing storm water and sewage drain system that is currently existing in Delhi. Upon obtaining such a plan, an expert agency would be required to give a report on how the entire network of storm water drain and sewage can run in parallel and be connected to the main drains, after the water is treated. As recorded in the order dated 8th April, 2024, a Drainage Master Plan was prepared by IIT-Delhi sometime in 2018 but the same was not acted upon by GNCTD. Mr. Dhruv Rohatgi, Id. Counsel who is appearing for the GNCTD shall accordingly bring the said order dated 8th April, 2024 and today's order to the attention of the Chief Secretary, GNCTD so that the Drainage Master Plan as it exists on date can be retrieved and updated by IIT-Delhi, if so required.

(2) The Action Taken Report of the GNCTD states that in respect of the following drains, consultants have been appointed:

- Najafgarh Basin – M/s Haskoning DHV Consulting Pvt. Ltd.
- Barapulla Basin – M/s Green Design & Engineering Services Pvt. Ltd.
- Trans-Yamuna Basin – M/s Green Design & Engineering



Services Pvt. Ltd.

The detailed project reports have been submitted by the consultants, and these reports are pending acceptance and for issuance of tenders. Accordingly, let the said three reports be produced before the Court on the next date of hearing. The reports shall also be given to Ms. Bhandari and Mr. Vivek Kumar Tandon, the Local Commissioners within a period of one week. The Chief Secretary, GNCTD shall also hold a meeting with these consultants and place before this Court the decision of the Government in respect of their recommendations. However, it is made clear that no further tender be awarded till the next date, so that the reports of the Consultants can be perused before award of the same. Representatives of the said Agencies are free to appear and make submissions before the Court on the next date of hearing.

(3) Insofar as STPs are concerned, the meeting under the Chairmanship of Chief Engineer, Delhi Jal Board is already underway. Ms. Bharti, Id. Counsel for the Delhi Jal Board submits that three meetings have already taken place and further meetings are being held and a comprehensive action plan shall be placed by the Delhi Jal Board in respect of all the STPs by the next date of hearing.

(4) Insofar as CETPS are concerned, the submission made by Mr. Tandon and Ms. Bhandari is that most factories and industries are dumping the untreated waste into the drains. Accordingly, the Delhi Pollution Control Committee (hereinafter, 'DPCC') is directed to be impleaded in this matter as a Respondent.

8. Issue Court notice to DPCC through Id. Counsel – Mr. Biraja Mahapatra (**Mobile. No.9810935526**)



9. List this matter on **19th September, 2025 at 2:30 p.m.** for appearance of DPCC and for further orders.
10. The DPCC shall on the next date place before this Court a complete chart of all the industrial areas and what steps it is taking on a regular basis for monitoring the treatment of waste and whether the factories and industries have treatment plants and if so, to what extent is the treatment which is being given.
11. A copy of the report of the 13 CETPs prepared by the Local Commissioner is already stated to have been given to the DPCC officials. Accordingly, the DPCC shall appear on the next date and make its submission in respect of the final report provided by the Local Commissioners.
12. The DPCC shall also inform the Court as to how many of the factories and industries which are connected to the CETPs have treatment plants installed.
13. The Delhi State Industrial and Infrastructure Development Corporation's (hereinafter, '*DSI IDC*') official –Mr. Nitin Nandwani, Executive Engineer, DSI IDC submits that there is a process of upgradation of 11 CETPs in coordination with the Department of Industries. Accordingly, let a status report in respect of 13 CETPs be placed on record by the next date of hearing *i.e.*, **19th September, 2025.** .
14. The DSI IDC shall file a chart within one week of all the industries located in Bawana and Narela areas and as to the number of industries which are connected to CETPs and how they are being monitored.
15. Mr. Sandeep Mishra, Special Secretary, IDMC who has filed the Action Taken Report dated 29th August, 2025 shall remain present in Court on the next date *i.e.*, **19th September, 2025.**



16. A copy of today's order shall be served upon Id. Counsel for the DPCC through the *WhatsApp* group which has already been created for monitoring the CETPs by the Local Commissioners. In addition, the Registry shall also serve DPCC's Counsel- Mr. Biraja Mahapatra on his being mobile number - No.9810935526.

17. The fee of the Local Commissioners shall be paid by all the agencies within one week.

18. List on 29th October, 2025 for consideration on the comprehensive action plan on the STPs.

PRATHIBA M. SINGH
JUDGE

MANMEET PRITAM SINGH ARORA
JUDGE

SEPTEMBER 11, 2025/Rahul/ck