

By Speed Post

March 10, 2023

No. A-19014/59/2020/WQM-I/ 9503

To,

The Chairman,
Delhi Pollution Control Committee,
4th and 5th floor, ISBT Building
Kashmere Gate, Delhi - 110006

DIRECTIONS UNDER SECTION 18(1) (b) OF THE WATER (PREVENTION AND CONTROL OF POLLUTION) ACT, 1974 FOR NON COMPLYING STPS AT KONDLI AND DISCHARGE OF UNTREATED WASTEWATER INTO SHAHDARA DRAIN.

WHEREAS, amongst others, under Section 17 of the Water (Prevention and Control of Pollution) Act, 1974, one of the functions of the State Pollution Control Board (SPCB) constituted under the Water (Prevention & Control of Pollution) Act, 1974 is to inspect sewage or trade effluents works and plants for the treatment of sewage and trade effluents and to review plans, specifications or other data relating to plants set up for the treatment of water / wastewater and the system for the disposal of sewage or trade effluents or in connection with the grant of any consent as required by this act; and

Whereas, discharge of untreated, partially treated and treated sewage not meeting standards. Sewage is a major cause for poor water quality in rivers and adversely impacts human health and aquatic life. Further sizeable gap exists in generation and treatment of sewage adding to the problem of water pollution; and

Whereas, Central Government has notified General Discharge Standards for Environmental Pollutants from various sources including municipal wastewater under the Environment (Protection) Act, 1986 and the Rules framed thereunder (Schedule VI); and

[Continued..]

Whereas, Central Government has notified standards for treated effluent of Sewage Treatment Plants vide notification dated 13.10.2017; and

Whereas, Hon'ble National Green Tribunal Principal Bench, New Delhi in the matter of OA no. 1002 / 2018 titled Abhisht Kusum Gupta Vs State Of Uttar Pradesh & Ors vide its Order dated 19.02.2019 has directed as follows:

"Accordingly, we direct the Central Pollution Control Board (CPCB), DPCC, DJB, East Delhi Municipal Corporation, NOIDA Authority and UPPCB to have a joint meeting within one month and to prepare an action plan in respect of action in respective States to check the water pollution which may also include action to be taken for prohibiting the discharge of effluents, for prosecuting the polluters and recovering the compensation for the damage being caused to the environment.

The Nodal Agency will be CPCB for coordination and compliance. The report of the action taken be furnished to this Tribunal within two months by e-mail at ngt.filing@gmail.com"

Whereas, in compliance to Hon'ble NGT directions, Central Pollution Control Board convened meeting with officers of Delhi Pollution Control Committee (DPCC), Delhi Jal Board (DJB), East Delhi Municipal Corporation (EDMC), NOIDA Authority and Uttar Pradesh Pollution Control Board (UPPCB) on 20.03.2019. It was decided to conduct joint inspection of the area under question so as to ascertain the sources of pollution of Kondli / Noida drain on 02.04.2019; and

Whereas, Joint inspection by the officers from DPCC, DJB, EDMC, PWD, DDA, UPPCB and Noida was conducted on 02.04.2019. Applicant was also informed to accompany the team for joint inspection and express his concerns. Based on inspection made, detailed report was prepared and submitted before Hon'ble NGT on 18.04.2019. Major findings of report are mentioned below:

- i. Unauthorized colonies namely GD colony, Gharauli village and Kondli village are discharging their untreated sewage to drainage system of PWD, DDA, EDMC and contributing to pollution to NOIDA drain.
- ii. DJB has laid sewerage system to convey sewage from said colonies to Kondli STP. However, residents of said colonies are reluctant to take sewerage connection which resulting in discharge of untreated sewage to storm water drainage system.

[Continued..]

WHEREAS, CPCB had issued direction to DJB vide letter dated 06.05.2019 under Section 5 of the Environment (Protection) Act, 1986 for abatement of pollution of Kondli Drain; and

Whereas, DJB vide letter dated 22.07.2019 submitted the Action plan and informed that 3 drains of PWD carrying wastewater shall be tapped and conveyed to Kondli STPs for treatment. Interception of drains will be finished by December, 2019; and

Whereas, Hon'ble NGT in the matter of OA no. 1002 titled Abhisht Kusum Gupta Vs State of Uttar Pradesh vide order dated 23.12.2021 directed CPCB as follows:

"Coming to the remedial action in Delhi, the action taken report filed on behalf of the Delhi Government has stated that no untreated sewage is generated from Delhi and discharged into the Noida drain. This aspect may be verified by the CPCB. The treatment capacity and performance of Kondli STP also needs to be verified particularly with reference to compliance with fecal coliform and utilization of treated sewage. It further needs to be ascertained whether such waste is being discharged into Shahdara drain."

Whereas, in compliance to directions of Hon'ble NGT, a team comprising officials from CPCB, visited the site on 24.03.2022 along with the officials of Delhi Jal Board (DJB), East (vii Delhi Municipal Corporation (EDMC) and Delhi Pollution Control Committee and inspected storm water drains of Kondli, Delhi and STPs located at Kondli to verify the status of action plan of Government of NCT of Delhi.

It was found that Tapped wastewater diverted to existing sewerage system and same is conveyed to Kondli STP. The analytical results of STP shows that STP is non-complying with respect to prescribed norms. The quality of treated water at outlet is equivalent to untreated wastewater at inlet. The treated water discharged to Shahdara drain which finally merges with river Yamuna at downstream of Okhla Barrage.

[Continued..]

Whereas, Hon'ble NGT vide its order dated 03.08.2022 in O. A. No. 1002/2018, Abhisht Kusum Gupta Vs. State of Uttar Pradesh & Ors issued various directions including following direction for DJB:

Para 29 (vii)

DJB may ensure compliance of its four STPs so as to meet standards as directed by the Tribunal. Treated effluents of 90 MGD from four Phases be utilised rather than disposed in Shahdara drain.

Para 29 (viii)

No effluent be disposed by NCT Delhi in Kondli/Noida Drain

Whereas, CPCB convene first review meeting with concerned stakeholders (Noida Authority, Khora, Khoda Nagar Palika, DJB) and SPCBs of Uttar Pradesh and NCT of Delhi on 14.11.2022 to review the status of compliance of directions given by Hon'ble NGT; and

Whereas, DJB vide letter dated 23.11.2022 submitted compliance status of the four STPs at Kondli and status on diversion of drains; and

Whereas, CPCB made a field visit on 29-30/11/2022 jointly with UP SPCB, DPCC, DJB, NOIDA authority and for verification of action plan submitted by different agencies and made following observations:

1. DJB has created the infrastructure at Kondli for diversion of wastewater of Kondli, Gharoli, GD Colony into existing sewerage system and same is found operational. All wastewater flowing into storm water drains diverted into Sewerage System.
2. Tapped wastewater diverted to existing sewerage system and same is conveyed to Kondli STP. Kondli STP comprises of 4 phases i.e. Phase I -10 MGD, Phase II-25MGD, Phase III-10 MGD and Phase IV-45 MGD. During inspection, Phase I and III was found functional and Phase II and IV is under rehabilitation. Rehabilitation work as reported will be completed by November 2023.
3. Disinfection system and Sludge Treatment Units (Sludge Thickener, Centrifuge and Bio Gas Generator) of Phase I and III are in commissioning stage.
4. Samples were collected from inlet and outlet of Phase-I, III and Combined outlet. The analysis report is tabulated below:

[Continued..]

Analytical results of Kondli STP, Delhi - Physio-chemical							
S. No.	Parameters	Notified Standards	Common Inlet	Phase I		Phase III	Final Outlet (Phase I, II, III & IV)
				Before Chlorination	Outlet	Outlet	
1	pH	5.5-9	6.9	7.0	7.1	6.9	6.8
2	COD (mg/L)	50	537	10	8	20	282
3	BOD (mg/L)	10	221	4	3	7	119
4	TSS (mg/L)	20	259	BDL<10	BDL<10	45	177
5	PO ₄ -P (mg/L)	1	3.58	3.39	3.07	1.87	2.60
6	NH ₃ -N (mg/L)	-	26	-	BDL<1	BDL<1	22
7	MLSS (mg/L)	-	-	-	4558	4010	-
8	MLVSS (mg/L)	-	-	-	3226	1824	-
9	Total Coliform (MPN/ 100 mL)	-	-	14 x 10 ⁹	92 x 10 ³	17 x 10 ⁴	11 x 10 ⁹
10	Fecal Coliform (MPN/ 100 mL)	230 MPN/ 100 mL	-	37 x 10 ⁸	35 x 10 ³	79 x 10 ³	22 x 10 ⁸

Note: Hon'ble NGT vide order dated 30.04.2019 in the matter of 1069 of 2018

Close examination of above results reveals that Kondli STP Phase III unit is not meeting with respect to TSS, Fecal Coliform and PO₄-P and Phase-I not meeting the prescribed norms for Fecal Coliform and PO₄-P.

- Phase-IV of Kondli STP is under rehabilitation , therefore final outlet of STP (combined outlet of Phase I, II, III and IV) not meeting the desired norms of COD, BOD, TSS, PO₄-P & Total Coliform.

Whereas, it is evident that combined outlet of Kondli STP is still non-complying with respect to prescribed norms of DPCC and entire wastewater is continued to be discharged into Shahdara drain which merges with river Yamuna and deteriorating the water quality of river Yamuna.


NOW, THEREFORE, in exercise of the powers conferred under section 18 (1) (b) of the Water (Prevention & Control of Pollution) Act 1974, the Chairman, Delhi Pollution Control Committee (DPCC) is hereby directed as follows:

[Continued..]

1. DPCC shall issue appropriate directions to Delhi Jal Board:

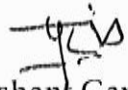
- a. To ensure compliance of its 04 STP to meet the norms prescribed by NGT in OA No.1069/2018, Nitin Shankar Deshpande vs. Union of India & Ors. subject to further directions of Hon'ble Supreme Court in pending proceedings.
 - b. To provide STP wise status/ action plan for management of sludge generated and reuse of treated effluent.
 - c. To submit time-bound action plan to ensure compliance of Hon'ble NGT order dated 03.08.2022 regarding re-use of the entire treated effluent of 90 MGD rather than discharging into Shahdara Drain.
 - d. To ensure that wastewater generated from Kondli, Gharoli should be 100 % diverted into existing sewerage system and should not flow to Noida Drain.
2. To ensure compliance of CPCB directions dated 31.01.2021 regarding installation and connectivity of OCEMS.
3. To ensure operation of STPs with valid consent order & review the consent orders issued to STP w.r.t condition for disposal of treated sewage for needed compliance of Hon'ble NGT order dated 03.08.2022.
4. To ensure that all drains, water bodies to be geotagged and given UID.

Necessary action for compliance of the above directions may therefore be taken and an action taken report shall be submitted by Delhi Pollution Control Committee to CPCB within 30 days from the date of receipt of these directions.


(Tanmay Kumar)
Chairman

Copy to: for information please

1. The Director (CP Division),
Ministry of Environment, Forests, & Climate Change
Indira Paryavaran Bhawan, Aliganj,
Jorbagh Road, New Delhi-110003
2. The Secretary,
Ministry of Jal Shakti,
626, Shram Shakti Bhawan, Rafi Marg,
New Delhi 110001
3. The Secretary
Ministry of Housing and Urban Affairs,
Mulana Azad Road, Rajpath Area,
Central Secretariat, New Delhi- 110001
4. The Director General,
National Mission for Clean Ganga,
(Ministry of Jal Shakti),
Rear Wing, 3rd Floor, MDDS Building
9, CGO Complex, Lodi Road, New Delhi-110003
5. DH-IT Division , CPCB Delhi
6. DH-WQM-I Division, CPCB Delhi
7. DH-WQM-II Division, CPCB Delhi


(Prashant Gargava)
Member Secretary