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

Date of Decision: 24th August, 2026

Uploaded on: 25th August, 2026

CNR No. DLHC011815012018

+ **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, 4825/2026, 35797/2026, 56748/2026,
56882/2026**

COURT ON ITS OWN MOTION

.....Petitioners

Through: Mr. Zain Haider and Mr. Tanvir Ali,
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Ripudaman Bhardwaj, CGSC with
Mr. Kushagra Kansal and Mr. Amit
Kumar Rana, Advocates for UOI.
Mr. Rajesh Yadav Sr. Advocate with
Mr. V P Rana, Adv.
Mr. Subhashhand Budhiraja, Adv.
with Mr. Rajender Parrasad Jain,
Director, MSME, Advocates.
Ms. Prabhsahay Kaur (Standing
Counsel), Ms. Deeksha L. Kakar
(Panel Lawyer), Mr. Aditya Verma,
Ms. Sana Parveen advocates with mr.
Nakul (DD, plg. DDA)
Ms. Pratima N Lakra CGSC Mr
Shailendra Kumar Mishra, Adv.
Mr. Biraja Mahapatra, Mr. Abhay
Singh Adv. along with Mr. Dinesh
Jindal, Law officer DPCC.
Mr. Sanjeev Kumar Dubey, Senior
Advocate with Ms. Yamini Sharma,



Mr. Shah Rukh Khan, Ms Meghaa Wadera and Mr. Ghanender Singh, Advocates for (MIWAS).

Mr. Varsha Banerjee, Mr. Arjun Katyal & Mr. Mahipal Singh, Advs. for DSIIDC

Ms. Ayushi Musra, Advocate.

Mr. Deevanshu Sharma Advocate for Confederation of Delhi CETPs.

Dr. S. K Goyal, Scientist G & Chair, CSIR-NEERI, Delhi Regional Centre.

Mr. Kapil Midha Adv. for (Mondhaka Udyog Nagar (south) welfare society.

Mr Tushar Sannu, Ms Rajbala, Ms Payal Rajput Advocates, for MCD and DJB.

Mr. VK singh, AE Mr. Manish Rajpa Mr. Astik Jha , AE- DJB, Mr. Rajeev Narang- Action Electrical -MCD Mr. Gaurav Kumar AE, ENM and Mr. Deepak Rohila- SC, ENM.

Mr. Dhruv Rohatgi Panel Counsel GNCTD with Ms Chandrika Sachdeva Mr Dhruv Kumar, Advs.

Mr. Vivek Kumar Tandon, Local commissioner.

Mr. Hitesh Sharma (Plant Manager), Mayapuri CETP, Mr. Sudhir Kumar (Treasurer) Mayapuri CETP, Mr. Ashok Kumar (Nangloi CETP), Mr. Ravi Sood (Badli CETP), Mr. Sanjay Vig (Mangol Puri CETP), Mr. K.D. Sharma (Jhilmil CETP), Mr. R.N. Sharma (Naraina CETP) and Mr. Suresh Kumar (Okhla CETP)

Ms Varsha, Adv.

2(SDB)

CNR No. DLHC010238512022



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W.P.(C) 9617/2022**COURT ON ITS OWN MOTION**

.....Petitioner

Through: Mr. Zain Haider and Mr. Tanvir Ali,
Adv.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Ripudamn Bhardwaj, CGSC with
Mr. Kushagra Kansal, Advocate for
UOI.Dr. S. K Goyal, Scientist G & Chair,
CSIR-NEERI, Delhi Regional Centre.Mr. Kapil Midha Adv. for (Mondhaka
Udyog Nagar (south) welfare society.Mr Tushar Sannu, Ms Rajbala, Ms
Payal Rajput Advocates, for MCD and
DJB.Mr. VK singh, AE Mr. Manish Rajpa
Mr. Astik Jha , AE- DJB, Mr. Rajeev
Narang- Action Electrical -MCD Mr.
Gaurav Kumar AE, ENM and Mr.
Deepak Rohila- SC, ENM.Mr. Vivek Kumar Tandon, Local
commissioner.Mr. Dhruv Rohatgi Panel Counsel
GNCTD with Ms Chandrika Sachdeva
Mr Dhruv Kumar, Adv.

Ms. Nishi, Adv.

Ms. Pratima N Lakra CGSC Mr
Shailendra Kumar Mishra, Adv.Mr. Shashi Pratap Singh, Ms.
Anamika Tyagi, Ms. Laqshyaa Saluja,
Advocates with Ms. Sulakshna Kholia
Coordinator for President, Swarna
Park Mundaka Industrial Area
Association.**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE MANMEET PRITAM SINGH ARORA**



Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

Issue of Waterlogging in the Okhla Area i.e., Abul Fazal Drain (Re: newspaper report dated 7th January, 2026)

2. On 28th March, 2026, this Court had directed the Municipal Corporation of Delhi (hereinafter, 'MCD') to create a separator wall between the drain and the road which has vehicular movement. It was also directed that reflectors and some lights be installed so that the drain would be visible to passers-by and drivers. The relevant portion of the said order reads as under:

“4. Accordingly, Mr. Sannu, Id. Counsel for the MCD has assured the Court that some kind of separator wall would be created between the drain and the road on which vehicular movement is there.

5. In addition, MCD shall ensure that the area is not dark and is visible as a drain in the evening times. Some reflectors and some lights should be installed in this area so that the drain becomes visible to passersby and drivers.”

3. Mr. Amit Mittal, Senior Assistant (Legal) from the Uttar Pradesh Irrigation Department is present. Insofar as the extension of the Abul Fazal Drain is concerned, Mr. Anil Mittal, Id. Counsel for the Uttar Pradesh Irrigation Department submits that the sanction for the extension of the said drain has already been applied for with the Namami Gange Authority (National Mission for Clean Ganga-NMCG) and is likely to be issued soon. Id. Counsel further submits that by 15th September, 2026, the Uttar Pradesh Irrigation Department intends to start the work for the extension of the Abul

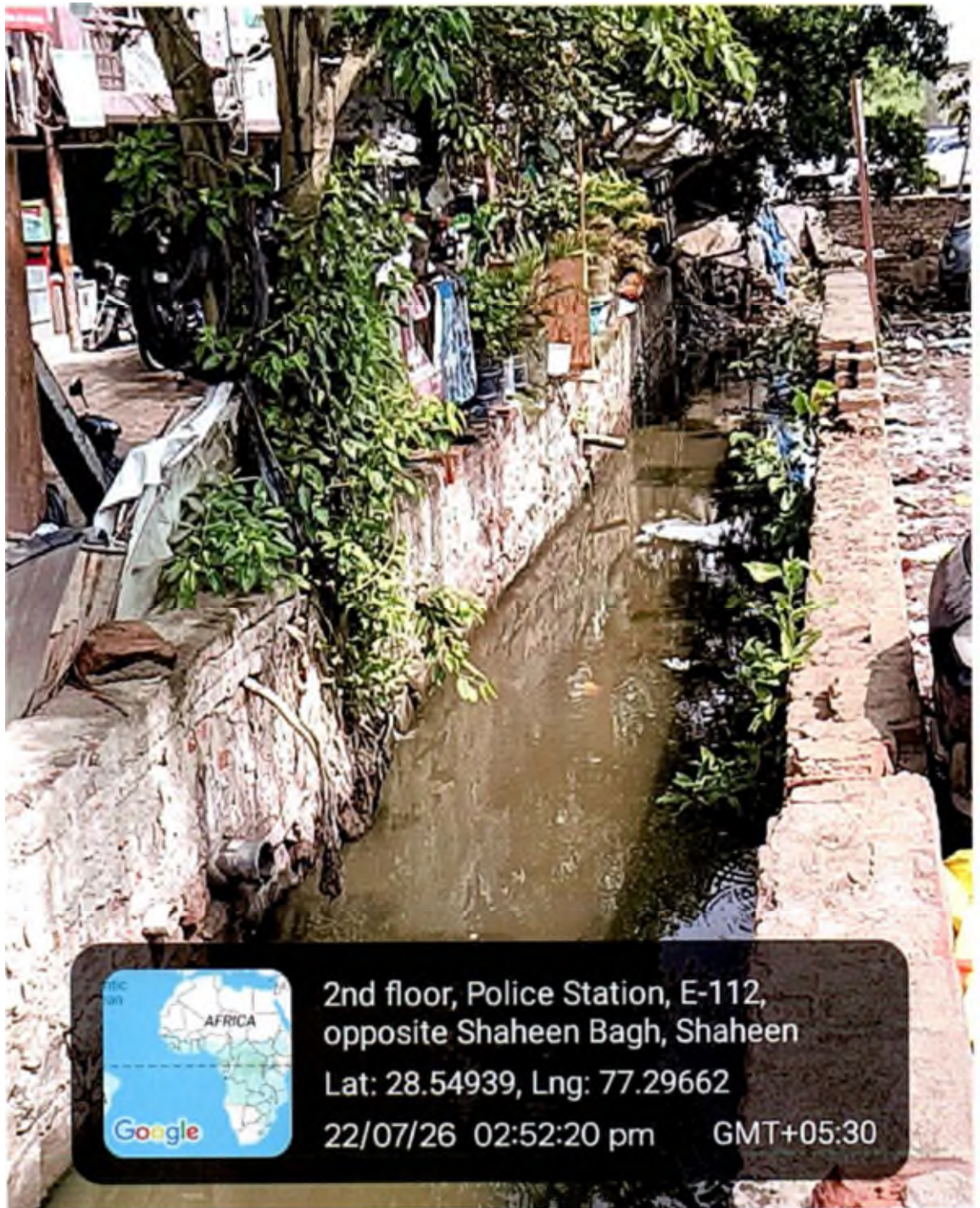


Fazal Drain. The NMCG shall consider the application for the extension of the Abul Fazal Drain and communicate the decision at the earliest.

4. Insofar as the creation of a separator wall and the installation of reflectors is concerned, Id. Counsel appearing for the MCD submits that the reflectors and lights have already been installed. Insofar as the separator wall is concerned, Mr. Tushar Sannu, Id. Counsel submits that the Uttar Pradesh Irrigation Department has not yet given the 'No Objection Certificate' and hence, no work could be undertaken.

5. Mr. Mittal, Id. Counsel for the Uttar Pradesh Irrigation Department seeks ten days' time to give 'No Objection Certificate' to the MCD for construction of the separator wall.

6. The Court has seen the images of the drain and is extremely concerned with the manner in which the drain is running without any protection. Some of the images are extracted below:





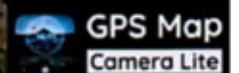
Fatima Apartment, B 9/4, Lane 6, Okhla Vihar, Part 1 Abul Fazal Enclave,
Block C, Jamia Nagar, Okhla, New Delhi, Delhi 110025, India

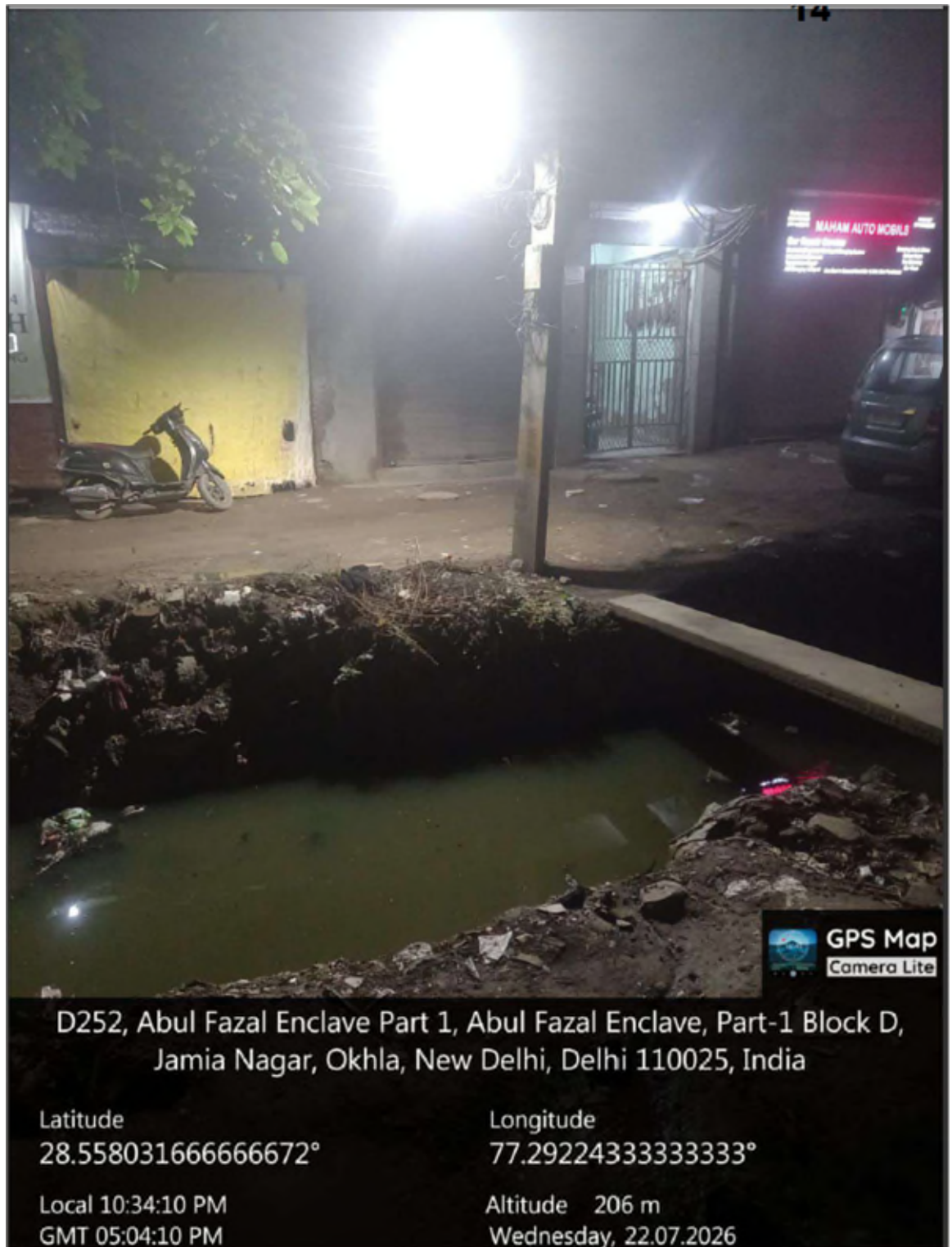
Latitude
28.558560000000003°

Longitude
77.29210166666667°

Local 10:31:46 PM
GMT 05:01:46 PM

Altitude 205 m
Wednesday, 22.07.2026







The open drain without any separator wall or covering can pose a serious safety hazard for the residents and commuters of the area.

7. The MCD has written repeated letters *i.e.*, on 24th April, 2026, 12th May, 2026 and 3rd July, 2026 to the Executive Engineer, Head Works Division, Agra Canal. Mr. Amit Mittal submits that one Mr. Vinod Kumar Singh is the said Executive Engineer. Obviously, the said Engineer has not cared to reply to the MCD and give the 'No Objection Certificate'.

8. The MCD has already installed lights in the area to make the drain visible to vehicular traffic and pedestrians. Mr. Sannu, Id. Counsel for the MCD submits that the budget for the separator wall has already been sanctioned and the only delay was because of the non-receipt of the 'No Objection Certificate'.

9. Considering the danger that the drain could pose to the local residents, this Court directs the MCD to immediately construct the separator wall and put slabs covering the open drain, without awaiting any further 'No Objection Certificate' from the Uttar Pradesh Irrigation Department. The construction of the separator wall and covering on the drain, if required as per law, be commenced immediately by the MCD.

10. The concerned Executive Engineer Mr. Vinod Kumar Singh, from the Uttar Pradesh Irrigation Department is at liberty to co-ordinate with the MCD, if he so desires.

11. The MCD shall also undertake continuous desilting of the drain and the cleaning of the area as well, since the photographs placed on record depicts that there is a large quantum of litter and garbage which is in and around the drain.



12. An updated status report shall be filed by the MCD by the next date of hearing.

Upgradation of STPs and installation of new STPs.

13. The Court has perused the following status reports filed by the Delhi Jal Board (hereinafter, 'DJB'):

- Status report dated 17th December, 2025;
- Status report dated 30th April, 2026 ; and
- Status report dated 19th August, 2026.

14. A perusal of the said status reports would reveal that there were 11 STPs which required to be upgraded. The details of the said 11 STPs which required upgradation is as under:

The Current Status Report of 11 STPs & upgraded STPs is as under:

S. No.	DETAILS OF STP	DESIGN PARAMETERS	CAPACITY AFTER UPGRADATION	CURRENT STATUS OF UPGRADATION
1.	PAPPAN KALAN PHASE I	$\leq 30/50$ MG/L	20 TO 30 MGD	STP has been upgraded on 31.07.2025 & achieving the latest DPCC prescribed standards.
2.	NILOTHI PHASE I	$\leq 30/50$ MG/L	40 TO 60 MGD	STP has been upgraded on 31.01.2026 & achieving the latest DPCC prescribed standards.
3.	GHITORNI STP	$\leq 30/50$ MG/L	5 TO 7.5 MGD	Work order has been issued on dated 07.08.26, completion period as per work order is May-2028
4.	MEHRAULI STP	$\leq 20/30$ MG/L	5 TO 7.5 MGD	Work order has been issued on dated 07.08.26, completion period as per work order is May-2028
5.	OKHLA PHASE V STP	$\leq 30/50$ MG/L	16 TO 24 MGD	Work order has been issued on dated 07.08.26, completion period as per work order is May-2028
6.	VASANT KUNJ PHASE I STP	$\leq 30/50$ MG/L	2.2 TO 3.2 MGD	Work order has been issued on dated 07.08.26, completion period as per work order is May-2028
7.	VASANT KUNJ PHASE II STP	$\leq 30/50$ MG/L	3 TO 4.5 MGD	Work order has been issued on dated 07.08.26, completion period as per work order is May-2028
8.	KESHOPUR PHASE I	$\leq 20/30$ MG/L	12 TO 18 MGD	Work order has been issued on dated 15.06.26, completion period as per work order is Dec-2027
9.	YAMUNA VIHAR PHASE III	$\leq 20/30$ MG/L	25 TO 55 MGD	Work order has been issued on dated 10.08.26, completion period as per work order is May-2028
10.	MOLARBAND STP	$\leq 30/50$ MG/L	0.66 TO 1 MGD	Work order has been issued on dated 23.01.26, completion period as per work order is May-2027
11.	YAMUNA VIHAR PHASE I	$\leq 30/50$ MG/L	10 TO 20 MGD	Work order has been issued on dated 06.08.26, completion period as per work order is May-2028



15. A perusal of the above would show that in respect of STPs at serial no. 1 and 2 the upgradation has been achieved and in the remaining nine, the work orders are stated to have been issued for upgradation and the deadlines for completion are between December, 2027 to May, 2028.

16. The details of the STPs which have already been upgraded and achieved the latest parameters as per the National Green Tribunal's (*hereinafter 'NGT'*) guidelines are as under:

STP already upgraded and achieved latest parameters as per NGT guidelines.

1	Kondli Ph-1	< 10:10 mg/l	10.00	Functional on DPCC Standards
2	Kondli Ph-2	< 10:10 mg/l	25.00	do
3	Kondli Ph-3	< 10:10 mg/l	10.00	do
4	Kondli Ph-4	< 10:10 mg/l	45.00	do
5	Soniya Vihar	< 10:10 mg/l	7.00	do
6	Yamuna Vihar Ph-2	< 10:10 mg/l	15.00	do
7	Coronation new	< 10:10 mg/l	70.00	do
8	Coronation Ph- 2	< 10:10 mg/l	20.00	do
9	Coronation Ph-3	< 10:10 mg/l	10.00	do
10	Rohini	< 10:10 mg/l	25.00	do
11	Narela	< 10:10 mg/l	15.00	do
12	Rithala Ph-1	< 10:10 mg/l	40.00	do
13	Rithala Ph-2	< 10:10 mg/l	40.00	do
14	Keshopur Ph-2	< 10:10 mg/l	20.00	do
15	Keshopur Ph- 3	< 10:10 mg/l	60.00	do
16	Najafgarh	< 10:10 mg/l	5.00	do
17	CWG	< 10:10 mg/l	1.00	do
18	Okhla Ph- 6	< 10:10 mg/l	30.00	do
19	Okhla New	< 10:10 mg/l	124.00	do
20	Delhi gate Ph- II	< 10:10 mg/l	15.00	do
21	SNH drain	< 10:10 mg/l	2.20	do
22	Delhi gate Ph- I	< 10:10 mg/l	2.20	do
23	Chilla	< 10:10 mg/l	9.00	Functional on DPCC Standards & work awarded for fecal upgradation treatment and likely to be completed by 30.9.26
24	Kapashera	< 10:10 mg/l	5.00	
25	Nilothi Ph-II	< 10:10 mg/l	20.00	
26	Pappankalan Ph-II	< 10:10 mg/l	20.00	



17. On an overall basis, there are various issues that need to be addressed insofar as STPs are concerned which are:

- i) Upgradation of existing STPs;
- ii) Augmentation of existing STPs;
- iii) Creation of new STPs to ensure that untreated sewage/water does not flow directly into the river;
- iv) Manner in which the treated water flows into the river without again getting mixed with untreated sewage/water.

18. Mr. Sannu, Id. Counsel has also obtained instructions from the DJB and the overall status of STPs has been placed before the Court in the following table:

Sr. No.	Description	No. of Plants	Capacity (MGD)	Status	Target Date
1	Existing Upgraded STPs	28	735.00	Operational at 10/10	
2	Existing Under upgradation STPs	9	78.86	Operational at 30/50	27-Dec
			56.84	Augmentation to be done	27-Dec
3	DSTPs (Outer areas of Delhi)	29	170.00	works awarded for 28 and 1 at Tender stage	Jan-28
4	New DSTPs to be established at Drains outfalls and in the cathmaent areas	13	328.00	1 DPRs prepared and sent to the NMCG	Jan-28
			132.00	Gap analysis underway	
			1500.70		



19. From the above table, insofar as the STPs at Serial No.1 is concerned, the Court has been informed by the Id. Local Commissioners and the Id. Counsel from the DJB that the 28 STPs which are operational at 10/10 are as per NGT's prescribed standards. The STPs at Serial No.2, there are 9 STPs which are presently operational at 30/50 standard but are to be upgraded to achieve the 10/10 standard. For the same, the deadline for completion is given is December, 2027 to May, 2028.

20. At Serial No.3 are the DSTPs relating to the outer areas of Delhi. It is submitted that the DJB has awarded the works for 28 of the said DSTPs and for one of the DSTPs the same is at the stage of tendering. The target date for completion of construction is January, 2028.

21. Insofar as the major issue which is highlighted by the Id. Local Commissioners in their reports are concerned, *i.e.*, that only some part of the sewage is being treated and other parts of the sewage is in fact flowing into the river without treatment. The same is sought to be addressed through setting up of further 13 DSTPs with 328.00 MGD capacity for which the detailed project reports are stated to have been prepared and sent to the Namami Gange Project Authority. Let the same be looked into by the Director General, NMCG.

22. Separately, insofar as some of the gaps which are yet to be filled up are concerned, which could be a capacity of 132 MGD, the DJB is presently undertaking the gap analysis. Overall, as per the DJB, the status as on 24th August, 2026 is that existing STPs a total capacity of 814.26 MGD. By 31st December, 2027, the DJB seeks to achieve 1041.10 MGD and depending upon the project reports for the new DSTPs and the funds being received in respect thereof, 13 further STPs are likely to be commissioned.



23. One of the concerns raised by the Id. Local Commissioners is that the treated water is being again discharged and mixed with the untreated water. Therefore, the drains would have to be laid in respect of the new STPs. Accordingly, this aspect shall be given top priority for existing STPs and the newly proposed DSTPs when the tenders are floated and the work shall be supervised by DJB.

24. In respect thereof, a separate status report shall be filed by the DJB by the next date of hearing. Let an updated status report regarding all STP works be filed by the DJB by the next date of hearing.

27 Non- Confirming Areas

25. The work for re-development in these areas was to commence pursuant to several orders passed by this Court. Various agencies, who had to draw up the plans in these colonies have submitted plans in respect of 25 non-conforming areas to the Delhi State Industrial and Infrastructure Development Corporation (hereinafter, 'DSIIDC'). DSIIDC has forwarded the same to the MCD and the MCD has forwarded the same to the Delhi Development Authority (hereinafter, 'DDA') with a request for relaxation of certain norms from the Master Plan. However, the DDA has not replied to this which has caused a complete stalemate in the work to be undertaken in these 25 non-confirming areas.

26. Ld. Counsel appearing on behalf of the DDA submits that the matter was earlier being dealt with under the old Master Plan-2021, however, now the new Master Plan-2047 has been announced and hence, no work has been undertaken.

27. On behalf of the Industries in these areas, the representatives, who are present, express enormous anxiety and frustration in the manner in which



delays are being caused in the re-development. In our considered opinion, the re-development of these areas is absolutely essential to ensure that untreated sewage water does not flow into the Yamuna river and waterlogging is eliminated. This fact has to be appreciated by all the authorities.

28. In order to fix the timelines for the approval of the plans and for considering relaxation of certain norms etc., let Mr. Manish Verma, Additional Commissioner (Planning), DDA hold a meeting on **31st August, 2026** with all the other authorities and come up with proper timelines as to the manner in which the approvals shall be obtained/granted for the purpose of *inter-alia* laying down the sewer line and sewage water drain in all these 25 non-confirming areas. While considering the issue of relaxation of norms it shall be borne in mind by the DDA that these industrial clusters have come up and are existing for several decades without any proper infrastructure or planning. Thus, enforcing newly imposed conditions under fresh Master Plans to these areas would be completely impractical. The DDA needs to take a pragmatic approach to achieve the re-development with the existing conditions in the best possible manner, as these industries need proper drains, water pipes, sewage lines etc.,

29. Insofar the two non-confirming areas, in respect of which the plans are stated to have not been submitted are:

- Samaypur Badli; and
- Phirni Road.

30. Insofar as Samaypur Badli is concerned, an application being ***CM APPL. 56748/2026*** has been moved on behalf of the Rural Area Manufactures Association, located at Gali No.4, Samaypur Badli Industrial Area. Their concern as submitted by Mr. Yadav Id. Senior counsel, is that the layout plan



had been prepared by the concerned agency namely M/s Square Designs only based on a Layout Plan of 2001. Thereafter, the Zonal Development Plan approved by Union of India on 08.03.2010 had modified and directed that the green strip along with G.T. Karnal Road, Libaspur has been modified for industrial use as per Master Plan-2021, however, the same has not been considered by the said agency. He relies on Notification dated 19th July, 2012 issued by Ministry of Urban Development, notifying the modified boundaries of Samaipur Badli. In addition, certain further areas were also changed to industrial use.

31. Whenever any re-development of an area is to be considered, these subsequent zonal plans and other notifications amending Master Plan which have expanded the area ought to be considered, failing which these areas would be left out from the re-development.

32. Accordingly, the DDA, the Ministry of Industries, GNCTD, the MCD along with the DSIIDC shall consider the documents and the averments made in **CM APPL. 56748/2026** and demarcate the entire area of Samaypur Badli so that the agency *i.e.*, M/s Square Designs can prepare a fresh plan for this area.

33. Let a said meeting for dealing with Samaypur Badli alone be chaired by the Secretary, Ministry of Industries, GNCTD, who shall request officials from all the authorities *i.e.*, the DSIIDC, DDA, MCD, M/s Square Design or any other authority, which may be required to participate in the said meeting. Two representatives from the associations of the industries are also permitted to attend the said meeting so that they can place their stand before the Secretary, Ministry of Industries, GNCTD.



34. The said meeting be held on **2nd September, 2026 at 11:30 AM** in the office of Secretary, Ministry of Industries, GNCTD. The agency *i.e.*, M/s Square Design shall then start preparation of fresh plans for re-development of Samaypur Badli within three months. The application **CM APPL. 56748/2026** is disposed of in these terms.

35. Insofar as Phirni Road is concerned, the issue of two competing associations continue to affect the development work in this area. Mr. Sanjeev Kumar Dubey, Id. Sr. Counsel for the Mundka Industrial Area Welfare Society submits that the comments have already been submitted for the plans for this area to the MCD. Mr. Kapil Midha, Id. Counsel for the Mundka Udyog Nagar South Side Welfare Society further submits that the comments have already been submitted for the plans for this area. However, there is some uncertainty regarding submission of comments by these two associations. If the said societies wishes to give any comments about the said plan, they may contact Mr. Kuldeep Singh from DSIIDC and give their comments by 31st August, 2026. It is made clear that after 31st August, 2026, no comments shall be entertained.

36. In order to facilitate the same, let a meeting be held between both the Societies and Mr. Kuldeep Singh from DSIIDC on **26th August, 2026 at 11:30 AM** in Mr. Kuldeep Singh's office. The agency preparing the plans for this area shall also be present in the meeting. Once the comments are submitted by the two societies by 31st August, the concerned Agency shall finalise the plans for the Phirni area and submit the same to the MCD by 30th September 2026.

37. Let the updated status report be filed by the DSIIDC, DDA, MCD and the Ministry of Industries, GNCTD by the next date of hearing.



38. Mr. Ashutosh Lohia submits that the issue of CETPs is to be considered by the Court. Ms. Vrinda Bhandari submits that she has filed a detailed note regarding the interplay between water pollution and air pollution. These issues shall be considered on the next date of hearing. List on **25th September, 2026 at 4:00 PM.**

39. Registry to communicate today's order to the Mr. Rajeev Kumar Mital, Director General, National Mission for Clean Ganga, for compliance of directions in paragraph 3 and 21, on the following email address:

- dq@nmcg.nic.in

40. Copy of today's order be communicated by all Id. Counsels to their respective authorities.

PRATHIBA M. SINGH
JUDGE

MANMEET PRITAM SINGH ARORA
JUDGE

AUGUST 24, 2026/Rahul/dk/Ck