

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

E.A. No.34/2023

In

Original Application No. 526/2019

**IN THE MATTER OF:**

Sh. Mahesh Chandra Saxena

... Applicant

VERSUS

CPCB and Ors.

.... Respondents

NDOH:-30.04.2025

**INDEX**

S. NO.	PARTICULARS	Page No.
1.	Action taken report on behalf of DPCC with respect to the order dated 16.01.2025.	1-2
2.	<u>Annexure-1.</u> Copy of the letters dated 23.04.2025 issued to DDA and MCD.	3-6
3.	<u>Annexure-2.</u> Copy of the reminder letter dated 23.04.2025 issued to DDA and MCD.	7
4.	<u>Annexure-3.</u> Copy of the letter dated 23.04.2025 issued to CGWA.	8
5.	<u>Annexure-4.</u> Copy of the letter dated 18.03.2025 issued to CPCB.	9

Filed by



Sr. Env. Engineer  
Delhi Pollution Control Committee

Date: 25/4/25

Place: Delhi

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**IN THE MATTER OF:**

Sh. Mahesh Chandra Saxena

... Applicant

VERSUS

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.... Respondents

**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE WITH RESPECT TO THE ORDER DATED 16.01.2025.**

I, Dr. BMS Reddy, Sr. Environmental Engineer, Delhi Pollution Control Committee, 2<sup>nd</sup> Floor, Vikas Bhawan-II, Civil Lines, Delhi- 110054, do hereby solemnly affirm and state as under:

1. That, I am working as Sr. Environmental Engineer, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.
2. That this Hon'ble Tribunal took up the above referred matter related to Rain Water Harvesting System in NCT of Delhi on 01.12.2023.

3. That, this Hon'ble Tribunal taken up the matter on 16.01.2025 and pleased to direct to file action taken report.

4. That, in compliance with the order passed by This Hon'ble Tribunal, DPCC has issued show cause notice for imposition of interim Environmental Compensation of Rs. 5,00,000/- (Rupees five lakhs only) and rectification of deficiencies in Rain water Harvesting System to DDA and MCD individually



*hully*

on 23.04.2025. Copy of the letter dated 23.04.2025 issued to DDA and MCD are enclosed herewith as ANNEXURE-1 (Colly).

5. That, reminder letter issued on 23.04.2025 to DDA and MCD to take remedial action to comply with the suggestions made by the Committee constituted by Hon'ble Green Tribunal in OA No. 526/2019 and submit action taken report directly before this Hon'ble Tribunal. Copy of the reminder letter dated 23.04.2025 issued to DDA and MCD is enclosed herewith as ANNEXURE-2.
6. That, DPCC issued a letter to CGWA on 23.04.2025, interalia seeking policy/ guidelines for imposition of EC on defaulting entities for installing defective RWHS. Copy of the letters dated 23.04.2025 issued to CGWA is enclosed herewith as ANNEXURE-3.
7. That, further DPCC issued letter to CPCB on 18.03.2025, interalia asking to provide policy/ guidelines for imposition of EC on defaulting entities for installing defective RWHS. Copy of the letter dated 18.03.2025 issued to CPCB is enclosed herewith as ANNEXURE-4.
8. That, the present action taken report may kindly be taken on record.

*Handwritten signature*

**DEPONENT**

VERIFICATION

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

Verified at New Delhi on this \_\_\_ day of April, 2025.

25 APR 2025



**ATTESTED**  
*Handwritten signature*  
 NOTARY PUBLIC  
 GOVT OF NCT OF DELHI

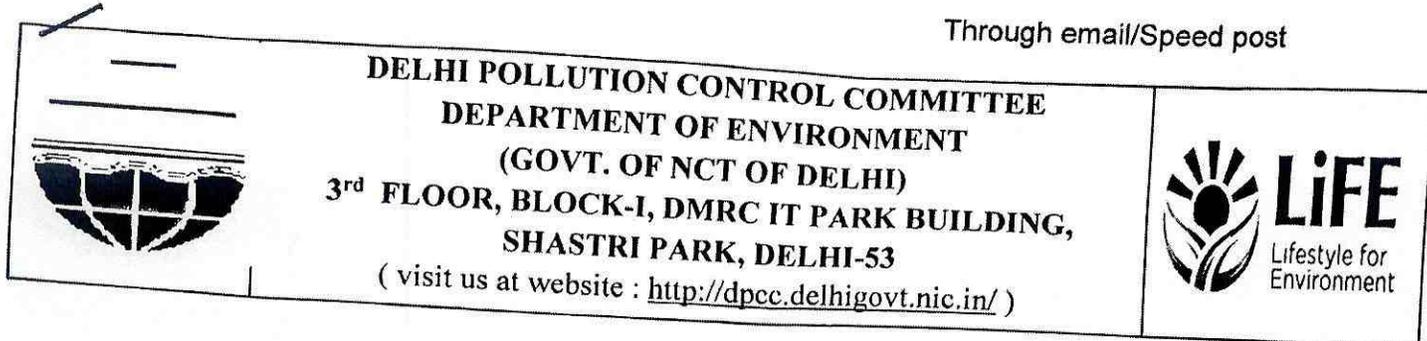
25 APR 2025

*Handwritten signature*

**DEPONENT**

Annexure-1 (Colby)

Through email/Speed post



DPCC/(10)(10)(96)/Leg-23/787-788

Dated: 23-04-25

To,

The Superintending Engineer,  
 South Civil Circle-1,  
 Delhi Development Authority,  
 17<sup>th</sup> Floor, Vikas Minar,  
 IP Estate, New Delhi-110002.

**Subject: Show Cause Notice for imposition of interim Environmental Compensation and rectification of deficiencies in Rain Water Harvesting Systems. Ref: EA No. 34/2023 in OA No. 526/2019 "Mahesh Chandra Saxena Vs CPCB & Anr"**

Sir,

Whereas, subsequent to the order of Hon'ble National Green Tribunal dated 19.9.2024 in EA No. 34/2023 of OA No. 526/2019, DDA submitted list of 649 number of Rain Water Harvesting Structures constructed by them in various parts of Delhi. As directed by Hon'ble Tribunal, DPCC inspected randomly selected 30 RWHS sites and observations made have been enclosed herewith.

And whereas, Hon'ble NGT vide order dated 16.1.2025 has ordered as under:

***"In the aforesaid circumstances, we require the DPCC and CGWA to take appropriate action keeping in view the observations made above and submit the action taken report within ten weeks"***

In view of the above you are requested to look into the matter and direct the concerned in DDA to take remedial action to comply with the suggestions made by the Committee constituted by Hon'ble NGT in OA No. 526/2019 and submit Action Taken Report to DPCC. Further, it is also proposed to levy interim Environmental Compensation of Rs 5,00,000/- (Rupees Five Lakhs Only) for causing damage to the

environment by way of polluting the ground water through faulty Rain water Harvesting Systems.

Hence, by way of this notice, you are hereby given an opportunity to submit reply as to why the aforesaid proposed interim Environmental Compensation of Rs 5,00,000/- (Rupees Five lakhs Only) should not be confirmed. The reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues as per the approval of Chairman, DPCC.



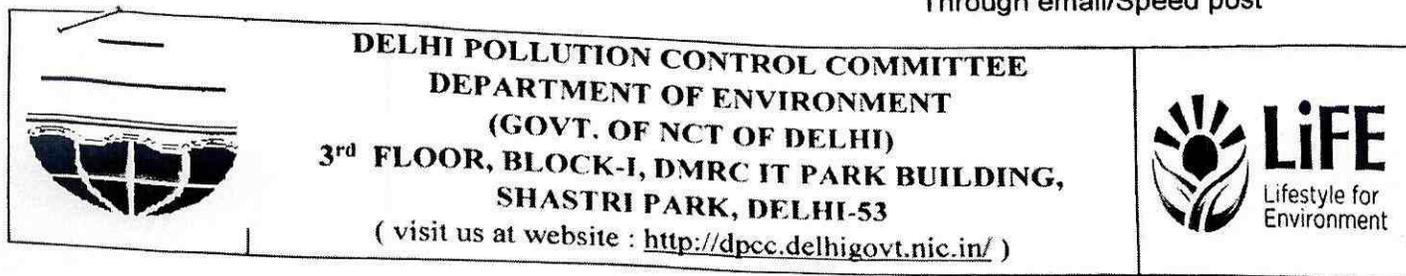
Incharge, CMC-II  
Email ID: bmsreddy.dpcc@delhi.gov.in

**Dr.B.M.S. Reddy**  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
3<sup>rd</sup> Floor Block-1 DMRC IT Park  
Shastri Park Delhi-110053

Encl: As above

Copy to: The Vice Chairperson, Delhi Development Authority, Vikas Sadan, INA,  
Kidwai Nagar, New Delhi-110023

Through email/Speed post



DPCC/(10)(10)(96)/Leg-23/785-786

Dated: 23-04-25

To,

**The Chief Engineer**  
 Surveyor of Works (SW)/KBZ,  
 Karol Bagh Zone/Nodal Officer,  
 Rain Water Harvesting, MCD,  
 Civic Center, New Delhi 110002

**Subject: Show Cause Notice for imposition of interim Environmental Compensation and rectification of deficiencies in Rain Water Harvesting Systems. Ref: EA No. 34/2023 in OA No. 526/2019 "Mahesh Chandra Saxena Vs CPCB & Anr"**

Sir,

Whereas, subsequent to the order of Hon'ble National Green Tribunal dated 19.9.2024 in EA No. 34/2023 of OA No. 526/2019, MCD submitted list of 1715 number of Rain Water Harvesting Structures constructed by them in various parts of Delhi. As directed by Hon'ble Tribunal, DPCC inspected randomly selected 29 RWHS sites and observations made have been enclosed herewith.

And whereas, Hon'ble NGT vide order dated 16.1.2025 has ordered as under:

*"In the aforesaid circumstances, we require the DPCC and CGWA to take appropriate action keeping in view the observations made above and submit the action taken report within ten weeks"*

In view of the above you are requested to look into the matter and direct the concerned to take remedial action to comply with the suggestions made by the Committee constituted by Hon'ble NGT in OA No. 526/2019 and submit Action Taken Report to DPCC. Further, it is also proposed to levy interim Environmental Compensation of Rs 5,00,000/- (Rupees Five Lakhs Only) for causing damage to the

environment by way of polluting the ground water through faulty Rain water Harvesting Systems.

Hence, by way of this notice, you are hereby given an opportunity to submit reply as to why the aforesaid proposed interim Environmental Compensation of **Rs 5,00,000/-** (Rupees Five lakhs Only) should not be confirmed. The reply should reach to this office within 15 days from date of service of this notice, failing which it shall be assumed that you have nothing to say in this regard and the DPCC shall be free to take action as proposed above. This shall also be treated as an opportunity of being heard.

This issues as per the approval of Chairman, DPCC.



Incharge, CMC-II  
Email ID: [bmsreddy.dpcc@delhi.gov.in](mailto:bmsreddy.dpcc@delhi.gov.in)

**Dr.B.M.S. Reddy**  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
3<sup>rd</sup> Floor Block-1 DMRC IT Park  
Shastri Park Delhi-110053  
Civic Centre, JLN

Encl: As above

Copy to: The Commissioner, Municipal Corporation of Delhi,  
Marg, New Delhi-110002

Annexure-2

Through email  
Reminder

DPCC/(10)(10)(96)/Leg-23/783-784

Dated: 23-04-25

To,

1. **The Commissioner,**  
Municipal Corporation of Delhi,  
4<sup>th</sup> Floor, Dr. S.P.M. Civic Centre,  
Minto Road,  
New Delhi-110002.
2. **The vice-chairman**  
Delhi Development Authority  
Vikas Sadan, INA,  
New Delhi-110023.

Subject: EA No. 34/2023 in OA No. 526/2019 "Mahesh Chandra Saxena Vs. CPCB &amp; Anr"

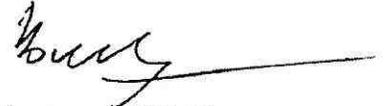
Ref: DPCC/(10)(10)(96)/Leg-23/5083-5084 letter dated 06.01.2025.

Sir,

Subsequent to the order of Hon'ble National Green Tribunal dated 19.9.2024 in EA No. 34/2023 of OA No. 526/2019, DDA and MCD have submitted lists of Rain Water Harvesting Structures constructed by them in various parts of Delhi. As directed by Hon'ble Tribunal, DPCC has inspected randomly selected 59 RWHS sites and observations made have been tabulated and the same is enclosed herewith.

Vide letter under reference you were requested to look into the matter and direct the concerned to take remedial action to comply with the suggestions made by the Committee constituted by Hon'ble NGT in OA No. 526/2019 and submit Action Taken Report.

However no action taken report has been received till date. Therefore you are once again requested to direct the concerned to take remedial action to comply with the suggestions made by the Committee constituted by Hon'ble NGT in OA No. 526/2019 and submit Action Taken Report in Hon'ble NGT, DJB and DPCC. Next date of hearing by Hon'ble NGT is 30.04.2025.

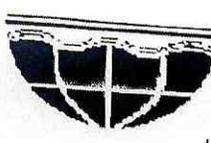


Incharge, CFC-II  
Email: [bmsreddy.dpcc@delhi.gov.in](mailto:bmsreddy.dpcc@delhi.gov.in)

**Dr.B.M.S. Reddy**  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
3<sup>rd</sup> Floor Block-1 DMRC IT Park  
Shastri Park Delhi-110053

Annexure-3

Through E-mail

	<p align="center"><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT</b>  <b>(GOVT. OF NCT OF DELHI)</b>  <b>3<sup>rd</sup> FLOOR, BLOCK-I, DMRC IT PARK BUILDING,</b>  <b>SHASTRI PARK, DELHI-53</b>          ( visit us at website : <a href="http://dpcc.delhigovt.nic.in/">http://dpcc.delhigovt.nic.in/</a> )</p>	
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F.No. DPCC CMC-II/(10)(10)(92)/Leg.08/782

Date: 23-04-25

To,

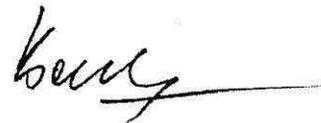
**Member Secretary,**  
 Central Ground Water Authority,  
 Ministry of Jal Shakti, CSMRS Campus,  
 Olof Palme Marg, Hauz Khas,  
 New Delhi-110016.  
 E-mail: cgwa@nic.in

**Subject: Request for framing guidelines/policy to levy Environmental Compensation on non-compliant/defective RWHS - reg.**

**Sub: Compliance of the order of Hon'ble NGT dated 16.01.2025 in EA No. 34/2023 in OA No. 526/2019**

Sir,

This refers to the directions, of Hon'ble NGT in some of the matters being heard by it, to DPCC to impose Environmental Compensation on defective/non-compliant Rain Water Harvesting Structures (RWHS) which may cause groundwater pollution. Deficiencies include the non-compliances wrt the recommendations made by the Committee, constituted by Hon'ble NGT in OA No. 147/2021 and also not complying with the guidelines finalised by the Delhi Jal Board (DJB). However DPCC doesn't have any policy/ guidelines for imposition of EC on defaulting entities for installing defective RWHS. You are requested to look into the matter and direct the concerned in CGWA to provide guidelines/policy wrt of Environmental Compensation regime/methodology to this office so that the same can be complied/implemented. In case if CGWA has not framed any policy till now, you are requested to do the needful being an expert agency wrt ground water related issues. An early response in this regard is highly appreciated.


**Incharge, CFC-II****Email ID: bmsreddy.dpcc@delhi.gov.in****Dr.B.M.S. Reddy**

**Senior Environmental Engineer**  
**Delhi Pollution Control Committee**  
**3<sup>rd</sup> Floor Block-1 DMRC IT Park**  
**Shastri Park Delhi-110053**

