

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Execution Application No. 34 of 2023  
IN  
Original Application No. 147 of 2021**

**IN THE MATTER OF:**

Mahesh Chandra Saxena

....Applicant

Versus

Government of NCT of Delhi & Ors.

....Respondents

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THROUGH

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Date: 05 .01.2026

Place: New Delhi

**IN THE HIGH COURT OF DELHI AT NEW DELHI  
BEFORE THE NATIONAL GREEN TRIBUNAL  
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**REPLY ON BEHALF OF DELHI JAL BOARD TO THE ADDITIONAL  
SUBMISSIONS FILED BY THE APPLICANT**

**MOST RESPECTFULLY SHOWETH**

1. That the present submissions are being filed by the Delhi Jal Board/  
Respondent in compliance with the order dated 04.11.2025 passed by this  
Hon'ble Tribunal in the present Execution Application.
2. At the outset, it is submitted that the scope of the present proceedings  
is limited to examining compliance with the directions already issued and  
settled technical and legal issues those already considered and recorded by  
this Hon'ble Tribunal in earlier orders passed in OA No. 147 of 2021 and  
other connected proceedings.
3. Delhi Jal Board is a statutory body entrusted with the responsibility  
of supplying potable water and safeguarding groundwater resources in the  
National Capital Territory of Delhi. It is submitted that DJB is bound by the  
Orders of this Hon'ble Tribunal, Guidelines of the Ministry of Jal Shakti,  
Technical advisories of CGWB, the precautionary principle and sustainable

development doctrine. Any relaxation or site-specific deviation, as suggested by the Applicant, would compromise groundwater safety and violate the precautionary principle.

4. Inspections and sampling were carried out by Delhi Jal Board during the monsoon season, the most appropriate period to assess RWH performance. Detection of F-coliform establishes contamination risk, legally barring issuance of Adequacy Certificates. Mandatory components such as overflow pipes and first-flush separators are essential safety measures to prevent flooding, backflow, and pollutant ingress, and their omission would be contrary to binding NGT orders and national guidelines.
5. It is respectfully submitted that uniform application of technical norms is essential to avoid groundwater contamination and regulatory chaos. It is submitted that DJB cannot permit Site-specific relaxation of overflow provisions, Waiver of separators /first-flush devices, Deviations from approved design parameters as such it would compromise safety and expose DJB to regulatory and legal consequences. The Applicant's attempt to justify deviations on a case-to-case basis is contrary to environmental jurisprudence, which mandates standardised preventive measures.
6. This Hon'ble Tribunal has already taken on record DJB's affidavit affirming the technical efficiency of its RWH design. Allegations of arbitrariness or corruption are unsupported, denied, and irrelevant to execution proceedings. DJB has acted *bonafide*, facilitative, and strictly in public interest to protect groundwater. Moreover, Any decision regarding issuance of an Adequacy

Certificate has to be taken after prioritizing groundwater safety over individual convenience, and DJB cannot dilute standards merely to expedite certifications.

**PARA-WISE REPLY**

1. That the contents of para 1 of the additional submissions under reply are a matter of record and hence, needs no reply.
2. That the contents of paragraph 2 of the additional submissions under reply are false, frivolous, misleading and are therefore denied. Without prejudice, it is respectfully submitted that the sampling of the society i.e. Anant Apartment, Plot No. 25, Sector-4, Dwarka, New Delhi was admittedly conducted during the Monsoon Season, 2025, a period when the risk of ingress of contaminated surface runoff is significantly heightened. Moreover, the reports issued by the competent authority, namely the Delhi Test Quality Control (DTQC) and DJB categorically confirm that the samples lifted from the Rainwater Harvesting (RWH) system of the concerned societies contains fecal coliform, unequivocally establishing contamination of the groundwater. True Copy of the sample analysis report dated 06.09.2025 of the society in question at S.No. 125 is marked and annexed herewith as **Annexure A.**
3. That the contents of para 3 of the additional submissions under reply are false, frivolous and hence. It is submitted that the inspection of the subject premises was conducted by the officials of the Delhi Jal Board (DJB) strictly in accordance with the prevailing norms, guidelines and technical standards

prescribed for Rainwater Harvesting (RWH) systems. The inspection was neither arbitrary nor mechanical, rather it was carried out after due verification and thorough technical examination of the RWH system installed at the site.

4 (i). That the contents of para 4 (i) of the additional submissions under reply are false and hence, denied. It is clarified that the overflow pipes cannot be closed as closing them would cause rainwater to flow over the paved area during heavy rainfall thereby increasing the risk of pollution and contamination of the recharge system and the groundwater. Moreover, such closure of the overflow pipes would be directly contrary to the order dated 10.12.2021 passed by the Hon'ble National Green Tribunal, which categorically mandates that only rooftop rainwater is permitted to be connected to the RWH system. Additionally, the guidelines issued by the Ministry of Jal Shakti dated 31.03.2023 expressly provide that runoff from areas having vehicular movement must be strictly prevented from entering the RWH system, owing to the high likelihood of contamination in the RWH system. True Copy of the order dated 10.12.2021 passed by the Hon'ble NGT in OA No. 147 of 2021 is marked and annexed herewith as **Annexure-B**. The true copy of the guidelines of Ministry of Jal Shakti dated 31.03.2023 is marked and annexed herewith as **Annexure-C**.

4(ii). That the contents of para 4 (ii) of the additional submissions under reply is denied. It is respectfully submitted that the installation of separators is mandatory in order to effectively bypass and regulate the flow of rooftop

rainwater, strictly in compliance with the order dated 11.09.2019 passed by the Hon'ble National Green Tribunal in OA No. 526 of 2019 and also in consonance with the guidelines issued by the Ministry of Jal Shakti. The said order mandates appropriate technical arrangements to ensure that only rooftop rainwater is directed into the Rainwater Harvesting (RWH) system. True Copy of the order dated 11.09.2019 passed in OA No. 526 of 2019 is marked and annexed herewith as **Annexure-D**.

4(iii)-(iv). That the contents of para 4(iii)-(iv) of the additional submissions under reply is wrong and hence denied. It is categorically denied that the technical design of the Rainwater Harvesting (RWH) systems prescribed by the Delhi Jal Board (DJB) is in any manner insufficient or inadequate. Per contra, the Hon'ble National Green Tribunal, in its order dated 28.08.2024, has expressly taken on record and accepted the affidavit filed by DJB dated 12.07.2024 in E.A. No. 04/2023, wherein it has been clearly affirmed that the RWH design formulated and implemented by DJB is technically sound, efficient and in conformity with the prescribed norms and environmental safeguards. True Copy of the order dated 28.08.2024 and the affidavit filed by DJB dated 12.07.2024 in EA No. 04 of 2023 is marked and annexed herewith as **Annexure-E (Colly)**.

5. That the allegations made by the applicant are false as No Adequacy certificate has been issued to the said school.

6. That the technical designs and adequacy certificates are being issued free of cost by the department i.e. DJB. Hence, the allegations made by the applicant are false and hence denied.

7. That the contents of para 7 of the additional submissions under reply are false and hence denied. It is respectfully clarified that, in so far as the Rainwater Harvesting (RWH) system of Bhagwan Shree Gonteshwar Ji CGHS Ltd., Plot No. 3A, Sector-2, Dwarka, New Delhi is concerned, a letter dated 15.04.2025 was duly issued from the office of the Respondent after specific deficiencies were identified upon inspection of the said RWH system. It is further clarified that, in the case of Ashadeep CGHS Ltd. (Ashadeep Apartments), Plot No. 3B, Sector-2, Dwarka, New Delhi-110075, it has been confirmed by the society vide its letter dated 06.10.2025 received dated 30.10.2025 that the rectification work of the RWH system has been completed. It is respectfully submitted that any decision regarding issuance of an Adequacy Certificate will be taken only after due verification and thorough technical examination of the RWH system installed at the site. True copy of the letter dated 15.04.2025 issued by Delhi Jal Board is marked and annexed herewith as **Annexure-F**.

8(i)-(ii). That the contents of para 8(i) and 8(ii) are factual in nature and do not require any response. However, it is respectfully clarified that the concerned societies are now in the process of rectification of the Rain Water Harvesting Systems strictly in accordance with the prevailing norms, guidelines and technical standards prescribed for Rainwater Harvesting (RWH) systems so

as to ensure the proper, effective and compliant functioning of the RWH systems within the societies.

9. That the adequacy certificates are issued by DJB for functional and adequate rainwater harvesting structures. In case, there are some deficiencies found in the RWH system, the same are being conveyed to the individuals/societies.

In view of the above, it is submitted that DJB has acted and continues to act in conformity with the directions of the Hon'ble NGT and the Ministry of Jal Shakti guidelines, subject to site-specific feasibility and inter-departmental coordination. Allegations suggesting deliberate non-compliance or negligence on the part of DJB are therefore denied in toto.

**PRAYER**

In light of the above facts and circumstances, it is submitted that the present reply to the additional submissions be taken on record.



RESPONDENT

Through

  
Richa Kapoor

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**AFFIDAVIT**

I, DALBIR SINGH S/O Sh. KARAN SINGH aged about 56 years authorised representative in the office of Delhi Jal Board, do hereby solemnly affirm and declare as under:-

1. That I am the authorised representative of Delhi Jal Board in the above case and as such well conversant with the facts and circumstances therefore, competent to swear the present affidavit for myself and on behalf of other Petitioners.
2. That accompanying reply to the additional submissions has been drafted by my counsel upon my instructions, and I have read and understood the contents of the above reply and I state that the same are true and correct to my knowledge and belief.

*Pichekapoor*  
I identified the deponent who has signed in my presence

05 JAN 2026

*[Signature]*

DEPONENT

**Verification:**

Verified at New Delhi on this 5 day of January 2026 that the contents of above affidavit are true and correct to the best of my knowledge and belief, no part of it is false and nothing material has been concealed therefrom.



CERTIFIED THAT THE DEPONENT  
Shr/Smt./Km. Dalbir Singh  
S/o, W/o R/o Karan Singh  
Identified by [Signature]  
Has solemnly affirmed to me at  
Delhi on 05 day of JAN 2026  
That the contents of the affidavit which  
have been read & explained to him/her  
are true & correct to his/her knowledge

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05 JAN 2026

*[Signature]*  
NOTARY

*[Signature]*

DEPONENT



**DELHI JAL BOARD**  
( GOVT. OF N.C.T. DELHI )  
**QUALITY CONTROL LABORATORY,**  
**WATER TREATMENT PLANT DWARKA , DELHI-110043**

International Year  
of Cooperatives

Date:-06.09.2025

**ANALYSIS REPORT**

S No	Sampling Location	Latitude Longitude	Date of Sampling	Clarity	TDS	Ammonia	R/Cl2	Total Coliform	Fecal Coliform
1.	Majestic Apartments (Chinar CGHS Ltd. Plot no 03, Sec – 18A, Dwarka) Pit no 01	28°35'29"/ 77°02'02"	06.08.2025	Blackish	150	1.0	Nil	1100	460
1A	Majestic Apartments (Chinar CGHS Ltd. Plot no 03, Sec – 18A, Dwarka) Pit no 02	28°35'29"/ 77°02'02"	06.08.2025	Blackish	411	20	NIL	2400*	2400*
2.	Samrat Ashoka Plot No 06, Sec – 18A, Dwarka	<u>28.3523/</u> <u>77.0202</u>	06.08.2025	Refused to Give Sample					
3.	Karuna Vihar Plot no 09, Sec – 18A, Dwarka Pit no 01	28°35'16"/ 77°01'02"	06.08.2025	Turbid	258	NIL	NIL	210	35
3A	Karuna Vihar Plot no 09, Sec – 18A, Dwarka Pit no 02	28°35'16"/ 77°01'02"	06.08.2025	Not Accesible due to Car Park over RWH Chamber					
4	Hare Krishna Valley Plot no 10, Sec – 18A, Dwarka Pit No 01	28°35'16"/ 77°01'02"	06.08.2025	Greyish	71.50	01	NIL	460	150
4A	Hare Krishna Valley Plot no 10, Sec – 18A, Dwarka Pit No 02	28°35'16"/ 77°01'02"	06.08.2025	Pit Found Dry					
5	Janak Residency Plot no 12, Sec – 18A, Dwarka	28°35'17"/ 77°01'59"	06.08.2025	Blackish	154	01	NIL	460	93
6.	The Manokamma CGHS Ltd. Plot no 16, Sec – 18A, Dwarka	<u>28.3514/</u> <u>77.0209</u>	06.08.2025	Refused to give Sample.					

7.	Engineers Apartment (Consulting Engineers CGHS) Plot No 11, Sec-18A, Dwarka	28°35'19"/ 77°01'57"	06.08.2025	Hazy	126	1.5	NIL	2400'	1100
8.	K.K. Bhrigu CGHS Ltd. Plot no 04, Sec - 09, Dwarka - 110077	28.578975/ 77.071090	07.08.2025	Blackish	635	5.0	NIL	2400'	2400'
9.	Royal Residency CGHS Ltd. Plot no 05, Sec - 09, Dwarka	28.581261/ 77.070569	07.08.2025	Blackish	426	1.5	NIL	2400'	1100
10.	Gayatri CGHS Ltd. Plot no 09, Sec - 09, Dwarka	28.3457/ 77.0406	07.08.2025	Blackish	345	0.5	NIL	210	75
11.	Krishna Apartment Plot no 13, Sec - 09, Dwarka	28.584073/ 77.064011	07.08.2025	Brownish	252	0.5	NIL	460	75
12.	Mount Everest CGHS Ltd. Plot no 17, Sec- 09, Dwarka	28.581649/ 77.066834	07.08.2025	Blackish	172	0.5	NIL	290	95
13.	Shree Radha CGHS Ltd. Plot no 03, Sec - 09, Dwarka	28.578597/ 77.076773	07.08.2025	Refused to give sample.					
14.	Sun View Apartment Plot no 10B, Sec - 09, Dwarka	28.582444/ 77.066843	07.08.2025	Pit found Dry.					
15.	Param Puneet Apartment CGHS Ltd. Plot no 27, Sec - 06, Dwarka	28.590517/ 77.065955	07.08.2025	Brownish	265	0.5	NIL	210	75
16.	Pragya CGHS Ltd. Plot no 1B, Sec - 02, Dwarka	28.596301/ 77.068045	07.08.2025	Brownish	126	1.0	NIL	1100	460
17.	Vivekanand Apartment Plot no 02, Sec - 05, Dwarka	28.598392/ 77.051848	07.08.2025	Turbid	2082	5.0	NIL	2400'	2400'
18.	National CGHS Ltd. Plot no 04, Sec - 03, Dwarka Pit No 01	28.602464/ 77.042258	07.08.2025	Blackish	136	9.0	NIL	2400'	2400'
18A.	National CGHS Ltd. Plot no 04, Sec - 03, Dwarka Pit No 02	28.602464/ 77.042258	07.08.2025	Hazy	115	0.5	NIL	2400'	460
19	Amba CGHS Ltd. Plot no 05, Sector 10, Dwarka	28.584294/ 77.061647	12.08.2025	Turbid	114	NIL	NIL	240	43

20	H.M.M. Employees CGHS Ltd. Plot no 06, Sector 10, Dwarka	28.583645/ 77.062513	12.08.2025	Turbid	172	NIL	NIL	460	75
21	Godrej CGHS Ltd Plot no 14, Sector 10, Dwarka	28.588658/ 77.061054	12.08.2025	Muddy	101	NIL	NIL	210	43
22	Vinayak CGHS Ltd. Plot no 36, Sec – 10, Dwarka	28.586230/ 77.059827	12.08.2025	Greyish	127	1.5	NIL	2400*	1100
23	Baroda House NRGH CGHS Ltd. Plot no 10A, Sec – 10, Dwarka	28.587513/ 77.058932	12.08.2025	Refuse to give sample					
24	Rohit Apartment Plot no 30 Sector – 10, Dwarka	28.583950/ 77.055906	12.08.2025	Brownish	109	0.2	NIL	210	35
25	Prabhavi Apartment Plot no 29B, Sec – 10, Dwarka	28.584617/ 77.056260	12.08.2025	Blackish	82.3	1	NIL	2400*	1100
26	Diesel Shed CGHS Ltd. Plot no 26, Sec – 10, Dwarka	28.585376/ 77.055995	12.08.2025	Greyish	96.5	0.8	NIL	1100	210
27	Shiv Shakti CGHS Ltd. Plot no 10, Sec – 10, Dwarka	28.587216/ 77.066047	12.08.2025	Pit found Dry					
28	Nuovo Engineer India CGHS Ltd. Plot no – 25, Sec – 10, Dwarka	28.586593/ 77.055810	12.08.2025	Pit found Dry. Borewell not visible.					
29	Chandanwari CGHS Ltd Plot no 08 sec-10 Dwarka	28.586750/ 77.064103	12.08.2025	Work is under progress for rectification of RWH.					
30	New Ashiyana Apartment Plot no 10, Sec – 06, Dwarka	28.596826/ 77.065720	13.08.2025	Turbid	299	2.2	NIL	2400*	2400*
31	Vrindavan Apartments Plot no 01, Sector – 06, Dwarka	28.592595/ 77.058949	13.08.2025	Brownish	185	1.5	NIL	2400*	1100
32	Guru Apartments Plot no 02, Sector – 06, Dwarka	28.592717/ 77.059050	13.08.2025	Turbid	266	1.4	NIL	2400*	1100
33	The Shivlok CGHS Ltd. Plot no 06, Sec – 06, Dwarka	28.595619/ 77.061651	13.08.2025	Turbid	100	NIL	NIL	150	21
34	Anusandhan CGHS Ltd. Sec – 06, Dwarka	28.593330/ 77.065025	13.08.2025	Refused to give sample.					

35	Grah Mantralaya Employees CGHS Ltd. Plot no 28, Sec - 06, Dwarka	28.591473/ 77.067089	13.08.2025	Hazy	113	1.5	NIL	2400'	460
36	Daffodils Apartments Plot no 36, Sec - 06, Dwarka	28.595833/ 77.063478	13.08.2025	Greyish	148	NIL	NIL	150	21
37	Shree Balaji CGHS Plot no 37, Sec - 06, Dwarka	28.587953/ 77.063358	13.08.2025	Turbid	103	1.0	NIL	1100	460
38	RD Apartment Plot no 20, Sec - 06, Dwarka	28.593750/ 77.063610	13.08.2025	Greyish	154	0.2	NIL	210	35
39	Shahjahanabad CGHS Plot no 01, Sec - 11, Dwarka	28.594244/ 77.053087	13.08.2025	Hazy	527	1.2	NIL	2400'	1100
40	Rama Apartments (Dr. RMLH & NHE CGHS) Plot no 02, Sec - 11, Dwarka	28.594061/ 77.051605	13.08.2025	Turbid	471	NIL	NIL	150	28
41	Appu Enclave Plot no 3D, Sec - 11, Dwarka	28.594119/ 77.051054	13.08.2025	Brownish	151	0.5	NIL	460	93
42	Raman Vihar CGHS Ltd. Plot no 5A, Sec - 11, Dwarka	28.593953/ 77.048046	13.08.2025	Greyish	178	1.0	NIL	1100	460
43	Gokul Apni CGHS Ltd. Plot no 5B, Sec - 11, Dwarka	28.593612/ 77.047870	13.08.2025	Blackish	133	0.5	NIL	460	93
44	Pragati Apartments Plot no 5C, Sec - 11, Dwarka	28.593096/ 77.048409	13.08.2025	Blackish	182	1.0	NIL	1100	460
45	M K Residency Plot no - 8B, Sec - 11, Dwarka	28.589445/ 77.049930	14.08.2025	Brownish	297	1.0	NIL	1100	460
46	Heritage Apartments Plot no 10, Sec - 11, Dwarka	28.587599/ 77.050961	14.08.2025	Turbid	127	NIL	NIL	210	43
47	The Sri Durga CGHS Ltd. Plot no 6A, Sec -11, Dwarka	28.592821/ 77.047154	14.08.2025	Greyish	101	0.2	NIL	460	75
48	Belur Heights Plot no 01, Sec -18A, Dwarka	28.591628/ 77.035625	14.08.2025	Not Accesible due to Car Park over RWH Chamber					
49	Dharam CGHS Ltd., Plot no 18, Sec - 18A, Dwarka	28.589253/ 77.034865	14.08.2025	Blackish	113	1.5	NIL	2400'	1100
50	The Kunj Vihar CGHS Ltd. Plot no 19, Sec - 12, Dwarka	28.593350/ 77.035347	19.08.2025	Turbid	170	1.0	NIL	1100	460

51	The New Arohi CGHS Ltd. Plot no 13, Sec – 12, Dwarka	28.593772/ 77.045671	19.08.2025	Greyish	146	1.0	NIL	2400*	1100
52	Abhiyan CGHS Ltd. Plot no 15, Sec – 12, Dwarka	28.595798/ 77.045749	19.08.2025	Blackish	610	1.0	NIL	1100	460
53	The New Rajput CGHS Ltd. Plot No 23, Sec – 12, Dwarka	28.590856/ 77.037892	19.08.2025	Brownish	226	NIL	NIL	150	21
54	The Nav Sanjivan CGHS Ltd. Plot no 01, Sec – 12, Dwarka	28.597769/ 77.039025	19.08.2025	Brownish	196	0.5	NIL	460	150
55	Classic Apartments Bairwa Bharti CGHS Ltd. Plot no 24, Sec – 12, Dwarka	28.591029/ 77.037968	19.08.2025	Blackish	186	0.8	NIL	1100	460
56	The Sunny Valley CGHS Ltd. Plot no 27, Sec – 12, Dwarka	28.593788/ 77.037968	19.08.2025	Blackish	166	9.0	NIL	2400*	2400*
57	The Anjuman CGHS Ltd. Plot No 20, Sec - 12, Dwarka	28.591915/ 77.036103	19.08.2025	Brownish	135	0.5	NIL	460	240
58	Kanaka Durga CGHS Ltd. Plot No 26, Sec - 12, Dwarka	28.593787/ 77.037966	19.08.2025	Refused to give sample.					
59	Vimal CGHS Plot No 03, Sec – 12, Dwarka	28.598561/ 77.040070	19.08.2025	Brownish	240	6.0	NIL	2400*	2400*
60	The Young Aheria CGHS Ltd. Plot no 02, Sec -07, Dwarka	28.594325/ 77.073908	20.08.2025	Blackish	250	2.0	NIL	2400*	2400*
61	The Residency St. Ann's CGHS Ltd. Plot no 8A, Sec – 07, Dwarka	28.590097/ 77.069358	20.08.2025	Blackish	107	1.0	NIL	2400*	1100
62	Evergreen CGHS Plot no 09, Sec – 07, Dwarka	28.589772/ 77.068956	20.08.2025	Muddy	196	NIL	NIL	240	93
63	Sri Agarsen Apartment CGHS Ltd. Plot no 10, Sec – 07, Dwarka	28.587491/ 77.066935	20.08.2025	Muddy	79.78	0.5	NIL	460	75
64	Sargodha Apartments Plot no 13, Sec – 07, Dwarka	28.581247/ 77.071619	20.08.2025	Blackish	244	5.0	NIL	2400*	2400*

65	Dwarka CGHS Ltd. Plot no 21, Sec – 07, Dwarka	28.583521/ 77.073029	20.08.2025	Greyish	419	0.2	NIL	460	75
66	The Shree Radha Krishna CGHS Ltd. Plot no 23, Sec – 07, Dwarka	28.583655/ 77.071976	20.08.2025	Blackish	190	0.5	NIL	460	93
67	Harsukh CGHS Ltd. Plot n 04, Sec – 07, Dwarka	28.3536/ 77.0418	20.08.2025	Work under process for the rectification of RWH Chambers					
68	Khattar CGHS Ltd. Plot no 8C, Sec – 07, Dwarka	28.589819/ 77.070308	20.08.2025	Greyish	295	1.0	NIL	1100	460
69	Satisar Apartment CGHS Ltd. Plot no 06 Sec – 07, Dwarka	28.591564/ 77.070704	20.08.2025	Blackish	338	1.0	NIL	2400*	1100
70	Siddhartha Kunj CGHS Ltd. Plot no 17, Sec – 07, Dwarka	28.58163/ 77.076738	20.08.2025	Refused to give sample.					
71	Mahabhadrakali CGHS Plot no 06, Sec – 13, Dwarka	28.602550/ 77.038594	21.08.2025	Greyish	168	0.4	NIL	1100	210
72	White Rose CGHS Ltd., Plot no 04, Sec – 13, Dwarka	28.603031/ 77.031849	21.08.2025	Blackish	113	0.8	NIL	2400*	1100
73	Swarup Sadan CGHS Ltd. Plot no 04, Sec – 13, Dwarka	28.602612/ 77.040412	21.08.2025	Blackish	331	4.0	NIL	2400*	2400*
74	Chitrakoot Dham Plot no 02, Sec – 19, Dwarka	28.580539/ 77.052429	21.08.2025	Work is under progress for rectification of RWH.					
75	Shri Sanmati CGHS Ltd. Plot no 01, Sec- 19B, Dwarka	28.577435/ 77041240	21.08.2025	Brownish	330	NIL	NIL	43	7.3
76	Nishat Apartments Plot no 05, Sec – 19B, Dwarka	28.576836/ 77.042661	21.08.2025	Blackish	178	NIL	NIL	75	20
77	Bhagwati CGHS Ltd. Plot no 08, Sec – 19B, Dwarka	28.573077/ 77.042532	21.08.2025	Blackish	279	0.2	NIL	240	43
78	The Saptaparni CGHS Ltd. Plot no 04, Sec – 19B, Dwarka	28.575889/ 77.042735	21.08.2025	Pit found dry					
79	Lords CGHS Ltd. Plot no 07, Sec – 19B, Dwarka	28.574174/ 77.041150	21.08.2025	Not functional					
80	The Delhi Transporter	28.596275/ 77.069518	22.08.2025	Blackish	548	1.8	NIL	2400*	2400*

	(Joy Apartments) CGHS Ltd. Plot no 02, Sec – 02, Phase I Dwarka								
81	The Bhagwan Shree Gomeshwar Ji (Anmol Apartment) CGHS Ltd. Plot no 3A, Sec – 02, Dwarka	28.595451/ 77.069994	22.08.2025	RWH Pit completely dry & Bore choked with sand.					
82	Ashadeep CGHS Ltd. (Ashadeep Apartments) Plot no 3B, Sec – 02, Dwarka	28.595794/ 77.070319	22.08.2025	Work is under progress for rectification of RWH.					
83	Mandakini CGHS Ltd. (Mandakini Apartments) Plot no 3C, Sec – 02, Dwarka Phase I	28.595804/ 77.070601	22.08.2025	Blackish	494	3.0	NIL	2400*	2400*
84	Mahalaxmi Apartments Plot no 04, Sec -02, Dwarka	28.597073/ 77.071518	22.08.2025	Brownish	187	0.4	NIL	1100	460
85	The S B Youth CGHS Ltd. Plot no 6B, Sec – 02, Dwarka	28.598849/ 77.069662	22.08.2025	Greyish	224	NIL	NIL	160	20
86	Bank Apartment The Bank Niwas CGHS Ltd. Plot no 22, Sec-04, Dwarka	28.600027/ 77.045177	26.08.2025	Brownish	95.39	NIL	NIL	240	43
87	Jai Mata Kalyani Apartments Plot no 31, Sec – 04, Dwarka	28.602676/ 77.049114	26.08.2025	Greyish	101	1.0	NIL	2400*	2400*
88	Saheta CGHS Ltd. Plot no 30, Sec – 04, Dwarka	28.602472/ 77.048382	26.08.2025	Greyish	118	1.2	NIL	2400*	2400*
89	United Apartment Plot no 34, Sec -04, Dwarka	28.602957/ 77.048819	26.08.2025	Refused to give sample. They not Co-Operate with the Staff.					
90	Aishvarayam ECIL CGHS Ltd. Plot no 17, Sec – 04, Dwarka	28.603761/ 77.044864	26.08.2025	Greyish	198	1.2	NIL	2400*	2400*
91	Sanghamitra Apartments Plot no 20, Sec- 04, Dwarka	28.601035/ 77.043999	26.08.2025	Brownish	84.26	0.8	NIL	1100	210
92	Ratnakar Apartments (The Ratnakar CGHS Ltd. Plot no 21, Sec – 04, Dwarka)	28.600178/ 77.044983	26.08.2025	Brownish	129	NIL	NIL	210	35

93	Patel CGHS Ltd. Umiya Soan, Plot no 04, Sec – 04, Dwarka	28.601097/ 77.053441	26.08.2025	Turbid	165	0.5	NIL	460	150
94	Aakriti Apartments (Civil Supplies CGHS Ltd.) Plot no 06, Sec – 04, Dwarka	28.601755/ 77.054253	26.08.2025	Yellowish	136	NIL	NIL	460	75
95	Din Apartmnets Plot no 07, Sec – 04, Dwarka	28.602180/ 77.054539	26.08.2025	Refused to give sample.					
96	South Delhi Apartments Plot no 08, Sec – 04, Dwarka	28.603637/ 77.054796	26.08.2025	Brownish	140	0.8	NIL	1100	460
97	IES Apartments CGHS Ltd. Plot no 09, Sec – 04, Dwarka	28.604493/ 77.053195	26.08.2025	Greyish	214	3.0	NIL	2400*	2400*
98	Pushpanjali Apartment Plot no 10, Sec – 04, Dwarka	28.604563/ 77.052329	26.08.2025	Turbid	249	1.5	NIL	2400*	2400*
99	Jaypee CGHS Ltd. Plot no 02, Sec – 22, Dwarka	28.555710/ 77.059703	28.08.2025	Turbid	166	10	NIL	2400*	2400*
100	Nav Sansad Vihar CGHS Ltd., Plot No 04, Sec – 22, Dwarka	28.558654/ 77.062201	28.08.2025	Blackish	295	08	NIL	2400*	2400*
101	DGCS CGHS Ltd. Plot no 06, Sec – 22, Dwarka	28.563868/ 77.061230	28.08.2025	Refused to give sample					
102	Aero View Heights Plot no 3B, Sec – 22, Dwarka	28.556859/ 77.060647	28.08.2025	Blackish	600	02	NIL	2400*	2400*
103	Shubham Apartments (NPCC) CGHS Ltd. Plot no 13, Sec – 22, Dwarka	28.558843/ 77.054843	28.08.2025	Turbid	226	0.4	NIL	460	150
104	Delhi Apartments CGHS Ltd. Plot no 15c, Sec – 22, Dwarka	28.557874/ 77.054045	28.08.2025	Turbid	130	5.0	NIL	2400*	2400*
105	Bank Vihar Apartments Plot no 16, Sec -22, Dwarka	28.556806/ 77.056529	28.08.2025	Work is under progress for rectification of RWH.					
106	Janaki CGHS Ltd. Plot no 07, Sec – 22 Phase 01, Dwarka	28.564135/ 77.059167	28.08.2025	Blackish	134	6.0	NIL	2400*	2400*

107	Entrepreneurs (Chitrakoot Apartments) CGHS Ltd. Plot no 09, Sec - 22, Dwarka	28.562563/ 77.058012	28.08.2025	Greyish	334	0.4	NIL	460	93
108	Jagran Apartments Plot No 17, Sec - 22, Dwarka	28.557077/ 77.056687	28.08.2025	Turbid	236	0.2	NIL	150	21
109	Veena Residency Plot no 5D, Sec - 22, Dwarka	28.559296/ 77.061373	28.08.2025	Turbid	1209	0.8	NIL	1100	460
110	New Millaneum Apartments (Rao CGHS Ltd.) Plot no 02, Sec - 23, Dwarka	28.560342/ 77.055290	29.08.2025	Turbid	180	0.8	NIL	1100	460
111	IFCI CGHS Ltd. Plot no 04, Sec - 23, Dwarka	28.560932/ 77.055857	29.08.2025	Turbid	230	1.4	NIL	2400'	1100
112	Vishwas Nagar EPP CGHS Ltd. Plot no 6A, Sec - 23, Dwarka	28.562454/7 7.057007	29.08.2025	Greyish	364	>5.0	NIL	2400'	2400'
113	Sheetal Vihar CGHS Ltd. Plot no 10, Sec- 23, Dwarka	28.563632/ 77.053765	29.08.2025	Greyish	168	1.5	NIL	2400'	1100
114	Manisha Towers Plot no 7B, Sec - 23, Dwarka	28.563928/ 77.054669	29.08.2025	Blackish	252	>5.0	NIL	2400'	2400'
115	Chopra Apartments Plot no 08, Sec - 23, Dwarka	28.563705/7 7.054382	29.08.2025	Pit found dry					
116	Dwarka Dham Apartments Mahajan Shree CGHS Ltd. Plot no 13, Sec- 23, Dwarka	28.563250/ 77.050423	29.08.2025	Turbid	187	2.2	NIL	1100	460
117	Panchsheel Apartments CGHS Ltd. Plot no 24, Sec - 04, Dwarka	28.599880/ 77.047136	29.08.2025	Hazy	346	1.6	NIL	2400'	1100
118	Anamika Apartments Plot no 25B, Sec - 04, Dwarka	28.599259/ 77.047923	29.08.2025	Hazy	184	0.4	NIL	210	43
119	Antrikash Apartments (DDA Employees CGHS Ltd). Plot no 26, Sec - 04, Dwarka	28.601034/ 77.047672	29.08.2025	Hazy	269	0.02	NIL	43	9.1
120	New Jyoti CGHS Ltd. Plot no 27, Sec - 04, Dwarka	28.600143/ 77.047975	29.08.2025	Turbid	159	0.02	NIL	43	15

121.	Ispatika APartment Plot no 29, Sec -04, Dwarka	28.601460/ 77.047983	29.08.2025	Turbid	198	1.0	NIL	2400*	1100
122.	Philip CGHS Ltd. Plot no 03, Sec - 23, Dwarka	28.558354/ 77.053884	29.08.2025	Work is under progress for rectification of RWH.					
123.	Vedanta Plot no 6C, Sec - 23, Dwarka	28.563380/ 77.056175	29.08.2025	Blackish	128	0.8	NIL	1100	460
124.	Dakshinayan Delhi EPPDP CGHS Ltd. Plot no-19 sec-04 Dwarka	28.60.2517/ 77.043540	30.08.2025	Brownish	120	2.0	NIL	2400*	1100
125.	Anant Apartments Plot no-25A sec-04 Dwarka	28.598516/ 77.047588	30.08.2025	Brownish	167	0.5	NIL	460	93
126.	JDM Apartments Jai Diba Maa CGHS Ltd. Plot no-11 sec- 05 Dwarka	28.601490/ 77.058205	30.08.2025	Turbid	124	NIL	NIL	150	28
127.	Cosmos CGHS Ltd. Plot no-28 sec-10 Dwarka	28.584545/ 77.054780	30.08.2025	Turbid	106	0.2	NIL	290	75
128.	Mass Apartments CGHS Ltd. Plot no- 24 sec-10 Dwarka	28.585967/ 77.055712	30.08.2025	Blackish	173	0.7	NIL	1100	460
129.	New Adarsh Apartments Plot no-22 sec-10 Dwarka	28.585698/ 77.053281	30.08.2025	Work is under progress for rectification of RWH					
130.	Fakhruddin Memorial CGHS Ltd. Plot no-18 sec- 10 Dwarka	28.588414/ 77.055442	30.08.2025	Pit found dry					
131.	The Elephanta Head CGHS Ltd. Plot no-41 sec-10 Dwarka	28.587756/ 77.059244	30.08.2025	Blackish	369	4.5	NIL	2400*	2400*
132.	The Great Lyallpur CGHS Ltd. Plot no- 35 sec-10 Dwarka	28.586004/ 77.060243	30.08.2025	Greyish	306	NIL	NIL	160	34
133.	The Eligible CGHS Ltd. Plot no-38 sec- 10 Dwarka	28.586336/ 77.060505	30.08.2025	Blackish	179	04	NIL	2400*	2400*
134.	Himachal Apartments Plot	28.598571/ 77.055185	30.08.2025	Pit found dry					

	no-21 sec-05 Dwarka								
135.	Prodhyogiki CGHS Ltd. Plot no-11 sec-03 Dwarka	28.604520/ 77.040379	30.08.2025	Greyish	143	0.7	NIL	1100	240
136.	The Vishrantika CGHS Ltd. Plot no-5A sec-03 Dwarka	28.603559/ 77.040299	30.08.2025	Blackish	147	0.7	NIL	1100	460
137.	Gauri Ganesh Apartments CGHS Ltd. Plot no-08 sec-03 Dwarka	28.605714/ 77.041160	30.08.2025	Greyish	142	0.7	NIL	460	290
138.	Shree Hari Apartment Plot no 06, Sec - 12, Dwarka	28.600118/ 77.041309	01.09.2025	Hazy	278	4.5	NIL	2400'	2400'
139	Shivam Apartment Plot no 14, Sec - 12, Dwarka	28.595306/ 77.046232	01.09.2025	Hazy	129	NIL	NIL	150	28
140	Kanak Durga CGHS Ltd. Plot no 26, Sec - 12, Dwarka	28.593787/ 77.037966	01.09.2025	Turbid	383	15	NIL	2400'	2400'
141	Samrat Ashoka Plot no 06, Sec - 18A, Dwarka	28.589490/ 77.034568	01.09.2025	Turbid	953	1.2	NIL	2400'	1100
142	Batukji CGHS Ltd. Plot no 5B, Sec - 03, Dwarka	28.604589/ 77.040522	01.09.2025	Blackish	215	4.4	NIL	2400'	2400'
143	The Navkairali CGHS Ltd. Plot no 10, Sec - 03, Dwarka	28.604541/ 77.040230	01.09.2025	Greyish	352	1.28	NIL	2400'	1100
144	IDC Apartment Plot no 8C, Sec - 11 Dwarka	28.587072/ 77.049128	01.09.2025	Blackish	232	1.6	NIL	2400'	1100
145	Kamal Vihar CGHS Ltd. Plot no 05, Sec - 11, Dwarka	28.592169/ 77.070967	01.09.2025	Blackish	166	1.8	NIL	2400'	1100
146	Shri Ganinath Plot no 01, Sec - 05, Dwarka	28.597740/ 77.051656	01.09.2025	RWH Pit found DRY.					

147	Belur Heights Plot no 01, Sec - 18A, Dwarka	28.591628/ 77.035625	01.09.2025	Car Parked over RWH Chamber.					
148	Anusandhan CGHS Ltd. Sec - 06, DWarka	28.593330/ 77.065025	02.09.2025	Drain overflow in RWH Chamber Society already inform to DJB (AE) of command area. Hence sample not lifted.					
149	Belur Heights Plot no 01, Sec - 18A, Dwarka	28.591628/ 77.035625	02.09.2025	Car Parked over RWH Chamber.					
150	The Manokamna CGHS Ltd Plot no 16, Sec - 18A, Dwarka	28.587291/ 77.035528	02.09.2025	Blackish	213	0.6	NIL	460	93
151	Shree Radha CGHS Ltd. Plot no 03, Sec - 09, Dwarka	28.578597/ 77.076773	02.09.2025	Brownish	164	NIL	NIL	93	21
152	Siddhartha Kunj CGHS Ltd. Plot no 17, Sec- 07, Dwarka	28.58163/ 77.076738	02.09.2025	Greyish	219	0.9	NIL	1100	460
153	United Apartment Plot no 34, Sec- 04, Dwarka	28.602957/ 77.048819	02.09.2025	Greyish	155	NIL	NIL	150	75
154	Din Apartment Plot no 07, Sec - 04, Dwarka	28.602180/ 77.054539	02.09.2025	Turbid	262	NIL	NIL	210	75
155	DGCS CGHS Ltd. Plot no 06, Dwarka	28.563868/ 77.061230	02.09.2025	Greyish	96	NIL	NIL	150	39
156	Karuna Vihar Plot no 09, Sec - 18A, Dwarka ( Pit no 02 )	28.3516/ 77.0102	02.09.2025	Brownish	59.7	NIL	NIL	120	23

*S. Singh*  
ACWA  
08/09/25

*[Signature]*  
08/09/25  
Bacteriologist

*Amita Patel*  
08/09/25  
A/Bact.

*[Signature]*  
08/09/25  
Chemist

## ANNEXURE-B

Item No. 07

(Court No. 1)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 147/2021

(With report dated 23.11.2021)

Mahesh Chandra Saxena

Applicant

Versus

The Chief Secretary, Govt. of NCT of Delhi &amp; Ors.

Respondent(s)

Date of hearing: 10.12.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Mr. Mahesh Chandra Saxena, Applicant in person

Respondents: Mr. Narender Pal Singh, Advocate for DPCC

**ORDER**

1. The applicant has sought following directions:-

*“(a) For inspection of all the Rainwater Harvesting Systems constructed in all Societies of Dwarka by a Team consisting of Ground Water Cell of Delhi Jal Board, Member from Central Pollution Control Board and the applicant, collection and sending of samples for examination in the Lab.*

*(b) Direct Dwarka Federation of cooperate in the above said inspection, collection of samples.*

*(c) For making the non-functional Rainwater Harvesting Systems found in the inspection as functional for recharge of only roof top pure rain water in the ground so that ground water is not contaminated.*

*(d) To modify the recharge borewells constructed in the Rain water Harvesting Systems of all Societies of Dwarka to make it five meter above the ground water level.*

(e) To stop inspection and charging of fee of Rs. 40,000/- by the Contractors of the Rainwater Harvesting Systems.

(f) To make responsible the Dwarka Federation for cleaning of Pit of Rainwater Harvesting Systems of all Societies prior to Monsoon i.e. in January, February, March and April and to furnish report to this effect to the Ground Water Cell of Delhi Jal Board through Affidavit, thereafter the Ground Water Cell of Delhi Jal Board may conduct random inspection of the Rainwater Harvesting Systems to ensure that all are functional. In case any Rainwater Harvesting System is found non-functional then to serve notice for making its functional, if even after notice concerned society does not make Rainwater Harvesting System as functional then Ground Water Cell of Delhi Jal Board may recommend to this Hon'ble Tribunal for imposing penalty or Delhi Jal Board may disconnect water supply of that society.

(g) To put rain water of surface area and roads of all Societies into Water Body and the responsibility to clean the Water Body and drain of Storm Water be entrusted to Dwarka Federation.

(h) Not to seal the borewells of all Societies after the Rainwater Harvesting Systems are made functional. To send the sample of ground water from borewells of the Society to lab to make ensure as to which society's ground water is contaminated.

(i) To allow the Society to draw its contaminated ground water for use in horticulture and to impose ban from drawing groundwater of good quality to daily use or in horticulture, to utilize treated water for horticulture by bringing through tankers.

(j) To allow the society to draw the ground water whenever drinking water supply of Delhi Jal Board may fail.

(k) To allow the applicant to provide free of cost service to the Dwarka Federation for saving ground water.

(l) If any person, Institution harvests more than 10 lakh liters rain water of roof, he be allowed to draw the ground water but not to waste the same."

2. According to the applicant, he has conducted survey of rain water harvesting systems of 40 Societies in Dwarka and found deficiencies. The borewells are deeper, enabling polluted water to mix with the groundwater. This requires joint inspection of rain water systems in all areas of Delhi to ensure proper functional design, level at which the borewell should be installed, use of gravel, coarse, sand in filter media. The DPCC has issued notice to seal the borewells of all the societies and

to impose penalty which is not justified. On surface areas of the societies the water is wasted which should be taken to the water bodies. Work should be entrusted to a private body for planning and executing the rain water harvesting project, high fee is being charged by the Delhi Jal Board for inspection of the pit of the rain water harvesting systems from the societies.

3. The application was earlier considered on 07.07.2021 and to ascertain the factual position of proper functioning of the rain water harvesting system, the Tribunal constituted a joint Committee of DJB, CPCB and DPCC. The Committee was to ascertain the technical efficacy of installed systems, changes, if any, required and the issue of contamination of ground water and action taken report was to be filed before this Tribunal. Relevant extracts from the said order are as follows:

*“4. In view of the above, a joint Committee of DJB, CPCB and DPCC may look into the matter and take remedial action in the matter in accordance with law. **The Committee may inter-alia ascertain the technical efficacy of installed systems and changes, if any, required and the issue of contamination of ground water.**”*

*5. An action taken report may be furnished to this Tribunal within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF. The DJB will be the nodal agency for coordination and compliance.”*

4. In pursuance of above, the joint Committee has filed its report dated 23.11.2021 as follows:

*“The findings of the Joint Inspection Team were deliberated by the Committee which are as under.*

- It was apprised that regarding technical efficacy of RWH Systems, the designs of the same have been adopted either from CGWB or DJB which are satisfactory in technical efficacy. **The recharge well pipes were taken deep into the static ground water level by the societies due to which contamination was bound to occur. As per the required parameters of the***

**CGWB designs, the depth of recharge well pipes should have been kept 3-5m above the static ground water levels.**

- *The contamination may occur in the societies due to mixing of the rain water with the waste water from different sources like waste washing area water with detergents having chemicals from balconies other than that of roof top rain water and the waste water from paved / parking areas of the societies.*
- *Regarding contamination of ground water, it was apprised to the committee that **on testing of the 38 Nos. water samples taken from 31 societies. It has been observed that very partial contamination, out of the 27 parameters tested, samples have exceeded the permissible limit in only 2-3 parameters i.e. color, turbidity and ammonia.***
- *It was further apprised that to avoid contamination of the ground water, only rain water from roof top area be diverted to the rain water harvesting systems.*
- ***The water from other sources entering to RWH System such as balconies, washing areas etc. should be disconnected with immediate effect for which necessary advice has been given to the Societies during inspection.***
- ***As there is water pollution in the above said societies, a letter has been written by DJB (being the Nodal Agency) to DPCC to direct the societies of Dwarka to take all necessary remedial actions in a time bound manner, with regard to rectification of water pollution as per Water & Air Act. A True copy of the Letter Dated 17.11.2027, is annexed herewith and marked as ANNEXURE-E. Since there are around 400 societies in Dwarka area and it is possible to inspect one society per day, it is submitted that to inspect remaining 369 societies, this committee shall require around 369 working days to complete the target.”***

5. In view of above, remedial action needs to be taken by the DPCC in exercise of its statutory powers under the Water (Prevention and Control of Pollution) Act, 1974 to prevent contamination of groundwater, in coordination with the DJB or any other authority. There is no justification for proposal to inspect one society per day as it will enable contamination of water to continue at large scale by other societies. In view of the report that out of 31 societies, inspected 22 were non-functional, action needs to be taken forthwith and simultaneously for non-compliances everywhere. DPCC may augment its capacity

appropriately so as to discharge its mandatory obligations under the law. It may consider utilizing human resource from Engineering Colleges, if viable, for its assistance. It appears that there is lack of awareness and knowledge of technical knowhow on the subject for which appropriate awareness programmes be undertaken urgently with the representatives of the societies online with the involvement of such experts as resource persons, as considered necessary. Same joint Committee of DJB, CPCB and DPCC may hold its meeting within one month and remedial action plan may be prepared and executed expeditiously, preferably within three months.

6. We may note that the issue was earlier considered by this Tribunal, alongwith with the related issues of revival of water bodies, preventing illegal extraction of ground water and utilisation of STP treated water for secondary purposes in the light of report of Justice SP Garg, former Judge of Delhi High Court in in OA No. 496/2016, *Tribunal on its own motion vs. Govt. of NCT of Delhi & Ors.* Vide order dated 03.02.2020, while directing steps for setting up rain water harvesting systems, the Tribunal laid down compensation regime. The relevant direction is reproduced below:

“xxx .....xxx.....xxx  
 16. ***Before parting with this order, we are of the view that having regard to significance of issues dealt with that is revival of water bodies in view of their potential for recharge of ground water, which in turn impacts water availability in river Yamuna, preventing illegal extraction of ground water to preserve the ground water table, rain water harvesting systems having impact on ground water table and use of treated water (from STPs) for secondary purposes, to increase availability of potable water, it may be necessary to consider compensation regime with a view to ensure sustainable development and inter-generational equity. Accordingly, we lay down such regime as an interim measure as follows:-***

(i)	xxx.....xxx	xxx.....xxx
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(ii)	For failure to install rain water harvesting systems by the institutions responsible for such failure.	As per earlier order dated 16.11.2017 in O.A. No. 217 of 2016 Mahesh Chandra Saxena Vs. The Ministry of Urban Development & Ors. @Rs. 5 Lakh per institution required to be paid by educational institutions in terms of the said order will apply to all such institutions as may be specified by the Committed and the amount will be payable to and to be recovered by DJB who may notify such institutions within one month about this direction.
(iii)	xxx.....xxx	xxx.....xxx
(iv)	xxx.....xxx	xxx.....xxx

7. Thereafter, vide order dated 22.01.2021, further directions were issued as follows:

“xxx .....xxx.....xxx

12. .... We may add that it may be desirable to explore whether a model can be developed as a strategy for augmenting supply of drinking water by linking water collected through RWH systems to the water supply systems on the pattern of schemes for connecting solar energy generated in individual houses with the Grids with requisite incentives to motivate the concerned individuals/ organizations. The Committee has noted the RWH systems in Group Housing societies, Schools, PWD maintained buildings, police stations, DMRC stations, hospitals, dispensaries, DDA buildings etc. However, the network needs to be increased to possibly all buildings by Administrative policies encouraging such efforts by possible business models. Water is scarce and gap in drinking water demand and supply is on the increase. Compensation regime needs to be followed and violators and incentives are required for the contributors.

13. In view of above, it is not necessary for the matter being kept pending with this Tribunal for indefinite period separately. As already directed, the issue can be further considered in OA 593/2017 and OA 673/2018 dealing with preventing water pollution and maintaining flow in rivers and water bodies. Vide order dated 21.09.2020 in OA 593/2017 and OA 673/2018 and vide order dated 18.11.2020 in OA 325/2015 and other orders mentioned above, the Tribunal has already directed that the issue of restoration of water bodies, use of treated water for secondary

*purposes, **installation of RWH systems** and control of illegal extraction of groundwater **being part of the water management may be dealt with in a holistic manner** at the District level, State level as well as National level by the designated authorities for the purpose at periodical intervals and final consolidated reports may be furnished by the CMC to this Tribunal by e-mail. The said directions cover Delhi also.*

14. Accordingly, **the Chief Secretary, Delhi may in coordination with the concerned authorities, including the DJB and the DDA take further action on the subject of restoration of water bodies, installation of RWH systems, utilisation of treated sewage water, extraction of ground water and prevention of contamination of water in the light of the earlier orders referred to above and the report of the Committee. It will be desirable that the matter is monitored by the River Rejuvenation Committee (RRC) atleast once a month and by the Chief Secretary atleast once in every three months. The periodical reports of the steps taken may be furnished by e-mail to the Secretary, MoWR who is chairing the CMC for rejuvenation of polluted rivers and water bodies. Needless to say that rain water harvesting is a component of such rejuvenation. As already observed in para 12 above, the Delhi Government and all other States/UTs as well as **the CMC may explore whether a model can be developed as a strategy for augmenting supply of drinking water by linking water collected through RWH systems to the water supply systems on the pattern of schemes for connecting solar energy generated in individual houses with the Grids with requisite incentives to motivate the concerned individuals /organizations.****

8. In the light of experience gained in the present case, it appears that at many places where RWH systems are installed, the same are either not functional or resulting in contamination of ground water which situation needs to be remedied not only in Delhi but pan India. This may be urgently looked into by a joint Committee of CPCB, Ministry of Jal Shakti (MoJS) and Ministry of Urban Development, Government of India. MoJS will be the nodal agency for the purpose. The Secretary, MoJS may call a meeting of stakeholders for further course of action in the light of above observations, followed by issuance of appropriate directions to all the States/UTs.

The application is disposed of.

A copy of this order be forwarded to Secretaries, MoUD and MoJS, , GoI, CPCB, DPCC and DJB by e-mail for compliance.

Copy of the order be also forwarded to the State PCBs/PCCs by e-mail for necessary action.

A copy of this order be also forwarded to Member Secretaries, State Legal Services Authorities by e-mail.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. Nagin Nanda, EM

December 10, 2021  
OA No. 147/2021  
DV

**By-Email****F.No. T-81011/77/2021 - GW Section-MOWR**

भारत सरकार

**Government of India**

जल शक्ति मंत्रालय

**Ministry of Jal Shakti**

जल संसाधन, नदी विकास और गंगा संरक्षण विभाग

**D/o WR, RD & GR****(भूजल अनुभाग / Ground Water Section)**

\*\*\*\*

Shram Shakti Bhawan, Rafi Marg  
New Delhi, Dated: 31/03/2023

To,

The Chief Secretaries/Administrators of all the States/UTs of India. (as per the Standard list)

**Subject:- Prevention of potential contamination of ground water from Rain Water Harvesting systems in Urban Areas - reg.**

Sir/ Madam,

I am directed to invite your kind attention towards Hon'ble NGT's observations, expressing concern over Rain Water Harvesting (RWH) system being one of the potential source of contamination of ground water in the country. The Principal Bench, Delhi of Hon'ble NGT, while disposing of matter related to societies in Dwarka area, Delhi (OA 147/2021), vide their order dated 10.12.2021 directed that *at many places where RWH systems are installed, the same are either not functional or resulting in contamination of ground water which situation needs to be remedied not only in Delhi but pan India. This may be urgently looked into by a joint Committee of CPCB, Ministry of Jal Shakti (MoJS) and Ministry of Urban Development, Government of India. MoJS will be the nodal agency for the purpose.*

2. In this regard, a Committee as per directions of Hon'ble NGT was constituted by this Department which visited selected RWH sites in 05 States i.e. Delhi, Haryana, Karnataka, Rajasthan and Tamil Nadu and submitted its report. The committee found that deficiency do exist in implementation of RWH system at certain places and due attention

was not given to possibility of contaminants breaching into the RWH system and eventually finding way into groundwater, particularly where the harvested water is directly used for Artificial Recharge (AR). From the report of the committee and their experience gained during site visits, it is quite likely that similar situations may exist in other States too. In view of this, a **guideline on RWH** system and **SoP with Do's and Dont's** as per **Annexure-I & Annexure-II** respectively are enclosed herewith.

**3.** It is requested to kindly direct/ instruct concerned Departments/ agencies to strictly follow the guidelines including Do's & Dont's while implementing the RWH systems in your State. Further, the concerned Department/agency in the State may approach Regional Director Offices of Central Ground Water Board (CGWB) for technical guidance/ support, if any.

**4.** This issues with the approval of the Competent Authority.

Yours sincerely,

**(Rajendra Kumar Sahu)**

Under Secretary to the Govt. of India

Ph: 011-23766907

Email: [gwdesk-mowr@nic.in](mailto:gwdesk-mowr@nic.in)

Copy to:

- i. Sr. PPS to Secretary, DoWR, RD & GR, MoJS
- ii. SPPS to Special Secretary, DoWR, RD & GR, MoJS
- iii. Sr PPS to AS&MD, NWM
- iv. PPS to JS(A,GW & IC), DoWR, RD & GR, MoJS
- v. Sr PPS to Secretary, MoH&UA
- vi. PPS to Chairman, CPCB
- vii. PPS to Chairman, CGWB

**Annexure-I**

- i. The Committee recommended to give stress on contamination

aspect while designing and implementing the RWH systems and suggested for strictly adhering to the **BIS Standard - IS 15797:2008 (for implementation of Roof Top Rain Water Harvesting System in the country)** which is a very comprehensive document (a copy is enclosed for ready reference). Section 6.5 of the document deals with general 'Management and Maintenance' of the system and Section 7.4 specifically tells about 'Management of Catchment Area, Drains and Recharge Structures'. Section 7 provides designs of AR structures suitable at various different situations.

- ii. It has also been suggested to avoid Rain Water Harvesting System for the purpose of Artificial Recharge in certain urban areas especially in congested places in the vicinity of sewerage system components/ landfill sites etc where chances of contamination are high through mingling of untreated sewerage water/domestic wastes.
- iii. The Committee has further suggested that in case of small households, cluster based RWH system should be promoted in place of individual household schemes.
- iv. States may promote incentivization for adopting RWH, either in the form of rebate or subsidy in water-stressed areas.
- v. Large-scale RWH system, such as those in large industrial, residential and commercial complexes, should have piezometer(s) installed at appropriate site(s) for periodic monitoring of water level and water quality. These parameters are the most important and reliable indicators of functioning status and health of RWH system.
- vi. The design of RWH should by-pass first roof top harvested rainwater. Mixing of drain water with rooftop run off or with runoff from paved areas, where vehicular movement takes place, should be prevented.
- vii. As water quality may not be strictly checked, the water stored in harvesting structures may be used strictly for non-potable purposes.
- viii. Concept like RWH Theme Park, Bengaluru may be promoted for proper guidance to general public/ individual households.
- ix. All RWH sites should be geo-tagged for better visibility for monitoring purpose.
- x. There should be mechanism to avoid misuse of the recharge tube-wells for pumping purposes.
- xi. Suitable online filters can be considered in the pipeline to avoid minor contaminants, if any, while harvesting the rooftop rainwater to the recharge tube-wells.
- xii. District Jal Shakti Kendras may be strengthened and general public may be sensitised to follow correct RWH system through regular awareness generation by means of mass media, print media etc.
- xiii. District administration may randomly check few RWH sites on monthly basis and suitable directions/corrective action may be suggested to the owner(s) of the RWH system(s) and the same may be followed up for strict implementation post inspection.

## DOS AND DON'TS WHILE IMPLEMENTING ROOF TOP RAIN WATER HARVESTING AND ARTIFICIAL RECHARGE

### A. While Planning Implementation of Scheme/ Construction of Structures

#### Dos

- **Choose the right recharge technique:** RWH schemes should have Artificial Recharge provisions depending upon local hydrogeological/ site-specific conditions. In this regard, the BIS Standard - IS 15797:2008, for implementation of Roof Top Rain Water Harvesting System may be referred to. Section 7 provides designs of AR structures suitable to different situations.
- **Source Water:** Only non-polluted rainwater from the roof tops and other catchment areas has to be diverted to recharge structure through connection of downpipe.
- **RWH/ AR Sites at Safe Distance:** Depending upon groundwater flow direction, RWH/AR sites should be located at safe distance from possible contaminant source such as sewage drains/ landfill sites/ cesspool/ sewage system having hydrogeological connectivity with the aquifer.
- **Insulation from Possible Contaminant Source:** There should be proper arrangements in place to prevent sewage water or contaminated water from paved area from mixing into run-off/ recharged water.
- **Provision of Filters:** There should be proper mechanism to let the water pass through filter media before entering into recharge system in order to minimize the possibility of aquifer material getting choked. Online filters (filters fitted in pipelines carrying roof top water) can also be used to avoid minor contaminants, if any, for diverting the rooftop rainwater to the recharge tubewells.
- **Provision for By-pass of First Flush:** RWH system should be designed in a way to allow by-pass first flush (first rainwater).
- **Provision for pre-treatment of water:** The Water should be pre-treated to remove suspended solids, organic matter, and other contaminants before recharge. This will help prevent clogging of the recharge structure and protect the groundwater quality.
- **Dual pipe system for utilization of harvested water:** Dual pipe system should be installed for utilization of harvested water for non-potable purposes, i.e other than drinking, cooking and bathing.
- **Cluster-based RWH System:** In the areas of only small households, cluster-based RWH system should be promoted in place of individual household scheme.
- **Installation of Piezometers:** Large-scale RWH system, such as those in large residential and commercial complexes, should have piezometer(s) installed at appropriate site(s) for periodic monitoring of water level and water quality. These parameters are the most important and reliable indicators of functioning status and health of RWH system.
- **Geotagging of RWH/ AR Sites:** All RWH/ AR sites should be geo-tagged for better visibility for monitoring purpose.

**Don'ts**

- It is better to avoid RWH/ AR in areas having shallow ground water levels (say shallower than 5 metre below ground level (mbgl)).
- Recharge should be avoided in areas where there is possibility of contamination of groundwater. RTRWH with AR in buildings such as hospital buildings may be avoided. In such cases storage of rainwater for non-potable uses should be encouraged.
- There should be no mixing of drain water with rooftop run off.
- Run-off from paved area having vehicular movement should not be diverted towards RWH system.
- RWH/ AR sites should not be located in the vicinity of possible contaminant source such as sewage drains/ landfill sites/ cesspool/ sewage system having hydrogeological connectivity with the aquifer.
- Contaminated water should not be recharged as it can pollute the groundwater and make it unfit for human consumption.
- Domestic waste water should not be diverted directly to Recharge Pits, particularly in areas where water levels are shallow.
- Recharge wells should not be constructed beyond water level. Direct recharging below water level should not be done.
- Recharge structures should not be constructed in areas prone to flooding as they can be damaged or washed away during heavy rains.
- Recharge should not be unplanned. Unplanned recharge can lead to groundwater contamination, soil erosion, and other environmental problems.

**B. Maintenance and Monitoring of RWH/ AR System**

Maintenance of recharge structures is important to ensure their long-term effectiveness and sustainability. Here are some key maintenance practices that can help keep recharge structures functioning properly.

- First flush should be by-passed.
- Rooftops should be cleaned regularly.
- Filter material should be regularly cleaned/ replaced.
- Sediment and debris can accumulate in recharge structures over time, which can clog the pores and reduce the infiltration capacity. Regular cleaning can prevent clogging and help maintain the recharge capacity of the structure
- Regular monitoring and inspection of recharge structures can help detect any signs of damage, erosion, or clogging or damage early on, before they become more serious. This can include checking for cracks or damage to the structure, as well as monitoring the inflow and outflow of water.
- Water level and groundwater quality around the recharge structure should be regularly monitored through purpose-built piezometers.
- Monitoring mechanism should be effective through involvement of officials trained to evaluate functioning of installed RWH system as per BIS.
- Any damage or erosion to the recharge structure should be repaired immediately to prevent further damage. For example, if a recharge well has a

crack or a hole, it should be repaired as soon as possible to prevent soil from entering the well and clogging it. Prompt repair and maintenance can help prevent further damage and ensure the long-term effectiveness of the recharge structure.

- Vegetation can grow around recharge structures and block the inflow of water. Regular trimming of vegetation can help maintain the flow of water into the recharge structure.
- Keep a record of maintenance activities and observations for each recharge structure. This can help identify patterns or trends in maintenance needs and guide future maintenance activities.

### **Don'ts**

- Do not dump pollutants or waste near or inside the RWH/ AR structure.
- Never leave the covers of RWH chamber/ AR structures open.
- Do not allow wastewater to flow towards RWH/ AR structures.

### **C. Other Suggestions**

- Underground Storage tank/ sump, made using cross-wave technology or uPVC pipes saves space, besides providing strength to the structure. As it is costly, the technology may be used in large Government Buildings, commercial complexes and industrial premises.
- In the new buildings, the complex is divided in a way to have alternate bays for sewage and RWH channels.

Item No. 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 526/2019

Mahesh Chandra Saxena

Applicant(s)

Versus

Central Pollution Control Board &amp; Anr.

Respondent(s)

Date of hearing: 27.08.2019

Date of uploading of order: 11.09.2019

**CORAM:**

**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

Mr. Rahul Khurana, Advocate

For Respondent(s):

Mr. Narender Pal Singh, Advocate for DPCC and  
Mr. Dinesh Jindal, L.O. for DPCC

**ORDER**

1. The question for consideration is whether groundwater recharge by Delhi Jal Board (DJB) and Delhi Development Authority (DDA), Public Works Department (PWD) Delhi, New Delhi Municipal Council (NDMC), South Delhi Municipal Corporation (SDMC) through rain water harvesting structures is not scientific and is resulting in contamination of groundwater.
2. Vide order dated 31.05.2019, this Tribunal constituted a joint Committee of the Central Pollution Control Board (CPCB), the Delhi Pollution Control Committee (DPCC) and the Central Ground Water

Board (CGWB) to take samples of groundwater and study the methodology of groundwater recharge undertaken.

3. Accordingly, report dated 08.07.2019 and additional action taken report dated 13.08.2019 have been filed by the DPCC. The Committee conducted inspections on 01.07.2019, 02.07.2019, 04.07.2019, 11.07.2019, 19.07.2019 and 22.07.2019 in the concerned areas and collected water samples from the Rain Water Harvesting Systems (RWHS) and nearby ground water sources.

4. The observations of the Committee after considering the reports of the samples are:

- a. *In two areas Mehrauli - Gurgaon Road and Samalkha - Dwarka Road, RWHSs were found installed within the Storm Water Drains on sides of the road. The present RWHSs operating agencies i.e. PWD and DDA were not able to take proper measures to prevent pollutants reaching in these Storm Water Drains. The contaminated water was flowing in these drains.*
- b. *In the area Mehrauli - Gurgaon Road, the sewage was found flowing in the storm water drains and thus, sewage is being recharged into ground water through the RWHSs installed in the Storm Water Drain by NHAI and presently maintained by PWD.*
- c. *The RWHSs were found dry at the locations namely 'New Delhi Municipal Council Area from 11 Murthi Statue to Talkatora Stadium (Mother Teresa Crescent Road)', 'Sarvodya Kanya Vidhyalay Aaya Nagar', 'Mega Housing behind D-6, Vasant Kunj, in front of Tower N-2' and 'Baba Saheb Ambedkar Hospital'.*
- d. *During the inspections, it was observed that most of the RWHSs operating agencies are not doing periodical maintenance of the RWHSs. Thus, the goals of installation of RWHSs are not being fulfilled.*
- e. *The water analysis reports of the samples taken from RWHSs and from nearby ground water sources, wherever available, reveals that in most of the places polluted water is being recharged into ground water through RWHSs. However, the water quality of the samples taken from*

*nearby ground water sources, wherever available, were not found contaminated.*

- f. The operating agencies of RWHSs, which were inspected, didn't approach DJB for technical assistance regarding design of RWHSs installed.”*

5. In the light of above, the Committee has suggested as follows:

- “a. Water analysis reports reflect that the samples taken from Rain Water Harvesting Structures (RWHSs) were found contaminated. However, samples taken from nearby ground water sources, wherever available, were found non-contaminated. Therefore, the Committee came to a conclusion that at present there is no evidence of ground water contamination, because of faulty RWHSs.*
- b. The installation of RWHSs within Storm Water Drains having Contaminants should not be allowed.*
- c. Rain Water Harvesting by pollutants/contaminated water must be stopped and the owners/owning agencies of RWHSs should properly maintain their RWHSs to prevent recharging by contaminated water.*
- d. The Committee also suggested that piezometer should be installed near the RWHSs for monitoring of Ground Water Level and Water Quality of recharging water. It was also suggested that proper separators should be installed to separate the pollutants before recharging the RWHSs by polluted water such as surface run-off.*
- e. Depth of recharge bore well should be at least 5m above the Static Water Table of the area. However, it should not be made compulsory considering the geological aspects and static ground water level of the area.*
- f. The guidelines regarding installation of RWHSs are available at DJB website and these guidelines are required to be strictly followed by the agencies/persons installing/ installed RWHSs in Delhi.”*

6. We are satisfied that the suggestions of the Committee need to be accepted for protection of the environment.

7. Accordingly, we direct that the suggestions of the Committee be acted upon. RWHS may not be installed close to storm water drains to

avoid contamination of ground water in the process of recharging the ground water from the RWHS. Piezometers be installed near the RWHS for monitoring of ground water level and water quality of recharged water. Separators be installed to separate pollutants before recharging. Depth of the borewells should be at least 5m above the Static Water Table. Deficient RWHS be closed.

8. In light of observations of the Committee, the Delhi Jal Board (DJB), Delhi Development Authority (DDA), Public Works Department (PWD), Delhi; New Delhi Municipal Corporation (NDMC) and South Delhi Municipal Corporation (SDMC) are directed to take appropriate remedial measures for mitigation.

The application is accordingly disposed of.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

September 11, 2019  
Original Application No. 526/2019  
DV

Item No. 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Execution Application No. 4/2023

In

Original Application No. 147/2021

Mahesh Chandra Saxena

Applicant

Versus

Govt. of NCT of Delhi &amp; Ors.

Respondent(s)

Date of hearing: 28.08.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Sandeep Mishra & Mr. Surbhit Nandan, Advs. for Applicant in E.A  
04/2023

Respondent: Mr. Narender Pal Singh, Ms. Anjali & Mr. Divyesh Pant, Advs. for DPCC  
Ms. Atika Singh, Ms. Richa Kapoor & Ms. Udipti Chopra, Advs. for Delhi  
Jal Board

**ORDER**

1. The Tribunal in this matter is examining the issue of contamination of ground water due to defects in ground water harvesting in Housing Societies in Dwarka, Delhi. In the report dated 17.05.2023 filed by the Government of NCT Delhi, it was disclosed that out of the total 354 Societies in Dwarka, in 180 Societies contamination was found primarily on account of presence of Ammonical Nitrogen and Total Dissolved Solids in the sample water.

2. The Tribunal on 15.05.2024 had recorded the undisputed position at the instance of the DPCC that on account of mixing of sewage, such result in the sample is reflected. It was the stand of the DPCC before the Tribunal that the design of the RWH pits given by the DJB were defective,

therefore, such a problem arose. Accordingly, Tribunal by order dated 15.05.2024 had directed the DPCC to convey this fact with full particulars to DJB and DJB was directed to duly examine the issue of defects in the design of RWHSs and if it is found to be defective, take appropriate corrective measures.

3. DPCC has filed action taken report dated 27.05.2024 thereafter, mentioning therein that the letter dated 27.05.2024 was issued to DJB *inter-alia* providing the details of 176 residential Societies of Dwarka with reference to RWHSs samples collected by the DPCC and findings thereof.

4. The action taken report dated 12.07.2024 has been filed by the DJB wherein the communication dated 27.05.2024 sent by the DPCC to the Chief Executive Officer, DJB has been placed on record as Annexure-A clearly mentioning as under:-

*“In view of the above, please find the details of 176 residential societies of Dwaraka, Delhi wrt RWHSs, samples collected by the DPCC and findings indicating presence of Ammonical Nitrogen, TDS, Fecal Coliforms. It implies that sewerage network in societies are inappropriately giving rise to the discharge of sewage/ waste water into the RWH systems and design/ service plans are defective. This is for necessary action by DJB as per the order of Hon'ble NGT.”*

5. Along with the action taken report dated 12.07.2024, DJB has also placed on record, the old minutes of meeting for RWHSs and borewells of CGHS Societies in Dwarka which took place on 06.10.2021. The minutes reveal that even at that time, there was an issue of contamination of the ground water and it was noted that “the chances of contamination are due to mixing of rain water with the waste water from different sources other than the rooftop rain water”. This reflects that the issue of contamination of ground water in the Society concerned is not a new issue which has been noticed and pending for almost three years. Till now, no material has been placed on record by the DJB showing that any

corrective measures have been taken at the ground level. Counsel for DJB does not dispute that the DJB is the regulatory authority in this regard.

6. At this stage, learned Counsel for the DJB has sought one more opportunity, as a last opportunity to place on record the remedial and punitive action taken by the DJB. She is also directed to place on record, the details relating to consideration of the defects in the rain water harvesting system by the competent authority of the DJB and the action taken thereupon.

7. Let the fresh report be submitted by way of affidavit by the CEO, DJB within four weeks.

8. List on 05.12.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 28, 2024  
Execution Application No. 4/2023 In  
Original Application No. 147/2021  
SN

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

**E.A. 04/2023**

**IN**

**Original Application No. 147/2021**

**IN THE MATTER OF:**

**Mahesh Chandra Saxena**

**..... APPLICANT**

**VERSUS**

**Govt. of NCT of Delhi &Ors.**

**.. RESPONDENTS**

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Filed by:

  
Gajender Tomar  
Chief Engineer (DJB)

Dated:12.07.2024

CHIEF ENGINEER (GROUND WATER)  
DELHI JAL BOARD, GOVT. OF NCT OF DELHI  
ROOM NO. 412, VARUNALAYA PH-I,  
JHANDEWALAN, KAROL BAGH  
NEW DELHI-110005

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

E.A. 04/2023

IN

Original Application No. 147/2021

IN THE MATTER OF:

Mahesh Chandra Saxena

..... APPLICANT

VERSUS

Govt. of NCT of Delhi &Ors.

.. RESPONDENTS

**ACTION TAKEN REPORT (ATR) ON BEHALF OF DELHI JAL BOARD  
(DJB) IN COMPLIANCE OF ORDER DATED 15.05.2024**

**MOST RESPECTFULLY SHOWETH:**

1. That the present Action Taken Report is being filed on the behalf of Delhi Jal Board (DJB) in compliance of order dated 15.05.2024, wherein this Hon'ble Tribunal had observed as under:-

*"8. Learned Counsel for the DPCC does not dispute that on account of mixing of sewage such a result is reflected in the samples. Counsel appearing for the DPCC, on instructions, has submitted that since the design of RWH pits given by the DJB was defective, therefore, such a problem has arisen. DPCC is directed to convey this fact with full particulars to the DJB within a period of one week and the DJB will duly examine the issue of defects in the design of RWH and if the design is found to be defective then take appropriate corrective measures within a period of four weeks from the date of receipt of communication from the DPCC."*

2. That upon the uncorroborated statement of DPCC, this Hon'ble Tribunal in the aforesaid order directed DPCC to convey DJB to examine the design of RWH and duly verify if any defects exists in the design of RWHS. In case

any defects are observed then DJB to take appropriate corrective measures. However, on the contrary the DPCC by letter dated 27.05.2024 has pointed out that discharge of sewage/waste into RWHS is due to inappropriate sewage network system in the societies. Whereas, there lies no defect in the design of RWH system as observed in the minutes of meeting held on 06.10.2021 for rainwater harvesting and bore wells of all CGHS societies in Dwarka of the joint committee consisting of members of DPCC. The joint committee has apprised that regarding technical efficacy of RWHS system, the designs of the same has been adopted of DJB is satisfactory in technical efficacy and not defective. True copy of DPCC by letter dated 27.05.2024 is annexed as **Annexure- A**. True copy of minutes of meeting held on 06.10.2021 is annexed as **Annexure- B**.

3. It is pertinent to mention that DPCC has failed to convey to DJB full particulars and specifications as to the alleged defects in the design of RWH Pits for examination by DJB. It is further pertinent to mention that even though the design of sewerage network was provided by DJB as per norms however, the sewer network has been laid and maintained by the societies itself and are solely responsible to upkeep their own sewerage network.
4. The report is being submitted herein for perusal and consideration of this Hon'ble Tribunal.
5. It is further undertaken that Delhi Jal Board shall remain duty bound by any direction or order by this Hon'ble Tribunal as and when directed.

Filed by:

  
Gajender Tomar  
Chief Engineer (DJB)

Dated:12.07.2024

CHIEF ENGINEER (GROUND WATER)  
DELHI JAL BOARD, GOVT. OF NCT OF DELHI  
ROOM NO. 412, VARUNALAYA PH-I,  
JHANDEWALAN, KAROL BAGH  
NEW DELHI-110005

BY SPEED POST / EMAIL 435%



DELHI POLLUTION CONTROL COMMITTEE  
DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)  
4<sup>th</sup> & 5<sup>th</sup> FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6  
visit us at : <http://dpcc.delhigovt.nic.in>

File No. DPCC/10/10/14/Leg-23/486-487

Dated: 27/05/2024

To,  
Office of CE (Ground Water)  
Diary No. 607  
Date 30/05/2024  
The Chief Executive Officer,  
Delhi Jal Board, GNCTD,  
Varunalaya, Phase-II, Jhandewalan, Karol Bagh,  
New Delhi-110005



Subject: Compliance of order of Hon'ble NGT order dated 15.05.2024 E.A. No. 04/2023 in OA No. 147/2021 titled as "Mahesh Chandra Saxena Vs. Chief Secretary, Govt. of NCT of Delhi & Ors."

Sir,

Please find enclosed/attached herewith the order of Hon'ble NGT dated 15.5.2024 in EA No. 04/2023. Vide the said order, Hon'ble NGT has directed DPCC to convey the findings of sample analysis with full particulars to the DJB within a period of one week and the DJB will duly examine the issue of defects in the design of RWH and if the design is found to be defective then take appropriate corrective measures within a period of four weeks from the date of receipt of communication from the DPCC.

In view of the above, please find the details of 176 residential societies of Dwaraka, Delhi wrt RWHs, samples collected by the DPCC and findings indicating presence of Ammonical Nitrogen, TDS, Fecal Coliforms. It implies that sewerage network in societies are inappropriately giving rise to the discharge of sewage/ waste water into the RWH systems and design/ service plans are defective. This is for necessary action by DJB as per the order of Hon'ble NGT.

CO- CE(GW) FOR MR. P  
CE(SOUTH)

*Handwritten signature*

Incharge, CMC-II

Dr. B.M.S. Reddy  
Senior Environmental Engineer  
Delhi Pollution Control Committee  
4th & 5th Floor, ISBT Building  
Kashmere Gate, Delhi-110006

Encl: As above

COPY TO - Master File, CMC-II

SE (C)-8

Diary No. 423  
Date 31/5/24  
Delhi Jal Board

Pl-discuss in the chamber of CE (GW) in my presence  
ABI @S  
31/05/24

EE (RWH)  
DELHI JAL BOARD  
DIARY NO. 342  
DATE 03/06/24

*Handwritten initials and date*  
30/5/24

DELHI JAL BOARD: GOVT. OF NCT DELHI  
OFFICE OF THE EXECUTIVE ENGINEER (RWH)-I  
A-BUILDING, JHANDEWALAN, NEW DELHI

No.DJB/EE(RWH)-I/2021/(58)

Dated: 06.10.2021

Sub:- Minutes of the meeting for Rain Water Harvesting and bore wells of all CGHS Societies in Dwarka as per NGT Court orders. (Held on 06.10.21)

Ref:- Hon'ble NGT Court Order dated 07.07.2020 passed in Original Application No. 147/2021 Mahesh Chandra Saxena Versus The Chief Secretary, Govt. of NCT of Delhi & Ors.

Following were present:-

1. Sh. Ashutosh Kaushik, DTQC, DJB
2. Sh. Harish Chander, ACE(RWH), DJB
3. Sh. Vimal V. Belani, EE(RWH)-I
4. Ms. Suniti Parashar, Scientist "C" WQM-I Division, CPCB
5. Sh. N.K. Joshi, Environmental Engineer, DPCC
6. SH. Rakesh Kumar Sharma, AE-I, DJB

*(Signature)*  
DTQC

mom 6/10/21

*(Signature)*  
Suniti Parashar  
CPCB

Following points were deliberated:

- It was apprised that regarding technical efficacy of RWH Systems, the designs of the same have been adopted either from CGWB or DJB which are satisfactory in technical efficacy. The chances of the contamination are due to mixing of the rain water with the waste water from different sources other than that of roof top rain water.
- Regarding contamination of ground water, it was apprised to the committee on testing of the 38 Nos. water samples. It has been found that very partial contamination from the 27 parameters tested, samples have exceeded the permissible limit in only 03 parameters.
- It was further apprised that to avoid contamination of the ground water, only rain water from roof top area be diverted to the rain water harvesting systems. The water from other sources entering to RWH System should be disconnected with immediate effect.

*(Signature)*  
EE(RWH/GWC)-I

All Concerned

Copy to:-

1. Member (WS)/CNO : for kind information please.
2. CE(WB/Conservation) : -do-
3. ACE(RWH) : -do-
4. Ms. Sakshi Popli, DJB Legal Counsel, 614, Patiala House, New Delhi-110002.
5. AE-I(RWH)
6. O/c

*(Signature)*  
EE(RWH/GWC)-I  
EE (RWH/GWC)  
DELHI JAL BOARD  
VARUNALAYA BHAWAN  
JHANDEWALAN, N.D.-5

O/c

**DELHI JAL BOARD: GOVT. OF NCT DELHI  
OFFICE OF THE EXECURIVE ENGINEER (RWH)-I  
ROOM NO-208, VARUNALAYA PH-I,  
JHANDEWALAN, NEW DELHI-110005**

No. DJB/ EE (RWH)-I/2025/ 231 to 232

Dated: 15/4/25

To,

The Bhagwan Shree Gومتेश्वर Ji CGHS Ltd.,  
Plot no.3 A, Sector-02, Dwarka,  
New Delhi-110075

**Sub:- Regarding issuance of the Adequacy Certificate of the Rain Water Harvesting System for The Bhagwan Shree Gومتेश्वर Ji CGHS Ltd., Plot no.3 A, Sector-02, Dwarka, New Delhi-110075.**

Ref:-Letter no.notice-DJB(1)/2025 dated 25.03.2025.

In reference to your above mentioned letter, the site was visited by technical official and found the following observations/deficiencies:

1. Overflow not present in RWH pit.
2. Separator is not installed in RWH Structure.
3. Filter media laid was not as per DJB norms.

Therefore, you are requested to install the RWH system as per Delhi Jal Board norms and Public Notice dated 14.02.2023, available on the DJB website i.e., [www.delhijalboard.delhi.gov.in](http://www.delhijalboard.delhi.gov.in) and intimate this office within 7 working days, to avoid any penalty or adverse action as per DJB norms/policy.

With Regards

  
EE (RWH)-I

Copy to:

1. AE (RWH)

2. O/c

  
EE (RWH)-I