

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No.1357/2024

(I.A. No.117/2025)

In the matter of -

Rashi Sharma

Applicant

Versus

Harmeet Singh & Ors.

Respondent(s)

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Respondent No. 7 & 8

Date : 2/08/2025

New Delhi

Through

Filed by

बिनोद कुमार ढोडियाल / Vinod Kumar Dhaundiyal
 प्रशासक / Administrator
 केन्द्रीय भूमि जल प्राधिकरण / Central Ground Water Authority
 जल संसाधन, नदी विकास एवं गंगा संरक्षण
 Deptt of Water Resources, River Development & Ganga Rejuvenation
 जल शक्ति मंत्रालय / Ministry of Jal Shakti
 भारत सरकार / Government of India

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In the matter of -

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**REPLY ON BEHALF OF RESPONDENT No. 7 & 8 i.e. CENTRAL GROUND WATER
BOARD AND CENTRAL GROUND WATER AUTHORITY NEW DELHI
RESPECTIVELY**

Most Respectfully Showeth:

I, Vinod Kumar Dhaundiyaal S/o. Late Shri Ramesh Chandra Dhaundiyaal Aged 50 Years, working as Administrator in Central Ground Water Authority having office at 18/11, Jam Nagar House, Man Singh Road, New Delhi, the deponent herein do hereby solemnly affirm and state on oath as under: -

1. That I am competent to swear the present counter affidavit on behalf of Central Ground Water Board (CGWB), New Delhi and Central Ground Water Authority, New Delhi (CGWA) (hereinafter referred to as Answering Respondents) and I am aware of the facts and circumstances of the case based on record.
2. That, I have perused the contents of the above captioned O.A. and I am duly authorized to depose by way of the present affidavit.
3. That I am in my aforementioned official capacity, well conversant with the facts and circumstances of the present case on the basis of the documents and records available in



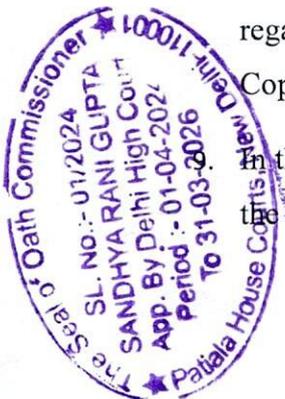
the department. As such, I am competent and authorized to swear this reply on behalf of Answering Respondents.

4. That I have read and understood the contents of the present Affidavit and state that the contents mentioned in the Affidavit are true and correct to the best of my knowledge.
5. That the Answering Respondents are not replying to the present application in para-wise manner and craves leave to file a detailed affidavit as and when necessary and required by this Hon'ble Tribunal.

Brief Fact-

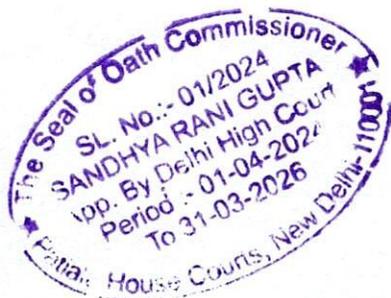
6. That in the present Original Application, the applicant has alleged that Respondent Nos. 1 and 2, namely Mr. Harmeet Singh (Owner/Builder) and Mr. Anil Bagai (Owner/Builder), are illegally extracting groundwater from borewells located at 43 and 42A, Bungalow Road (Western Side), Near Kamla Nagar Market, Delhi, for commercial construction.
7. As noted in Para 7 of the Hon'ble Tribunal's order dated 03.04.2025, Respondent No. 2 submitted its reply dated 18.02.2025, stating that the Information Officer of the CGWA disclosed details of the license issued to Respondent No. 2 in response to his RTI application. Accordingly, Hon'ble Tribunal directed CGWA to ascertain under which authority licenses were issued to without containing any date or validity period and also directed to find out is there licenses are validly issued, if not the officer/person responsible for issuing such licenses and will take appropriate action against him.
8. In pursuance to the direction to Hon'ble Tribunal, it is most respectfully submitted that on perusal of the reply filed by the Respondent No. 2 (R-2), it has been observed that R-2 has misinterpreted the information supplied by CGWA under RTI Act, 2005 vide letter No. 14-135/RTI/CGWA/Delhi/2021-22-45 dated 31.01.2025 and that the claim of R-2 regarding having a valid license for ground water abstraction from CGWA is not correct. Copy of RTI reply annexed herein as **Annexure-I**.

In this regard it is submitted that CGWA provided the registration number of bore well in the said property to the RTI applicant (i.e R-2) on the basis of available information



about borewells registered by CGWA during 1998-2000. It is to submit that R-2 has not revealed before the Hon'ble Tribunal the entire contents of RTI reply and has tried to mislead the court into believing that this registration certificate is valid certificate as on date. In RTI reply CGWA has clearly stated that after 10.07.2010, groundwater in NCT of Delhi is being regulated and controlled by the Delhi Jal Board (**DJB**) or New Delhi Municipal Corporation (**NDMC**), as the case may be, and that the validity of registration certificate issued earlier by CGWA has to be decided by the Competent Authority, i.e. DJB/NDMC. It may also be apposite here to bring to the notice of the Hon'ble Tribunal that CGWA has issued several letters to DJB and other authorities to decide about the validity of registration certificates issued by CGWA prior to 12.07.2010. The copies of letters regarding validity of registration certificates issued by CGWA are annexed herewith as **Annexure-II (COLLY)**.

10. In compliance to the directions issued by the Hon'ble Tribunal, it is submitted that in order to gather the information with respect to the borewells existing in the NCT of Delhi, CGWA had invited applications from groundwater users during the period 1998-2000 and issued Registration Certificate to them on the basis of information provided. Accordingly, CGWA issued 89878 registration certificates to the groundwater users in NCT of Delhi during 1998 to 2000. These certificates were merely registration of borewells and not the No Objection Certificates.
11. In 2010, the Government of NCT of Delhi, on the basis of directions of Lieutenant Governor of NCT of Delhi, issued Notification No. F8 (348)/EA/Env/09/2246 dated 12.07.2010 for regulation and control of groundwater management and development in NCT of Delhi. The copy of Notification No.F8 (348)/ EA/ Env/09/2246 dated 12.07.2010 is annexed as **Annexure-III**.
12. Accordingly, from 12.07.2010, groundwater in NCT of Delhi is being regulated by competent authority i.e. DJB and NDMC as the case may be. CGWA had transferred complete details of registered borewells to the DJB for further action. Thus, validity of registration certificates issued by CGWA prior to 2010 has to be decided by DJB.



13. That the present reply may kindly be taken on record and into consideration and the Hon'ble Tribunal may pass appropriate order(s), direction(s) as deemed fit and proper under the facts and circumstances of the present case.

I identify The Deponent who has signed & stamp in my presence

Vinod Kumar Dhaundiyal do hereby verify on 1st August, 2025 at New Delhi the contents of the above paragraphs which are true to my own knowledge and/or are in the nature of legal submissions which I believe to be true and no material has been suppressed herewith

Verification

02 AUG 2025

[Signature]
DEPONENT 1.8.25

बिनोद कुमार ढोड़ियाल / Vinod Kumar Dhaundiyal
प्रशासक / Administrator
केन्द्रीय भूमि जल प्राधिकरण / Central Ground Water Authority
जल संसाधन, नदी विकास एवं गंगा संरक्षण
Dept of Water Resources, River Development & Ganga Rejuvenation
जल शक्ति मंत्रालय / Ministry of Jal Shakti
भारत सरकार / Government of India

[Signature]
DEPONENT 1.8.25

बिनोद कुमार ढोड़ियाल / Vinod Kumar Dhaundiyal
प्रशासक / Administrator
केन्द्रीय भूमि जल प्राधिकरण / Central Ground Water Authority
जल संसाधन, नदी विकास एवं गंगा संरक्षण
Dept of Water Resources, River Development & Ganga Rejuvenation
जल शक्ति मंत्रालय / Ministry of Jal Shakti
भारत सरकार / Government of India



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. Vinod K. Dhaundiyal
S/o/W/o D/o... (Late) Parvesh Chandra Dhaundiyal
R/o.....
identified by Shri/Smt. G. J. C. Choudhary
has solemnly affirmed before me at
Delhi on..... at Sl. No. 22/70
that the contents of the affidavit which have
been read & explained to him are true and
correct
02 AUG 2025
Oath Commissioner, Delhi

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
केंद्रीय भूमि जल प्राधिकरण
गैलेरी नंबर 18/11, जाम नगर हाउस, मान सिंह रोड, नई दिल्ली -110011
फोन नंबर-011-23072580, ईमेल : cgwa@nic.in

सं- 14-135/RTI/CGWA/Delhi/2021-22-

45

दिनांक:-

31 JAN 2025

सेवा में,

Mr. Anil Bagai,
42 Bungalow Road, Kamla Nagar,
Delhi-110007

विषय: सूचना का अधिकार अधिनियम, 2005 के आवेदन-पत्र के संबंध में।

Sir,

This is with reference to your RTI application registration number CGWBD/R/P/25/00115 dated 30.01.2025 received by CPIO/CGWA, New Delhi on 30.01.2025 for seeking information under RTI Act, 2005. Point-wise reply to information sought is as under:

Point No.	Information sought under RTI	Reply												
1.	Whether there is a license applied/obtained for by Mr. Anil Bagai on or before the year 1997 to the CGWA?	As per list available with CGWA, details of Borewells registered in the property i.e. 42 Bungalow Road, Kamla Nagar, Delhi is appended below:-												
2.	Whether the license so applied for was approved	<table border="1"> <thead> <tr> <th>Sr. No</th> <th>Borewells Registration</th> <th>Name</th> <th>Address</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>DLOFCT/52620</td> <td>K.K. Bagai</td> <td>42 Bungalow Road, Kamla Nagar, Delhi</td> </tr> <tr> <td>2.</td> <td>DLOFAL/67703</td> <td>Anil Bagai</td> <td>42 Bungalow Road, Kamla Nagar, Delhi</td> </tr> </tbody> </table> <p>As per the order No. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010 issued by the Lt. Governor of NCT of Delhi and notified vide Department of Environment and Forest & Wildfire notification No. F8(348)/EA/Env/09/2246 dated 12.07.2010, groundwater management and development in NCT of Delhi is being regulated and controlled by the "Competent Authority" i.e. Delhi Jal Board or New Delhi Municipal Council as the case may be. Whether this registration certificate is valid or not, at present, it is to be decided by the Competent Authority.</p>	Sr. No	Borewells Registration	Name	Address	1.	DLOFCT/52620	K.K. Bagai	42 Bungalow Road, Kamla Nagar, Delhi	2.	DLOFAL/67703	Anil Bagai	42 Bungalow Road, Kamla Nagar, Delhi
Sr. No	Borewells Registration	Name	Address											
1.	DLOFCT/52620	K.K. Bagai	42 Bungalow Road, Kamla Nagar, Delhi											
2.	DLOFAL/67703	Anil Bagai	42 Bungalow Road, Kamla Nagar, Delhi											
3.	Please provide the certified copy of the borewell license.	As per the above notification, details of registration certificate issued by CGWA prior to 12.07.2010 have been forwarded to the DJB. Hence copy of registration certificate/application is not available with CGWA at this point of time.												
4.	Please provide the certified copy of the application for the license along with any attached documents.													

If the reply to the RTI queries is not satisfactory, then appeal against the reply may be made to the first appellate authority within 30 days from the date of receipt reply as per provision at section 19 of the RTI Act 2005, whose details are as under:

Dr. A. Asokan,
Member & First Appellate Authority,
Central Ground Water Board, Bhujal Bhawan,
NH-IV, Faridabad (Haryana)-121001.

भवदीय,



(विनोद कुमार दौडियाल)

प्रशासक एवं केन्द्रीय जन सूचना अधिकारी

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
केंद्रीय भूमि जल प्राधिकरण
गैलेरी नंबर 18/11, जाम नगर हाउस, मान सिंह रोड, नई दिल्ली -110011
फोन नंबर-011-23072580, ईमेल : cgwa@nic.in

No. CGWA-21/19/2021-CGWA 464

Dated 29 Oct 2024

To,
The Senior Environmental Engineer,
Delhi Pollution Control Committee,
4th & 5th Floor, ISBT Building,
Kashmere Gate, Delhi-110006

Reference: Your letter no. DPCC/CMC-VII/NGT EA 44/2023/E-198164/2024/4108-4112 dated-16.08.2024

Sir,

This is in reference to your letter cited above wherein Delhi Pollution Control Committee has requested the Central Ground Water Authority to clarify whether the registration certificate issued by the CGWA in Delhi be considered as permission to groundwater withdrawal or not.

It is to inform you that prior to order dated 18-05-2010 issued by Lieutenant Governor, NCT of Delhi notified vide DEPARTMENT OF ENVIRONMENT AND FORESTS AND WILDLIFE notification no. F8(348)/EA/Env/09/2246 dated 12/07/2010 ground water management and control was being regulated by the Central Ground Water Authority in NCT of Delhi.

Lieutenant Governor, NCT of Delhi vide para (1) of above order issued directions that **"In the whole of the National Capital Territory of Delhi, no person, group, authority, association or institution shall draw ground water through bore-well or tube-well (both new as well as existing and drawing ground water without permission of Central Ground Water Authority) for domestic, commercial, agricultural and or industrial uses without the prior permission of the "Competent Authority" that is to say, the Delhi Jal Board or the New Delhi Municipal Council as the case may be"**.

Cont. on page 2

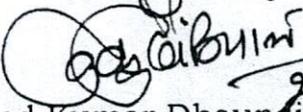
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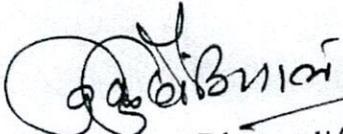
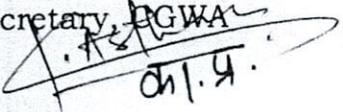
-2-

Hence, DJB/NDMC are appropriate authorities to decide whether the registration certificates issued by CGWA before 12.07.2010 are valid document at present or not, therefore you are requested to kindly take up matter to concerned departments.

Yours Faithfully


29/10/2024
Vinod Kumar Dhaundiya
Administrator, CGWA
For Member Secretary, CGWA

Copy to : The CEO, Delhi Jal Board, Varunalaya, Complex, staff Colony, Jhandewalan extension, Jhandewalan, New Delhi, Delhi-110005.


29-10-2024
Vinod Kumar Dhaundiya
Administrator, CGWA
For Member Secretary, CGWA

Ch. Y.

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भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
केंद्रीय भूमि जल प्राधिकरण
गैलेरी नंबर 18/11, जाम नगर हाउस, मान सिंह रोड, नई दिल्ली - 110011
फोन नंबर-011-23072580, ईमेल : cgwa@nic.in

No. CGWA-21/19/21-CGWA - 504

Dated: 08 NOV 2024

To,
The Block Development Officer (South),
M.B. Road, Saket,
New Delhi-110068

Subject: Permission for repair of bore well.
Reference: Letter No. F.BDO(S)/2024/385 dated 28.08.2024

Madam/Sir,

This has reference to above cited letter regarding permission for repairing of bore well(s) duly registered by the Central Ground Water Authority.

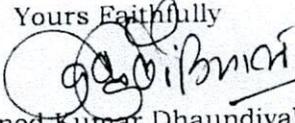
In this regard, it is informed that as per the order No F8 (348)/EA/Env/09/1041-1061 dated 18.05.2010 issued by the Lt. Governor of NCT Delhi and notified vide Department of Environment and Forests & Wildlife notification number F8(348)/EA/Env/09/2246 dated 12.07.2010, groundwater management and development in NCT of Delhi is being regulated and controlled by the "Competent Authority" i.e. Delhi Jal Board or New Delhi Municipal Council as the case may be.

Hence, DJB/NDMC are appropriate authority(s) for issuance of NOC for ground water extraction, registration of bore wells, validation/authentication of bore well(s) either registered by Delhi Jal Board or by CGWA prior to 12.07.2010 and permission for repair of bore well(s) etc.

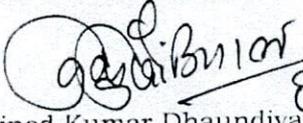
Accordingly, validity of Registration Certificate No. DLOFMH/28786 issued earlier by CGWA to Shri Satish Kumar Gupta is to be decided by the Delhi Jal Board or NDMC, as the case may be.

It is therefore requested to take up the matter with concerned authority.

Yours Faithfully


Vinod Kumar Dhaundiyal
Administrator, CGWA, New Delhi
08/11/2024
dc

Copy to : The CEO, Delhi Jal Board, Varunalaya Complex, Staff Colony, Jhandewalan Extension, Jhandewalan, New Delhi, Delhi-110005, for information and necessary action.


Vinod Kumar Dhaundiyal
Administrator, CGWA, New Delhi
8/11/2024
dc



CENTRAL GROUND WATER BOARD,
STATE UNIT OFFICE-DELHI,
MINISTRY OF JAL SHAKTI
DEPARTMENT OF WR, RD & GR
GOVERNMENT OF INDIA

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केन्द्रीय भूमि जल बोर्ड
राज्य एकक कार्यालय
जल शक्ति मंत्रालय
जल संसाधन नदी विकास एवं जल संरक्षण विभाग
भारत सरकार



No24-34/CGWB/SUO/ND/SS/2025-04

Dated: 02-04-2025

02 APR 2025

To
District Magistrate (South)
M.B. Road, Saket,
New Delhi - 110068

Subject- Meeting of District Level Advisory committee (DLAC) dated 07.03.2025- reg.

Reference- 1. Letter No. BDO(South)/2025/727-738 dated 18.03.2025
2. Letter No. BDO(S)/2025/740 dated 19.03.2025

Madam/ Sir,

This has reference to the Point No. 2 (i) of the Minutes of District Level Advisory committee (DLAC) held on 07.03.2025 wherein it was decided that the list of borewells received as part of Voluntary Disclosure Scheme of Delhi Jal Board shall be forwarded to CGWB to examine if they are given permission by CGWB.

In this regard, it is submitted that as per the order No F8 (348)/EA/Env/09/1041-1061 dated 18.05.2010 issued by the Lt. Governor of NCT Delhi and notified vide Department of Environment and Forests & Wildlife notification number F8(348)/EA/Env/09/2246 dated 12.07.2010, groundwater management and development in NCT of Delhi is being regulated and controlled by the "Competent Authority" i.e. Delhi Jal Board or New Delhi Municipal Council as the case may be.

Accordingly, CGWA had already shared the complete details of bore wells registered by the CGWA prior to 12.07.2010 to Delhi Jal Board. However, soft copy (excel sheet) of the same is again being forwarded through mail to DJB.

Since, DJB/NDMC are at present the appropriate authority(s) for issuance of NOC for ground water extraction, any registration of bore well(s), validation/ authentication of bore wells(s) either registered by Delhi Jal Board or by CGWA prior to 12.07.2010 may be examined and decided at the level of DJB.

It is therefore requested that Delhi Jal Board may suitably be advised to examine the matter and be advised to decide the validity of such registered borewell(s) as on date.

Encl: As above

Yours Faithfully

Prachi Gupta
02/04/2025
(Prachi Gupta)

Scientist-D for
Regional Director

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भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
केंद्रीय भूमि जल प्राधिकरण
गैलेरी नंबर 18/11, जाम नगर हाउस, मान सिंह रोड, नई दिल्ली -110011
फोन नंबर-011-23072580, ईमेल : cgwa@nic.in

No. CGWA-21/19/21-CGWA - 504

Dated: 08 NOV 2024

To,
The Block Development Officer (South),
M.B. Road, Saket,
New Delhi-110068

Subject: Permission for repair of bore well.
Reference: Letter No. F.BDO(S)/2024/385 dated 28.08.2024

Madam/Sir,

This has reference to above cited letter regarding permission for repairing of bore well(s) duly registered by the Central Ground Water Authority.

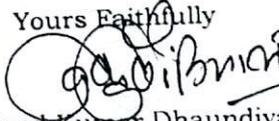
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Hence, DJB/NDMC are appropriate authority(s) for issuance of NOC for ground water extraction, registration of bore wells, validation/authentication of bore well(s) either registered by Delhi Jal Board or by CGWA prior to 12.07.2010 and permission for repair of bore well(s) etc.

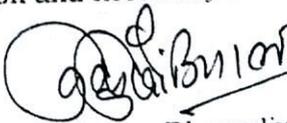
Accordingly, validity of Registration Certificate No. DLOFMH/28786 issued earlier by CGWA to Shri Satish Kumar Gupta is to be decided by the Delhi Jal Board or NDMC, as the case may be.

It is therefore requested to take up the matter with concerned authority.

Yours Faithfully


Vinod Kumar Dhaundiyal
Administrator, CGWA, New Delhi
08/11/2024
dc

Copy to : The CEO, Delhi Jal Board, Varunalaya Complex, Staff Colony, Jhandewalan Extension, Jhandewalan, New Delhi, Delhi-110005, for information and necessary action.


Vinod Kumar Dhaundiyal
Administrator, CGWA, New Delhi
8/11/2024
dc

(No. 2 of 1899) read with the Government of India, Ministry of Home Affairs, Notification No. S. O. 148 (E) dated the 24th January, 2008, the Chief Controlling Revenue Authority, Delhi hereby directs that M/s. Supreme Build-Cap Limited, Flat No. 116, First Floor, Plot No. D-1, Ashirwad Complex, Green Park, New Delhi-110016, shall pay a consolidated stamp duty of Rs. 7,49,994 (Rs. Seven lac forty nine thousand nine hundred ninety four) only on the aggregate value of shares of Rs. 74,99,94,000 for Equity Share Certificates with distinctive Nos. 5100001 to 10000000 to be issued by the said company.

By Order,
Of Chief Controlling Revenue Authority,
Govt. of National Capital Territory of Delhi,

R. K. MISHRA,
Special Inspector General (Registration)

पर्यावरण वन एवं वन्य जीव विभाग

अधिसूचना

दिल्ली, 12 जुलाई, 2010

फा. सं. 8(348)/ईए/पर्या./09/2246.—दिनांक 10 सितम्बर, 1992 की अधिसूचना संख्या यू. 11030/जे/91-यूटीएल के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 30 मार्च, 2009 के आदेश संख्या फा. 8(348)/ईए/पर्या./09/14433-14451 तथा फा. सं. 8(348)/ईए/पर्या./09/14452-14470 के अनुसार जारी तथा दिनांक 30 अप्रैल, 2009 के आदेश संख्या फा. 8(348)/ईए/पर्या./09/555-582 तथा फा. 8(348)/ईए/पर्या./09/583-610 के अनुसार जारी निदेशों का अधिक्रमण करते हुए, राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल ने दिल्ली में भूमिगत जल विनियम तथा प्रबंधन के लिये दिनांक 18 मई, 2010 को आदेश सं. फा. 8(348)/ईए/पर्या./09/1041-1061 के द्वारा संलग्न निर्देश जारी किए हैं।

जारी किए गए यथा संलग्न निर्देश इसके द्वारा जनसाधारण की जानकारी के लिये प्रकाशित किए जाते हैं।

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल
के आदेश से तथा उनके नाम पर,
सुषमा जैरथ, उप-सचिव

पर्यावरण विभाग

आदेश

दिल्ली, 18 मई, 2010

विषय : पर्यावरण संरक्षण अधिनियम, 1986 की धारा 5 के अन्तर्गत निर्देश।

सं. फा. 8(348)/ईए/पर्या./09/1041-1061.—जबकि केन्द्रीय सरकार ने राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार के लिए पर्यावरण संरक्षण अधिनियम, 1986 की धारा 5 के अन्तर्गत शक्तियों

के प्रयोग करने के लिए तथा किसी कार्य या प्रक्रम के समापन, प्रतिबंध या विनियमन या विद्युत या जल या किसी अन्य सेवा की पूर्ति में रोक या विनियमन के लिए किसी व्यक्ति, अधिकारी या किसी प्राधिकरण को इसके अन्तर्गत निर्देश जारी करने के लिए दिनांक 10 सितम्बर, 1992 की अधिसूचना एसओ 667 (अ) के अनुसार राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार के उपराज्यपाल को प्राधिकृत किया है।

और, जबकि दिल्ली जल बोर्ड अधिनियम, 1998 (1998 का दिल्ली अधिनियम 4) के अन्तर्गत गठित दिल्ली जल बोर्ड, राष्ट्रीय राजधानी क्षेत्र दिल्ली में पेय, घरेलू औद्योगिक तथा वाणिज्यिक जल पूर्ति के नेटवर्क का संचालन कर रहा है;

और जबकि निरन्तर भूमिगत जल दोहन से भूमिगत जल संसाधनों के जल स्तर में भारी हास हुआ है;

और जबकि अप्रतिबंधित एवं अनयमित भूमिगत जल दोहन के गंभीर दीर्घकालिक पर्यावरणीय संकट होते हैं;

और जबकि भूमिगत जल के अत्यधिक दोहन के परिणामस्वरूप भूमिगत जल संसाधन सूख सकते हैं और जल की गुणवत्ता पर प्रतिकूल प्रभाव पड़ सकता है;

और जबकि केन्द्रीय भूमि जल प्राधिकरण ने वर्ष 2000 में दिल्ली के दक्षिण और दक्षिण-पश्चिम जिलों को "अधिसूचित क्षेत्रों" के रूप में अधिसूचित किया था और उक्त जिलों में अधिक गिरते जल स्तर को तथा जल की गुणवत्ता में गिरावट को रोकने के लिए भूमिगत जल संसाधनों का दोहन हेतु निर्माण और किसी संरचना के प्रतिस्थापन करने संबंधी, प्रतिबंध और अंकुश लगाया गया था;

और जबकि मार्च, 2006 की एक अन्य अधिसूचना से केन्द्रीय भूमि जल प्राधिकरण ने दिल्ली के पूर्वी, नई दिल्ली, उत्तर पूर्वी, उत्तर पश्चिमी एवं पश्चिमी जिलों को विनियमन की आवश्यकता वाले अधिक शोषित क्षेत्रों के रूप में अधिसूचित किया है और उन जिलों में भूमिगत जल दोहन की संरचनाओं का पंजीकरण अनिवार्य किया।

अतः, अब गृह मंत्रालय, भारत सरकार की दिनांक 10 सितम्बर, 1992 की अधिसूचना एसओ 667(अ) फा. सं. यू. 11030/1/91-यू.टी.एल. के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 30 मार्च, 2009 के आदेश सं. फा. 8(348)ईए/पर्या./09/14433-14451 तथा सं. फा. 8(348)ईए/पर्या./09/14452-14470 तथा दिनांक 30 अप्रैल, 2009 के आदेश सं. 8(348)ईए/पर्या./09/555-582 तथा सं. 8(348)ईए/पर्या./09/583-610 के अनुसार जारी निदेशों का अधिक्रमण करते हुए, राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल एतद्वारा निम्नलिखित निर्देश जारी करते हैं :-

- (1) समूचे राष्ट्रीय राजधानी क्षेत्र दिल्ली में कोई भी व्यक्ति, समूह, प्राधिकरण, संघ या संस्थान, "सक्षम प्राधिकरण" अर्थात् दिल्ली जल बोर्ड या नई दिल्ली नगर परिषद, जैसी भी स्थिति हो, की पूर्व अनुमति के बिना घरेलू, वाणिज्यिक कृषि तथा या औद्योगिक प्रयोगों के लिए बोरवैल या नलकूप (नए तथा विद्यमान दोनों तथा केन्द्रीय भूमि जल प्राधिकरण की बिना अनुमति वाले) से भूमि जल का दोहन नहीं करेगा/करेगी।

(2) बोरवैल/ट्यूबवैल की अनुमति प्रदान करने संबंधी कार्यवाही दिल्ली सरकार के प्रत्येक राजस्व क्षेत्र के उपायुक्त (राजस्व) के माध्यम से सक्षम प्राधिकारी द्वारा की जाएगी जिसकी नियुक्ति, उसके अन्तर्गत आने वाले संबंधित राजस्व क्षेत्र में भू-जल विकास एवं प्रबंधन के विनियमन के उद्देश्य से "अधिकृत अधिकारी" के रूप में की जाती है।

(3) इसके अलावा, दिल्ली सरकार के प्रत्येक राजस्व क्षेत्र के उपायुक्त राजस्व; जो कि अधिकृत अधिकारी है, नियमों के उल्लंघन की जांच, अवैध बोरवैल/ट्यूबवैल को सील करना, अपराधियों के विरुद्ध मुकद्दमें दायर करने आदि जैसे अन्य मुद्दों पर भी कार्यवाही की शक्तियां प्रदान की जाती हैं, जिसमें सलाहकार समिति की सिफारिशों के आधार पर भू-जल संबंधी शिकायतों का निवारण भी शामिल है।

(4) राष्ट्रीय राजधानी क्षेत्र दिल्ली के नौ राजस्व क्षेत्रों में, प्रत्येक राजस्व क्षेत्र के उपायुक्त की अध्यक्षता में अलग-अलग एक सलाहकार समिति का एतद्द्वारा गठन किया जाता है, जिसमें निम्नलिखित सदस्य होंगे :-

1. उपायुक्त (राजस्व), संबंधित क्षेत्र	अध्यक्ष
2. निदेशक (पंचायत)	सदस्य
3. मुख्य अभियन्ता दिल्ली जल बोर्ड द्वारा मनोनीत	सदस्य
4. केन्द्रीय भूमि जल बोर्ड, नई दिल्ली का प्रतिनिधि	सदस्य
5. क्षेत्र का अधिकार रखने वाले स्थानीय निकायों के प्रतिनिधि	सदस्य
6. पर्यावरण विभाग, राष्ट्रीय राजधानी क्षेत्र दिल्ली/दिल्ली प्रदूषण नियंत्रण समिति के प्रतिनिधि	सदस्य
7. संबंधित उपायुक्त द्वारा मनोनीत प्रसिद्ध भूमि जल प्रबंधन की गैर सरकारी संस्था (एनजीओ) के प्रतिनिधि	सदस्य

(5) सलाहकार समिति की प्रत्येक माह कम से कम एक बैठक होगी जिसमें समिति संबंधित राजस्व क्षेत्र के भूमि जल के विनियम एवं प्रबंधन संबंधित विभिन्न विषयों पर विचार करके अपनी सिफारिशों को विचारार्थ एवं प्रवर्तन हेतु उपायुक्त को भेजेगी। केवल संस्तुत भू-जल बोरिंग के मामले ही अनुमति प्रदान करने हेतु सक्षम प्राधिकारी को भेजे जाएंगे।

(6) गैर कानूनी भूमि जल निकासी के तत्काल उल्लंघन जैसे मामलों में अधिकृत अधिकारी अपनी संतुष्टि के आधार पर, ड्रिलिंग रिग को जब्त करके, निर्मित ट्यूबवैल/बोरवैल अगर निर्मित है तो उसे सील करे, तथा बिजली युक्त

ट्यूबवैल की बिजली आपूर्ति चाहे यह डीजल जेनरेटर सैट के माध्यम से हो, काटकर, बिना सलाहकार समिति की सिफारिश का इंतजार किए भूमिगत जल के अवैध दौहन के रोकने को सुनिश्चित करेगा। तथापि ऐसी कार्यवाही का विवरण अधिकृत अधिकारी द्वारा अगली सलाहकार समिति की बैठक में रखा जाएगा।

(7) यदि कोई व्यक्ति, समूह प्राधिकरण, संघ या संस्थान बोरवैल या ट्यूबवैल (नए तथा विद्यमान दोनों तथा केन्द्रीय भूमि जल प्राधिकरण की अनुमति के बिना भूमि जल निकासी करने वाले) के माध्यम से जल निकासी करना चाहता है तो वह सक्षम अधिकारी की पूर्वानुमति लेगा। यह अनुमति सक्षम प्राधिकारी के क्षेत्रीय कार्यालयों में, विनिर्दिष्ट फार्म में आवेदन देकर प्राप्त की जाएगी।

(8) सक्षम प्राधिकारी का कार्यकारी अभियन्ता, संबंधित क्षेत्र का प्रभारी, तथ्यों के आधार पर राजस्व क्षेत्र के संबंधित उपायुक्त (राजस्व) को मामले की सिफारिश करेगा, जो सक्षम प्राधिकरण के कार्यकारी अभियन्ता तथा सलाहकार समिति की सिफारिशों को देखते हुए आदेश जारी करेगा।

(9) यदि भवन का प्लॉट का आकार 200 वर्ग मीटर से अधिक है तो बोरवैल या ट्यूबवैल (नए तथा विद्यमान दोनों तथा केन्द्रीय भूमि जल प्राधिकरण की अनुमति के बिना भूमि जल निकासी करने वाले से भूमि जल निकासी की अनुमति इस शर्त पर होगी कि उक्त प्लॉट या भवन का अधिकारी या स्वामी भवन में वर्षा जल संचयन प्रणाली स्थापित करेगा।

(10) व्यावसायिक या औद्योगिकी उपयोग हेतु बोरवैल या ट्यूबवैल (नए तथा विद्यमान दोनों तथा केन्द्रीय भूमि जल प्राधिकरण की अनुमति के बिना भू-जल निकासी करने वाले) से भूमि जल निकासी की अनुमति इस शर्त पर होगी, कि संबंधित व्यक्ति या प्राधिकरण, वर्षा जल संचयन संरचना स्थापित करेगा, तथा यह सुनिश्चित करेगा कि अपशिष्ट जल का उचित प्रशोधन के बाद बागवानी, शीतलीकरण या शौचालय आदि में पुनः प्रयोग होगा या संबंधित सलाहकार समिति द्वारा दिए गए किसी अन्य सुझाव के अनुकूल होगा।

(11) प्रत्येक सलाहकार समिति ऊपर लिखित सार्वधिक दायित्वों के अतिरिक्त, नलकूप या बोरवैल से जल दौहन के कारण किसी प्रकार के हुए जल प्रदूषण संबंधी सूचना, दिल्ली प्रदूषण नियंत्रण समिति को देगा ताकि जल (प्रदूषण रोकथाम एवं नियंत्रण) अधिनियम, 1974 के उपबंध के अन्तर्गत आवश्यक कार्रवाई की जा सके।

(12) कृषि प्रयोजनों के लिए बोरवैल लगाने की अनुमति खंड विकास अधिकारी तथा कृषि विभाग अथवा बाढ़ एवं सिंचाई नियंत्रण विभाग, दिल्ली सरकार की संस्तुति पर आधारित संबंधित उपायुक्त (राजस्व) के अन्तर्गत सलाहकार समिति द्वारा वास्तविक कृषकों को प्रदान की जा सकती है। कृषि कार्याकलाप खसरा वास्तविक प्रलेखों से सत्यापित की जा सकती है और यह गिरदाबरी मूल्यांकन पर भी आधारित की जा सकती है।

- (13) उक्त निर्देशों का किसी प्रकार का उल्लंघन पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 15 के अन्तर्गत दंडनीय होगा।

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल के आदेश से तथा उनके नाम पर,
धर्मेन्द्र, सचिव (पर्यावरण)

**DEPARTMENT OF ENVIRONMENT AND FORESTS
AND WILDLIFE
NOTIFICATION**

Delhi, the 12th July, 2010

No. F8(348)/EA/Env/09/2246.— In exercise of power conferred by Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) read with the notification No. U-11030/J/91- UTL dated the 10th September, 1992 and in supersession of directions issued vide Order Nos F8(348)/EA/Env/09/14433-14451 and F8(348)/EA/Env/09/14452-14470 dated the 30th March 2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated the 30th April 2009, the Lt. Governor of the National Capital Territory of Delhi, has issued Annexed directions vide order No. F8(348)/EA/Env/09/1041-1061 dated the 18th May 2010 for groundwater regulation and management in Delhi.

The direction issued as Annexed are hereby published for information of the general public.

By Order and in the name of Lt. Governor of the National Capital Territory of Delhi,
SUSHMA JERATH, Dy. Secy.

ANNEXURE

DEPARTMENT OF ENVIRONMENT

Order

Delhi, the 18th May, 2010

Sub : Direction under section 5 of the Environment (Protection) Act, 1986

F8. (348)/EA/Env/09.—Whereas, the Central Government has authorized the Lieutenant Governor of the National Capital Territory of Delhi vide notification S.O. 667 (E) dated the 10th September, 1992 to exercise powers under section 5 of the Environment (Protection) Act, 1986 for the National Capital Territory of Delhi and to issue directions thereunder, to any person, officer or any authority for the closure, prohibition or regulation of any operation or process or stoppage or regulation of the supply of electricity or water or any other services.

And whereas Delhi Jal Board constituted under the Delhi Water Board Act, 1998 (Delhi Act 4 of 1998) is dealing

with water supply network of drinking, domestic, industrial and commercial water in the National Capital Territory of Delhi;

And whereas continued abstraction of ground water has led to serve depletion of ground water resources;

And whereas non-restricted and non-regulated abstraction of ground water has serious long term environmental implications;

And whereas over abstraction of ground water can result in drying up of ground water resources and may also affect water quality;

And whereas Central Ground Water Authority had, in the year of 2000, notified the South and South-West districts of Delhi as "Notified Areas" and imposed prohibition and restriction in those districts on the construction and installation of any structure for abstraction of ground water resources to avoid further depletion and deterioration in water quality in the said districts;

And whereas through, another notification in March 2006, Central Ground Water Authority has notified East, New Delhi, North-East, North-West and West districts of Delhi as over exploited areas needing regulation, and registration of ground water abstraction structures in those districts was made compulsory.

Now, therefore, in exercise of power conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986) read with the Ministry of Home Affairs, Government of India Notification S.O. 667 (E) bearing F.No. U-11030/J/91- UTL dated the 10th September, 1992 and in supersession of directions issued vide Order Nos. F8(348)/EA/Env/09/14433-14451 and F8(348)/EA/Env/09/14452-14470 dated the 30th March 2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated the 30th April 2009, the Lt. Governor of the National Capital Territory of Delhi, hereby issues the following directions, namely:—

- (1) In the whole of the National Capital Territory of Delhi, no person, group, authority, association or institution shall draw ground water through bore-well or tube-well (both new as well as existing and drawing ground water without permission of Central Ground Water Authority) for domestic, commercial, agricultural and or industrial uses without the prior permission of the "Competent Authority" that is to say, the Delhi Jal Board or the New Delhi Municipal Council as the case may be.
- (2) The issue of grant of permission for borewell/ tubewell shall be dealt by Competent Authority through the Deputy Commissioner (Revenue) of each revenue area, GNCTD, who is hereby appointed as "Authorized Officer" for the purpose of regulation of ground water development and management in the respective revenue areas under the jurisdiction.

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- (3) The Deputy Commissioner (Revenue) of each revenue area, GNCTD, who is the Authorized Officer, are further delegated with the power of dealing with other issues such as checking violation and sealing illegal wells, launching of prosecution against offenders etc. including grievance redressal related to ground water, based on the recommendations of the Advisory Committee.
- (4) An Advisory Committee in each nine revenue areas of the National Capital Territory of Delhi is hereby constituted under the Chairmanship of the Deputy Commissioner of each revenue area comprising of the following members:
1. Deputy Commissioner (Revenue), : Chairman; of concerned revenue area
 2. Director (Panchayat) : Member;
 3. Chief Engineer nominated by : Member; Delhi Jal Board
 4. Representative of Central Ground : Member; Water Board, New Delhi
 5. Representatives of local bodies : Member; having jurisdiction over the area
 6. Representative of Department : Member; of Environment, GNCTD/DPCC
 7. Representative of reputed NGO : Member. in the field of Groundwater Management nominated by the Deputy Commissioner concerned
- (5) The Advisory Committee shall meet atleast once in every month to take up various issues related to ground water regulation and management in the concerned revenue area and give recommendations to the Deputy Commissioner for further consideration and enforcement. Only the recommended groundwater boring cases shall be forwarded to Competent Authority for grant of permission.
- (6) In emergent violation cases such as illegal groundwater drawl, the Authorized Officer, subject to his satisfaction, shall ensure the discontinuation of the same by the seizure of drilling rig, sealing of tubewell/borewell if so constructed and also disconnection of electricity supply to the energized tubewell even if it is through DG sets, without waiting for recommendation of Advisory Committee. However the details of such action shall be placed by the Authorized Officer in the next Advisory Committee meeting.
- (7) If any person, group, authority, association or institution, intends to draw ground water through bore-well or tube-well(both new as well as existing and drawing ground water without permission of Central Ground Water Authority), he shall take prior permission from Competent Authority. Such permission shall be obtained through submission of an application to Zonal Offices of the Competent Authority, in the form specified by the Competent Authority.
- (8) The Executive Engineer of the Competent Authority, incharge of the concerned area shall recommend the case, based on the facts on the ground, to the concerned Deputy Commissioner (Revenue) of the revenue area who shall issue orders in the light of the recommendations of Executive Engineer of the Competent Authority and the Advisory Committee.
- (9) If the plot size of the building is more than 200 sq. meters, the permission to draw ground water through borewell or tubewell (both new as well as existing and drawing groundwater without permission of Central Ground Water Authority) shall be subject to the condition that the occupier or owner of the said plot or building shall install rain water harvesting system in such building.
- (10) The permission to draw ground water through borewell or tubewell (both new as well as existing and drawing ground water without permission of Central Ground Water Authority) for commercial and or industrial use shall be subject to the condition that the concerned person or authority shall install the rain water harvesting structure, and shall ensure reuse of the water in horticulture or cooling or toilet flushing, etc after proper treatment of waste water or any other suggestions given by the concerned Advisory Committee.
- (11) Each of the Advisory Committee in addition to their above mentioned statutory duties, will inform Delhi Pollution Control Committee about any water pollution occurring, due to extraction of water from tube-well or bore-well so that, necessary action may be initiated under the provision of the Water (Prevention and Control of Pollution) Act, 1974.
- (12) The permission of borewell installation for agricultural purpose may be granted to genuine agriculturists by the Advisory Committee under concerned Deputy Commissioner (Revenue) based on the recommendation of Block Development Officer and Agriculture Department/Irrigation and Flood Control Department, Govt. of N.C. of Delhi.

Agriculture activity may be verified from Khasra Girdawari documents and also based on actual evaluation.

- (13) Any violation of the above directions shall be punishable under section 15 of the Environment (Protection) Act, 1986 (29 of 1986).

By Order and in the Name of the Lieutenant Governor of the National Capital Territory of Delhi,
DHARMENDRA, Secretary (Environment)

कार्यालय पंजीयक सहकारी समितियों
अधिसूचना

दिल्ली, 7 जुलाई, 2010

फा. संख्या 6(14)/85/स्था./सह./पार्ट फाइल 2349.—

दिल्ली के उपराज्यपाल, दिल्ली सहकारी समितियां अधिनियम, 2003 (दिल्ली अधिनियम 2004 का 3) की धारा 3 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री हरि नारायण मीणा, सहायक पंजीयक सहकारी समितियां को उपरोक्त अधिनियम के

अधीन कार्य को निपटाने के लिए उपरोक्त पद पर कार्य ग्रहण करने की तिथि से पंजीयक की सहायतार्थ नियुक्त करते हैं।

राष्ट्रीय राजधानी क्षेत्र, दिल्ली के उपराज्यपाल के
आदेश एवं नाम से,

एस. के. झा, अतिरिक्त सचिव (सहकारिता)

**OFFICE OF THE REGISTRAR COOPERATIVE
SOCIETIES
NOTIFICATION**

Delhi, the 7th July, 2010

No. F. 6/14/85/Estt./Coop/Pt. file 2349.—In exercise of the powers conferred by sub-section (1) of section 3 of the Delhi Co-operative Societies Act, 2003 (Delhi Act 3 of 2004), the Lt. Governor of the National Capital Territory of Delhi is pleased to appoint Sh. Hari Narain Meena, Adhoc DANICS as Assistant Registrar Cooperative Societies, Delhi, to assist the Registrar in discharging his duties and functions under the aforesaid Act with effect from the date he assumed charge of the said office.

By Order and in the Name of the Lt. Governor of the National Capital Territory of Delhi,
S. K. JHA, Addl. Secretary (Coop.)