BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No.639/2022
(I.A. No. 293/2023)

Pritpal Sharma ...Applicant

Versus

Government of NCT of Delhi &Ors. ...Respondents

With
M.A. No. 24/2023
In
O.A. No. 33/2022
(I.A. No. 02/2024)

Ganesh Prasad ...Applicant

Versus

Government of NCT of Delhi &Ors. ...Respondents

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New Delhi
Date: 19/3/2025

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REPLY ON BEHALF OF CEO, DJB TO SHOW CAUSE NOTICE DATED 08.01.2025 ISSUED BY THE HON'BLE NGT VIDE COMMON ORDER OF THE SAID DATE IN THE CAPTIONED MATTERS

MOST RESPECFULLY SHOWETH:-

1. That the present reply is being filed on behalf of the CEO, DJB, to the show cause notice issued vide common order dated 08.01.2025 passed by this Hon'ble Tribunal in the captioned matters. The relevant para of the said common order dated 08.01.2025 is reproduced hereunder :-

> *"16. In these facts and circumstances, we are constrained to issue show cause notices to the Chief Executive Officer, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi to show cause as to why they be not ordered to be*

prosecuted under Section 26 of the National Green Tribunal, Act 2010 for non-compliance with the order passed by this Tribunal and as to why they be not ordered to be arrested and detained in civil prison for securing compliance of orders including order dated 28.08.2024 passed by this Tribunal."

True copy of the common order dated 08.01.2025 passed in O.A. No. 33 of 2022 and O.A. No. 639 of 2022 is annexed herein as **ANNEXURE R-1**.

2. That the captioned matters pertains to the issue of illegal extraction of ground water by illegal borewells. The grievance of the applicant in OA No. 639/2022 "Pritpal Sharma Vs. Government of NCT of Delhi &Ors." is that the respondent no.5 had installed borewells in the plots House No. GI-2035 without permission from DJB and he is extracting groundwater for commercial purposes without obtaining 'No Objection Certificate' from CGWA and is supplying the same to residents of Aya Nagar and beyond through water tankers in violation of environmental laws/norms. Further, O.A. No. 33 of 2022 was filed by Mr. Ganesh Prasad with the grievance that the R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by one Mr. Ashish.

Proceedings of the Hon'ble NGT in O.A. No. 33 of 2022:

3. That this Hon'ble Tribunal vide order dated 31.01.2022 passed in O.A. No. 33 of 2022 titled Ganesh Prasad Vs. Govt of NCT of Delhi & Ors., constituted a Joint Committee comprising of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman State Ground Water Authority to look into the grievance of the Applicant i.e. Ganesh Prasad and file the report within 1 month upon visiting the site. That in compliance of the order dated 31.01.2022 of the Hon'ble Tribunal, passed in O.A. No. 33 of 2022, the Joint Committee

filed its report dated 29.07.2022 indicating that during inspection, and RO plant was verified at address plot No. 7, Block-K, Chanakaya Palace-II, Uttam Nagar, New Delhi in the name of Ajit Kumar and Ashish Kumar. However, at Plot No. 9, Block –K no RO plant was present. It was reported that no NOC permission was obtained from CGWA for running an RO plant for the extracted water from ground. RO plant was operational since 1-2 years as told by the person and as per information given by the person around 300-400 bottles of capacity 20 liters were being supplied in the nearby places. The ground water sample tested with the TDS meter and reported value of TDS was 739 mg/liter. Further the waste water generated from the plant was being directly discharge into the sewer.

It is relevant to mention that the DJB in writing vide letter dated 22.09.2022 informed that the unit of illegal RO Plant could not be sealed as no one from the office of DM (South West), Delhi was present during the joint inspection. It also enclosed a letter written by DJB to SDM (Dwarka) for taking action against the illegal bore well observed during the joint inspection on 29.07.2022. No Action Taken Report was received from DM (South West) Delhi. DPCC too wrote letter dated 05.12.2022 to DM (South West) Delhi for taking necessary action.

That vide order dated 21.07.2023, the District Magistrate (South West) Delhi was directed to comply with the directions issued by the DPCC and submit further action taken report and the DPCC was directed to calculate environmental compensation and to realize the same in accordance with the rules and to submit report in this regard.

That in the proceedings dated 02.11.2023, the Hon'ble NGT observed that No reports were submitted by the District Magistrate (South West) Delhi and the

DPCC in compliance of above mentioned order. Mr. V.K. Mongia, SDM (Dwarka) appeared before this Tribunal through VC on 02.11.2023 and verbally submitted that the R.O. plant had been sealed on 02.11.2023 and the report will be submitted in due course of time. The DPCC submitted that appropriate proceedings are being initiated for imposition and realization of environmental compensation from the project proponents. Further Hon'ble Tribunal in the order dated 02.11.2023 observed that the case also showed insensitivity to environmental issues and inefficiency, inaction, gross negligence on the part of instrumentalities of the State, which are under Constitutional obligation to protect and improve the environment. Unauthorized R.O. plant is stated to have been sealed on 02.11.2023 despite the fact that order constituting the Joint Committee with direction to submit factual and action taken report within three months was passed on 31.01.2022 and was conveyed to the concerned authorities by email dated 07.02.2022 sent at the email IDs "Chairman, DPCC. The Hon'ble Tribunal also issued show cause to notices were issued to (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) Delhi and (iv) SDM Dwarka as to why environmental compensation be also not imposed on them and directed Personal appearance of (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) and (iv) SDM Dwarka (physically or through VC). Notices were also issued to Ajit Kumar and Ashish Kumar Plot no. 7, Block-K, Chanakya Palace II, Uttam Nagar.

In the course of hearing on 09.11.2023 the violators Ajit Kumar and Ashish Kumar stated that about 5 to 6 other illegal borewells were operating in the area and even Mr. Shashi Kant, Assistant Engineer stated that he had some information about 4 other illegal borewells operating in the area. The District Magistrate (South West), Delhi and SDM Dwarka, Delhi were directed to

conduct appropriate fact finding enquiry and fix responsibility for not taking of prompt remedial action of sealing illegal borewell and delay in compliance with the orders passed by this Tribunal and take appropriate disciplinary action against defaulting officials and submit an interim/final action taken report. The Chief Secretary, GNCT of Delhi was also directed to obtain explanation of the concerned officers who were posted as District Magistrate, South West/SDM Dwarka during the relevant period for ascertaining reasons of non-compliance with the orders passed by this Tribunal and to send the same to this Tribunal. That despite order for appearance on 09.11.2023 CEO, DJB did not appear physically or through VC and did not make any request for exemption and appearance through any Senior Officer. On the other hand, Mr. Shashi Kant, Assistant Engineer appeared and stated that CEO, DJB had dual charge and was busy in some other work. All efforts made through DJB Officers/Officials and Registry of the Tribunal to join CEO, DJB through VC/mobile phone call remained unfruitful. . In the facts and circumstances of the case, considering the nature of illegalities involved, significance of the remedial measures and necessity of taking prompt action, this Tribunal considered examination of CEO, DJB with respect to the complaints filed regarding illegal borewells, action taken regarding the same, monitoring mechanism evolved and action taken against defaulting officers/officials to be essential. Accordingly, summons were ordered to be issued against CEO, DJB to appear before this Tribunal on 04.12.2023.

On 04.12.2023, Mr. A. Anbarasu, CEO, DJB appeared before this Tribunal alongwith other DJB officers and also filed reply affidavit vide email dated 02.12.2023 regarding action taken by DJB on receipt of a copy of order dated 31.01.2022.

In the reply affidavit it was mentioned that the concerned JE (Civil) visited the

premises in question on 26.02.2022 and it was discovered that the illegal bore-well and unauthorised RO Plant was installed at K-7, Chanakaya Palace, Part II, New Delhi and was owned by Mr. Ajit Singh. The concerned EE (M- 30) upon receipt of site inspection report from JE(Civil), promptly reported about the illegal extraction of water through unauthorized ground water bore-well existing at K-7, Chanakaya Place, Part II, New Delhi-59, to the SubDivisional Magistrate (Dwarka) vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water. In terms of the order dated 31.01.2022 passed in O.A. No. 33 of 2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors. , DPCC organized the inspection on 29.07.2022 of the site K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. The officials of Delhi Jal Board (DJB), CGWA & DPCC attended the inspection at site on 29.07.2022. However, the bore-well in question could not be sealed on the date of inspection as no office from the office of the concerned District Magistrate (South-West), Delhi was present during Joint Inspection. Thereafter, the concerned EE(M), DJB had issued reminder letter dated 09.09.2022 to SDM (Dwarka) alongwith the copy of order dated 31.01.2022 of this Tribunal requesting immediate action and sealing of the bore-well in question.

On 21.07.2023, M.A. No. 24 of 2023 in O.A. No. 33 of 2022 was taken up for hearing by this Tribunal wherein the grievance was made regarding running of unauthorized RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi.

It was further submitted in the reply affidavit that in compliance of order dated 21.07.2023 DJB had been taking active steps to launch awareness programmes through various RWAs and Commercial and Industrial Associations to create awareness among the residents to encourage Rain Water Harvesting and

warning the citizens not to engage in illegal activities such as erection, installation and use of borewell for residential, commercial and industrial use. Further, there is also helpline no. 1916 activated by DJB for reporting any illegal activities in respect of water and water connection including use of illegal borewells. DJB has vigilantly acted upon the three other complaints received in respect of illegal borewells installed in Chanakaya Place and its adjoining areas and has duly intimated the concerned office of SDM (Dwarka) through letters and telephonically to initiate sealing actions as per the SOP. Further, reminders have also been sent to the concerned SDM (Dwarka) and DM through letters dated 29.11.2023.

In the reply affidavit it was also mentioned that about 19661 illegal bore-wells were identified as on 31.08.2021 and thereafter DJB has continued to identify illegal bore-wells and prevent ground water extraction. Order dated 21.07.2023, was not in the knowledge of DJB and its counsel or representative could not attend on 02.11.2023. In the reply affidavit CEO, DJB also mentioned that order dated 04.11.2023 was brought to his notice for the first time on 09.11.2023 and due to prescheduled engagements mentioned in the reply affidavit, he was unable to attend the hearing before this Tribunal and could not file exemption application.

The CEO, DJB was allowed to file status report giving requisite information in detail in tabular format with respect to following aspects:-

(i) District wise number of illegal borewells identified;
(ii) District wise number of illegal borewells which have been sealed/closed;
(iii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
(iv) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
(v) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
(vi) District wise number of illegal borewells which are yet to be

sealed/closed; and

(vii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

The DJB filed status report in compliance to order dated 04.12.2023 and 04.01.2024 and also filed supplementary status report vide email dated 13.04.2024.

It is relevant to mention that in O.A. No. 33/2022 titled as Ganesh Prasad vs. Government of NCT of Delhi & Ors. despite order passed by this Tribunal on 31.01.2022 for taking of remedial action, illegal borewell was sealed on 02.11.2023 after proceedings were initiated by listing of M.A. No. 24/2023 and environmental compensation of Rs. 1 lakh imposed on violators Shri Ajit Kumar and Shri Ashish Kumar is yet to be recovered by SDM (Dwarka), Delhi to whom reference for recovery has been made by DPCC vide letter dated 11.01.2024.

That M.A. No. 24 of 2023 in O.A. No. 33 of 2022 filed by Applicant Ganesh Prasad was taken up for hearing on 18.04.2024 alongwith O.A. No. 639 of 2022. None appeared for the Applicant and both the cases were reserved for orders.

True copy of the order dated 31.01.2022 passed in O.A. No. 33 of 2022 is annexed herein as **ANNEXURE R-2**. True copy of the report of the Joint Committee dated 29.07.2022 is annexed herein as **ANNEXURE R-3**. True copy of order dated 21.07.2023 passed in O.A. No. 33 of 2022 is annexed herein as **ANNEXURE R-4**. True copy of order dated 02.11.2023 passed in O.A. No. 33 of 2022 is annexed herein as **ANNEXURE R-5**. True copy of orders dated 09.11.2023 passed in O.A. No. 33 of 2022 is annexed herein as **ANNEXURE R-6**. True copy of orders dated 04.12.2022 passed in O.A. No. 33 of 2022 is

annexed herein as **ANNEXURE R-7**. True copy of the reply affidavit of DJB vide email dated 02.12.2023 on receipt of a copy of order dated 31.01.2022 is annexed herein as **ANNEXURE R-8**. True copy of orders dated 21.07.2023 passed in O.A. No. 33 of 2022 is annexed herein as **ANNEXURE R-9**. True copy of reply affidavit that in compliance of order dated 21.07.2023 by DJB is annexed herein as **ANNEXURE R-10**. True copy of status report in compliance to order dated 04.12.2023 and 04.01.2024 is annexed herein as **ANNEXURE R-11**. True copy of supplementary status report vide email dated 13.04.2024 of DJB is annexed herein as **ANNEXURE R-12**. True copy of order dated 18.04.2024 is annexed herein as **ANNEXURE R-13**.

Proceedings of the Hon'ble NGT in O.A. No. 639 of 2022:

4. That similarly vide order 15.09.2022 passed in O.A. No. 639 of 2022, this Hon'ble Tribunal constituted a joint committee comprising of representative of Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponents, verify the factual position and submit its report within one month. In compliance of the order dated 15.09.2022 passed in O.A. No. 639 of 2022, the report of the Joint Committee dated 11.10.2022 was filed in the O.A. No. 639 of 2022 wherein it was found that illegal borewell/ sub-mersible was found in the Plot adjoining house No. G1-2035, Aya Nagar, New Daelhi 110047 during the time of inspection and plot opposite to house No. G1-2038, Aya Nagar was found locked. It was also observed that no severe line was present in the aya Nagar Colony and storm water drains was found covered with slabs on the both side of the street. It was further observed that stairs/ ramps are being constructed on

the slabs of storm water drain partially. That this Hon'ble Tribunal considered the report dated 11.10.2022 of the Joint Committee on 06.12.2022 and vide order of the said date observed and directed that "*We have gone through the report and we find that the Joint Committee has merely said that plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, New Delhi was locked and has not verified the factual position of any bore-well in the above said plot. The Joint Committee is directed to revisit the above-said plot and verify the factual position and submit its report within two months*". That in compliance of order dated 06.12.2022, the Joint Committee submitted its report dated 10.03.2023. The observations of the Joint Committee in its report dated 10.03.2023 were as under:

- *Local inquiry reveals that in the plot/ address, an illegal bore-well exist and this bore-well is used for RO Plant for commercial purposes (Selling of Water).*
- *The main gate of the plot was found locked.*
- *After ascertaining that there was nobody inside the premises, the main gate of the premises/ plot and main valve of water tank has been sealed.*
- *In the meantime, some relative of the plot owner visited the site and admitted that there is an illegal bore-well and RO Plant which was used for commercial purpose.*
- *During the joint inspection, Revenue Department completed the sealing process.*

The Joint Inspection of the site was also conducted in the presence of SDM, Mehrauli, Scientist CGWB, Executive Engineer, DJB, JE DJB and JE DPCC on 13.04.2023 and report in this regard was submitted before the Hon'ble NGT. That on 21.04.2023, Mr. Mekala Chaitanya Prasad, District Magistrate (South), Delhi appeared before the Hon'ble Tribunal and after interacting with the Hon'ble Tribunal, he assured to evolve mechanism and take appropriate remedial action regarding illegal borewells operating in the area. That vide order dated 21.04.2023, passed in O.A. No. 639 of 2022, the Hon'ble Tribunal

directed DM, South, Delhi to file action taken report in this regard. It is submitted that further during hearing of the case on 24.07.2023, the Applicant of the case submitted that during the visit the lady and her son was seriously beaten by the authority concerned or on the direction of the authority in their presence with a view to withdraw the complaint or to not prosecute further proceedings. The applicant further submitted that there are tanker mafias which are extracting groundwater and through RO Plants, they are doing commercial activities and the authorities concerned are not taking any action against these tanker mafias. The Hon'ble Court vide order dated 24.07.2023, while referring to directions stated 15.05.2023 passed in the similarly connected matter being OA No. 685/2019, Rakesh Kumar vs. Govt. of NCT of Delhi, directed the SDMs present in court on the said date:

> "*to take necessary action and develop effective mechanism for preventing extraction of groundwater by unauthorized operators and tanker mafias and prompt coercive measures must be taken. The illegal borewells must be stopped immediately and sealed according to the rules. The past violations and extraction of groundwater shall be calculated according to rules and according to parameters laid down by the CPCB and the environmental compensation must be imposed according to law. SDM is further directed to take assistance from electricity department and to ensure disconnection of electricity supply for illegal borewells which are being used for illegal extraction of groundwater/borewells*"

In compliance of the Order dated 24.07.2023, the reports were filed by SDM, Mehrauli vide emails dated 25.08.2023 and 07.09.2023, by the District Magistrate (South) Delhi vide email dated 14.09.2023 and by the DPCC vide email dated 17.10.2023.

That in the Order dated 07.02.2024, the Hon'ble Tribunal observed that the report filed on record by DPCC has been prepared casually without taking into consideration the observations made by this Tribunal in its orders passed in the case and thus directed DPCC to file additional report. Further personal

appearance of the concerned Chief Engineer, DJB, the District Magistrate, (South), Delhi and the SDM, Mehrauli, physically was directed on the next date of hearing. That the DJB filed the status report dated 07.03.2024 in compliance of order dated 07.02.2024.

That in the Order dated 18.03.2024, it was observed that Delhi Jal Board has filed its report giving requisite information regarding 15 borewells. The SDM Mehrauli, statement was recorded in the Order dated 18.03.2024 that "*where borewell was sealed falls in Khasra No. 1978, Village Aya Nagar and ownership of the land falls in the name of Forest Department*". Accordingly, vide order of the said date DCF (South) was impleaded as Respondent No. 10. Further, vide the said order the Hon'ble Tribunal observed and directed as under:-

> "*We find serious deficiencies in the working of the governmental agencies who have been assigned the task of taking remedial action on complaints received regarding operation of illegal borewells in NCT of Delhi.*
>
> *8. It may be observed here that this Tribunal vide order dated 15.05.2020 passed in O.A. No. 685/2019 directed the Chief Secretary, Delhi to take a meeting within one month and oversee preparation of an appropriate SOP for preventing extraction of ground water by way of unauthorized borewells and wherever such illegality was found, prompt coercive measures be taken. In compliance thereof meeting was taken by the Chief Secretary, Delhi on 12.06.2020 and SOP was finalized and brought into effect.*
>
> *9. During hearing of the above said O.A. it was brought to the notice of the Tribunal that DJB had identified 19661 illegal borewells on which action was being taken and 7248 units had already been closed by the district authorities and the remaining units were remaining to be closed.*
>
> *10. DJB is directed to file status report with reference to all illegal borewells identified by it in the NCT of Delhi including illegal borewells remaining to be closed out of above mentioned 19661 illegal borewells. Action Taken Report in this regard be filed by DJB on or before 15.04.2024 giving the complete information at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image*

PDF"

Further, vide order of the said date, the Hon'ble Tribunal issued following directions:

> *"(i) The Chief Secretary, GNCT of Delhi was directed to convene a meeting with the CEO, DJB, the Member Secretary, DPCC and all concerned officers of GNCTD (including the District Magistrates in Delhi), DJB and MCD for taking remedial measures for proper implementation of the directions issued by Hon'ble Supreme Court, this Tribunal, provisions contained in Delhi Jal Board Act, 1998, directions issued with the approval of Lt. Governor, Delhi on 18.05.2010 and 10.01.2014, Minutes of Meeting held by the Chief Secretary, Delhi on 12.06.2020 and SOP finalized regarding the same.*
> *(ii) DPCC was directed to file additional status report giving the complete information with respect to all relevant aspects including the total amount of EDC imposed and the total amount of EDC which has been recovered.*
> *(iii) Respondent no. 1-GNCTD was directed to file its response as to why in view of the delay on the part of its officers in realization of amount of environmental compensation imposed on the violators, GNCTD be not directed to pay the amount of environmental compensation for remediation of the environmental damage caused with liberty to recover the same from the violators through the proceedings initiated on references received from DPCC as remediation of environment cannot be deferred.*
> *(iv) All the District Magistrates in NCT of Delhi were directed to upload on the respective website of the District Administration latest by 15.04.2024 the information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused.*
> *(v) The Chief Secretary, NCT of Delhi was directed to issue appropriate instructions for requisite compliance while specifically mentioning that in case of inaction/negligence on the part of the concerned administrative officers strict disciplinary action will be taken against them.*
> *(vi) The Chief Secretary, NCT of Delhi was also directed to look into the matter of recovery of Environmental Damage Compensation (EDC) in the remaining cases and issue appropriate instructions for expediting the recovery thereof.*
> *(vii) Personal appearance of the officers duly authorised by the Chief Secretary, NCT of Delhi, CEO, Delhi Jal Board and the Member Secretary, DPCC (physically) before this Tribunal was ordered."*

That in compliance of order dated 18.03.2024, Delhi Jal Board filed supplementary status report.

That on 18.04.2024, the O.A. No. 639 of 2022 was taken up with M.A. No. 24/2023 in O.A. No. 33/2022 titled as Ganesh Prasad Vs. Govt. of NCT of Delhi & Ors. and reserved for orders.

True copy of the order dated 15.09.2022 passed in O.A. No. 639 of 2022 is annexed herein as **ANNEXURE R-14**. True copy of the report of the Joint Committee dated 11.10.2022 is annexed herein as **ANNEXURE R-15**. True copy of the Order dated 06.12.2022 passed in in O.A. No. 639 of 2022 is annexed herein as **ANNEXURE R-16**. True copy of the report of the Joint Committee dated 10.03.2023 is annexed herein as **ANNEXURE R-17**. True copy of the Joint Inspection conducted on 13.04.2023 at site Opposite GI-2038, Aya Nagar is annexed herein as **ANNEXURE R-18**. True copy of Order dated 21.04.2023 in O.A. No. 639 of 2022 is annexed herein as **ANNEXURE R-19**. True copy of Order dated 24.07.2023 in O.A. No. 639 of 2022 is annexed herein as **ANNEXURE R-20**. True copy of Order dated 07.02.2024 in O.A. No. 639 of 2022 is annexed herein as **ANNEXURE R-21**. True copy of Status Report DJB dated 07.03.2024 filed in compliance of order dated 07.02.2024 is annexed herein as **ANNEXURE R-22**. True copy of Order dated 18.03.2024 in O.A. No. 639 of 2022 is annexed herein as **ANNEXURE R-23**. True copy of Supplementary status report filed in compliance order dated 18.03.2024 is annexed herein as **ANNEXURE R-24**.

Clubbed Proceedings of O.A. No. 33 of 2022 & O.A. No. 639 of 2022

5. That on 18.04.2024, the M.A. No. 24 of 2023 in O.A. No. 33 of 2022 and O.A. No. 639 of 2022 was taken up and reserved for orders. The common order was passed on 28.08.2024 wherein this Hon'ble Tribunal issued 15 directions to various departments such as CGWA, Deputy Commissioner Revenue of GNCTD, DPCC, Government of NCT of Delhi, DJB, concerned DMs etc., which are reproduced hereunder:-

> *"(i) CGWA is directed to own the responsibility of assessing status of groundwater in terms of quality, quantity, availability for abstraction and recharge and aid and advise DJB in regulating drawal of ground water assessment unit wise in NCT of Delhi by carrying out*

requisite scientific studies and issuing appropriate directions/making appropriate recommendations to DJB and the concerned Deputy Commissioner (Revenue), who also has the designation and powers of District Magistrate in NCT of Delhi and is referred to in this order at some places as District Magistrate and hereafter as Deputy Commissioner (Revenue), of each revenue area in GNCTD and submit action taken report within three months.

(ii) All functional borewells in NCT of Delhi, which do not have NOC from CGWA/DJB (issued by concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD) being illegal, are ordered to be closed/sealed with immediate effect.

(iii) Concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to take action for closing/sealing of illegal borewells already identified and also initiate proceedings for the prosecution of the violators within three months.

(iv) The concerned Project Proponents of new or existing borewells sealed by the Deputy Commissioner (Revenue) of each revenue area in GNCTD may submit application for grant of NOC to DJB and such applications for grant of NOC be decided expeditiously preferably within three months from the date of submission.

(v) DJB through Deputy Commissioner (Revenue) of the revenue area in question is directed to take requisite action for grant of permission for borewells in accordance with recommendations of the concerned Executive Engineer and Advisory Committee in accordance with groundwater level notifications, environmental norms/guidelines and directions issued by Hon'ble Supreme Court and this Tribunal, recover appropriate charges for drawal of ground water and impose appropriate conditions for recharge of ground water and ensure actual implementation thereof on the ground with geo-tagging for monitoring purpose.

(vi) DJB is directed to conduct survey from time to time for further identification of illegal borewells and take requisite action in respect of illegal borewells identified by further survey in accordance with environmental laws/SOP/directions issued by Hon'ble Supreme Court/this Tribunal.

(vii) DPCC is directed to finalize the proceedings already initiated for imposition of environmental compensation by issuance of show cause notices or initiate proceedings for imposition of environmental compensation on all the violators already identified and pass appropriate orders for imposition of environmental compensation on them and make references for recovery of environmental compensation from all the violators on whom environmental compensation has already been imposed in accordance with law within three months.

(viii) Government of NCT of Delhi is directed to transfer to DPCC within three months amount of Rs. 70 crores (equal to the amount of environmental compensation imposed by DPCC for which recovery proceedings are pending with the officers of the Government of NCT of Delhi for more than three years) for utilization by DPCC for revival/restoration/rejuvenation /creation of water bodies, rain water harvesting pits etc. and for conservation and recharge of ground water as remediation of environmental damage caused by illegal drawal of ground water cannot be deferred for long periods of time to be taken by the authorities in effecting the recovery and Government of NCT of Delhi may thereafter recover the amount from the violators in accordance with law or waive the recovery as considered appropriate.

(ix) DPCC is directed to prepare and implement Action Plan, in consultation with DJB, concerned Deputy Commissioner (Revenue)/DM and District Advisory Committee for utilization of (i) amount equal to the amount of Environment Compensation imposed on and to be recovered from the violators by drawing the same from the amount of environment compensation lying deposited with it and (ii) amount transferred by Government of NCT of Delhi in lieu of the amount of environmental compensation to be recovered by its officers from the violators, for remediation of environmental damage caused immediately as such remediation ought not to be deferred for long periods of time

likely to be taken in recovering the amount of environmental compensation from the violators and the amount so drawn or transferred may be reimbursed on recovery of the amount from the violators.

(x) DJB is directed to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding number of applications for grant of NoC, number of such applications filed/pending for decision, number of such applications allowed and NoCs granted, number of applications rejected, number of borewells which have been granted NOC, illegal borewells which have been closed/sealed and illegal borewells which are yet to be closed/sealed, procedure for processing of the application for grant of NoC for abstraction of ground water, the charges to be levied for abstraction of ground water, the penal provisions for punishing illegal abstraction of groundwater and liability to pay environmental compensation for illegal abstraction of ground water on its web site by 30.09.2024 and to update the same within 7 days at the end of each month.

(xi) DPCC is directed to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding (i) proceedings initiated for imposition of environmental compensation on the violators (ii) proceedings finalized for imposition of environmental compensation on the violators; (iii) references made for recovery of environmental compensation from the violators; (iv) amount of environmental compensation recovered; (v) amount of environmental compensation to be recovered; (vi) amount of environmental compensation utilized; (vii) amount of environmental compensation to be utilized; (viii) activities carried out for utilization of the amount of environmental compensation and (ix) activities proposed to be carried out for utilization of the amount of environmental compensation on its web site by 30.09.2024 and to update the same within 7 days at the end of each month thereafter.

(xii) All the Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to upload with link on the main page of their respective websites under heading 'Groundwater Management' complete information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused on the respective website of the District Administration by 30.09.2024 and to update the same within 7 days at the end of each quarter thereafter.

(xiii) CGWA is directed to upload with link on the main page of its website the information regarding the status of groundwater, the necessity for regulation and management of groundwater abstraction, the copies of public notices issued by CGWA and measures taken for regulation, management, conservation and recharge of groundwater.

(xiv) In O.A. No. 639/2022 Pritipal Sharma Vs. Government of NCT of Delhi & Ors. DCF (South), Delhi is directed to file report as to the person who is alleged to have encroached upon the forest land on which the borewell in question was found by the Joint Committee to be operational.

(xv) In M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors. SDM (Dwarka), Delhi is directed to file status report regarding recovery of environmental compensation from the violators."

The DJB in compliance of the order dated 28.08.2024 and in respect of the directions issued by the Hon'ble Tribunal filed a detailed status report on 03.01.2025 stating the actions taken on behalf of DJB as to writing of letters to

DMs for sealing of borewells; uploading of information regarding summary status of applications for NOC recommended and pending with District Magistrates; initiation of proposal for seeking approval of Board of the DJB for groundwater withdrawal charges and creation of a link on website of DJB with access to concerned District Magistrates to update their part of data.

True copy of Order dated 28.08.2024 passed in M.A. No. 24 of 2023 in O.A. No. 33 of 2022 & O.A. No. 639 of 2022 is annexed herein as **ANNEXURE R-25**. True copy of Status report by DJB in compliance of the order dated 28.08.2024 is annexed herein as **ANNEXURE R-26**.

6. It is relevant to point out that the SOP were framed by Chief Secretary, Govt. of NCT of Delhi with the participation of Municipal Authorities, DJB, DPCC and District Magistrates of Delhi, titled as "Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells" for the purpose of identifying illegal borewells and for its sealing drive. The relevant part of the SOP is reproduced hereunder :-

> *"1. Standard Operating Procedure (SOP):*
> *1. Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.*
> *2. The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.*
> *3. An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.*
> *4. The Delhi Jal Board has already identified 19661 such illegal borewells on which action*

is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.

5. In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

6. For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7. The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.

8. The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.

9. All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10. The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11. As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12. The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district."

True copy of SOP titled as "Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells" framed by Government of NCT of Delhi is annexed herein as **ANNEXURE R-27**.

7. That in terms of SOPs, Deputy Commissioners (Revenue) of the Districts have been assigned the role of super vision of checking the Violation and closure of illegal borewells and inter departmental advisory committee was constituted for each district to assist Deputy Commissioners. It has been observed that often

drilling machines/ rigs are used to dig illegal borewells, the mechanism for their regulation including registration and prior permission for movement and deployment has also been incorporated in the SOP. In the captioned cases, in the order dated 28.08.2024 it is recorded that in the status report dated 11.07.2020 filed by DPCC it was also mentioned that during meeting held on 22.06.2020 by Chief Secretary, Government of NCT of Delhi, it was informed that DJB has already identified 19661 illegal borewells against whom action is being taken and 7248 units were already closed by District Authorities. Report said that remaining units would be closed down on priority as they were already identified and process would be completed within a period of 3 months. This Hon'ble Tribunal considered the report on 13.07.2020 and found that action was not taken as per provisions of SOP. Further, this Hon'ble Tribunal while considering report on 25.02.2022 observed that huge environmental compensation of more than Rs. 70 Crores was computed but a negligible amount of Rs. 23.8 lakhs was recovered. No action for prosecution was taken against violators. Further, out of 19661 illegal bore wells, identified in various Districts of Delhi, only 11235 were sealed and 8420 remained to be sealed and vide order dated 25.02.2022 directed the authorities to take appropriate remedial action against all the illegally running bore wells identified by DJB and submit a complete compliance report after six months and a copy of the order was ordered to be forwarded to DJB, DPCC and NDMC by e-mail for compliance.

8. That It is pertinent to state that Delhi Jal Board has taken the following steps for promotion of rain water harvesting systems to recharge ground water:

   a) Delhi Jal Board has promoted Rain Water Management by providing 10% rebate on water bill on installation ofadequate and functional RWH structures.

b) Delhi Jal Board provides financial assistance to consumers upto Rs. 50,000 or 50% of the cost of RWH structure swhichever is less.

c) There is a provision of 50% penalty on water bill for non existence of RWH structures for plot area more than100 sqm.

d) Guidelines issued by Ministry of Housing and Urban Affairs, GOI for Urban Water Conservation under Jal Shakti Abhiyan thrust areas include Rain Water Harvesting, Reuse of treated effluent, Rejuvenation of water Bodies and Plantation are being followed. The guidelines for IN LINE RAIN WATER HARVESTING in Delhi have also been issued by DJB.

e) Plan for RWH structure is mandatory for receiving No Objection Certificate (NOC) to builders for approval of building plan.

f) Wide publicity for adopting RWH structures through print, electronic, visual, workshop, exhibitions seminars, booklets, pamphlets etc. is being done by Delhi Jal Board.

g) Delhi Jal Board has empanelled service providers/ consultants for design of RWH system as per Guideline of DJB. The details are available on DJB website i.e. www.delhijalboard.nic.in.

h) Nodal officer are appointed by DJB for technical assistancefor RWH along with creating of RWH cell through RainCentres/Jal Shakti Kendra.

i) Delhi Jal Board has constructed and made all 666 recharge pits functional.

The status report dated 03.02.2024 filed by Delhi Jal Board in O.A. No. 33 of 2022 have categorically outlines the positive steps taken by Delhi Jal Board for preservation of ground water and true copy of the status report dated 03.02.2024 filed by Delhi Jal Board in O.A. No. 33 of 2022 is annexed herein

as **ANNEXURE R-28**. 21

9. That this Hon'ble Court in the common Order dated 08.01.2025 passed in O.A. No. 639 of 2022 and O.A. No. 33 of 2022, categorically in para 14 have observed as under:-

> "*We find that all the Deputy Commissioners (Revenue)/District Magistrates in the NCT of Delhi empowered to seal the illegal borewells have not only failed to take requisite action in terms of their statutory obligations but have also failed to file their reports before this Tribunal which raises serious doubt regarding their commitment and dedication to the cause of protection and improvement of environment which is also constitutional obligation of the State and all its instrumentalities/officers/officials.*"

Thus it is clear that as per SOPs issued by Government of NCT of Delhi in compliance of Order dated 15.05.2020 passed by this Hon'ble Tribunal in O.A. No. 685 of 2019 titled as Rakesh Kumar Vs. Govt. of NCT of Delhi, and observations by this Hon'ble Tribunal in Order dated 08.01.2025 passed in the captioned case, it is the Deputy Commissioners (Revenue)/District Magistrates in the NCT of Delhi are the authorized officers empowered to seal the illegal borewells and to take requisite action in terms of their statutory obligations. It is submitted that this Hon'ble Court vide order dated 08.01.2025:

i. Issued show cause notice to the Chief Executive Officer, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi to show cause as to why they be not ordered to be prosecuted under Section 26 of the National Green Tribunal, Act 2010 for non-compliance with the order passed by this Tribunal and as to why they be not ordered to be arrested and detained in civil prison for securing compliance of orders including order dated 28.08.2024 passed by this Tribunal; and in addition in Para 20 directed

ii. The CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi are directed to file further compliance reports as directed by this Tribunal vide order dated 28.08.2024 with all relevant details at least three days before the date of hearing fixed.

iii. In view of the above discussed facts and circumstance of the case and non-compliance, we also consider personal appearance of the CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi through VC on the next date of hearing to be essential for producing the relevant record regarding compliance with the order passed by this Tribunal and also assisting this Tribunal in just and proper resolution of the substantial environmental questions involved in the case.

True copy of common Order dated 08.01.2025 passed in O.A. No. 639 of 2022 and O.A. No. 33 of 2022 is annexed herein as **ANNEXURE R-29**.

10. That the status report in compliance of Order dated 28.08.2024 is being separately filed by DJB, the contents of which are not repeated herein for sake of brevity and the same may kindly be read as part and parcel of the instant reply.

11. It is submitted that the above captioned case is yet pending adjudication and this Hon'ble Court has been passing various directions and seeking status report in compliance thereof. In the interest of justice, it is submitted, that this Hon'ble Tribunal to kindly defer the instant show cause at this stage, for permitting the parties to submit the merits of the whole matter to be adjudicated at the stage of final hearing.

12. That it is humbly submitted that the CEO, DJB, has taken all necessary and appropriate steps to ensure compliance with the directions issued by this Hon'ble Tribunal in the present matter. Also pursuant to the orders of this Hon'ble Tribunal, CEO, DJB under took requisite actions within the stipulated time frame and has duly complied with the directions issued. Further, sincere efforts were and are being made by DJB to comply with the directions of Hon'ble NGT in letter and spirit.

13. That the DJB being the competent authority of ground water in NCT of Delhi

has envisaged the action plan for effective regulation and management of ground water in Delhi, which has been duly narrated in the status report dated 03.02.2024 filed on record and annexed herein as well. The frame work of the said action plan is reproduced herein as well for facility of reference:

1. AQUIFER MANAGEMENT

Ground water conservation and recharge is essential for effective ground water management. Following steps shall be taken:

a) Target for recovery of depleted aquifers needs to be set.

b) Rainwater harvesting to be pursued aggressively and promoted through incentives, scientific advice and monitoring shall be incorporated into the program for sustained effectiveness.

c) Construction of water bodies for raising water table. To protect water bodies from encroachment and waste dumping, each water body shall have conservation and maintenance plan regarding water quantity and quality.

2. DATA BASE:

That an accurate data base of the private and public tubewells through mapping shall be prepared on GIS for accounting extraction of ground water.

3. SUBSTITUTION OF FRESH WATER/GROUND WATER USE BY RECYCLED WASTE WATER:

That to reduce dependence of water demand on freshwater/ground water, more wastewater has to be treated and recycled even up to drinking water level a) Use of recycled water to be encouraged for irrigation, large gardens, parks and flushing etc. b) Year wise targets for recycled water shall be framed. c) STPs to be constructed / upgraded to meet the meet enhanced

treatment standard for water reuse. d) Use of recycled water in recharging ground water. e) Construction of Decentralised STPs where effluent can be used locally.

4. PROMOTION OF WATER CONSERVATION AND EFFICIENCYFOR DEMAND MANAGEMENT

That through increased awareness and integration of water saving technology the per capita water usage can be steadily brought down in following manner: a) Conservation of freshwater use through water saving devices like shower heads, taps, sprinklers etc. This shall be reinforced by a retrofitting program and also by rebates on efficient devices. Water devices shall be rated through an independent institution. Also, disincentives cess will be levied to less efficient devices of the consumers b) Encouraging efficient garden irrigation and water conservation strategies in private and public gardens. Public gardens to be gardened through sprinklers only c) Mandatory water audit on large scale users to establish reduction possibilities and encouraging recycled water use.

5. CONTROLLING DISTRIBUTION LOSSES

That currently the level of water loss in transmission and distribution is much more than the norm of 15%. The curtailing of losses shall be attained in a planned manner where there is lesser extraction of ground water and greater availability of recycled water.

6. PUBLIC EDUCATION AND AWARENESS

That public at large is ill informed and is not properly aware about availability, constraints and methods of water conservation. Consumers being the largest stake holders need to play important role in water

conservation. Therefore effective and regular campaigns to raise public support shall be done

7. EFFECTIVE MONITORING AND FUNCTIONING OFDISTRICT ADVISORY COMMITTEES FOR RESTRICTED AND REGULATED ABSTRACTION OF GROUND WATER

That the District magistrate of each area is the authorized officer for the purpose of regulation of ground water development and management. Particularly DM have has to seal the illegal borewells in their areas. However, lot of illegal borewells are pending for sealing. Therefore, functioning of DMs has to checked for expediting sealings.

14. That Delhi Jal Board is carrying out rejuvenation of 64 numbers of Water Bodies out of which rejuvenation work at 39 number of water bodies has been completed and tender for 25 number shall be called shortly. The work of creation of water body at Timarpur oxidation pond, Dwarka, Pappankalan, Rohini, Nilothi, revival of Roshanara Lake is being taken up.
15. The major reuse of treated waste water in and around the city is for irrigation, horticulture and industrial use. There is demand for use of treated waste water for cooling in the power stations. Other options include ground water recharge, return to be raw water source, and the treatment and reuse of treated waste water, for flushing of toilets, i.e. use for non-potable purposes like washing of Railways, Buses, Construction industry.
16. The Delhi Jal Board presently supplies about 120 MGD of treated waste water to the Irrigation Department, Power Plants and for irrigation purposes by CPWD and in Rohini area by DDA & Flood Control and Irrigation Department. Efforts are being made to increase the treated waste water supply from 120 MGD to 210MGD in subsequent years.

17. That stage of annual ground water extraction in Delhi in year 2017was 119.61% of annual extractable ground water recourses whereas Stage of annual ground water extraction in year 2023 was 99.13%of annual extractable ground water resources as per the report for Dynamic Ground Water Assessment of India 2023 issued by Central Ground Water Board. Therefore, there is improvement in ground water situation in Delhi. Total annual ground water recharge has also been increased from 0.32 billion cubic meter in the year 2017 to 0.38 billion cubic meter in the year 2023 as per report for Dynamic Ground Water Assessment of India 2023 issued by Central Ground Water Board. The Delhi Jal Board endeavors and remains committed to improve ground water recharge situation and prevent unauthorized extraction of ground water in Delhi.
18. That the undersigned is duty bound to follow the environmental rule of law embodied by statutory frame work regulating and managing extraction and recharge of ground water and fully committed and dedicated to the cause of protection and improvement of environment which is also constitutional obligation of the State and all its instrumentalities/officers/officials.
19. That the DJB and its officers have highest regard for this Hon'ble Tribunal and is bound to comply with or obey the orders passed by this Hon'ble Tribunal.
20. 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 and in view of the reply submitted, the show cause notice against DJB may kindly be withdrawn.

Filed By

ShilpaShinde
Chief Executive Officer,
Delhi JalBoard

THROUGH

Richa Kapoor

Richa Kapoor, Advocate,
Addl. Standing counsel,
Delhi Jal Board

New Delhi
DATE: 19/03/2025

1309 27

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No.639/2022
(I.A. No. 293/2023)

Pritpal Sharma ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

With
M.A. No. 24/2023
In
O.A. No. 33/2022
(I.A. No. 02/2024)

Ganesh Prasad ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

AFFIDAVIT

I, Shilpa Shinde , D/o Ramesh , aged about 46 Yrs, Chief Executive Officer, Delhi Jal Board, at Govt. of N.C.T. of Delhi Jhandewalan, Karol Bagh, New Delhi-110005, solemnly affirm and sincerely state as follows:

1. That I am the CEO, Delhi Jal Board and being aware of the facts of the present case and also competent to swear and depose this affidavit.
2. That I have read and understood the contents of the accompanying Reply to the show cause that has been drafted by my counsel upon my instructions and the contents of the same have been explained to me and the same are true and correct to the best of my knowledge and belief and per record available with DJB.
3. The Annexures are true copy of their respective originals.

NOTARY ALAKA NAYAK Advocate Reg. No. : Area: Delhi Period 28/06/2024 to 27/06/2029 GOVT. OF INDIA

Shilpa

DEPONENT

VERIFICATION:

Verified at Delhi on this the 19 MAR 2025 day of March, 2025 that the contents of above affidavit are true and correct to the best of my knowledge and belief, no para of it is false and nothing material has been concealed therein.

Shilpa

DEPONENT

Alka Singh D/Gurgaon

I identified the deponent who has signed in my presence.

CERTIFIED THAT THE DEPONENT Shri/Smt./Km. Shilpa Shinde S/o, W/o R/o Alka Singh Identified by Shri/Smt. Has solemnly affirmed before me at Delhi on as Sl. No. That the contents of the affidavit which have been read & explained to him/her are true & correct to his/her knowledge 19 MAR 2025

NOTARY

ANNEXURE - R-1

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Item Nos.02 & 03 Court No. 3

BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 639/2022

Pritipal Sharma Applicant

Versus

Gov. of NCT of Delhi & Ors. Respondents

With

Misc Application in Disposed of Cases No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi & Ors. Respondents

Date of hearing: 08.01.2025

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Item No.02

Applicant: Ms. Katyayani and Mr. Jai Wadhwa, Advocates for the Applicant.
Applicant-Pritpal Sharma in person.

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Respondents: Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD.
Ms. Atika Singh, Proxy Advocate for Ms. Richa Kapoor, Advocate for DJB with Mr. Dalbir Singh, SE DJB.
Ms. Sakshi Popli, Advocate for DPCC (through VC).
Mr. Gi Gi George, Advocate for CGWA.

Item No.03

Applicant: None for the applicant.

Respondents: Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD.
Ms. Atika Singh, Proxy Advocate for Ms. Richa Kapoor, Advocate for DJB with Mr. Dalbir Singh, SE DJB.

ORDER

1. O.A No. 639 of 2022 titled Pritpal Sharma vs Government of NCT of Delhi and others and MA No. 24/2023 in O.A No. 33/2022 titled Ganesh Prasad vs GNCTD and others were taken up together by this Tribunal on 28.08.2024 on which date detailed order was passed whereby specific directions were given to Central Ground Water Authority (CGWA), Delhi Jal Board (DJB), Deputy Commissioners (Revenue) of each Revenue Districts of National Capital Territory of Delhi (NCT of Delhi), Delhi Pollution Control Committee (DPCC) and the Chief Secretary, Government of NCT of Delhi and action taken reports were ordered to be filed by the Member Secretary, CGWA, Chief Executive Officer, DJB, Member Secretary, DPCC, all the Deputy Commissioners (Revenue)/District Magistrates in the city of Delhi, DCF (South), Delhi and SDM Dwarka, Delhi at least one week before the date of hearing fixed.

2. In compliance thereof, report dated 27.12.2024 has been filed by CGWA; report dated 01.01.2025 has been filed by DPCC and reports dated 03.01.2025 have been filed by DJB and DCF (South), Delhi respectively.

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3. However, despite direction to this effect, no reports have been filed by the Deputy Commissioners (Revenue)/ District Magistrates in NCT of Delhi and SDM Dwarka, Delhi.

4. We have gone through the reports filed by CGWA, DJB and DPCC respectively before this Tribunal in compliance of order dated 28.08.2024.

5. In its report, CGWA has mentioned regarding issuance of direction dated 22.11.2024 to DJB and District Collectors, Revenue to seal all illegal borewells without valid NOC and to submit action taken report to CGWA which are stated to be still awaited and uploading of the information as directed by this Tribunal on the website of CGWA and also launch of *BhuNeer* App.

6. In its reply, DPCC has mentioned about holding of meeting dated 17.12.2024 under the Chairmanship of the Chief Secretary, Government of NCT of Delhi; creation of a web page under the heading 'Ground Water Management' on its website and receipt of amount of Rs.79,70,000/out of environmental compensation of Rs. 7093.46 lakhs by it and proposal for utilization of the amount of Rs. 79,70,000/- for rejuvenation of water bodies in NCT of Delhi.

7. In its reply, Delhi Jal Board has mentioned about writing of letters to DMs for sealing of borewells; uploading of information regarding summary status of applications for NOC recommended and pending with District Magistrates; initiation of proposal for seeking approval of Board of the DJB for groundwater drawl charges and creation of a link on website of DJB with access to concerned District Magistrates to update their part of data.

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8. In their replies CGWA, DJB and DPCC have not provided any information regarding illegal borewells without NOC sealed in compliance with order dated 28.08.2024 passed by this Tribunal.

9. As mentioned above, all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi have not filed their reports in compliance with orders dated 28.08.2024 passed by this Tribunal.

10. This Tribunal had in its order dated 28.08.2024 observed as under:-

> *"1. We all know that 'Water', one of the five elements, is creator and saviour of life and life wholly depends on it yet unmindful of the consequences we are indulging in questionable acts due to which surface water bodies, lakes, etc. are drying up, ground water is contaminated and fast depleting and rivers are not only highly polluted but also shrinking and dying in our Country.*
>
> *2. No doubt, treated sewage/industrial effluent may be reused for industrial, horticultural and agricultural purposes but prospect of recycling sewage/industrial effluent for use as drinking water seems to be wholly unacceptable to all of us and we have to save quality and quantity of water to save our own existence and have to urgently take all remedial steps before any irreversible damage is caused to the environment.*
>
> *3. Both these cases-O.A. No. 639/2022 Pritipal Sharma Vs. GNCTD & Ors. and M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. GNCTD & Ors., which required taking of prompt remedial action by the concerned Statutory and Administrative Authorities, are illustrative of the numerous fact situations where the concerned Statutory and Administrative Authorities are miserably failing in prompt discharge of their statutory duties to protect and improve the environment.*
>
> *4. Both these cases also raise a difficult question for this Tribunal to answer as to how to enforce environmental laws/norms if the Statutory and Administrative Authorities, which are not only statutorily empowered but also mandated by the constitution to protect and improve environment, culpably neglect to discharge the duties assigned to them and fail to take requisite action due to some vested interests, for extraneous considerations and with ulterior motives.*
>
> *5. We also find it extremely difficult to answer this question in the complex factual matrix woven by case after case coming up before this Tribunal showing complete insensitivity and inaction on the part of the concerned Statutory and Administrative Authorities which also endlessly indulge in blaming and shifting accountability to others."*

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11. This Tribunal gave specific directions to CGWA, DJB, Deputy Commissioners (Revenue) of each Revenue Districts of National Capital Territory of Delhi, DPCC and the Chief Secretary, Government of NCT of Delhi and also answered the question posed in the beginning of the order as under:-

> *"125. Our answer to the question posed in the beginning of this order is that hands of law, as is proverbial, are very strong and no violator whether a person or authority, can escape its hold and fold and survive and thrive without compliance with it.*
>
> *126. It is, accordingly, clarified (i) that in case of failure to take requisite action as mandated by the Environmental Laws/Norms/Notification/SOP, the Chairman and Members of DPCC, Chief Executive Officer of DJB and concerned Officers and concerned Deputy Commissioner (Revenue)/DM, SDM and officers/officials will be liable (i) to pay appropriate environmental compensation as abettors of environmental damage caused by the violators due to negligence/inaction on their part in taking of prompt action against the violators; (ii) to prosecution under Section 26 of the NGT Act 2010 and (iii) arrest and detention in Civil Prison under Section 25 of the NGT Act 2010 for execution of the orders passed by this Tribunal."*

12. It may be observed here that CGWA was constituted in compliance of order dated 10.12.1996 passed by Hon'ble Supreme Court in Civil Writ Petion No. 4677/1985 titled as M.C. Mehta Vs. Union of India & Ors. under Environment (Protection) Act, 1986 and CGWA has issued various orders, public notices and guidelines governing extraction of ground water. Extraction of groundwater is regulated and managed in NCT of Delhi by Section 9 and other provisions of the Delhi Jal Board Act, 1998. Directions were issued by the Hon'ble Lieutenant Governor of NCT of Delhi vide notification dated 18.05.2010 inter alia for permitting borewells and sealing of illegal borewells. Standard Operating Procedure titled as Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells was issued by Government of NCT of Delhi in compliance of order dated 15.05.2020 passed by this

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Tribunal in O.A. No. 685/2019 titled as Rakesh Kumar Vs. Government of NCT of Delhi & Ors.

13. In view of the above referred statutory provisions, public notices, notifications and guidelines, permission/NOC for existing/new borewells can been granted in NCT of Delhi for valid/compelling reasons in accordance with the environmental norms and procedure thereby prescribed but in cases where no such permission/NOC is granted, borewells have to be treated as illegal and have to be sealed in accordance with the procedure prescribed by the statutory provisions, public notices, notifications and guidelines referred to above.

14. All the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi, DJB and DPCC are bound to follow the environmental rule of law embodied by above referred statutory frame work regulating and managing extraction and recharge of ground water and they cannot be permitted to violate the same and render the same nugatory by their negligence, inactions and omissions. We find that all the Deputy Commissioners (Revenue)/District Magistrates in the NCT of Delhi empowered to seal the illegal borewells have not only failed to take requisite action in terms of their statutory obligations but have also failed to file their reports before this Tribunal which raises serious doubt regarding their commitment and dedication to the cause of protection and improvement of environment which is also constitutional obligation of the State and all its instrumentalities/officers/officials.

15. **This Tribunal cannot remain a silent spectator to such non-compliance and being under constitutional obligation as instrumentality of State and statutory obligation under the provisions of the National Green Tribunal Act, 2010 including Section 20 thereof,**

this Tribunal is legally bound to intervene and issue appropriate and effective consequential directions for ensuring compliance with the statutory provisions and orders passed by Hon'ble Supreme Court and also orders passed by this Tribunal including order dated 28.08.2024.

16. In these facts and circumstances, we are constrained to issue show cause notices to the Chief Executive Officer, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi to show cause as to why they be not ordered to be prosecuted under Section 26 of the National Green Tribunal, Act 2010 for non-compliance with the order passed by this Tribunal and as to why they be not ordered to be arrested and detained in civil prison for securing compliance of orders including order dated 28.08.2024 passed by this Tribunal.

17. Learned Counsel for DJB and Learned Counsel for Government of NCT of Delhi have respectively submitted that DJB and the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi have complied with order dated 28.08.2024 passed by this Tribunal but such oral submissions cannot be accorded any significance and cannot be accepted since in the reply filed by Mr. Gajender Tomar, CE (Ground Water) DJB has not averred such compliance and has not given relevant details while all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi have not filed their reports.

18. It may be observed here that all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi have not filed their reports despite sufficient time having been granted thereby compelling this Tribunal to grant adjournment for this purpose

leading to delay and inconvenience in appropriate resolution of the environmental questions involved and remediation of the environmental damage caused. Such failure to submit compliance reports cannot be ignored and the majesty of this Tribunal cannot be allowed to be thereby eroded and such willful default needs to be visited and remedied by imposition of exemplary amount of costs on them.

19. **Accordingly, all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi are directed to deposit costs of Rs. 10,000/- (Ten Thousand) each with the Learned Register General of this Tribunal within one month.**

20. **The CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi are directed to file further compliance reports as directed by this Tribunal vide order dated 28.08.2024 with all relevant details at least three days before the date of hearing fixed.**

21. It may be observed here that DPCC has imposed environmental compensation of Rs. 7093.46 lakhs on the violators out of which amount of Rs. 79,70,000/- has been recovered by it. References are stated to be pending with District Magistrates/ Deputy Commissioners (Revenue) in the National Capital Territory of Delhi for recovery but the said amount has not been recovered by them despite expiry of long periods of time. This Tribunal had observed that delay in recovery and utilization of amount may result in irreversible environmental damage and directed Government of NCT of Delhi to transfer amount of Rs. 70 crores to DPCC within 3 months but the Government of the NCT of Delhi has not transferred amount of Rs. 70 crores to DPCC. It is strange that the Government of the NCT of Delhi has neither streamlined the recovery of environmental

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compensation through its officers nor transferred the amount to DPCC and Government of NCT of Delhi has completely ignored remediation of environmental damage caused by illegal extraction of groundwater.

22. **However before taking any further action in this regard, we grant one more opportunity to Government of NCT of Delhi to transfer the amount of Rs 70 crores to DPCC for utilization for protection and improvement of environment and remediation of environmental damage caused by illegal extraction of groundwater.**

23. We also consider it to be essential to direct and accordingly so direct the Chief Secretary, Government of NCT of Delhi to specifically bring this order to the notice of Hon'ble Chief Minister of Delhi and Council of Ministers of Delhi for appropriate action for compliance in this regard and also to place a copy of this order before Hon'ble Lieutenant Governor of Delhi for initiating appropriate disciplinary proceedings against the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi who are constantly flouting notification dated 18.05.2010 issued by Hon'ble Lieutenant Governor of Delhi and who have, without any valid justification, failed to disoharge their statutory and constitutional obligations and to implement and protect environmental rule of law and have also failed to comply with the order of this Tribunal and to file their reports before this Tribunal.

24. **The Chief Secretary, Government of NCT of Delhi is also directed to file report in this regard at least three days before the next date of hearing fixed in the case.**

25. In view of the above discussed facts and circumstance of the case and non-compliance, we also consider personal appearance of the CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in

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NCT of Delhi through VC on the next date of hearing to be essential for producing the relevant record regarding compliance with the order passed by this Tribunal and also assisting this Tribunal in just and proper resolution of the substantial environmental questions involved in the case.

26. **Accordingly, the CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi are directed to remain present before this Tribunal through VC on the next date of hearing fixed at 10:30 A.M. with the relevant record.**

27. In his reply, DCF South has submitted that joint inspection of the Khasra No. 1978, Village Ayanagar, New Delhi (where the illegal borewell was seized) was conducted by Revenue Department and Forest Department on 13.12.2024 on which it came to notice that the premises where the illegal borewell was seized belongs to Rinku Singh, who is the encroacher on Ridge Forest land and that a notice was affixed on the gate of premises G1-2038, Khasra No. 1978, Village Ayanagar, New Delhi by DPCC.

28. **Notice is ordered to be issued to Rinku Singh and is ordered to be served on him through the District Magistrate (South), Delhi.**

29. For this purpose, notice be sent to the District Magistrate (South), Delhi by email and the District Magistrate (South), Delhi is directed to take a print out of the same and get the service effected on Rinku Singh within 2 weeks from receipt thereof and file his report within 15 days from service thereof.

30. **In case of failure to serve the notice, the District Magistrate (South), Delhi shall appear before this Tribunal physically to explain the reasons for failure to get the notice served on Rinku Singh.**

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31. **The Member Secretary, DPCC is directed to initiate appropriate proceedings against said Rinku Singh for imposition and recovery of environmental compensation for installation and operation of illegal borewell and file report regarding imposition of environmental compensation and recovery thereof from Rinku Singh at least three days before the next date of hearing hereby fixed.**

32. List on 21.03.2025 for further consideration/orders.

33. The matter will be taken up as item no. 1 at 10:30 A.M. on that date and the Registry is directed to ensure that the matter is listed as item no. 1 in the cause list on that date (subject to order if any of Hon'ble Supreme Court/Hon'ble Delhi High Court).

34. A copy of this order be sent to the Chief Secretary, Government of NCT of Delhi, the Member Secretary, CGWA, Chief Executive Officer, DJB, Member Secretary, DPCC, all the Deputy Commissioners (Revenue)/District Magistrates in the city of Delhi, DCF (South), Delhi, District Magistrate (South), Delhi and SDM, Dwarka, Delhi by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 08th, 2025
Original Application No. 639/2022
with M.A No. 24/2023
In Original Application No. 33/2022
AB

ANNEXURE-R-2

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Item No.20 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPALBENCH

(By Video Conferencing)

Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi Respondent

Date of hearing: 31.01.2022

CORAM: HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER

Application is registered based on a complaint received by Post

ORDER

1. Grievance of the applicant Mr. Ganesh Prasad is regarding running of unauthorized R.O. plant at K-9, 25 Feet Road, Part II, Chankya Puri Palace, New Delhi by one Mr. Ashish (Mobile No. 9212025900), who has extracted lacs of liters of ground water and has caused damage to the environment.

2. In view of the above, we form a joint committee of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority to look into the grievance of the applicant. The State PCB will be the Nodal agency for coordination and compliance. The joint Committee may meet within one month and undertake site visit and look into the grievance. Factual and action taken report may be furnished within three months before the Ld. Registrar General, NGT, Delhi by e-mail at judicial-ngt@gov.in preferably in the form of

searchable PDF/ OCR Support PDF and not in the form of Image PDF and, if necessary, he may put the matter before the Bench for necessary directions.

The application is disposed of accordingly.

A copy of this order, along with a copy of the complaint, be forwarded to the Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority, by e-mail for compliance.

Brijesh Sethi, JM

Prof. A. Senthil Vel, EM

January 31, 2022
Original Application No. 33/2022
AP & AG

ANNEXURE - R 3

INSPECTION REPORT C/18 Dated: 29/07/20

In Compliance of Hon'ble NGT order dated 31.01.2022 in OA No. 33/2022, a joint inspection was carried out by joint committee including officials of DPCC, CGWA, DJB

Annexure-1

Following were the facts/observation gathered during the inspection:—

1. An RO plant was verified at the address Plot No-7, Block-K, Chanakya palace-II, Uttam Nagar, New Delhi on the name of Ajit Kumar & Ashish Kumar. However ~~t~~ at plot No-9, Block-K, do — no RO plant was present.

2. The person present during the inspection at plot No-7 named Ajit accepted the fact that he is operating RO plant in plot-7 instead of plot No-9.

3. So, at plot No-7 Block K, do-, our observation are as follows:-

(a) Borewell with submersible pump (4" dia, 2-4 HP pump) and exact capacity of the pump could not be verified as it is underground.

(b) No NOC/permission ~~of~~ is obtained ~~or~~ from ~~DJB~~ CGWA for running an RO plant for the extracted water from Ground.

(c) RO plant set up is verified alongwith pictures. It is operational since 1-2 years as told by person contacted.

As per the information given by the person contacted around 300-400 bottles of capacity 20 litres suppling in the nearby places.

) ground water sample tested with a ~~to~~ TDS meter ~~pass~~ (collected from site) and reported value of TDS is 739 mg/l.

2) The waste water generated from plant was being directly discharged into the sewer.

~~g)~~ ~~At~~

Amzad Khan
JEE, DPCC
MOB- 8860364102

29/7/22
S.K Yadav
JE(W)
C/o EE.M-30.
ACE M-8
MOB- 9650094556

21/7/22
(Shilpi gupta)
Sc-B
MOB - 9560188658

ATTENDANCE 43

(17) 29/07/2022

(1) SHILPI GUPTA, SCIENTIST-B, CGWB, NEW DELHI - 9560188658

(2) AMZAD KHAN, JEE, DPCC - 8860364102

Amzad Khan
29/07/2022

(3) SHASHIKANT YADAV, JE, DJB — 9650094556

No members/representative from DM (South-West) was present during the inspection.

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INSPECTION REPORT

Dated 29.07.022

In compliance of Hon'ble NGT order dated 31.01.2022 in O.A. No. 33 of 2022, a joint inspection was carried out by joint committee including officials of DPCC, CGWA, DJB.

Annexure 1

Flowing were the facts/ observations gathered during inspection:

1. NRO plant was verified at the address Plot N. 7, Block-K, Chanayaka Palace-II, Uttam Nagar, New Delhi on the name of Ajit Kumar and Ashish Kumar. However at Plot No. 9, Block-K, do- no RO plant was present.
2. The person present during inspection at Plot No. 7 named Ajit accepted the fact that his operating RO plant in Plot No. 7 instead of Plot No. 9.
3. So, at Plot No. 7 Block-K, do-, our observation are as follows:
   (a) Borewell with submersible pump (4" dia, 2-4 HP pump) and exact capacity of the pump could not be verified as it is underground.
   (b) No NOC/ permission is obtained from CGWA for running an RO plant for the extracted water from ground.
   (c) RO plant set up is verified along with pictures. It is operational since 1-2 years as told by person contacted.

As per the information given contacted around 300-400 bottles of capacity 20 liters supplying in the nearby places.

1) Ground water sample tested with a TDS meter (collected from site) and reported value of TDS is 739 MG/L.
2) The waste water generated from plant was being directly discharge into severe

Amjad Khan JEE, DPCC Mob: 8860364102	Sd/- 29/7/22 JE (U) C/o EEM-30 ACEM-8 Mob: 9650094556	Sd/- 29/7/22 Shilpi Gupta Sci-B Mob: 9560188658

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ATTENDANCE

1. SHILPI GUPTA, SCIENTIST -B, CGWB, NEW DELHI – 9560188658
2. AMZAD KHAN, SJEE, DPCC – 8860364102
3. SHASHIKANT YADAV, JE, DJB – 9650094556

No member/ representation from DM (South West) was present during the inspection.

ANNEXURE-R4

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Item No. 09 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi Respondent

Date of hearing: 21.07.2023

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

ORDER

1. Grievance in this application is running of unauthorized RO plant at K-9, 25 Feet Road, Part II, Chankya Puri Palace, New Delhi and extraction of ground water without any permission of the authority.

2. A report was called from the DPCC and DPCC in its report dated 14.12.2022 has submitted that:-

"

- *No RO Plant was existing at plot no. 9, Block K, Part II, Chanakya Place.*
- *One RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar & Sh. Ashish Kumar.*
- *The major observations w.r.t. the R.O. Plant at Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar are as follows:*
  - *No NOC permission has been obtained from DJB/ CGWA for running the RO plant/ extracting ground water.*
  - *The wastewater generated from the plant is being discharged directly to the drain."*

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3. It has further been submitted that CGWA and the District Magistrate (South) has been directed to take necessary action and in response to the letter, DM has been authorized and directed to seal the tube well and for taking legal and necessary action. No further report has been filed.

4. District Magistrate (South West) is directed to comply with the directions and submit the further action taken report. DPCC is further directed to calculate environmental compensation for the past violations, assess and to realize in accordance with rules and to submit the report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF while observing that such incidences of illegal extraction of ground water are coming before this Tribunal, we direct that CGWA/DJB launch awareness programmes on warning citizens to act according to due procedures.

5. List the matter on 02.11.2023.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 21, 2023
M.A. No. 24/2023 In
Original Application No. 33/2022
SN

ANNEXURE-R5

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Item No.6 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

M.A No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad — Applicant

Versus

Gov. of NCT of Delhi& Ors. — Respondents

Date of hearing: 02.11.2023.

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: None for the applicant.

Respondents: Ms. Jyoti Mendiratta Advocate for DM (South West).
Mr. V.K. Mongia SDM (Dwarka) (Through VC).
Mr. Kush Sharma Advocate for DPCC.

Application is registered based on a complaint received by Post.

ORDER

1. O.A. No. 33 of 2022 was filed with the grievance that R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

2. Vide order dated 31.01.2022 a Joint Committee comprising of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority was constituted to look into the grievance and submit factual and action taken report within three months before Ld. Registrar General, NGT, Delhi who was given liberty to put the matter before the Bench for necessary directions, if considered necessary and the application was disposed of accordingly.

3. Report dated 14.12.2022 was filed by the DPCC and relevant part of the report reads as under:

"STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE WITH RESPECT TO ORDER DATED 31.01.2022.

2. That Sh. Ganesh Prasad has filed a complaint before this Hon'ble Tribunal against running of Reverse Osmosis Water Purification Plant at K-9, 25 Feet Road, Part II, ChanakyaPuri Palace, New Delhi. .
3. That, in Delhi there is no State Ground Water Authority, hence in place of State Ground Water Authority, Central Ground Water Authority was coopted in the joint inspection team. Also, as the area falls under territorial jurisdiction of the District Magistrate (South-West), hence was opted in place of DM (New Delhi).
4. That, in compliance to the order passed by this Hon'ble Tribunal, the Joint Committee consisting of Officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site on 29.07.2022. No one from the office of DM (South West) attended the jointinspection. Following are the observations of team:

- *No RO Plant was existing at plot no. 9, Block K, Part II, Chanakya Place.*
- *One RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar & Sh. Ashish Kumar.*
- *The major observations w.r.t. the R.O. Plant at Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar are as follows:*

-No NOC permission has been obtained from DIB/ CGWA for running the RO plant/ extracting ground water,
-The wastewater generated from the plant is being discharged directly to the drain.

Copy of the inspection report of joint committee dated 27.09.2022 is enclosed herewith as ANNEXURE-1.
5. That based on the observations, a letter was written by DPCC on 03.08.2022, to Delhi Jal Board, DM (South West) and (GWA for taking necessary action at their end. Copy of the letter dated 03/08/2022 is enclosed herewith as ANNEXURE-2.
6. The response from CGWA received on 14/09/2022, indicated that the unit has to take permission from the DJB/ District Administration and that the tube well should be sealed by DM as DM is authorized officer for sealing of tube well and taking legal action. Copy of the response from CGWA dated 14/09/2022 is enclosed herewith as ANNEXURE-3.
7. The DJB vide letter dated 22.09.2022 informed that the/unit could not be sealed as no one from the office of DM (South West) was present during the joint inspection. It also enclosed a letter written by DJB to SDM (Dwarka) for taking action against the illegal bore well observed during the joint inspection on 29/07.2022. Copy of the responsefrom DJB dated 22/09/2022 is enclosed herewith as ANNEXURE-4.
8.No ATR has been received from DM(South West). DPGC wrote a letter to DM(South West) for taking necessary action on 05/ 12/2022. Copy of the letter dated 05/12/2022 is enclosed herewith as Annexure-5."

4. Under orders of Hon'ble Chairperson of this Tribunal, the matter has been listed for further directions.

5. Vide order dated 21.07.2023 the District Magistrate (South West) was directed to comply with the directions issued by the DPCC and submit further action taken report and the DPCC was directed to calculate environmental compensation and to realize the same in accordance with the rules and to submit report in this regard.

6. No reports have been submitted by the District Magistrate (South West) and the DPCC in compliance of above mentioned order.

7. Mr. V.K. Mongia SDM (Dwarka) has appeared before this Tribunal through VC and verbally submitted that the R.O. plant has been sealed today and report will be submitted in due course of time.

8. Learned Counsel appearing for the DPCC has submitted that appropriate proceedings are being initiated for imposition and realization of environmental compensation from the project proponent.

9. This case speaks volumes of insensitivity to environmental issue and inefficiency, inaction, gross negligence on the part of instrumentalities of the State,which are under Constitutional obligation to protect and improve the environment. Unauthorized R.O. plant is stated to have been sealed today despite the fact that order constituting the Joint Committee with direction to submit factual and action taken report within three months was passed on 31.01.2022 and was conveyed to the concerned authorities by email dated 07.02.2022 sent at the email ids-Chairman, DPCC chdpcc@nic.in, Member Secretary msdpcc@nic.in, Spl. Secretary Env. ssenv@delhi.gov.in, ceodelhi.djbceodelhi.djb@nic.in, UdaiBhan, secy.djb@nic.in, Dr. Monica Priyadarshinidcnd@nic.in, Central Ground Water Authority,

cgwa@nic.in, Ashok Kumar Pater mcgwa-cgwb@nic.in, yet the Joint Committee consisting of officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site after more than five months on 29.07.2022 and submitted its report after about two months on 27.09.2022. The DPCC wrote letters dated 03.08.2022 to DJB, District Magistrate (South West) and CGWA for taking necessary action. CGWA sent response dated 14.09.2022 to the DPCC that tubewell was to be sealed by the concerned District Magistrate. The DJB informed the DPCC vide letter dated 22.09.2022 that the unit could not be sealed as no one from the office of the District Magistrate (South West) was present during the inspection. The DPCC wrote letter dated 05.12.022 to the District Magistrate (South West) for taking necessary action. The illegal borewell in question has been sealed today after notice was issued on the present miscellaneous application. The above said authorities have allowed the illegal borewell to operate from 07.02.2022 (the date of communication of order passed by this Tribunal) till 02.11.2023 without any justification and have flouted the rule of law and illegitimately betrayed the trust of the people by neglecting to discharge the statutory duties entrusted to them.

10. In these facts and circumstances, we are of the considered view that besides the person illegally operating the borewell, the above said statutory authorities are also responsible for causing damage to environment and environmental damage compensation ought to be imposed on and realized from not only the violator but also the DPCC,DJB, District Magistrate (South West) and SDM Dwarka. However, before passing any further order in this regard, we consider it appropriate to give them opportunity to show cause as to why environmental compensation be also not imposed on them.

11. The Registry is directed to issue notices to (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West)

and (iv) SDM Dwarka accordingly requiring them to file their reply/response on or before 08.11.2023 e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

12. Notices be also issued to Ajit Kumar and Ashish Kumar Plot no. 7, Block-K, Chanakya Palace II, Uttam Nagar requiring them to file their reply/response on or before 08.11.2023 e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

13. List for further consideration 09.11.2023.

14. In view of the facts and circumstance of the case, we consider personal appearance of (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) and (iv) SDM Dwarka **(physically or through VC)** on the next date of hearing to be essential for producing the relevant record and assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are accordingly directed to remain present before this Tribunal on that date.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 02nd 2023
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53 ANNEXURE-R6

Item No.6 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

M.A No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad — Applicant

Versus

Gov. of NCT of Delhi & Ors. — Respondents

Date of hearing: 09.11.2023

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: None

Respondent: Ms. Jyoti Mendiratta, Advocate for GNCT of Delhi.
Mr. Lakshay Singhal, DM (South West), Delhi and Mr. Vinay Kumar Mongia. SDM, Dwarka, Delhi in person.
Mr. Kush Sharma Advocate for DPCC.
Mr. K. S. Jayachandran Member Secretary (Through VC).

Application is registered based on a complaint received by Post.

ORDER

1. O.A. No. 33 of 2022 was filed with the grievance that R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

2. Vide order dated 31.01.2022, a Joint Committee comprising of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority was constituted to look into the grievance and submit factual and action taken report within three months before Ld. Registrar General, NGT, Delhi who was given liberty

to put the matter before the Bench for necessary directions, if considered necessary and the application was disposed of accordingly.

3. Report dated 14.12.2022 was filed by the DPCC and relevant part of the report reads as under:

"STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE WITH RESPECT TO ORDER DATED 31.01.2022.

2. That Sh. Ganesh Prasad has filed a complaint before this Hon'ble Tribunal against running of Reverse Osmosis Water Purification Plant at K-9, 25 Feet Road, Part II, ChanakyaPuri Palace, New Delhi. .
3. That, in Delhi there is no State Ground Water Authority, hence in place of State Ground Water Authority, Central Ground Water Authority was coopted in the joint inspection team. Also, as the area falls under territorial jurisdiction of the District Magistrate (South-West), hence was opted in place of DM (New Delhi).
4. That, in compliance to the order passed by this Hon'ble Tribunal, the Joint Committee consisting of Officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site on 29.07.2022. No one from the office of DM (South West) attended the jointinspection. Following are the observations of team:

- *No RO Plant was existing at plot no. 9, Block K, Part II, Chanakya Place.*
- *One RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar & Sh. Ashish Kumar.*
- *The major observations w.r.t. the R.O. Plant at Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar are as follows:*

-No NOC permission has been obtained from DIB/ CGWA for running the RO plant/ extracting ground water,
-The wastewater generated from the plant is being discharged directly to the drain.

Copy of the inspection report of joint committee dated 27.09.2022 is enclosed herewith as ANNEXURE-1.
5. That based on the observations, a letter was written by DPCC on 03.08.2022, to Delhi Jal Board, DM (South West) and (GWA for taking necessary action at their end. Copy of the letter dated 03/08/2022 is enclosed herewith as ANNEXURE-2.
6. The response from CGWA received on 14/09/2022, indicated that the unit has to take permission from the DJB/ District Administration and that the tube well should be sealed by DM as DM is authorized officer for sealing of tube well and taking legal action. Copy of the response from CGWA dated 14/09/2022 is enclosed herewith as ANNEXURE-3.
7. The DJB vide letter dated 22.09.2022 informed that the/unit could not be sealed as no one from the office of DM (South West) was present during the joint inspection. It also enclosed a letter written by DJB to SDM (Dwarka) for taking action against the illegal bore well observed during the joint inspection on 29/07.2022. Copy of the responsefrom DJB dated 22/09/2022 is enclosed herewith as ANNEXURE-4.

8.No ATR has been received from DM(South West). DPGC wrote a letter to DM(South West) for taking necessary action on 05/ 12/2022. Copy of the letter dated 05/12/2022 is enclosed herewith as Annexure-5."

4. Under orders of Hon'ble Chairperson of this Tribunal, the matter has been listed for further directions.

5. Vide order dated 21.07.2023, the District Magistrate (South West) was directed to comply with the directions issued by the DPCC and submit further action taken report and the DPCC was directed to calculate environmental compensation and to realize the same in accordance with the rules and to submit report in this regard.

6. No reports were submitted by the District Magistrate (South West) and the DPCC in compliance of above mentioned order.

7. Mr. V.K. Mongia SDM (Dwarka) has appeared before this Tribunal through VC on 02.11.2023 and verbally submitted that the R.O. plant has been sealed today and report will be submitted in due course of time.

8. Learned Counsel appearing for the DPCC also submitted on that date that appropriate proceedings are being initiated for imposition and realization of environmental compensation from the project proponent.

9. This Tribunal made the following observations in its order dated 02.11.2023 as under :

"X X X X
9. This case speaks volumes of insensitivity to environmental issue and inefficiency, inaction, gross negligence on the part of instrumentalities of the State, which are under Constitutional obligation to protect and improve the environment. Unauthorized R.O. plant is stated to have been sealed today despite the fact that order constituting the Joint Committee with direction to submit factual and action taken report within three months was passed on 31.01.2022 and was conveyed to the concerned authorities by email dated 07.02.2022 sent at the email ids- Chairman, DPCC chdpcc@nic.in, Member Secretary msdpcc@nic.in, Spl. Secretary Env. ssenv@delhi.gov.in,

ceodelhi.djbceodelhi.djb@nic.in, UdaiBhan, secy.djb@nic.in, Dr. Monica Priyadarshinidcnd@nic.in, Central Ground Water Authority, cgwa@nic.in, Ashok Kumar Pater mcgwa-cgwb@nic.in, yet the Joint Committee consisting of officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site after more than five months on 29.07.2022 and submitted its report after about two months on 27.09.2022. The DPCC wrote letters dated 03.08.2022 to DJB, District Magistrate (South West) and CGWA for taking necessary action. CGWA sent response dated 14.09.2022 to the DPCC that tubewell was to be sealed by the concerned District Magistrate. The DJB informed the DPCC vide letter dated 22.09.2022 that the unit could not be sealed as no one from the office of the District Magistrate (South West) was present during the inspection. The DPCC wrote letter dated 05.12.022 to the District Magistrate (South West) for taking necessary action. The illegal borewell in question has been sealed today after notice was issued on the present miscellaneous application. The above said authorities have allowed the illegal borewell to operate from 07.02.2022 (the date of communication of order passed by this Tribunal) till 02.11.2023 without any justification and have flouted the rule of law and illegitimately betrayed the trust of the people by neglecting to discharge the statutory duties entrusted to them.

10. In these facts and circumstances, we are of the considered view that besides the person illegally operating the borewell, the above said statutory authorities are also responsible for causing damage to environment and environmental damage compensation ought to be imposed on and realized from not only the violator but also the DPCC,DJB, District Magistrate (South West) and SDM Dwarka. However, before passing any further order in this regard, we consider it appropriate to give them opportunity to show cause as to why environmental compensation be also not imposed on them.

X X X X"

10. Accordingly, the Registry was directed to issue notices to the Member Secretary, DPCC, CEO, DJB, the District Magistrate (South West) and SDM Dwarka and violators Ajit Kumar and Ashish Kumar Plot no. 7, Block-K, Chanakya Palace II, Uttam Nagar requiring them to file their reply/response on or before 08.11.2023. Personal appearance of the Member Secretary, DPCC, CEO, DJB, the District Magistrate (South West) and SDM Dwarka **(physically or through VC)** was also ordered.

11. No replies/responses have been filed before this Tribunal but Mr. K. S. Jayachandran, Member Secretary, DPCC has appeared through VC and Mr. Lakshay Singhal, District Magistrate (South West), Delhi and

Mr. Vinay Kumar Mongia, SDM Dwarka, Delhi and Ajit Kumar and Ashish Kumar have appeared physically before this Tribunal.

12. However, CEO, DJB has not appeared physically or through VC and has not made any request for exemption and appearance through any Senior Officer. On the other hand, Mr. Shashi Kant, Assistant Engineer has appeared and stated that CEO, DJB has dual charge and is busy in some other work. All efforts made through DJB Officers/Officials and Registry of the Tribunal to join CEO, DJB through VC/mobile phone call remained unfruitful.

13. The failure of DJB to take requisite action to seal illegal borewell and also allowing the illegal borewell to run for more than one and half years creates serious doubt about the functioning of the DJB. It is best example of failure of DJB to evolve appropriate enforcement mechanism and even monitoring mechanism for implementation of orders of this Tribunal. Failure of the officer to appear before this Tribunal physically or through VC and even to seek exemption raises serious doubts regarding his efficacy in ensuring proper working of DJB in discharge of its constitutional obligation as instrumentality of State/GNCT of Delhi for protection and improvement of environment in Delhi and protection of the life and liberty of Citizens of Delhi from hazards of environmental pollution by ensuring proper enforcement of their fundamental right to clean and healthy environment.

14. It may be observed here that in the course of hearing today the violators Ajit Kumar and Ashish Kumar have stated that about 5 to 6 other illegal borewells are operating in the area and even Mr. Shashi Kant, Assistant Engineer has stated that he has some information about 4 other illegal borewells operating in the area.

15. In the facts and circumstances of the case, considering the nature of illegalities involved, significance of the remedial measures and necessity of taking prompt action we consider examination of CEO, DJB with respect to the complaints filed regarding illegal borewells, action taken regarding the same, monitoring mechanism evolved and action taken against defaulting officers/officials to be essential. Summons be issued against CEO, DJB to appear before this Tribunal on 04.12.2023.

16. In the cases coming up before us we have noticed that the concerned statutory authorities/public servants entrusted with the duties of enforcement of environmental norms and take prompt remedial action deliberately for extraneous considerations or otherwise due to lethargy, insensitivity, inefficiency or incompetence bordering deep slumber. It is of utmost importance that the concerned officers are sensitised about environmental issues and constitutional obligation to protect and improve the environment by induction training at the time of recruitment and in service training by way of refresher courses. The Chief Secretary, GNCT of Delhi is directed to take requisite steps within one month for sensitising concerned administrative officers posted as a District Magistrates/Sub Divisional Magistrates and officers posted in concerned statutory authorities like DJB by organising refresher courses at the weekends and inviting resource persons having expertise in the field of environmental law.

17. Mr. Lakshay Singhal, District Magistrate (South West), Delhi and Mr. Vinay Kumar Mongia, SDM Dwarka, Delhi have stated that they have recently joined. They are directed to conduct appropriate fact finding enquiry and fix responsibility for not taking of prompt remedial action of sealing illegal borewell and delay in compliance with the orders passed by this Tribunal and take appropriate disciplinary action against defaulting officials and submit an interim/final action taken report on

or before 31.12.2023 at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

18. The Chief Secretary, GNCT of Delhi is also directed to obtain explanation of the concerned officers who were posted as District Magistrate, South West/SDM Dwarka during the relevant period for ascertaining reasons of non-compliance with the orders passed by this Tribunal and to send the same to this Tribunal on or before 31.12.2023 by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

19. List for further consideration on 04.12.2023 for examination of CEO, DJB and on 04.01.2024 for further consideration.

20. A copy of this order be sent to the Chief Secretary, GNCT of Delhi by email for requisite compliance and sending a report to this Tribunal regarding sensitisation of the concerned officers.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 09, 2023

ANNEXURE - R 7

Item No.4 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

M.A No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Govt. of NCT of Delhi & Ors. Respondents

Date of hearing: 04.12.2023

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: None for the applicant

Respondents: Ms. Richa Kapoor and Ms. Esha Sharma, Advocates for DJB.
Mr. Nishchaya Nigam, Advocate for DPCC.
Mr. A. Anbarasu, CEO, Mr. Dalbir Singh, Addl. Chief Engineer (M)-8 and Mr. S. L. Meena, Member, Water Supply, DJB.

Application is registered based on a complaint received by Post.

ORDER

1. O.A. No. 33 of 2022 was filed with the grievance that R.O. plant was being run un-authorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

2. The above said O.A. was disposed of by this Tribunal vide order dated 31.01.2022 whereby the Joint Committee constituted was directed

to look into the grievance and submit Factual and Action Taken Report within three months.

3. Report dated 14.12.2022 was filed by the DPCCC and in view of non-compliance the matter was listed on judicial side.

4. Vide order dated 21.07.2023, the DM, (South West), Delhi and DPCC were directed to file Action Taken Reports but no Reports were filed on which notices were ordered to be issued to the MS, DPCC, CEO, DJB, DM (South West), Delhi and SDM (Dwarka) (besides the Project Proponents) who were asked to appear before this Tribunal physically or through VC on 09.11.2023. The CEO, DJB did not appear before this Tribunal on that date physically or through VC and in the facts and circumstances of the case, considering the nature of illegalities involved, significance of the remedial measures and necessity of taking prompt action, this Tribunal considered examination of CEO, DJB with respect to the complaints filed regarding illegal borewells, action taken regarding the same, monitoring mechanism evolved and action taken against defaulting officers/officials to be essential. Accordingly, summons were ordered to be issued against CEO, DJB to appear before this Tribunal on 04.12.2023.

5. In compliance thereof Mr. A. Anbarasu, CEO, DJB has appeared before this Tribunal alongwith other DJB officers and has also filed reply affidavit vide email dated 02.12.2023 and we have interacted with them.

6. In the reply detailed submissions have been made regarding action taken by DJB on receipt of a copy of order dated 31.01.2022. It has been inter alia mentioned that the concerned JE (Civil) visited the premises in question on 26.02.2022 and it was discovered that the illegal bore-well

and unauthorised RO Plant was installed at K-7, Chanakaya Palace, Part II, New Delhi and was owned by Mr. Ajit Singh. The concerned EE (M-30) upon receipt of site inspection report from JE(Civil), promptly reported about the illegal extraction of water through unauthorized ground water bore-well existing at K-7, Chanakaya Place, Part II, New Delhi-59, to the Sub-Divisional Magistrate (Dwarka) vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water.

7. It has been further submitted that in terms of the order dated 31.01.2022 passed in the O.A. No. 33 of 2022, DPCC was appointed as the nodal agency for coordination and compliance of the Joint Committee formed to look into the grievance of the Applicant namely Ganesh Prasad. Accordingly, the DPCC organized the inspection on 29.07.2022 of the site K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. The officials of Delhi Jal Board (DJB), CGWA & DPCC attended the inspection at site on 29.07.2022. However, the bore-well in question could not be sealed on the date of inspection as no officer from the office of the concerned District. Magistrate (South-West), Delhi was present during joint inspection. Thereafter, the concerned EE(M), DJB had issued reminder letter dated 09.09.2022 to SDM (Dwarka) alongwith the copy of order dated 31.01.2022 of this Tribunal requesting immediate action and sealing of the bore-well in question. On 21.07.2023 fresh MA No. 24 of 2023 in OA No. 33 of 2022 was taken up for hearing by this Tribunal wherein the grievance was made regarding running of unauthorized RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. It has been further submitted in the reply affidavit that in compliance of order dated 21.07.2023 DJB has been taking active steps to launch awareness programmes through various RWAs and Commercial and Industrial

Associations to create awareness among the residents to encourage rain water harvesting and warning the citizens not to engage in illegal activities such as erection, installation & use of borewell for residential, commercial and industrial use. Further, there is also helpline no. 1916 activated by DJB for reporting any illegal activities in respect of water and water connection including use of illegal borewells. DJB has vigilantly acted upon the three other complaints received in respect of illegal borewells installed in Chanakaya Place and its adjoining areas and has duly intimated the concerned office of SDM (Dwarka) through letters and telephonically, to initiate sealing actions as per the SOP. Further, reminders have also been sent to the concerned SDM (Dwarka) & DM through letters dated 29.11.2023. In the reply it has also been mentioned that about 19661 illegal bore-wells were identified as on 31.08.2021 and thereafter DJB has continued to identify illegal bore-wells and prevent ground water extraction. Since the order dated 21.07.2023, was not in the knowledge of DJB, its counsel or representative could not attend on 02.11.2023.

8. In the reply CEO, DJB has also mentioned that order dated 04.11.2023 was brought to his notice for the first time on 09.11.2023 and due to prescheduled engagements mentioned in the reply, he was unable to attend the hearing before this Tribunal and could not file exemption application.

9. It may be observed here that in OA no. 685/2019, this Tribunal took suo-moto cognizance on a letter petition complaining that certain persons are running water plants by illegally extracting the same in different places namely Kashmiri Gate, Tilak Bazar, Sadar Bazar, Azad market, Chandni chowk etc. This Tribunal constituted a Joint Committee comprising DJB and NDMC which submitted action taken report that out of 12 addresses

given in the said report, 9 were found extracting ground water illegally, one premises was found locked, and in 3 premises no bore well was found. Another report dated 03.04.2020 was submitted by DJB about 11 locations out of which at 4 places no bore-well was found and in 7 locations, bore-wells were either sealed or running illegally. Both the reports were considered by this Tribunal on 15.05.2020 and noticing that bore-wells were illegally existing and operating and no remedial action was taken by Statutory Regulators, this Tribunal deprecated the inaction on the part of Statutory Regulators and passed a detailed order referring to directions issued in earlier matters dealing with similar violations. Operative part of the order in para 8 reads as under:

> *"8. In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tube -ells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter.*
> *A copy of the order be forwarded to the Chief Secretary, Delhi, Secretary, Ministry of Jal Shakti, Govt. of India, DJB, CPCB, DPCC, Commissioners of all Municipal Corporation of Delhi, all the District Magistrates in Delhi and Justice S.P. Garg, former Judge of Delhi High Court."*

10. Pursuant to above referred order status report dated 11.07.2020 was file by DPCC stating that Environment Department has prepared a draft SOP titled as "Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells" for laying out an effective mechanism for prevention of illegal extraction of ground water and the same was circulated to all the concerned authorities, DJB and District Magistrates of Delhi for their comments/suggestions; in compliance of order of Tribunal, a meeting was taken by the Chief

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Secretary, Delhi on 12.06.2020 through video conferencing; the meeting was attended by Municipal authorities, DJB, DPCC and District Magistrates of Delhi; SOP has since been finalized and has been brought into effect; in SOP clear responsibilities have been assigned to various agencies as DJB/local bodies and block development officers for identification of illegal borewells depending on the nature of use; Deputy Commissioners (Revenue) of the districts have been assigned role of supervision of checking the violation and closure of illegal borewells and inter departmental advisory committee was constituted for each district to assist Deputy Commissioners. It has been observed that often drilling machines/rigs are used to dig illegal borewells, the mechanism for their regulation including registration and prior permission for movement and deployment has also been incorporated in the SOP and during meeting, it was informed that DJB has already identified 19661 illegal borewells against whom action is being taken and 7248 units were already closed by the district authorities. Report said that remaining units would be closed down on priority as they were already identified and process would be completed within a period of three months. This report was considered on 13.07.2020. This Tribunal recorded the contents of SOP and found that action was not taken as per the provisions of SOP. This Tribunal directed that further action be taken which may be overseen by the DPCC and compliance status as on 31.12.2020 be brought on record by 15.01.2021. In furtherance of order dated 13.07.2020, an action taken report dated 03.09.2021 was filed by DPCC. Relevant contents of the said report read as under:

> *"2. the Chief Secretary, Delhi decided that Delhi Jal Board will prepare the list of illegal borewells, Revenue Department will supervise the closure action of the illegal borewell and DPCC was assigned the task to impose EDC on the violators as per the list provided by DJB.*
> *3. That Revenue Authorities provided the details of action taken by them, which is as follows:*

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District	ATR (Borewell sealed till		
	No. of illegal borewells identified in the district	Action taken on illegal borewells till 31.08.2021	No. ofilleg al borewells to be sealed
North	761	748	13
East	116	116	0
South West	6681	1410	5271
South East	297	231	66
North West	8299	5814	2485
Shahdara	552	552	0
New Delhi	75	75	0
Central	611	412	199
West	2185	1793	392
North East	0	0	0
South	84	84	0
Total	**19661**	**11235**	**8426**

4. DPCC on its part has taken following action to assess the Environmental Compensation to be imposed on the basis of information received from DJB and Revenue Authorities:

(i) Show cause notices for imposition of EDC issued : 18315
(ii) EDC amount proposed in above mentioned SCNs: 70,65,80,000/-
(iii) EDC amount imposed: 70,65,80,000/-
(iv) EDC amount received: Rs. 23,80,000/-
(v) EDC amount yet to be recovered: 70,42,00,000/-

Due to continuing pandemic, the process of recovery is very slow and Revenue authorities are not able to spare their manpower for taking action.

5. That many units had mentioned their inability or delay in depositing the EDC due to Covid-19 Pandemic and low economic activity during last few months since March 2020. They have also mentioned that unprecedented health crises and emergency coupled with steep downfall in the revenue earning due to lockdown which has brought down the economic activities to the lowest level. In case of remaining units, recovery certificates was issued to the concerned District Magistrate/SDMs, to recover the amount as arrears of land revenue from the remaining units which have not deposited Environmental Damages Compensation (EDC)."

11. This Tribunal observed that huge environmental compensation of more than Rs. 70 Crores was computed but a negligible amount of Rs. 23.8 lakhs was recovered. No action for prosecution was taken against violators. Further, out of 19661 illegal bore wells, identified in various

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Districts of Delhi, only 11235 were sealed and 8420 remained to be sealed. No reason was given as to why all illegally running bore wells were not sealed. An additional action taken report dated 02.11.2021 was filed without much improvement as out of 19661 illegal bore wells identified by DJB, action was taken by Revenue Authorities against 11364 bore wells only till that date. This Tribunal considered the situation to be disgusting/disappointing due to snail pace level of activities on the part of statutory regulators which clearly indicated dereliction of duties. This Tribunal directed the authorities to take appropriate remedial action against all the illegally running bore wells identified by DJB and submit a complete compliance report after six months and a copy of the order was ordered to be forwarded to DJB, DPCC and NDMC by e-mail for compliance.

12. In the course of hearing, when so ascertained, we have been informed by the Registry that no such report has been filed by DJB, DPCC and NDMC in compliance of order dated 25.02.2022.

13. In the present case the procedure laid down in SoP was not followed by the concerned authorities and action was not promptly taken despite detailed orders having been passed by this Tribunal.

14. Even though in the present case summons were issued to CEO, DJB for his examination as witness but Mr. A. Anbarasu, CEO, DJB seeks time to file status report giving requisite information in detail.

15. The CEO, DJB is allowed to file status report giving requisite information in detail. The report to be filed by the CEO, DJB shall in particular give requisite details in tabular format with respect to following aspects:-

(i) District wise number of illegal borewells identified;

(ii) District wise number of illegal borewells which have been sealed/closed;
(iii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
(iv) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
(v) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
(vi) District wise number of illegal borewells which are yet to be sealed/closed; and
(vii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

16. The DPCC is also directed to file status report in tabular format with respect to following aspects:-

(i) District wise number of cases in which show cause notices for imposition of EDC have been issued;
(ii) District wise number of cases in which orders for imposition of EDC have been issued;
(iii) District wise number of cases in which orders for imposition of EDC are yet to be issued;
(iv) District wise number of cases in which EDC has been recovered;
(v) District wise number of cases in which EDC is yet to be recovered;
(vi) District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;
(vii) District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;
(viii) How much of EDC amount recovered from the violators has been utilised by DPCC/DJB with requisite details; and
(ix) How much of EDC amount recovered from the violators is yet to be utilised by DPCC/DJB with requisite details.

17. Status Reports be filed by the CEO, DJB and by the Member Secretary, DPCC on or before 02.01.2024 through E-filing portal (not through E-mail) in the form of searchable PDF/OCR Support PDF (not in the form of Image PDF).

18. It is clarified that in case of non-compliance with this order exemplary costs may be imposed unnecessary adjournment and delay thereby caused.

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19. List for further consideration on 04.01.2024.

20. A copy of this order be sent to the CEO, DJB and the Member Secretary, DPCC by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 04th, 2023
AG

ANNEXURE- R8

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. No. 24 of 2023
IN
ORIGINAL APPLICATION NO. 33 of 2022

IN THE MATTER OF:

Ganesh Prasad .....Applicant

Versus

Govt. of NCT of Delhi & Ors. .....Respondents

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7.	**Annexure R-6:** True copy of reminder letter dated 09.09.2022 issued by the DJB to the SDM (Dwarka)	37-38

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8.	**Annexure R-7:** True copy of order dated 21.07.2023 passed in MA No. 24 of 2023 in OA No. 33 of 2022	39-40
9.	**Annexure R-8:** True copy of the photographs of the awareness programme conducted by the DJB	41-43
10.	**Annexure R-9(Colly):** True copies of the letters dated 03.06.2022, 25.05.2023, 23.11.2023 & 29.11.2023	44-51
11.	**Annexure R-10:** True copy of the order dated 02.11.2023 passed in MA No. 24 of 2023 in OA No. 33 of 2022	52-56
12.	**Annexure R-11:** True copy of death certificate of wife of EE(M-30) DJB.	57-58

Through

Richa Kapoor

Richa Kapoor
Advocate (D/725/1992)
Counsel for DJB
407, Lawyers Block I,
Delhi High Court
New Delhi – 110003
Mob. 9810400407
Email: office@marklegal.co.in

New Delhi
Date: 02.12.2023

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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

M.A. No. 24 of 2023
IN
ORIGINAL APPLICATION NO. 33 of 2022

IN THE MATTER OF:
Ganesh Prasad .....Applicant

Versus

Govt. of NCT of Delhi & Ors. .....Respondents

REPLY AFFIDAVIT ON BEHALF OF DJB IN COMPLIANCE OF ORDER DATED 02.11.2023 & 09.11.2023

I, A. Anbarasu S/o Sh. K. S. Appavoo, Aged 53 years, CEO, DJB, having its office at Varunalaya, Phase II, Karol Bagh, New Delhi – 110005, do hereby on solemn affirmation state and declare as under:

1. I, am holding the additional charge of CEO, Delhi Jal Board (DJB) and thus fully conversant with the facts of the case and hence competent to swear this affidavit on behalf of DJB in compliance of orders dated 02.11.2023 & 09.11.2023 passed by this Hon'ble Tribunal in the above captioned case. That the statements in the instant affidavit are based upon knowledge obtained during the regular course of business and records maintained by DJB.



2. That the Original Application No. 33 of 2022 was filed before this Hon'ble Tribunal by the Applicant namely Ganesh Prasad raising grievance regarding running of the unauthorised RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi, by one Mr. Ashish. Accordingly vide order of the said date, this Hon'ble Tribunal taking cognizance of the grievance of the Applicant, constituted a Joint

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Committee of Chairman DJB, DPCC, District Magistrate (DM), New Delhi and Chairman, State Ground Water Authority (SGWA) to look into the grievance of the applicant. The State PCB i.e. DPCC was appointed as nodal agency for coordination and compliance. It was also observed in the said order that Joint Committee may meet within one month and undertake site visit and look into the grievance. Factual and action taken report may be furnished within 3 months before the Ld. Registrar General, NGT, Delhi by email at judicial-ngt@gov.in and if necessary he may put the matter before the bench for necessary action. True copy of the order dated 31.01.2022 passed in OA No. 33 of 2022 is annexed herein as **Annexure R-1.**



3. That the aforesaid order dated 31.01.2022, was communicated at the office of the CEO DJB through email dated 07.02.2022 sent by the Consultant Judicial – NGT (P.B.). Upon receipt of the order, the case was marked to the concerned Executive Engineer i.e. EE (M-30) on 21.02.2022 for necessary action. That the concerned EE(M-30) deputed Mr. Shashikant Yadav JE (Civil) to inspect and visit the premises in question i.e. K-9, Chanakaya Palace Part II, New Delhi and report back its observation at site.

4. That the concerned JE (Civil) visited the premises in question on 26.02.2022 and it was discovered that the illegal bore well and unauthorised RO Plant, was instead installed at K-7, Chanakaya Palace, Part II, New Delhi and was owned by Mr. Ajit Singh (8700939586). The relevant site facts noted during the inspection by the J.E. (Civil) are as follows:

- *One underground bore exists.*
- *Photograph of RO plant enclosed*
- *Electricity bill enclosed (non domestic) CA No. 103161369*

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- *Capacity of submersible pump installed 1.5hp*
- *Permission of bore well not available*
- *Daily operating hours as per owner 1 hr. Morning and 1 hr evening.*
- *Filling of bottles as per the owner 100 no filling of 20 litre bottles daily.*

True copy of the site facts noted during the inspection by the J.E. (Civil) dated 26.02.2022 at Page 1/N of the concerned file along with its typed copy is annexed as **Annexure R-2.**

5. The concerned EE(M-30) upon receipt of site inspection report from JE(Civil), promptly reported about the illegal extraction of water through unauthorised ground water bore well existing at K-7, Chanakaya Place, Part II, New Delhi-59 ("site"), to the Sub-Divisional Magistrate (Dwarka) ("Concerned SDM") vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water. True copy of the letter dated 28.02.2022 sent by the EE (M-30) to the SDM Dwarka is annexed as **Annexure R-3.**



6. That it is relevant to mention that the environment department of Govt. of NCT of Delhi had devised the Standard Operating Procedure (SOP) titled as " *Regulation of extraction of groundwater, closure, prohibition of illegal activities relating to use of borewells/tubewells*" wherein clear responsibilities have been assigned to various agencies such as DJB/local bodies and block development officers for identification of illegal borewells depending on nature of use and Deputy Commissioners (Revenue) of the Districts have been assigned the role of supervision of checking the violation and closure of illegal borewells. An inter- departmental advisory committee has been

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constituted for each district to assist the Deputy Commissioners. The detailed procedure provided in the SOP is reproduced herein below :-

"*Standard Operating Procedure (SOP):*

1. *Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.*

2. *The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.*

3. *An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, 'ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be*

The Seal of the Oath Commissioner
SL. NO. 1PP/2023
Ms. DEEPIKA KUMARI
App. By Oath Hon'ble Court
1/8/2023 to 31/08/2025
Delhi High Court, New Delhi

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taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4. *The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.*



5. *In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.*

6. *For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination.*

The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7. *The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.*

8. *The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.*

9. *All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.*

10. *The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.*

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11. As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12. The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

True copy of the Standard Operating Procedures (SOPs) titled as "Regulation of extraction of groundwater, closure, prohibition of illegal activities relating to use of borewells/tubewells" devised by Govt. of NCT of Delhi is annexed as **Annexure R-4.**



7. In terms of the aforementioned SOPs, the Delhi Jal Board, from time to time, upon receiving complaint about any such illegal bore well/tube well being installed and operated has acted promptly and vigilantly in informing the office of concerned SDMs who are competent authority for deduction of illegal wells and its closure under the supervision of Deputy Commissioner (Revenue).

8. That as stated above since in terms of the order dated 31.01.2022 passed in the OA No. 33 of 2022, DPCC was appointed as the nodal agency for coordination and compliance of the Joint Committee formed to look into the grievance of the Applicant namely Ganesh Prasad, the DPCC organized the inspection on 29.07.2022, of the site K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. The officials of Delhi Jal Board (DJB), Central Ground Water Authority

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(CGWA) & DPCC attended the inspection at site on 29.07.2022. However, the bore well in question could not be sealed on the date of inspection as no officer from the office of the concerned District Magistrate (South-West), Delhi was present during joint inspection. True copy of joint inspection report dated 29.07.2022 alongwith typed copy are annexed as **Annexure R -5.**

9. Thereafter, the concerned EE(M), DJB had issued reminder letter dated 09.09.2022 to SDM (Dwarka) alongwith the copy of order dated 31.01.2022 of this Hon'ble Tribunal requesting immediate action and sealing of the borewell in question. True copy of reminder letter dated 09.09.2022 issued by the DJB to the SDM (Dwarka) is annexed as **Annexure R-6**.

10. That on 21.07.2023 fresh MA No. 24 of 2023 in OA No. 33 of 2022 was taken up for hearing before this Hon'ble Tribunal wherein the grievance was made regarding running of unauthorized RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. That on the said date none appeared either for the Respondent or for the Applicant. That vide order dated 21.07.2023 passed in MA No. 24 of 2023 in OA No. 33 of 2022, this Hon'ble Tribunal directed the '*District Magistrate (South west Delhi) to comply with the directions and submit further action taken report directed DPCC to calculate environmental compensation for the pass violations, assess and to realise in accordance with rules and to submit report within 2 months by e-mail @judicial-ngt@gov.in....*' Further considering such incidences of illegal extraction of ground water coming before the tribunal, CGWA/DJB was directed to launch awareness programmes on warning citizens to act according to due procedures and listed the

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matter for consideration on 02.11.2023. True copy of order dated 21.07.2023 passed in MA No. 24 of 2023 in OA No. 33 of 2022 is annexed as **Annexure R-7**.

11. It is submitted that even though DJB has been taking active steps to launch awareness programmes in compliance of order dated 21.07.2023, the order of the said date did not come in the notice of DJB and hence on account of inadvertent but bonafide omission, the DJB remained unrepresented on the said date before this Hon'ble Tribunal, as the said M.A. 24 of 2023 was listed for the first time before this Hon'ble Tribunal.

12. That it is submitted that in terms of order dated 21.07.2023, the DJB has been actively carrying out Local Awareness Programmes through various RWAs and Commercial and Industrial Associations to create awareness among the residents to encourage rain water harvesting and warning the citizens not to engage in illegal activities such as erection, installation & use of borewell for residential, commercial and industrial use. Further, there is also helpline no. 1916 activated by DJB for reporting any illegal activities in respect of water and water connection including use of illegal borewells. True copy of the photographs of the awareness programme conducted by the DJB is annexed as **Annexure-R-8**.



13. Further, it is submitted that the DJB has vigilantly acted upon the three other complaints received in respect of illegal borewells installed in Chanakaya Place and its adjoining areas and has duly intimated the concerned office of SDM (Dwarka) through letters and telephonically, to initiate sealing actions as per the SOP. Further, reminders have also been sent to the concerned SDM (Dwarka) &

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DM letters dated 29.11.2023. True copies of the letters dated 03.06.2022, 25.05.2023, 23.11.2023 & 29.11.2023 are annexed as **Annexure-R-9 (Colly)**.

14. That the DJB has been duly complying with the responsibilities as assigned as per the said SOP to prevent illegal extraction of ground water and installation of bore wells. It is pertinent to mentioned that due to the vigilant action of the DJB about 19661 illegal bore wells were identified as on 31.08.2021 and thereafter DJB has continued to identify illegal bore wells and prevent ground water extraction.

15. That since the order dated 21.07.2023, was not in the knowledge of DJB, the date of 02.11.2023 also bonafidely and inadvertently could not be attended to either by the counsel or by any of the representative of the DJB. This Hon'ble Tribunal taking note of the delay in sealing of the subject unauthorized RO Plant at site by District Magistrate (South West Delhi) from 07.02.2022 till 02.11.2023 without any justification, issued show cause notice to DPCC, DJB, District Magistrate (South West Delhi) and SDM Dwarka to explain as to why environmental compensation be not imposed upon them and directed them to file their response/reply on or before 08.11.2023 and listed the matter for hearing on 09.11.2023. True copy of the order dated 02.11.2023 passed in MA No. 24 of 2023 in OA No. 33 of 2022 is annexed as **Annexure R-10**.

16. It is most humbly submitted that the order dated 02.11.2023 was communicated to the office of the deponent on 04.11.2023 and the same was inadvertently forwarded by the personal secretary of the deponent to the concerned Member of DJB who then further assigned

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the said email to the office of concerned EE(M-30) Sh. Pulkit Saigal, to take necessary action. However, since the concerned EE M 30 due to critical illness of his wife had taken leave w.e.f. 04.11.2023 and unfortunately the wife of Sh. Pulkit Saigal Expired on 09.11.2023, which was the date of hearing before this Hon'ble Tribunal. On this account Sh. Shashikant Yadav, subordinate of the concerned EE M 30, appeared before the Hon'ble Tribunal on 09.11.2023. True copy of death certificate of wife of EE(M-30) DJB is annexed as **Annexure R-11**

17. That the information about the order dated 02.11.2023 which was communicated through e mail dated 04.11.2023 was only brought to the knowledge of deponent for the first time on 09.11.2023. But the following meetings/inspections were prescheduled to be chaired/attended by the deponent on 09.11.2023 and could not be rescheduled as they required urgent executive decision in the presence of deponent.



a) 10.00 am DJB lake Timarpur- visit of Hon. Minister water.
b) 12.00 pm (Noon) conference hall CR building- meeting of state coordination committee regarding GST authorities from the state and central tax administration.
c) 3.00 pm- conference hall MSO building- meeting under chairman ship of deponent.
d) 3.30 pm conference room minister (Revenue)- Hon. Minister (Water).
e) 4.30 pm conference room 6th level Delhi Secretariat- meeting under chairmanship of Hon. Minister water.

It was also orally conveyed on phone to the Registrar, NGT about my inability to attend and requested for a fresh date to appear before NGT. Non-appearance in NGT on 09.11.2023

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and the resultant inconvenience caused to NGT is deeply regretted.

18. In view of the aforesaid, it is submitted that DJB could not effectively represent itself, and could not file its reply nor could move an application seeking exemption of the personal appearance of CEO, DJB, the deponent herein. The non-compliance/nonappearance was not intentional but was on account of bonafide reasons as narrated herein above and deponent undertakes remain personally present before this Hon'ble Tribunal on 04.12.2023.

19. The deponent, in all humility at his command, renders unconditional apology before this Hon'ble Tribunal and seek to place the reply/response in compliance to the order dated 02.11.2023 & 09.11.2023 which may kindly be taken on record.

20. It is submitted that the SDM has the authority to seal the unauthorized borewell for which the DJB promptly on receiving the information of the case on mail dated 07.02.2022, carried out the inspection on 26.02.2023 and consequently sent a letter dated 28.02.2022 to the SDM to take appropriate action in accordance with law and hence there is no delay on part of DJB. In view of the averment's contentions raised the bonafides of the DJB, it is most respectfully prayed that the show cause issued against DJB vide order dated 02.11.2023 be recalled.

21. The deponent is ready and willing to comply with any directions and instructions as this Hon'ble Tribunal may deem fit to prevent illegal ground water extraction.

DEPONENT

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VERIFICATION: 02 DEC 2023

Verified at New Delhi on 2 day of December, 2023 that the contents of present affidavit are true and correct to my knowledge, and no part of it is false and nothing material has been concealed therefrom.

DEPONENT

Richa Kapoor

I Identify the deponent who has signed/put thumb impression in my presence.

CERTIFIED THAT THE DERONENT
Shri/Smt./Km. A. Anbarasu
S/o. W/o D/o Sh. K.S. Alpavo
R/o.....
Identified by Sh. Richa Kapoor, Adv.
Has Solemnized at Delhi
on..... 36 ..... 02 DEC 2023
that the contents of the affidavit which have been read & explained to him are true and correct to his knowledge.

Oath Commissioner, Delhi High Court

The Seal of the Oath Commissioner
SL. No. 18/2023
Ms. DEEPIKA KUMARI
Delhi High Court
Delhi High Court, New Delhi

Item No.20 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPALBENCH

(By Video Conferencing)

Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi Respondent

Date of hearing: 31.01.2022

CORAM: HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER

Application is registered based on a complaint received by Post

ORDER

1. Grievance of the applicant Mr. Ganesh Prasad is regarding running of unauthorized R.O. plant at K-9, 25 Feet Road, Part II, Chankya Puri Palace, New Delhi by one Mr. Ashish (Mobile No. 9212025900), who has extracted lacs of liters of ground water and has caused damage to the environment.

2. In view of the above, we form a joint committee of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority to look into the grievance of the applicant. The State PCB will be the Nodal agency for coordination and compliance. The joint Committee may meet within one month and undertake site visit and look into the grievance. Factual and action taken report may be furnished within three months before the Ld. Registrar General, NGT, Delhi by e-mail at judicial-ngt@gov.in preferably in the form of

searchable PDF/ OCR Support PDF and not in the form of Image PDF and, if necessary, he may put the matter before the Bench for necessary directions.

The application is disposed of accordingly.

A copy of this order, along with a copy of the complaint, be forwarded to the Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority, by e-mail for compliance.

Brijesh Sethi, JM

Prof. A. Senthil Vel, EM

January 31, 2022
Original Application No. 33/2022
AP & AG

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Subject:-Reporting for unauthorized and illegal R.O. Plant operating at K- Chanakya Place Part II New Delhi

w.r.t to the above mentioned subject it is reported that on visiting the premises K-7 Part II on dated 26-02-2022 mentioned in the complaint. It is a residential plot. Two children were present at time of visiting of premises on asking them is there any RO plant exist in this premises they replied no however I had gone to every room of the premises and do not found anything relating to RO plant. Further one child said there is plant but the address is different. It is K-7 C P II. Afterwards I have gone to K-7 C P II and found RO Plant installed there.

Further enquiring with the owner of the plant (Ajit Singh 8700939586) Owner told that some days back two persons came from the DJB Jhandewalan office (name not known) named as Mr. Praveen and Mr. Rana in this regard. However some of the site [illegible] as under.

- One under ground bore exists
- Photograph of RO plant enclosed.
- Electricity bill enclosed.(non domestic) CA no 10316 360
- Capacity of submersible pump installed 1.5 hp
- Permission of bore well not available
- Daily operating hours as per owner 1hr morning and 1 hr evening
- Filling of bottles as per the owner 100 no filling of 20 litres bottles daily

दिल्ली जल बोर्ड
DELHI JAL BOARD

JE/M-30

Site Inspection report of Executive Engineer JE of area & attached photographs please. Letter written to SDM (South) Delhi for sealing of bore existing if any permission. Sealing file please.

AEE (M) 30
DELHI JAL BOARD
Diary No. 512
Date 28/2/22

DELHI JAL BOARD
Addl. CE (M)-8
Diary No. 674
Date 8/3/2022

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I/N

Subject:- Reporting for unauthorized and illegal R.O. Plant operating at K-9 Chanakya Place Part II New Delhi.

w.r.t to the above mentioned subject it is reported that on visiting the premises K-9 CP-II on the dated 26-02-2022 mentioned in the complaint. It is a residential plot Two children were present at time of visiting of premises. On asking them is there any RO plant existing in this premises they replied no, however I had gone to every room of the premises and do not found anything relating to RO plant. Further, one child said there is plant but the address is different. It is K-7 CP-II. After wards I have gone to K-7 CP-II and found RO Plant installed there.

Further enquiring with the owner of the plant (Ajit Singh-8700939586). Owner told that some days back two persons came from the DJB Jhandewalan office, room no 51 named as Mr. Praveen and Mr. rana in this regard. However some of the site facts were as under:-

- One under ground bore exists
- Photographs of RO plant enclosed.
- Electricity bill enclosed (non domestic) CA No.103161369)
- Capacity of submersible pump installed 1.5 hp
- Permission of bore well not available
- Daily operating hours as per owner 1hr morning and 1hr evening
- Filling of bottles as per the owner 100 no filling of 20 liters bottles daily

-Sd-
26/02/2022
Shashikant Yadav
JE Civil

EE M-30

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A.E.F. (M)30 Delhi Jal Board Dairy No.312 Date 02.03.2022 DELHI JAL BOARD Addl. CE (M)-8 Dairy No. 674 Date 8/3/2022	Site Inspection report of concerned J.E of area is attached & reference from Letter written to SDM (S. West/Dwarka) for sealing of bore existing at site with any permission. Submitted please.

-Sd-

EE M-30

TRUE COPY

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STOP CORONA
"Wear Mask, Follow Physical Distancing, Maintain Hand Hygiene"

DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI-110058
Mail id : aeem30djb@gmail.com

NO. DJB/AEE (M)-30/2022/ 120 DATE:- 2.3.22

To,

Sub Divisional Magistrate (Dwarka)
SDM DWARKA Office,
Sector-10, Dwarka,
New Delhi.

Sub: - Illegal extraction of water through bore well.

It has been brought to the notice of the office of under signed that illegal ground water bore are existing at K-7 Chanakya Place Part-II. New Delhi 110059. It is therefore requested to kindly take necessary action as per the provision of the illegal extraction of ground water.

Submitted please.

Executive Engineer (M)-30

c/c

02 MAR 2022

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI 110058
Mail id : aeem30djb@gmail.com

No. DJB/AEE(M)-30/2022/120 DATE: 28.02.2022

To,

Sub Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi

Sub:- **Illegal extraction of water through bore well.**

It has been brought to the notice of the office of under signed that illegal ground water bore are existing at K-7 Chanakya Place Part-II, New Delhi 110059. It is therefore requested to kindly take necessary action as per the provision of the illegal extraction of ground water. .

Submitted Please.

-Sd-
Executive Engineer (M)-30

TRUE COPY

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Department of Environment
Govt. of NCT of Delhi

Standard Operating Procedure

Subject: Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi.

1. The Hon'ble National Green Tribunal in Original Application No. 685/2019 entitled as, "Rakesh Kumar Versus Govt. of NCT of Delhi vide its order dated 15.05.2020 directed as under:

> *"In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tubewells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter."*

2. As far as the various districts of NCT of Delhi are concerned, the CGWA vide its notification of March, 2006 has notified all districts of Delhi as over exploited areas, needing regulation, and registration of ground water abstraction structures mandatory. Regarding regulation of extraction of ground water and to provide procedure for closure /prohibition of illegal activities regarding operation of

borewells/tubewells, directions under Section 5 of the Environment (Protection) Act, 1986 have been issued with the approval of Hon'ble Lt. Governor on 18th May, 2010 and on 10th January, 2014. In the aforesaid directions the authorities and the procedure to permit use of ground water and to prevent misuse have been detailed along with the responsibilities of various authorities. The SOP has been devised based on the detailed procedure provided in the aforesaid directions dated 18.05.2010 and 10.01.2014.

3. Standard Operating Procedure (SOP):

1) Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.

2) The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

3) An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for

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taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4) The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.

5) In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

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6) For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7) The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.

8) The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.

9) All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10) The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

98

11) As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12) The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

----x-----x-----x-----x----

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Department of Environment

Govt. of NCT of Delhi

Standard Operating Procedure

Subject: Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi.

1. The Hon'ble National Green Tribunal in Original Application No. 685/2019 entitled as, "Rakesh Kumar Versus Govt. of NCT of Delhi vide its order dated 15.05.2020 directed as under:

> *"In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tubewells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and) oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter."*

2. As far as the various districts of NCT of Delhi are concerned, the CGWA vide its notification of March, 2006 has notified all districts of Delhi as over exploited areas, needing regulation, and registration of ground water abstraction structures mandatory. Regarding regulation of extraction of ground water and to provide procedure for closure/prohibition of illegal activities regarding operation of Department of Environment borewells/tubewells, directions under Section 5 of the Environment (Protection) Act, 1986 have been issued

with the approval of Hon'ble Lt. Governor on 18" May, 2010 and on 10" January, 2014. In the aforesaid directions the authorities and the procedure to permit use of ground water and to prevent misuse have been detailed along with the responsibilities of various authorities. The SOP has been devised based on the detailed procedure provided in the aforesaid directions dated 18.05.2010 and 10.01.2014.

3. **Standard Operating Procedure (SOP):**

1) Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.

2) The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

3) An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, 'ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources

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including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4) The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.

5. In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

6) For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team

160

will comprise field functionaries from DJB, DISCOMs and Local Police.

7) The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.

8) The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.

9) All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10) The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11) As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy

187

Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12) The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

------x---------x----------x---------x

TRUE COPY

102

INSPECTION REPORT

Dated : 29/07/2022

In Compliance of Hon'ble NGT order dated 31.01.2022 in OA No. 33/2022, a joint inspection was carried out by joint committee including officials of DPCC, CGWA, DJB

Following were the facts/observation gathered during the inspection :-

1. An RO plant was verified at the address Plot No-7, Block-K, Chanakya palace-II, Uttam Nagar, New Delhi on the name of Ajit Kumar & Ashish Kumar. However at plot No-9, Block-K, do -- no RO plant was present.
2. The person present during the inspection at plot No-7 named Ajit accepted the fact that he is operating RO plant in plot-7 instead of plot No-9.
3. So, at plot No-7 Block K, do -, our observation are as follows :-

(a) Borewell with submersible pump (4" dia, 2-4 HP pump) and exact capacity of the pump could not be verified as it is underground.

(b) No NOC/permission is obtained from CGWA for running an RO plant for the extracted water from ground.

(c.) RO plant set up is verified alongwith pictures. It is operational since 1-2 years as told by person contacted.

(d) S/c /03
As per the information given by the person contacted around 300-400 bottles of capacity 20 Litres suppling in the nearby places.

(e) Ground water sample tested with a ~~to~~ TDS meter pens (collected from site) and reported value of TDS is 739 mg/l.

(f) The waste water generated from plant was being directly discharged into the sewer.

~~(g) At~~

Amzad Khan
JEE, DPCC

29/7/22
S.K Yadav
JE(L)
C/o EE.M-30.
ACEM-8

29/7/22
(Shilpi gupta)
Sc-B

106

ATTENDANCE

29/07/2022

1. SHILPI GUPTA, SCIENTIST-B, CGWB, NEW DELHI
2. AMZAD KHAN, JEE, DPCC
3. SHASHIKANT YADAV, JE, DJB

Amzad Khan 29/07/2022

No member/representative from DM (South-West) was present during the inspection.

105

Dated: 29/07/2022

INSPECTION REPORT

In compliance of Hon'ble NGT order dated 31.01.2022 in OA No. 33/2022, a joint inspection was carried out by joint committee including officials of DPCC, CGWA, DJB.

Following were the facts/observation gathered during the inspection:-

1. An RO Plant was –illegible- at the address plot No.-7, Block –K, Chanakya Place-II, Uttam Nagar, New Delhi on the name of Ajit Kumar & Ashish Kumar house was at plot No.-9, Block-K, do --- no RO plant was present.

2. The person present during the inspection at plot No-7 named Ajit accepted the fact that he is operating RO plant in Plot -7 installed of Plot No.-9.

3. So, at plot No.-7 Block K, do – our observation are as follow:-

   (a) Borewell with submersible pump (4" dia, 2-4 HP pump) and exact capacity of the pump could not be find as it is underground.

   (b) No Noc/permission is obtained from CGWA for running an RO plant for the extracted water from ground.

   (c) RO plant set up is unfixed alongwith pictures. At is operational since 1-2 years as told by person contacted.

   (d) As per the information given by the person contacted around 300-400 bottles of capacity 20 litres supplying in the near by places.

106

(e) Ground water sample tested with TDS meter (collected from site) and reported value of TDS is 739 Mg/L.

(f) the waste water generated from plant was being directly discharged into the sewer.

-Sd- JEE, DPCC	-Sd- 29/7/22 S.K. Yadav JE(C) C/o EEM-30 ACE M-8	-Sd- 29/7/22 (Shilpi Gupta) Sci-B

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29/07/2022

ATTENDANCE

1. SHILPI GUPTA, SCIENTIST-B, CGWB, NEW DELHI
2. AMZAD KHAN, JEE, DPCC -SD- 29/07/2022
3. SHASHIKANT YADAV, JE, DJB

No member/representative from DM (South-West) was present during the inspection.

TRUE COPY

DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR. JANAKPURI, NEW DELHI-110058
Mail id : eeem30djb@gmail.com

NO. DJB/EE(M)30/2022/

DATE :-09.09.2022

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R-C

To,

Sub-Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi.

Subject: Regarding running of unauthorized R.O Plant a K-7/ K-9, 25 Feet Road, Part-II, Chankya Place, New Delhi -110046.

A complaint has been received from Ran'ble NGT (Copy Enclosed) regarding running of unauthorized R.O Plant a K-7 / K-9, 25 Feet Road, Chankya Place Part-II, New Delhi -110046.

A joint inspection was conducted on 29.07.2022 by the officials of DPCC, Delhi Jal Board and Control ground water authority and an unauthorized R.O. Plant was existing at K-7 alongwith an unauthorized ground bore. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted Please.

Enclosed:- Copy of observations of NGT.

Sd/-
(Pulkit Saigal)
Executive Engineer (M)-30

Copy to:-

1. ACE (M)-8 for kind information please.
2. Sh. Shashikant Yadav, JE
3. Office copy

Executive Engineer (M)-30

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI 110058
Mail id : aeem30djb@gmail.com

No. DJB/EE(M)30/2022/ DATE: 09.09.2022

To,

Sub Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi

Subject: Regarding running of unauthorized R.O Plant a K-7/K-9, 25 Feet Road, Part-II, Chankya Place, New Delhi- 110046

A complaint has been received from Hon'ble NGT (Copy Enclosed) regarding running of unauthorized R.O Plant a K-7/K-9, 25 Feet Road, Part-II, Chankya Place, New Delhi- 110046.

A joint inspection was conducted on 29.07.2022 by the officials of DPCC, Delhi Jal Board and Central ground water authority and an unauthorized R.O. Plant was existing at K-7 alongwith an unauthorized ground bore. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted Please.

Enclosed – Copy of observations of NGT.

-Sd-
(Pulkit Saigal)
Executive Engineer (M)-30

Copy to:-
1. ACE (M)-8 for kind information please.
2. Sh. Shashikant Yadav, JE
3. Office Copy

-Sd-
Executive Engineer (M)-30

TRUE COPY

110

Item No. 09 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi Respondent

Date of hearing: 21.07.2023

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

ORDER

1. Grievance in this application is running of unauthorized RO plant at K-9, 25 Feet Road, Part II, Chankya Puri Palace, New Delhi and extraction of ground water without any permission of the authority.

2. A report was called from the DPCC and DPCC in its report dated 14.12.2022 has submitted that:-

"

- *No RO Plant was existing at plot no. 9, Block K, Part II, Chanakya Place.*
- *One RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar & Sh. Ashish Kumar.*
- *The major observations w.r.t. the R.O. Plant at Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar are as follows:*
  - *No NOC permission has been obtained from DJB/ CGWA for running the RO plant/ extracting ground water.*
  - *The wastewater generated from the plant is being discharged directly to the drain."*

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3. It has further been submitted that CGWA and the District Magistrate (South) has been directed to take necessary action and in response to the letter, DM has been authorized and directed to seal the tube well and for taking legal and necessary action. No further report has been filed.

4. District Magistrate (South West) is directed to comply with the directions and submit the further action taken report. DPCC is further directed to calculate environmental compensation for the past violations, assess and to realize in accordance with rules and to submit the report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF while observing that such incidences of illegal extraction of ground water are coming before this Tribunal, we direct that CGWA/DJB launch awareness programmes on warning citizens to act according to due procedures.

5. List the matter on 02.11.2023.

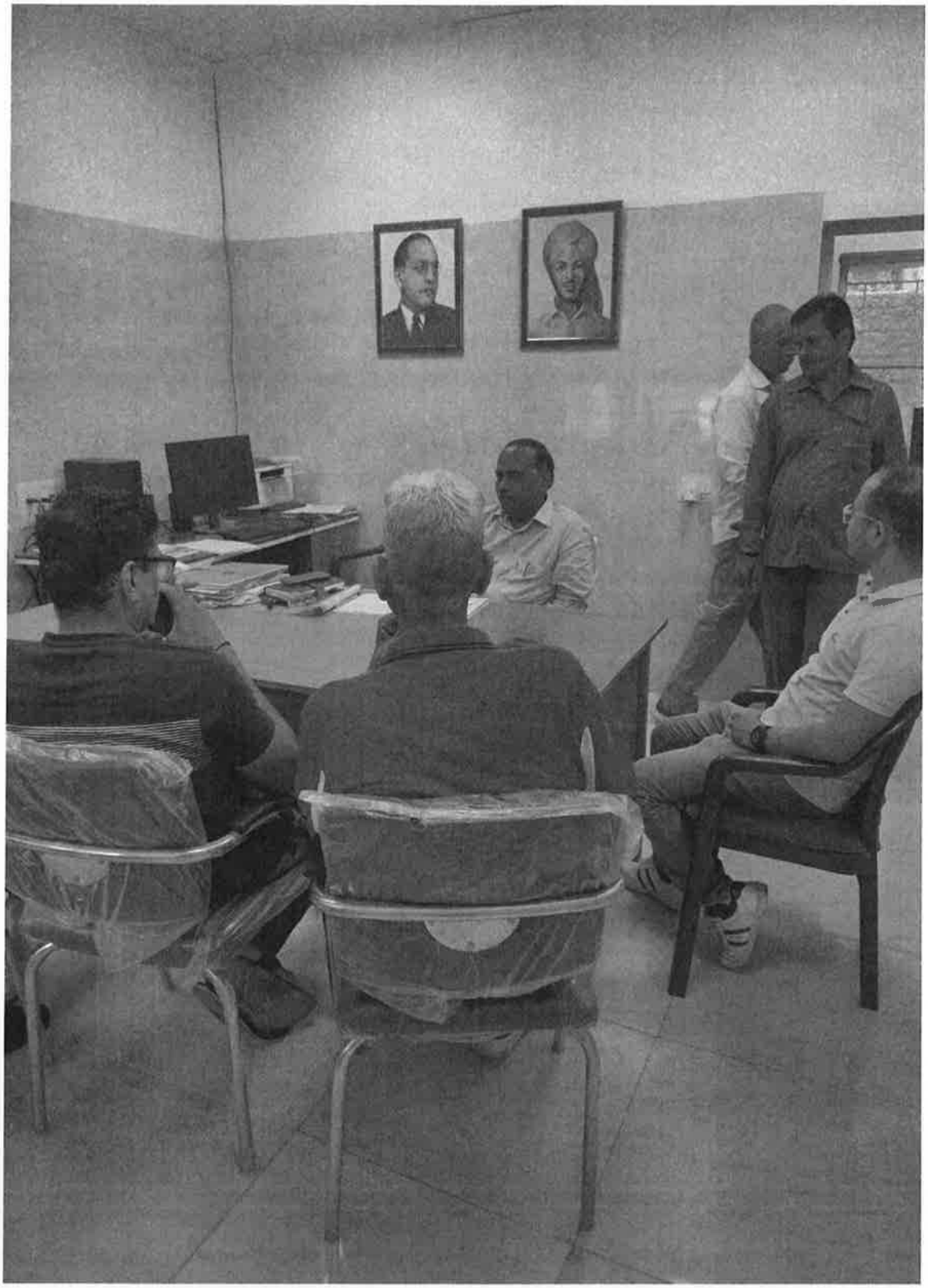
Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 21, 2023
M.A. No. 24/2023 In
Original Application No. 33/2022
SN

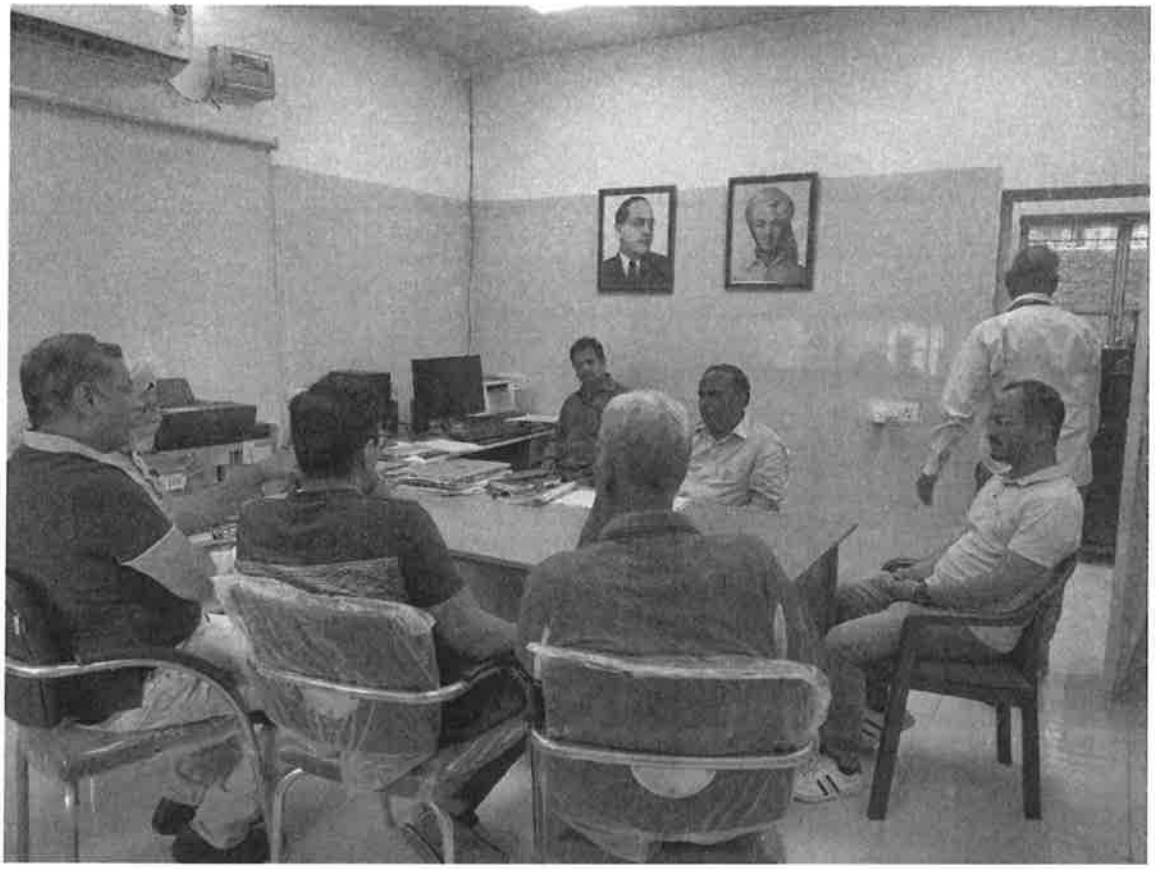
112



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Attendance sheet for RWH Awareness program at EE(M)-30 Office.

Date: 17/06/2023

S.No.	Name	Area representative	Mobile No.	Mail ID	Signature
1	Yogesh Mahajan	A7 Block	9911074030		-Sd-
2	Darshan Diwan	A2 Block	9811088412		-Sd-
3	A.S. SACHDEVA	Secretary C-3 Block RWA	9811710161		-Sd-
4	Sandhip Bhatt	RWA A-I/Block	9810043625		-Sd-
5	Deepak Singh	JE DJB	7048992916		-Sd-
6	VINAY KUMAR	JE DJB	9650270076		-Sd-
7	PULKIT SAIGAL	EE DJB	960290768	aeem30djb@gmail.com	-Sd-

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Rack No. 109604

STOP CORONA
"Wear Mask, Follow Physical Distancing, Maintain Hand Hygiene"

DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI-110058
Mail id : aeem30djb@gmail.com

NO. DJB/EE(M)-30/2022-23/ 65

DATE :- 03.06.2022

Sub Divisional Magistrate (Dwarka)
SDM DWARKA Office, Sector-10, Dwarka,
New Delhi

Sub: - **Illegal extraction of water through Bore well.**

A complaint has been received by this office vide Complaint No. F-22(09)/DJB/Dy.Dir.(Enf.)2022/447 dt 26.05.2022, through Enforcement Cell Delhi Jal Board regarding illegal extraction of ground bore used by the resident of RZ-4 Sita Puri, Near Dabri More, New Delhi-110059 in Janak Puri Constituency for R.O. Plant existing at site. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted please.

-Sd-

EXECUTIVE ENGINEER (M)-30

Copy to:-

1. ACE(M)-8, for kind information please
2. Sh Shashikant Yadav JE.
3. Office Copy

EXECUTIVE ENGINEER (M)-30

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI 110058
Mail id : aeem30djb@gmail.com

No. DJB/EE(M)-30/2022-23/65 Date:- 03.06.2022

Sub Divisional Magistrate (Dwarka)

SDM Dwarka Office, Sector-10, Dwarka,

New Delhi

Sub:- **Illegal extraction of water through Bore well.**

A complaint has been received by this office vide Complaint No.F-22(09)/DJB/Dy.Dir.(Enf.)2022/447 dt. 26.05.2022, through enforcement Cell Delhi Jal Board regarding illegal extraction of ground bore used by the resident of RZ-4 Sita Puri, Near Dabri More, New Delhi-110059 in Janak Puri Constituency for R.O. Plant existing at site. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted please.

-Sd-

EXECUTIVE ENGINEER (M)-30

Copy to:

1. ACE (M)-8, for kind information please
2. Sh Shashikant Yadav JE
3. Office Copy

-Sd-

EXECUTIVE ENGINEER (M)-30

TRUE COPY

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI-110058
Mail id : aeem30djb@gmail.com

e-7

NO. DJB//EE (M) 30/2022-23/ 167 DATE:-25.05.2023

To,

Sub-Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi.

Subject: Illegal extraction of water through Bore well.

A complaint has been received through mail from the office of ACE M-8 on Gmail vide EE M-30 Diary no. 203 DT. 23.03.2023, regarding illegal extraction of ground water used for commercial purpose at below mentioned address:-

1. RZ-2B Gali No 1 Chankya Place part I
2. A2/18 Chanakya Place part I

The site has been checked by field staff and an illegal bore well found at site. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted Please.

30/5

(Pulkit Saigal)
Executive Engineer (M)-30

118

	DELHI JAL BOARD, GOVT. OF NCT. OF DELHI OFFICE OF THE EXECUTIVE ENGINEER (M) 30 A BLOCK UGR, JANAKPURI, NEW DELHI 110058 Mail id : aeem30djb@gmail.com

No. DJB/EE(M)-30/2022-23/65 Date:- 25.05.2023

To,

Sub Divisional Magistrate (Dwarka)
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi

Subject: Illegal extraction of water through Bore well.

A complaint has been received through mail from the office of ACE M-8 on Gmail vide EE M-30 Dairy no.203 DT. 23003.2023, regarding illegal extraction of ground water used for commercial purpose at below mentioned address:-

1. RZ-2B Gali No. 1 Chanakya Place part I
2. A2/18 Chanakya Place part I

The site has been checked by filed staff and an illegal bore well found at site. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted Please.

-Sd-
(Pulkit Saigal)
Executive Engineer (M)-30

Dy. No.30362
Sub Divisional Magistrate (Dwarka)
Distt/-South-West, N. Delhi-37
26 May 2023

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI 110058
Mail id : eeem30djb@gmail.com

NO: DJB/EE(M)-30/2022/ 560 DATE: 23.11.23

To

Sub Divisional Magistrate (Dwarka)
SDM DWARKA Office.
Sector-10, Dwarka,
New Delhi.

Sub:- Illegal extraction of water through bore well.

It has been brought to the notice of the office of under signed that illegal ground water bore are existing at A1A/7 Pawar gym, gali no 20 Chanakya Place Part-I, New Delhi 110059. It is therefore requested to kindly take necessary action as per the provision of the illegal extraction of ground water.

Submitted please.

Executive Engineer (M)-30

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	DELHI JAL BOARD, GOVT. OF NCT. OF DELHI OFFICE OF THE EXECUTIVE ENGINEER (M) 30 A BLOCK UGR, JANAKPURI, NEW DELHI 110058 Mail id : aeem30djb@gmail.com

No. DJB/AEE (M)-30/2022/500 DATE: 23-11-23

To,

Sub Divisional Magistrate (Dwarka)
SDM, DWARKA Office,
Sector-10, Dwarka,
New Delhi

Sub:- illegal extraction of water through bore well.

It has been brought to the notice of the office of under signed that illegal ground water bore are existing at A1A/7 Pawar gym, gali no.20 Chanakya Place Part-I, New Delhi 110059. It is therefore requested to kindly take necessary action as per the provision of the illegal extraction of ground water.

Submitted please.

-sd-

Executive Engineer (M)-30

-sd-

Sub Divisional Magistrate (Dwarka)
Distt/-South-West, N. Delhi-37
24 Nov. 2023

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Reminder

DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI-110058
Mail id : aeem30djb@gmail.com

NO. DJB/EE (M)30/2023-24/ 515 DATED :29.11.2023

To,

Sub-Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi.

Subject: Illegal extraction of water through Bore well at 3 locations in AC-30 Janakpuri.

Ref.: This office letter nos.

1. DJB/EE (M)30/2022-23/64 dated 03.06.2022
2. DJB/EE (M)30/2022-23/107 dated 25.05.2023
3. DJB/EE (M)30/2022-23/500 dated 23.11.2023

May please refer to the letters stated above regarding illegal bore wells installed at following locations in AC-30 Janakpuri and are extracting ground water for commercial use through RO Plants:

1. RZ-2B Gali No 1 Chankya Place part I
2. A2/18 Chanakya Place part I
3. A1A/7 Pawar Gym, Gali No. 20, Chankya Place-I

The area Assistant Engineer, Sh. Shashikant Yadav is also in regular contact with your concerned Tahsildar (Smt. Harmider) telephonically for last 15 days to get these illegal bores sealed at the earliest. The next date of hearing at NGT is on 04.12.2023 in this regards.

It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water and seal the existing bore wells.

Submitted Please.

-sd-
(Pulkit Saigal)
Executive Engineer (M)-30

Copy to:

1. DM (South West), DC Office South West, Old Terminal Tax Building, Kapashera, Delhi-110037- for kind information please and request for directions accordingly.
2. ACE (M)-8 -do-
3. ZE-I- to pursue.
4. Office copy

Executive Engineer (M)-30

30 NOV 2023
77744

Nov 30, 2023, 15:06

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	DELHI JAL BOARD, GOVT. OF NCT. OF DELHI OFFICE OF THE EXECUTIVE ENGINEER (M) 30 A BLOCK UGR, JANAKPURI, NEW DELHI 110058 Mail id : aeem30djb@gmail.com

No. DJB/EE(M)-30/2023-24/514 DATED: 29.11.2023

To,

Sub Divisional Magistrate (Dwarka)
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi

Subject: Illegal extraction of water through Bore well at 3 locations in AC-30 Janakpuri.

Ref.: This office letter nos.

1. DJB/EE(M)-30/2022-23/64 dated 03.06.2022
2. DJB/EE(M)-30/2022-23/107 dated 25.05.2023
3. DJB/EE(M)-30/2022-23/500 dated 23.11.2023

May Please refer to the letters stated above regarding illegal bore wells installed at following locations in AC-30 Janakpuri and are extracting ground water for commercial use through RO Plants:

1. RZ-2B Gali No 1 Chanakya Place part I
2. A2/18 Chanakya Place part I
3. A1A/7 Pawar Gym, Gali No. 20, Chankya Place-I

The area assistant engineer, Sh. Shashikant Yadav is also in regular contact with your concerned Tahsildar (Smt. Harmider) telephonically for last 15 days to get these illegal bores sealed at the earliest. The next date of hearing at NGT is on 04.12.2023 in this regard.

It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water and seal the existing bore wells.

Submitted Please.

-Sd-
(Pulkit Saigal)
Executive Engineer (M)-30

Sub Divisional Magistrate (Dwarka)
Distt.-South-West, N. Delhi-37
30 Nov 2023

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Item No.6 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

M.A No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi& Ors. Respondents

Date of hearing: 02.11.2023.

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: None for the applicant.

Respondents: Ms. Jyoti Mendiratta Advocate for DM (South West).
Mr. V.K. Mongia SDM (Dwarka) (Through VC).
Mr. Kush Sharma Advocate for DPCC.

Application is registered based on a complaint received by Post.

ORDER

1. O.A. No. 33 of 2022 was filed with the grievance that R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

2. Vide order dated 31.01.2022 a Joint Committee comprising of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority was constituted to look into the grievance and submit factual and action taken report within three months before Ld. Registrar General, NGT, Delhi who was given liberty to put the matter before the Bench for necessary directions, if considered necessary and the application was disposed of accordingly.

3. Report dated 14.12.2022 was filed by the DPCC and relevant part of the report reads as under:

"STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE WITH RESPECT TO ORDER DATED 31.01.2022.

2. That Sh. Ganesh Prasad has filed a complaint before this Hon'ble Tribunal against running of Reverse Osmosis Water Purification Plant at K-9, 25 Feet Road, Part II, ChanakyaPuri Palace, New Delhi. .
3. That, in Delhi there is no State Ground Water Authority, hence in place of State Ground Water Authority, Central Ground Water Authority was coopted in the joint inspection team. Also, as the area falls under territorial jurisdiction of the District Magistrate (South-West), hence was opted in place of DM (New Delhi).
4. That, in compliance to the order passed by this Hon'ble Tribunal, the Joint Committee consisting of Officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site on 29.07.2022. No one from the office of DM (South West) attended the jointinspection. Following are the observations of team:

- *No RO Plant was existing at plot no. 9, Block K, Part II, Chanakya Place.*
- *One RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar & Sh. Ashish Kumar.*
- *The major observations w.r.t. the R.O. Plant at Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar are as follows:*

-No NOC permission has been obtained from DIB/ CGWA for running the RO plant/ extracting ground water,
-The wastewater generated from the plant is being discharged directly to the drain.

Copy of the inspection report of joint committee dated 27.09.2022 is enclosed herewith as ANNEXURE-1.
5. That based on the observations, a letter was written by DPCC on 03.08.2022, to Delhi Jal Board, DM (South West) and (GWA for taking necessary action at their end. Copy of the letter dated 03/08/2022 is enclosed herewith as ANNEXURE-2.
6. The response from CGWA received on 14/09/2022, indicated that the unit has to take permission from the DJB/ District Administration and that the tube well should be sealed by DM as DM is authorized officer for sealing of tube well and taking legal action. Copy of the response from CGWA dated 14/09/2022 is enclosed herewith as ANNEXURE-3.
7. The DJB vide letter dated 22.09.2022 informed that the/unit could not be sealed as no one from the office of DM (South West) was present during the joint inspection. It also enclosed a letter written by DJB to SDM (Dwarka) for taking action against the illegal bore well observed during the joint inspection on 29/07.2022. Copy of the responsefrom DJB dated 22/09/2022 is enclosed herewith as ANNEXURE-4.
8.No ATR has been received from DM(South West). DPGC wrote a letter to DM(South West) for taking necessary action on 05/ 12/2022. Copy of the letter dated 05/12/2022 is enclosed herewith as Annexure-5."

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4. Under orders of Hon'ble Chairperson of this Tribunal, the matter has been listed for further directions.

5. Vide order dated 21.07.2023 the District Magistrate (South West) was directed to comply with the directions issued by the DPCC and submit further action taken report and the DPCC was directed to calculate environmental compensation and to realize the same in accordance with the rules and to submit report in this regard.

6. No reports have been submitted by the District Magistrate (South West) and the DPCC in compliance of above mentioned order.

7. Mr. V.K. Mongia SDM (Dwarka) has appeared before this Tribunal through VC and verbally submitted that the R.O. plant has been sealed today and report will be submitted in due course of time.

8. Learned Counsel appearing for the DPCC has submitted that appropriate proceedings are being initiated for imposition and realization of environmental compensation from the project proponent.

9. This case speaks volumes of insensitivity to environmental issue and inefficiency, inaction, gross negligence on the part of instrumentalities of the State,which are under Constitutional obligation to protect and improve the environment. Unauthorized R.O. plant is stated to have been sealed today despite the fact that order constituting the Joint Committee with direction to submit factual and action taken report within three months was passed on 31.01.2022 and was conveyed to the concerned authorities by email dated 07.02.2022 sent at the email ids-Chairman, DPCC chdpcc@nic.in, Member Secretary msdpcc@nic.in, Spl. Secretary Env. ssenv@delhi.gov.in, ceodelhi.djbceodelhi.djb@nic.in, UdaiBhan, sccy.djb@nic.in, Dr. Monica Priyadarshinidcnd@nic.in, Central Ground Water Authority,

cgwa@nic.in, Ashok Kumar Pater mcgwa-cgwb@nic.in, yet the Joint Committee consisting of officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site after more than five months on 29.07.2022 and submitted its report after about two months on 27.09.2022. The DPCC wrote letters dated 03.08.2022 to DJB, District Magistrate (South West) and CGWA for taking necessary action. CGWA sent response dated 14.09.2022 to the DPCC that tubewell was to be sealed by the concerned District Magistrate. The DJB informed the DPCC vide letter dated 22.09.2022 that the unit could not be sealed as no one from the office of the District Magistrate (South West) was present during the inspection. The DPCC wrote letter dated 05.12.022 to the District Magistrate (South West) for taking necessary action. The illegal borewell in question has been sealed today after notice was issued on the present miscellaneous application. The above said authorities have allowed the illegal borewell to operate from 07.02.2022 (the date of communication of order passed by this Tribunal) till 02.11.2023 without any justification and have flouted the rule of law and illegitimately betrayed the trust of the people by neglecting to discharge the statutory duties entrusted to them.

10. In these facts and circumstances, we are of the considered view that besides the person illegally operating the borewell, the above said statutory authorities are also responsible for causing damage to environment and environmental damage compensation ought to be imposed on and realized from not only the violator but also the DPCC,DJB, District Magistrate (South West) and SDM Dwarka. However, before passing any further order in this regard, we consider it appropriate to give them opportunity to show cause as to why environmental compensation be also not imposed on them.

11. The Registry is directed to issue notices to (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West)

and (iv) SDM Dwarka accordingly requiring them to file their reply/response on or before 08.11.2023 e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

12. Notices be also issued to Ajit Kumar and Ashish Kumar Plot no. 7, Block-K, Chanakya Palace II, Uttam Nagar requiring them to file their reply/response on or before 08.11.2023 e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

13. List for further consideration 09.11.2023.

14. In view of the facts and circumstance of the case, we consider personal appearance of (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) and (iv) SDM Dwarka **(physically or through VC)** on the next date of hearing to be essential for producing the relevant record and assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are accordingly directed to remain present before this Tribunal on that date.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 02nd 2023
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फॉर्म संख्या / Form No. 6

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राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार

Govt. of National Capital Territory of Delhi

दिल्ली नगर निगम

MUNICIPAL CORPORATION OF DELHI

मृत्यु प्रमाण पत्र / Death Certificate

0223-1111115687

(Issued under section 17 of the Registration of Death Act, 1969 and 8/13 of Delhi Registration of Death Rule,1999)

This is to certify that the following information has been taken from the original record of DEATH which is the register for Municipal Corporation Of Delhi of KESHAVPURAM ZONE of N.C.T. Delhi

नाम / Name	REKHA SAIGAL
लिंग / Gender	FEMALE
मृत्यु की तिथि / Date Of Death	09/11/2023
मृत्यु का स्थान / Place Of Death	ACTION CANCER HOSPITAL A4, PASCHIM VIHAR NEW DELHI-110063 DELHI PASCHIM VIHAR NORTH EAST DELHI INDIA 110063
पंजीकरण की तिथि / Date Of Registration	11/11/2023
पंजीकरण संख्या / Registration No	MCDOLIR-0223-1111106755
माता का नाम / Name of Mother	RITA RANI PAUL
पिता का नाम / Name of Father	KRISHAN KUMAR PAUL
जीवनसाथी का नाम / Name of Spouse	PULKIT SAIGAL
वर्तमान / मृत्यु के समय पता Present / Address at the time of Death)	FLAT NO-2 RITU APARTMENT A-4 PASCHIM VIHAR NEW DELHI DELHI INDIA 110063
स्थाई पता / Permanent Address	FLAT NO-2 RITU APARTMENT A-4 PASCHIM VIHAR NEW DELHI DELHI INDIA 110063
जारी करने की तिथि / Date of Issue	11/11/2023

प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करे

ENSURE REGISTRATION OF EVERY BIRTH & DEATH

Note: This certificate is system generated and does not require any seal/signature in original . The authenticity of this certificate can be verified at mcdonline.nic.in

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Govt. of National Capital Territory of Delhi

Municipal Corporation of Delhi

Death Certificate

0223-1111115687

(Issued under section 17 of the Registration of Death Act, 1969 and 8/13 of Delhi Registration of Death Rule, 1999)

This is to certify that the following information has been taken from the original record of DEATH which is the register for Municipal Corporation of Delhi of KESHAVPURAM ZONE of N.C.T. Delhi

Name	REKHA SAIGAL
Gender	FEMALE
Date of Death	09/11/2023
Place of Death	ACTION CANCER HOSPITAL A4, PASCHIM VIHAR NEW DELHI-110063 DELHI PASCHIM VIHAR NORTH EAST DELHI INDIA 110063
Date Of Registration	11/11/2023
Registration No	MCDOLIR-0223-1111106755
Name of Mother	RITA RANI PAUL
Name of Father	KRISHAN KUMAR PAUL
Name of Spouse	PULKIT SAIGAL
Address at the time of Death	FLAT NO-2 RITU APARTMENT A-4 PASCHIM VIHAR NEW DELHI DELHI INDIA 110063
Permanent Address	FLAT NO-2 RITU APARTMENT A-4 PASCHIM VIHAR NEW DELHI DELHI INDIA 110063
Date of Issue	11/11/2023

ENSURE REGISTRATION OF EVERY BIRTH & DEATH

Note: This certificate is system generated and does not require any seal/sig nature in original. The authenticity of this certificate can be verified at mcdonline.nic.in

TRUE COPY

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ANNEXURE-R9

Item No. 09 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi Respondent

Date of hearing: 21.07.2023

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

ORDER

1. Grievance in this application is running of unauthorized RO plant at K-9, 25 Feet Road, Part II, Chankya Puri Palace, New Delhi and extraction of ground water without any permission of the authority.

2. A report was called from the DPCC and DPCC in its report dated 14.12.2022 has submitted that:-

"

- *No RO Plant was existing at plot no. 9, Block K, Part II, Chanakya Place.*
- *One RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar & Sh. Ashish Kumar.*
- *The major observations w.r.t. the R.O. Plant at Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar are as follows:*
  - *No NOC permission has been obtained from DJB/ CGWA for running the RO plant/ extracting ground water.*
  - *The wastewater generated from the plant is being discharged directly to the drain."*

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3. It has further been submitted that CGWA and the District Magistrate (South) has been directed to take necessary action and in response to the letter, DM has been authorized and directed to seal the tube well and for taking legal and necessary action. No further report has been filed.

4. District Magistrate (South West) is directed to comply with the directions and submit the further action taken report. DPCC is further directed to calculate environmental compensation for the past violations, assess and to realize in accordance with rules and to submit the report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF while observing that such incidences of illegal extraction of ground water are coming before this Tribunal, we direct that CGWA/DJB launch awareness programmes on warning citizens to act according to due procedures.

5. List the matter on 02.11.2023.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 21, 2023
M.A. No. 24/2023 In
Original Application No. 33/2022
SN

ANNEXURE- R 10

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. No. 24 of 2023
IN
ORIGINAL APPLICATION NO. 33 of 2022

IN THE MATTER OF:

Ganesh Prasad .....Applicant

Versus

Govt. of NCT of Delhi & Ors. .....Respondents

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Through

Richa Kapoor

Richa Kapoor
Advocate (D/725/1992)
Counsel for DJB
407, Lawyers Block I,
Delhi High Court
New Delhi – 110003
Mob. 9810400407
Email: office@marklegal.co.in

New Delhi
Date: 02.12.2023

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BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

M.A. No. 24 of 2023
IN
ORIGINAL APPLICATION NO. 33 of 2022

IN THE MATTER OF:
Ganesh Prasad .....Applicant

Versus

Govt. of NCT of Delhi & Ors. .....Respondents

REPLY AFFIDAVIT ON BEHALF OF DJB IN COMPLIANCE OF ORDER DATED 02.11.2023 & 09.11.2023

I, A. Anbarasu S/o Sh. K. S. Appavoo, Aged 53 years, CEO, DJB, having its office at Varunalaya, Phase II, Karol Bagh, New Delhi – 110005, do hereby on solemn affirmation state and declare as under:

1. I, am holding the additional charge of CEO, Delhi Jal Board (DJB) and thus fully conversant with the facts of the case and hence competent to swear this affidavit on behalf of DJB in compliance of orders dated 02.11.2023 & 09.11.2023 passed by this Hon'ble Tribunal in the above captioned case. That the statements in the instant affidavit are based upon knowledge obtained during the regular course of business and records maintained by DJB.



2. That the Original Application No. 33 of 2022 was filed before this Hon'ble Tribunal by the Applicant namely Ganesh Prasad raising grievance regarding running of the unauthorised RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi, by one Mr. Ashish. Accordingly vide order of the said date, this Hon'ble Tribunal taking cognizance of the grievance of the Applicant, constituted a Joint

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Committee of Chairman DJB, DPCC, District Magistrate (DM), New Delhi and Chairman, State Ground Water Authority (SGWA) to look into the grievance of the applicant. The State PCB i.e. DPCC was appointed as nodal agency for coordination and compliance. It was also observed in the said order that Joint Committee may meet within one month and undertake site visit and look into the grievance. Factual and action taken report may be furnished within 3 months before the Ld. Registrar General, NGT, Delhi by email at judicial-ngt@gov.in and if necessary he may put the matter before the bench for necessary action. True copy of the order dated 31.01.2022 passed in OA No. 33 of 2022 is annexed herein as **Annexure R-1.**



3. That the aforesaid order dated 31.01.2022, was communicated at the office of the CEO DJB through email dated 07.02.2022 sent by the Consultant Judicial – NGT (P.B.). Upon receipt of the order, the case was marked to the concerned Executive Engineer i.e. EE (M-30) on 21.02.2022 for necessary action. That the concerned EE(M-30) deputed Mr. Shashikant Yadav JE (Civil) to inspect and visit the premises in question i.e. K-9, Chanakaya Palace Part II, New Delhi and report back its observation at site.

4. That the concerned JE (Civil) visited the premises in question on 26.02.2022 and it was discovered that the illegal bore well and unauthorised RO Plant, was instead installed at K-7, Chanakaya Palace, Part II, New Delhi and was owned by Mr. Ajit Singh (8700939586). The relevant site facts noted during the inspection by the J.E. (Civil) are as follows:

- *One underground bore exists.*
- *Photograph of RO plant enclosed*
- *Electricity bill enclosed (non domestic) CA No. 103161369*

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- *Capacity of submersible pump installed 1.5hp*
- *Permission of bore well not available*
- *Daily operating hours as per owner 1 hr. Morning and 1 hr evening.*
- *Filling of bottles as per the owner 100 no filling of 20 litre bottles daily.*

True copy of the site facts noted during the inspection by the J.E. (Civil) dated 26.02.2022 at Page 1/N of the concerned file along with its typed copy is annexed as **Annexure R-2.**

5. The concerned EE(M-30) upon receipt of site inspection report from JE(Civil), promptly reported about the illegal extraction of water through unauthorised ground water bore well existing at K-7, Chanakaya Place, Part II, New Delhi-59 ("site"), to the Sub-Divisional Magistrate (Dwarka) ("Concerned SDM") vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water. True copy of the letter dated 28.02.2022 sent by the EE (M-30) to the SDM Dwarka is annexed as **Annexure R-3.**



6. That it is relevant to mention that the environment department of Govt. of NCT of Delhi had devised the Standard Operating Procedure (SOP) titled as " *Regulation of extraction of groundwater, closure, prohibition of illegal activities relating to use of borewells/tubewells*" wherein clear responsibilities have been assigned to various agencies such as DJB/local bodies and block development officers for identification of illegal borewells depending on nature of use and Deputy Commissioners (Revenue) of the Districts have been assigned the role of supervision of checking the violation and closure of illegal borewells. An inter- departmental advisory committee has been

constituted for each district to assist the Deputy Commissioners. The detailed procedure provided in the SOP is reproduced herein below :-

"*Standard Operating Procedure (SOP):*

1. *Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.*

2. *The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.*

3. *An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, 'ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be*

The Seal of the Oath Commissioner
Ms DEEPIKA PUNDHIR
10/11/2023 to 31/08/2025

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taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4. *The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.*

5. *In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.*

6. *For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination.*

The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7. *The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.*

8. *The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.*

9. *All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.*

10. *The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.*

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11. As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12. The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

True copy of the Standard Operating Procedures (SOPs) titled as "Regulation of extraction of groundwater, closure, prohibition of illegal activities relating to use of borewells/tubewells" devised by Govt. of NCT of Delhi is annexed as **Annexure R-4.**



7. In terms of the aforementioned SOPs, the Delhi Jal Board, from time to time, upon receiving complaint about any such illegal bore well/tube well being installed and operated has acted promptly and vigilantly in informing the office of concerned SDMs who are competent authority for deduction of illegal wells and its closure under the supervision of Deputy Commissioner (Revenue).

8. That as stated above since in terms of the order dated 31.01.2022 passed in the OA No. 33 of 2022, DPCC was appointed as the nodal agency for coordination and compliance of the Joint Committee formed to look into the grievance of the Applicant namely Ganesh Prasad, the DPCC organized the inspection on 29.07.2022, of the site K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. The officials of Delhi Jal Board (DJB), Central Ground Water Authority

(CGWA) & DPCC attended the inspection at site on 29.07.2022. However, the bore well in question could not be sealed on the date of inspection as no officer from the office of the concerned District Magistrate (South-West), Delhi was present during joint inspection. True copy of joint inspection report dated 29.07.2022 alongwith typed copy are annexed as **Annexure R -5.**

9. Thereafter, the concerned EE(M), DJB had issued reminder letter dated 09.09.2022 to SDM (Dwarka) alongwith the copy of order dated 31.01.2022 of this Hon'ble Tribunal requesting immediate action and sealing of the borewell in question. True copy of reminder letter dated 09.09.2022 issued by the DJB to the SDM (Dwarka) is annexed as **Annexure R-6**.

10. That on 21.07.2023 fresh MA No. 24 of 2023 in OA No. 33 of 2022 was taken up for hearing before this Hon'ble Tribunal wherein the grievance was made regarding running of unauthorized RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. That on the said date none appeared either for the Respondent or for the Applicant. That vide order dated 21.07.2023 passed in MA No. 24 of 2023 in OA No. 33 of 2022, this Hon'ble Tribunal directed the '*District Magistrate (South west Delhi) to comply with the directions and submit further action taken report directed DPCC to calculate environmental compensation for the pass violations, assess and to realise in accordance with rules and to submit report within 2 months by e-mail @judicial-ngt@gov.in*....' Further considering such incidences of illegal extraction of ground water coming before the tribunal, CGWA/DJB was directed to launch awareness programmes on warning citizens to act according to due procedures and listed the

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matter for consideration on 02.11.2023. True copy of order dated 21.07.2023 passed in MA No. 24 of 2023 in OA No. 33 of 2022 is annexed as **Annexure R-7**.

11. It is submitted that even though DJB has been taking active steps to launch awareness programmes in compliance of order dated 21.07.2023, the order of the said date did not come in the notice of DJB and hence on account of inadvertent but bonafide omission, the DJB remained unrepresented on the said date before this Hon'ble Tribunal, as the said M.A. 24 of 2023 was listed for the first time before this Hon'ble Tribunal.

12. That it is submitted that in terms of order dated 21.07.2023, the DJB has been actively carrying out Local Awareness Programmes through various RWAs and Commercial and Industrial Associations to create awareness among the residents to encourage rain water harvesting and warning the citizens not to engage in illegal activities such as erection, installation & use of borewell for residential, commercial and industrial use. Further, there is also helpline no. 1916 activated by DJB for reporting any illegal activities in respect of water and water connection including use of illegal borewells. True copy of the photographs of the awareness programme conducted by the DJB is annexed as **Annexure-R-8**.

The Seal of the Oath Commissioner Delhi High Court, New Delhi Sl. No. 18/2023 Ms. JEEVA KUMARI App. Enrl. No. 1/07/2023 to 30/06/2025

13. Further, it is submitted that the DJB has vigilantly acted upon the three other complaints received in respect of illegal borewells installed in Chanakaya Place and its adjoining areas and has duly intimated the concerned office of SDM (Dwarka) through letters and telephonically, to initiate sealing actions as per the SOP. Further, reminders have also been sent to the concerned SDM (Dwarka) &

WS

DM letters dated 29.11.2023. True copies of the letters dated 03.06.2022, 25.05.2023, 23.11.2023 & 29.11.2023 are annexed as **Annexure-R-9 (Colly)**.

14. That the DJB has been duly complying with the responsibilities as assigned as per the said SOP to prevent illegal extraction of ground water and installation of bore wells. It is pertinent to mentioned that due to the vigilant action of the DJB about 19661 illegal bore wells were identified as on 31.08.2021 and thereafter DJB has continued to identify illegal bore wells and prevent ground water extraction.

15. That since the order dated 21.07.2023, was not in the knowledge of DJB, the date of 02.11.2023 also bonafidely and inadvertently could not be attended to either by the counsel or by any of the representative of the DJB. This Hon'ble Tribunal taking note of the delay in sealing of the subject unauthorized RO Plant at site by District Magistrate (South West Delhi) from 07.02.2022 till 02.11.2023 without any justification, issued show cause notice to DPCC, DJB, District Magistrate (South West Delhi) and SDM Dwarka to explain as to why environmental compensation be not imposed upon them and directed them to file their response/reply on or before 08.11.2023 and listed the matter for hearing on 09.11.2023. True copy of the order dated 02.11.2023 passed in MA No. 24 of 2023 in OA No. 33 of 2022 is annexed as **Annexure R-10**.

16. It is most humbly submitted that the order dated 02.11.2023 was communicated to the office of the deponent on 04.11.2023 and the same was inadvertently forwarded by the personal secretary of the deponent to the concerned Member of DJB who then further assigned

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the said email to the office of concerned EE(M-30) Sh. Pulkit Saigal, to take necessary action. However, since the concerned EE M 30 due to critical illness of his wife had taken leave w.e.f. 04.11.2023 and unfortunately the wife of Sh. Pulkit Saigal Expired on 09.11.2023, which was the date of hearing before this Hon'ble Tribunal. On this account Sh. Shashikant Yadav, subordinate of the concerned EE M 30, appeared before the Hon'ble Tribunal on 09.11.2023. True copy of death certificate of wife of EE(M-30) DJB is annexed as **Annexure R-11**

17. That the information about the order dated 02.11.2023 which was communicated through e mail dated 04.11.2023 was only brought to the knowledge of deponent for the first time on 09.11.2023. But the following meetings/inspections were prescheduled to be chaired/attended by the deponent on 09.11.2023 and could not be rescheduled as they required urgent executive decision in the presence of deponent.



a) 10.00 am DJB lake Timarpur- visit of Hon. Minister water.
b) 12.00 pm (Noon) conference hall CR building- meeting of state coordination committee regarding GST authorities from the state and central tax administration.
c) 3.00 pm- conference hall MSO building- meeting under chairman ship of deponent.
d) 3.30 pm conference room minister (Revenue)- Hon. Minister (Water).
e) 4.30 pm conference room 6th level Delhi Secretariat- meeting under chairmanship of Hon. Minister water.

It was also orally conveyed on phone to the Registrar, NGT about my inability to attend and requested for a fresh date to appear before NGT. Non-appearance in NGT on 09.11.2023

and the resultant inconvenience caused to NGT is deeply regretted.

18. In view of the aforesaid, it is submitted that DJB could not effectively represent itself, and could not file its reply nor could move an application seeking exemption of the personal appearance of CEO, DJB, the deponent herein. The non-compliance/nonappearance was not intentional but was on account of bonafide reasons as narrated herein above and deponent undertakes remain personally present before this Hon'ble Tribunal on 04.12.2023.

19. The deponent, in all humility at his command, renders unconditional apology before this Hon'ble Tribunal and seek to place the reply/response in compliance to the order dated 02.11.2023 & 09.11.2023 which may kindly be taken on record.

20. It is submitted that the SDM has the authority to seal the unauthorized borewell for which the DJB promptly on receiving the information of the case on mail dated 07.02.2022, carried out the inspection on 26.02.2023 and consequently sent a letter dated 28.02.2022 to the SDM to take appropriate action in accordance with law and hence there is no delay on part of DJB. In view of the averment's contentions raised the bonafides of the DJB, it is most respectfully prayed that the show cause issued against DJB vide order dated 02.11.2023 be recalled.

21. The deponent is ready and willing to comply with any directions and instructions as this Hon'ble Tribunal may deem fit to prevent illegal ground water extraction.

DEPONENT

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VERIFICATION: 02 DEC 2023

Verified at New Delhi on 2 day of December, 2023 that the contents of present affidavit are true and correct to my knowledge, and no part of it is false and nothing material has been concealed therefrom.

DEPONENT

Richa Kapoor

I Identify the deponent who has signed/put thumb impression in my presence.

CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. A. Anbarasu
S/o. W/o D/o Sh. K.S. Appavoo
R/o.....
Identified by Sh. Richa Kapoor, Adv.
Has Solemnly affirmed before me at Delhi
on..... 36 02 DEC 2023
that the contents of the affidavit which have been read & explained to him are true and correct to his knowledge.

Oath Commissioner, Delhi High Court

The Seal of the Oath Commissioner
SL. No. 18/2023
Ms. DEEPIKA KUMARI
Delhi High Court
1/07/2025
Delhi High Court, New Delhi

1428

Annexure R-1

Item No.20 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPALBENCH

(By Video Conferencing)

Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi Respondent

Date of hearing: 31.01.2022

CORAM: HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER

Application is registered based on a complaint received by Post

ORDER

1. Grievance of the applicant Mr. Ganesh Prasad is regarding running of unauthorized R.O. plant at K-9, 25 Feet Road, Part II, Chankya Puri Palace, New Delhi by one Mr. Ashish (Mobile No. 9212025900), who has extracted lacs of liters of ground water and has caused damage to the environment.

2. In view of the above, we form a joint committee of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority to look into the grievance of the applicant. The State PCB will be the Nodal agency for coordination and compliance. The joint Committee may meet within one month and undertake site visit and look into the grievance. Factual and action taken report may be furnished within three months before the Ld. Registrar General, NGT, Delhi by e-mail at judicial-ngt@gov.in preferably in the form of

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searchable PDF/ OCR Support PDF and not in the form of Image PDF and, if necessary, he may put the matter before the Bench for necessary directions.

The application is disposed of accordingly.

A copy of this order, along with a copy of the complaint, be forwarded to the Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority, by e-mail for compliance.

Brijesh Sethi, JM

Prof. A. Senthil Vel, EM

January 31, 2022
Original Application No. 33/2022
AP & AG

1431

I/N

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Subject:-Reporting for unauthorized and illegal R.O. Plant operating at K- Chanakya Place Part II New Delhi

w.r.t to the above mentioned subject it is reported that on visiting the premises K-7 C II on dated 26-02-2022 mentioned in the complaint. It is a residential plot. Two childr were present at time of visiting of premises on asking them is there any RO plant e in this premises they replied no however I had gone to every room of the premises an do not found anything relating to RO plant. Further one child said there is plant but address is different. It is K-7 C P II. Afterwards I have gone to K-7 C P II and found R Plant installed there

Further enquiring with the owner of the plant (Ajit Singh 8700939586) Owner told some days back two persons came from the DJB Mandewalan office (name not named as Mr. Praveen and Mr. Rana in this regard. However some of the site [illegible] as under.

- One under ground bore exists
- Photograph of RO plant enclosed.
- Electricity bill enclosed.(non domestic) C A no 10316360
- Capacity of submersible pump installed 1.5 hp
- Permission of bore well not available
- Daily operating hours as per owner 3hr morning and 3 hr evening
- Filling of bottles as per the owner 100 no filling of 20 liters bottles daily

दिल्ली जल बोर्ड
DELHI JAL BOARD

11/2-30

Site Inspection report of Executive J.E of area attached herewith. Letter written to SDM (South) Delhi for sealing of bore existing in site premises.

Submitted please.

A.E.F. (M) 30
DELHI JAL BOARD
Diary No. 512
Date 6/3/22

DELHI JAL BOARD
Addl. CE (M)-8
Diary No. 674
Date 8/3/2022

150

I/N

Subject:- Reporting for unauthorized and illegal R.O. Plant operating at K-9 Chanakya Place Part II New Delhi.

w.r.t to the above mentioned subject it is reported that on visiting the premises K-9 CP-II on the dated 26-02-2022 mentioned in the complaint. It is a residential plot Two children were present at time of visiting of premises. On asking them is there any RO plant existing in this premises they replied no, however I had gone to every room of the premises and do not found anything relating to RO plant. Further, one child said there is plant but the address is different. It is K-7 CP-II. After wards I have gone to K-7 CP-II and found RO Plant installed there.

Further enquiring with the owner of the plant (Ajit Singh-8700939586). Owner told that some days back two persons came from the DJB Jhandewalan office, room no 51 named as Mr. Praveen and Mr. rana in this regard. However some of the site facts were as under:-

- One under ground bore exists
- Photographs of RO plant enclosed.
- Electricity bill enclosed (non domestic) CA No.103161369)
- Capacity of submersible pump installed 1.5 hp
- Permission of bore well not available
- Daily operating hours as per owner 1hr morning and 1hr evening
- Filling of bottles as per the owner 100 no filling of 20 liters bottles daily

-Sd-
26/02/2022
Shashikant Yadav
JE Civil

EE M-30

A.E.F. (M)30 Delhi Jal Board Dairy No.312 Date 02.03.2022 DELHI JAL BOARD Addl. CE (M)-8 Dairy No. 674 Date 8/3/2022	Site Inspection report of concerned J.E of area is attached & reference from Letter written to SDM (S. West/Dwarka) for sealing of bore existing at site with any permission. Submitted please.

-Sd-

EE M-30

TRUE COPY

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STOP CORONA
"Wear Mask, Follow Physical Distancing, Maintain Hand Hygiene"

DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI-110058
Mail id : aeem30djb@gmail.com

NO. DJB/AEE (M)-30/2022/ 120 DATE:- 2.3.22

To,

Sub Divisional Magistrate (Dwarka)
SDM DWARKA Office,
Sector-10, Dwarka,
New Delhi.

Sub: - Illegal extraction of water through bore well.

It has been brought to the notice of the office of under signed that illegal ground water bore are existing at K-7 Chanakya Place Part-II. New Delhi 110059. It is therefore requested to kindly take necessary action as per the provision of the illegal extraction of ground water.

Submitted please.

Executive Engineer (M)-30

c/c

02 MAR 2022

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI 110058
Mail id : aeem30djb@gmail.com

No. DJB/AEE(M)-30/2022/120 DATE: 28.02.2022

To,

Sub Divisional Magistrate (Dwarka),

SDM Dwarka Office, Sector-10, Dwarka,

New Delhi

Sub:- **Illegal extraction of water through bore well.**

It has been brought to the notice of the office of under signed that illegal ground water bore are existing at K-7 Chanakya Place Part-II, New Delhi 110059. It is therefore requested to kindly take necessary action as per the provision of the illegal extraction of ground water. .

Submitted Please.

-Sd-
Executive Engineer (M)-30

TRUE COPY

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Department of Environment
Govt. of NCT of Delhi

Standard Operating Procedure

Subject: Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi.

1. The Hon`ble National Green Tribunal in Original Application No. 685/2019 entitled as, "Rakesh Kumar Versus Govt. of NCT of Delhi vide its order dated 15.05.2020 directed as under:

> *"In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tubewells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter."*

2. As far as the various districts of NCT of Delhi are concerned, the CGWA vide its notification of March, 2006 has notified all districts of Delhi as over exploited areas, needing regulation, and registration of ground water abstraction structures mandatory. Regarding regulation of extraction of ground water and to provide procedure for closure /prohibition of illegal activities regarding operation of

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borewells/tubewells, directions under Section 5 of the Environment (Protection) Act, 1986 have been issued with the approval of Hon'ble Lt. Governor on 18th May, 2010 and on 10th January, 2014. In the aforesaid directions the authorities and the procedure to permit use of ground water and to prevent misuse have been detailed along with the responsibilities of various authorities. The SOP has been devised based on the detailed procedure provided in the aforesaid directions dated 18.05.2010 and 10.01.2014.

3. Standard Operating Procedure (SOP):

1) Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.

2) The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

3) An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for

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taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4) The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.

5) In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

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6) For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7) The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.

8) The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.

9) All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10) The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

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11) As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12) The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

---x---x---x---x---

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Department of Environment

Govt. of NCT of Delhi

Standard Operating Procedure

Subject: Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi.

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> *"In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tubewells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and) oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter."*

2. As far as the various districts of NCT of Delhi are concerned, the CGWA vide its notification of March, 2006 has notified all districts of Delhi as over exploited areas, needing regulation, and registration of ground water abstraction structures mandatory. Regarding regulation of extraction of ground water and to provide procedure for closure/prohibition of illegal activities regarding operation of Department of Environment borewells/tubewells, directions under Section 5 of the Environment (Protection) Act, 1986 have been issued

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with the approval of Hon'ble Lt. Governor on 18" May, 2010 and on 10" January, 2014. In the aforesaid directions the authorities and the procedure to permit use of ground water and to prevent misuse have been detailed along with the responsibilities of various authorities. The SOP has been devised based on the detailed procedure provided in the aforesaid directions dated 18.05.2010 and 10.01.2014.

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2) The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

3) An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, 'ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources

including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4) The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.

5. In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

6) For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team

will comprise field functionaries from DJB, DISCOMs and Local Police.

7) The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.

8) The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.

9) All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10) The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11) As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy

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Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12) The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

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INSPECTION REPORT

Dated : 29/07/2022

In Compliance of Hon'ble NGT order dated 31.01.2022 in OA No. 33/2022, a joint inspection was carried out by joint committee including officials of DPCC, CGWA, DJB

Following were the facts/observation gathered during the inspection :-

1. An RO plant was verified at the address Plot No-7, Block-K, Chanakya palace-II, Uttam Nagar, New Delhi on the name of Ajit Kumar & Ashish Kumar However ~~+~~ at plot No-9, Block-K, do -- no RO plant was present.

2. The person present during the inspection at plot No-7 named Ajit accepted the fact that he is operating RO plant in plot-~~+~~ instead of plot No-9.

3. So, at plot No-7 Block K, do -, our observation are as follows :-

(a) Borewell with submersible pump (4" dia, 2-4 HP pump) and exact capacity of the pump could not be verified as it is underground.

(b) No Noc/permission ~~of~~ is obtained ~~on~~ from ~~DJB~~ CGWA for running an RO plant for the extracted water from ground.

(c.) RO plant set up is verified alongwith pictures. It is operational since 1-2 years as told by person contacted.

(d) S/c 165
As per the information given by the person contacted around 300-400 bottles of capacity 20 Litres supplying in the nearby places.

(e) Ground water sample tested with a ~~the~~ TDS meter found (collected from site) and reported value of TDS is 739 mg/L.

(f) The waste water generated from plant was being directly discharged into the sewer.

~~(g) Nil~~

Amzad Khan
JEE, DPCC

29/7/22
S.K Yadav
JE(U)
C/o EE.M-30.
ACE M-8

21/7/22
(Shilpi gupta)
Sc-B

HH

ATTENDANCE

29/07/2022

1. SHILPI GUPTA, SCIENTIST-B, CGWB, NEW DELHI
2. AMZAD KHAN, JEE, DPCC
3. SHASHIKANT YADAV, JE, DJB

Amzad Khan 29/07/2022

No member/representative from DM (South-West) was present during the inspection.

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Dated: 29/07/2022

INSPECTION REPORT

In compliance of Hon'ble NGT order dated 31.01.2022 in OA No. 33/2022, a joint inspection was carried out by joint committee including officials of DPCC, CGWA, DJB.

Following were the facts/observation gathered during the inspection:-

1. An RO Plant was –illegible- at the address plot No.-7, Block –K, Chanakya Place-II, Uttam Nagar, New Delhi on the name of Ajit Kumar & Ashish Kumar house was at plot No.-9, Block-K, do --- no RO plant was present.

2. The person present during the inspection at plot No-7 named Ajit accepted the fact that he is operating RO plant in Plot -7 installed of Plot No.-9.

3. So, at plot No.-7 Block K, do – our observation are as follow:-

   (a) Borewell with submersible pump (4" dia, 2-4 HP pump) and exact capacity of the pump could not be find as it is underground.

   (b) No Noc/permission is obtained from CGWA for running an RO plant for the extracted water from ground.

   (c) RO plant set up is unfixed alongwith pictures. At is operational since 1-2 years as told by person contacted.

   (d) As per the information given by the person contacted around 300-400 bottles of capacity 20 litres supplying in the near by places.

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(e) Ground water sample tested with TDS meter (collected from site) and reported value of TDS is 739 Mg/L.

(f) the waste water generated from plant was being directly discharged into the sewer.

-Sd- JEE, DPCC	-Sd- 29/7/22 S.K. Yadav JE(C) C/o EEM-30 ACE M-8	-Sd- 29/7/22 (Shilpi Gupta) Sci-B

TRUE COPY

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29/07/2022

ATTENDANCE

1. SHILPI GUPTA, SCIENTIST-B, CGWB, NEW DELHI
2. AMZAD KHAN, JEE, DPCC -SD- 29/07/2022
3. SHASHIKANT YADAV, JE, DJB

No member/representative from DM (South-West) was present during the inspection.

TRUE COPY

DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR. JANAKPURI, NEW DELHI-110058
Mail id : eeem30djb@gmail.com

NO. DJB/EE(M)30/2022/

DATE :-09.09.2022

R-6
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To,

Sub-Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi.

Subject: Regarding running of unauthorized R.O Plant a K-7/ K-9, 25 Feet Road, Part-II, Chankya Place, New Delhi -110045.

A complaint has been received from Ran'ble NGT (Copy Enclosed) regarding running of unauthorized R.O Plant a K-7 / K-9, 25 Feet Road, Chankya Place Part-II, New Delhi -110045.

A joint inspection was conducted on 29.07.2022 by the officials of DPCC, Delhi Jal Board and Centrol ground water authority and an unauthorized R.O. Plant was existing at K-7 alongwith an unauthorized ground bore. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted Please.

Enclosed:- Copy of observations of NGT.

Sd/-
(Pulkit Saigal)
Executive Engineer (M)-30

Copy to:-

1. ACE (M)-8 for kind information please.
2. Sh. Shashikant Yadav, JE
3. Office copy

Executive Engineer (M)-30

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI 110058
Mail id : aeem30djb@gmail.com

No. DJB/EE(M)30/2022/ DATE: 09.09.2022

To,

Sub Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi

Subject: Regarding running of unauthorized R.O Plant a K-7/K-9, 25 Feet Road, Part-II, Chankya Place, New Delhi- 110046

A complaint has been received from Hon'ble NGT (Copy Enclosed) regarding running of unauthorized R.O Plant a K-7/K-9, 25 Feet Road, Part-II, Chankya Place, New Delhi- 110046.

A joint inspection was conducted on 29.07.2022 by the officials of DPCC, Delhi Jal Board and Central ground water authority and an unauthorized R.O. Plant was existing at K-7 alongwith an unauthorized ground bore. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted Please.

Enclosed – Copy of observations of NGT.

-Sd-
(Pulkit Saigal)
Executive Engineer (M)-30

Copy to:-
1. ACE (M)-8 for kind information please.
2. Sh. Shashikant Yadav, JE
3. Office Copy

-Sd-
Executive Engineer (M)-30

TRUE COPY

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Item No. 09 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi Respondent

Date of hearing: 21.07.2023

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

ORDER

1. Grievance in this application is running of unauthorized RO plant at K-9, 25 Feet Road, Part II, Chankya Puri Palace, New Delhi and extraction of ground water without any permission of the authority.

2. A report was called from the DPCC and DPCC in its report dated 14.12.2022 has submitted that:-

"

- *No RO Plant was existing at plot no. 9, Block K, Part II, Chanakya Place.*
- *One RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar & Sh. Ashish Kumar.*
- *The major observations w.r.t. the R.O. Plant at Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar are as follows:*
  - *No NOC permission has been obtained from DJB/ CGWA for running the RO plant/ extracting ground water.*
  - *The wastewater generated from the plant is being discharged directly to the drain."*

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3. It has further been submitted that CGWA and the District Magistrate (South) has been directed to take necessary action and in response to the letter, DM has been authorized and directed to seal the tube well and for taking legal and necessary action. No further report has been filed.

4. District Magistrate (South West) is directed to comply with the directions and submit the further action taken report. DPCC is further directed to calculate environmental compensation for the past violations, assess and to realize in accordance with rules and to submit the report within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF while observing that such incidences of illegal extraction of ground water are coming before this Tribunal, we direct that CGWA/DJB launch awareness programmes on warning citizens to act according to due procedures.

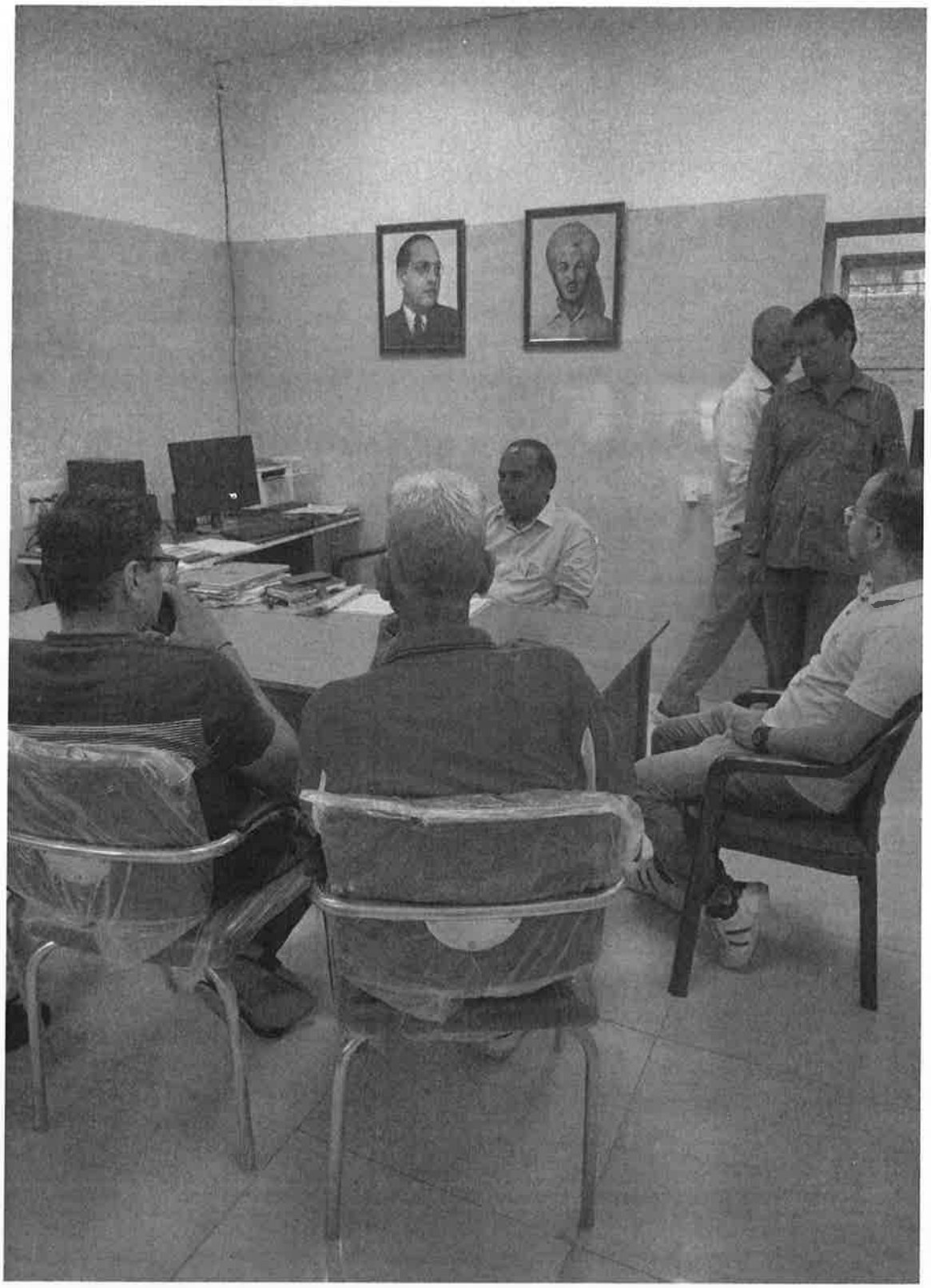
5. List the matter on 02.11.2023.

Sheo Kumar Singh, CP

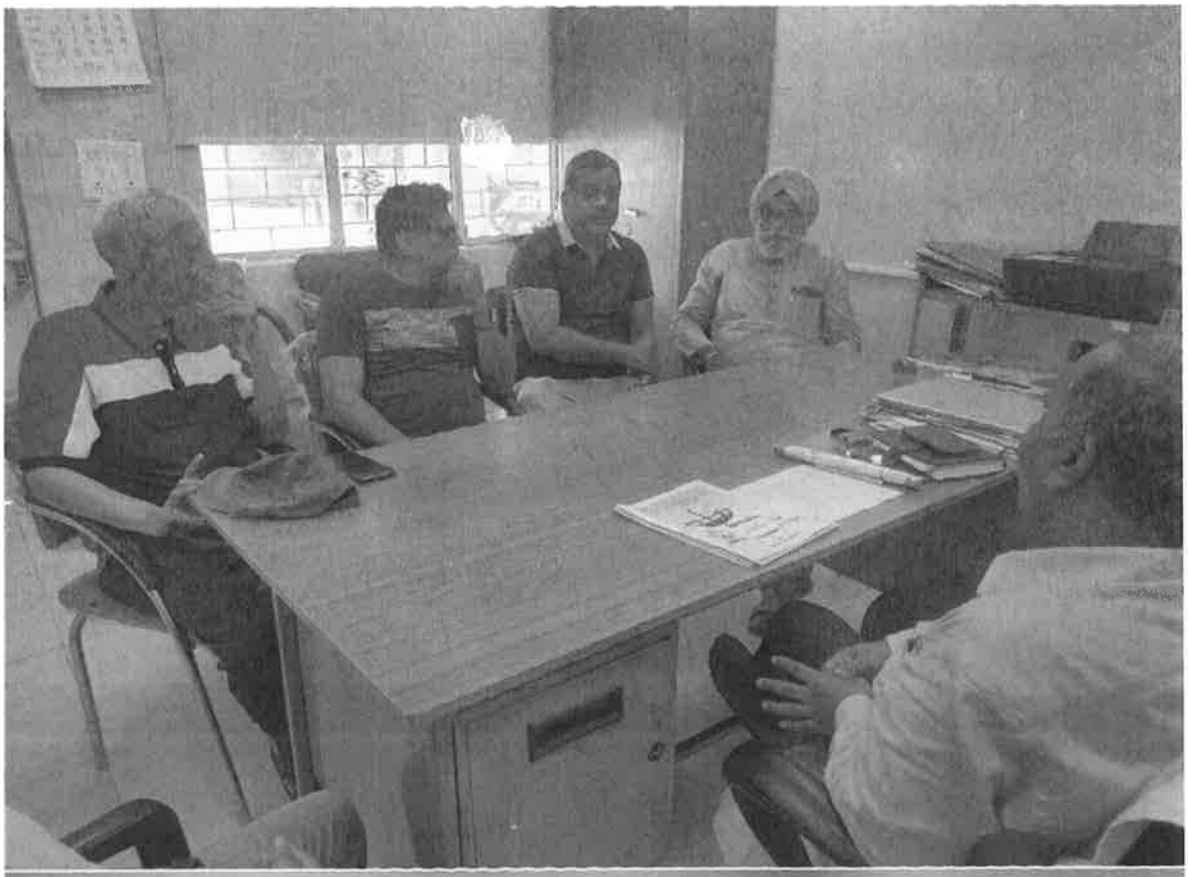
Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 21, 2023
M.A. No. 24/2023 In
Original Application No. 33/2022
SN

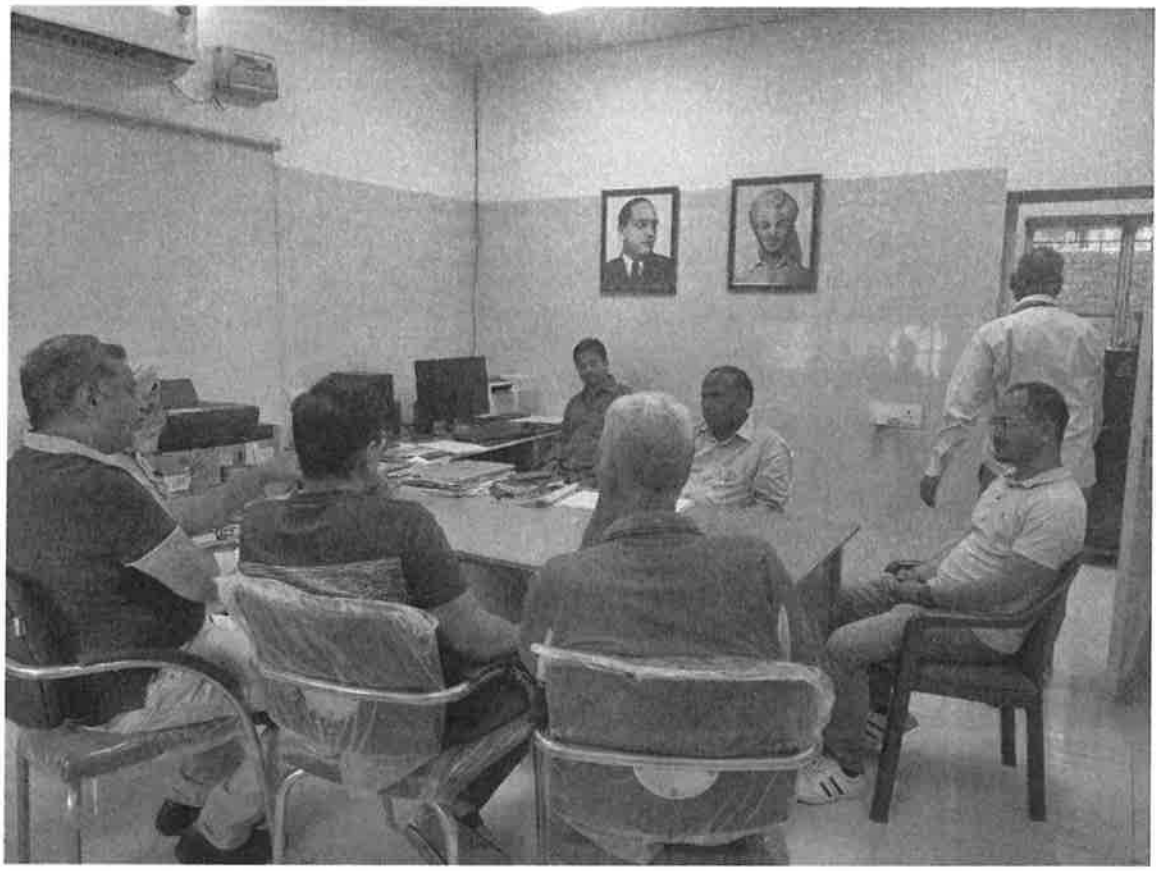


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Attendance sheet for RWH Awareness program at EE(M)-30 Office.

Date: 17/06/2023

S.No.	Name	Area representative	Mobile No.	Mail ID	Signature
1	Yogesh Mahajan	A7 Block	9911074030		-Sd-
2	Darshan Diwan	A2 Block	9811088412		-Sd-
3	A.S. SACHDEVA	Secretary C-3 Block RWA	9811710161		-Sd-
4	Sandhip Bhatt	RWA A-I/Block	9810043625		-Sd-
5	Deepak Singh	JE DJB	7048992916		-Sd-
6	VINAY KUMAR	JE DJB	9650270076		-Sd-
7	PULKIT SAIGAL	EE DJB	960290768	aeem30djb@gmail.com	-Sd-

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Rect No. 1096604

STOP CORONA
"Wear Mask, Follow Physical Distancing, Maintain Hand Hygiene"

DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI-110058
Mail id : aeem30djb@gmail.com

NO. DJB/EE(M)-30/2022-23/65

DATE :- 03.06.2022

Sub Divisional Magistrate (Dwarka)
SDM DWARKA Office, Sector-10, Dwarka,
New Delhi

Sub: - **Illegal extraction of water through Bore well.**

A complaint has been received by this office vide Complaint No. F-22(09)/DJB/Dy.Dir.(Enf.)2022/447 dt 26.05.2022, through Enforcement Cell Delhi Jal Board regarding illegal extraction of ground bore used by the resident of RZ-4 Sita Puri, Near Dabri More, New Delhi-110059 in Janak Puri Constituency for R.O. Plant existing at site. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted please.

-Sd-

EXECUTIVE ENGINEER (M)-30

Copy to:-

1. ACE(M)-8, for kind information please
2. Sh Shashikant Yadav JE.
3. Office Copy

EXECUTIVE ENGINEER (M)-30

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI 110058
Mail id : aeem30djb@gmail.com

No. DJB/EE(M)-30/2022-23/65 Date:- 03.06.2022

Sub Divisional Magistrate (Dwarka)

SDM Dwarka Office, Sector-10, Dwarka,

New Delhi

Sub:- **Illegal extraction of water through Bore well.**

A complaint has been received by this office vide Complaint No.F-22(09)/DJB/Dy.Dir.(Enf.)2022/447 dt. 26.05.2022, through enforcement Cell Delhi Jal Board regarding illegal extraction of ground bore used by the resident of RZ-4 Sita Puri, Near Dabri More, New Delhi-110059 in Janak Puri Constituency for R.O. Plant existing at site. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted please.

-Sd-

EXECUTIVE ENGINEER (M)-30

Copy to:

1. ACE (M)-8, for kind information please
2. Sh Shashikant Yadav JE
3. Office Copy

-Sd-

EXECUTIVE ENGINEER (M)-30

TRUE COPY

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI-110058
Mail id : aeem30djb@gmail.com

L-9

NO. DJB//EE (M) 30/2022-23/ 167 DATE:-25.05.2023

To,

Sub-Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi.

Subject: Illegal extraction of water through Bore well.

A complaint has been received through mail from the office of ACE M-8 on Gmail vide EE M-30 Diary no. 203 DT. 23.03.2023, regarding illegal extraction of ground water used for commercial purpose at below mentioned address:-

1. RZ-2B Gali No 1 Chankya Place part I
2. A2/18 Chanakya Place part I

The site has been checked by field staff and an illegal bore well found at site. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted Please.

3036

(Pulkit Saigal)
Executive Engineer (M)-30

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	DELHI JAL BOARD, GOVT. OF NCT. OF DELHI OFFICE OF THE EXECUTIVE ENGINEER (M) 30 A BLOCK UGR, JANAKPURI, NEW DELHI 110058 Mail id : aeem30djb@gmail.com

No. DJB/EE(M)-30/2022-23/65 Date:- 25.05.2023

To,

Sub Divisional Magistrate (Dwarka)
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi

Subject: Illegal extraction of water through Bore well.

A complaint has been received through mail from the office of ACE M-8 on Gmail vide EE M-30 Dairy no.203 DT. 23003.2023, regarding illegal extraction of ground water used for commercial purpose at below mentioned address:-

1. RZ-2B Gali No. 1 Chanakya Place part I
2. A2/18 Chanakya Place part I

The site has been checked by filed staff and an illegal bore well found at site. It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water.

Submitted Please.

-Sd-
(Pulkit Saigal)
Executive Engineer (M)-30

Dy. No.30362
Sub Divisional Magistrate (Dwarka)
Distt/-South-West, N. Delhi-37
26 May 2023

TRUE COPY

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DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI 110058
Mail id : aeem30djb@gmail.com

NO: DJB/AEE(M)-30/2022/500 DATE: 23.11.23

To

Sub Divisional Magistrate (Dwarka)
SDM DWARKA Office
Sector-10, Dwarka,
New Delhi.

Sub: Illegal extraction of water through bore well.

It has been brought to the notice of the office of under signed that illegal ground water bore are existing at A1A/7 Pawar gym, gali no 20 Chanakya Place Part-I, New Delhi 110059. It is therefore requested to kindly take necessary action as per the provision of the illegal extraction of ground water.

Submitted please.

Executive Engineer (M) :30

182

	DELHI JAL BOARD, GOVT. OF NCT. OF DELHI OFFICE OF THE EXECUTIVE ENGINEER (M) 30 A BLOCK UGR, JANAKPURI, NEW DELHI 110058 Mail id : aeem30djb@gmail.com

No. DJB/AEE (M)-30/2022/500 DATE: 23-11-23

To,

Sub Divisional Magistrate (Dwarka)
SDM, DWARKA Office,
Sector-10, Dwarka,
New Delhi

Sub:- illegal extraction of water through bore well.

It has been brought to the notice of the office of under signed that illegal ground water bore are existing at A1A/7 Pawar gym, gali no.20 Chanakya Place Part-I, New Delhi 110059. It is therefore requested to kindly take necessary action as per the provision of the illegal extraction of ground water.

Submitted please.

-sd-

Executive Engineer (M)-30

-sd-

Sub Divisional Magistrate (Dwarka)
Distt/-South-West, N. Delhi-37
24 Nov. 2023

TRUE COPY

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Reminder

DELHI JAL BOARD, GOVT. OF NCT. OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (M) 30
A BLOCK UGR, JANAKPURI, NEW DELHI-110058
Mail id : aeem30djb@gmail.com

NO. DJB/EE (M)30/2023-24/ 515 DATED :29.11.2023

To,

Sub-Divisional Magistrate (Dwarka),
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi.

Subject: Illegal extraction of water through Bore well at 3 locations in AC-30 Janakpuri.

Ref.: This office letter nos.

1. DJB/EE (M)30/2022-23/64 dated 03.06.2022
2. DJB/EE (M)30/2022-23/107 dated 25.05.2023
3. DJB/EE (M)30/2022-23/500 dated 23.11.2023

May please refer to the letters stated above regarding illegal bore wells installed at following locations in AC-30 Janakpuri and are extracting ground water for commercial use through RO Plants:

1. RZ-2B Gali No 1 Chankya Place part I
2. A2/18 Chanakya Place part I
3. A1A/7 Pawar Gym, Gali No. 20, Chankya Place-I

The area Assistant Engineer, Sh. Shashikant Yadav is also in regular contact with your concerned Tahsildar (Smt. Harmider) telephonically for last 15 days to get these illegal bores sealed at the earliest. The next date of hearing at NGT is on 04.12.2023 in this regards.

It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water and seal the existing bore wells.

Submitted Please.

-sd-
(Pulkit Saigal)
Executive Engineer (M)-30

Copy to:

1. DM (South West), DC Office South West, Old Terminal Tax Building, Kapashera, Delhi-110037- for kind information please and request for directions accordingly.
2. ACE (M)-8 -do-
3. ZE-I- to pursue.
4. Office copy

Executive Engineer (M)-30

30 NOV 2023
77744

Nov 30, 2023, 15:06

184

	DELHI JAL BOARD, GOVT. OF NCT. OF DELHI OFFICE OF THE EXECUTIVE ENGINEER (M) 30 A BLOCK UGR, JANAKPURI, NEW DELHI 110058 Mail id : aeem30djb@gmail.com

No. DJB/EE(M)-30/2023-24/514 DATED: 29.11.2023

To,

Sub Divisional Magistrate (Dwarka)
SDM Dwarka Office, Sector-10, Dwarka,
New Delhi

Subject: Illegal extraction of water through Bore well at 3 locations in AC-30 Janakpuri.

Ref.: This office letter nos.

1. DJB/EE(M)-30/2022-23/64 dated 03.06.2022
2. DJB/EE(M)-30/2022-23/107 dated 25.05.2023
3. DJB/EE(M)-30/2022-23/500 dated 23.11.2023

May Please refer to the letters stated above regarding illegal bore wells installed at following locations in AC-30 Janakpuri and are extracting ground water for commercial use through RO Plants:

1. RZ-2B Gali No 1 Chanakya Place part I
2. A2/18 Chanakya Place part I
3. A1A/7 Pawar Gym, Gali No. 20, Chankya Place-I

The area assistant engineer, Sh. Shashikant Yadav is also in regular contact with your concerned Tahsildar (Smt. Harmider) telephonically for last 15 days to get these illegal bores sealed at the earliest. The next date of hearing at NGT is on 04.12.2023 in this regard.

It is therefore requested to kindly take urgent action as per the provision of the illegal extraction of ground water and seal the existing bore wells.

Submitted Please.

-Sd-
(Pulkit Saigal)
Executive Engineer (M)-30

Sub Divisional Magistrate (Dwarka)
Distt.-South-West, N. Delhi-37
30 Nov 2023

TRUE COPY

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Item No.6 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

M.A No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad — Applicant

Versus

Gov. of NCT of Delhi& Ors. — Respondents

Date of hearing: 02.11.2023.

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: None for the applicant.

Respondents: Ms. Jyoti Mendiratta Advocate for DM (South West).
Mr. V.K. Mongia SDM (Dwarka) (Through VC).
Mr. Kush Sharma Advocate for DPCC.

Application is registered based on a complaint received by Post.

ORDER

1. O.A. No. 33 of 2022 was filed with the grievance that R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

2. Vide order dated 31.01.2022 a Joint Committee comprising of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority was constituted to look into the grievance and submit factual and action taken report within three months before Ld. Registrar General, NGT, Delhi who was given liberty to put the matter before the Bench for necessary directions, if considered necessary and the application was disposed of accordingly.

3. Report dated 14.12.2022 was filed by the DPCC and relevant part of the report reads as under:

"STATUS REPORT ON BEHALF OF DELHI POLLUTION CONTROL COMMITTEE WITH RESPECT TO ORDER DATED 31.01.2022.

2. That Sh. Ganesh Prasad has filed a complaint before this Hon'ble Tribunal against running of Reverse Osmosis Water Purification Plant at K-9, 25 Feet Road, Part II, ChanakyaPuri Palace, New Delhi. .
3. That, in Delhi there is no State Ground Water Authority, hence in place of State Ground Water Authority, Central Ground Water Authority was coopted in the joint inspection team. Also, as the area falls under territorial jurisdiction of the District Magistrate (South-West), hence was opted in place of DM (New Delhi).
4. That, in compliance to the order passed by this Hon'ble Tribunal, the Joint Committee consisting of Officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site on 29.07.2022. No one from the office of DM (South West) attended the jointinspection. Following are the observations of team:

- *No RO Plant was existing at plot no. 9, Block K, Part II, Chanakya Place.*
- *One RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar & Sh. Ashish Kumar.*
- *The major observations w.r.t. the R.O. Plant at Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar are as follows:*

-No NOC permission has been obtained from DIB/ CGWA for running the RO plant/ extracting ground water,
-The wastewater generated from the plant is being discharged directly to the drain.

Copy of the inspection report of joint committee dated 27.09.2022 is enclosed herewith as ANNEXURE-1.
5. That based on the observations, a letter was written by DPCC on 03.08.2022, to Delhi Jal Board, DM (South West) and (GWA for taking necessary action at their end. Copy of the letter dated 03/08/2022 is enclosed herewith as ANNEXURE-2.
6. The response from CGWA received on 14/09/2022, indicated that the unit has to take permission from the DJB/ District Administration and that the tube well should be sealed by DM as DM is authorized officer for sealing of tube well and taking legal action. Copy of the response from CGWA dated 14/09/2022 is enclosed herewith as ANNEXURE-3.
7. The DJB vide letter dated 22.09.2022 informed that the/unit could not be sealed as no one from the office of DM (South West) was present during the joint inspection. It also enclosed a letter written by DJB to SDM (Dwarka) for taking action against the illegal bore well observed during the joint inspection on 29/07.2022. Copy of the responsefrom DJB dated 22/09/2022 is enclosed herewith as ANNEXURE-4.
8.No ATR has been received from DM(South West). DPGC wrote a letter to DM(South West) for taking necessary action on 05/ 12/2022. Copy of the letter dated 05/12/2022 is enclosed herewith as Annexure-5."

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4. Under orders of Hon'ble Chairperson of this Tribunal, the matter has been listed for further directions.

5. Vide order dated 21.07.2023 the District Magistrate (South West) was directed to comply with the directions issued by the DPCC and submit further action taken report and the DPCC was directed to calculate environmental compensation and to realize the same in accordance with the rules and to submit report in this regard.

6. No reports have been submitted by the District Magistrate (South West) and the DPCC in compliance of above mentioned order.

7. Mr. V.K. Mongia SDM (Dwarka) has appeared before this Tribunal through VC and verbally submitted that the R.O. plant has been sealed today and report will be submitted in due course of time.

8. Learned Counsel appearing for the DPCC has submitted that appropriate proceedings are being initiated for imposition and realization of environmental compensation from the project proponent.

9. This case speaks volumes of insensitivity to environmental issue and inefficiency, inaction, gross negligence on the part of instrumentalities of the State,which are under Constitutional obligation to protect and improve the environment. Unauthorized R.O. plant is stated to have been sealed today despite the fact that order constituting the Joint Committee with direction to submit factual and action taken report within three months was passed on 31.01.2022 and was conveyed to the concerned authorities by email dated 07.02.2022 sent at the email ids-Chairman, DPCC chdpcc@nic.in, Member Secretary msdpcc@nic.in, Spl. Secretary Env. ssenv@delhi.gov.in, ceodelhi.djbceodelhi.djb@nic.in, UdaiBhan, secy.djb@nic.in, Dr. Monica Priyadarshinidcnd@nic.in, Central Ground Water Authority,

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cgwa@nic.in, Ashok Kumar Pater mcgwa-cgwb@nic.in, yet the Joint Committee consisting of officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site after more than five months on 29.07.2022 and submitted its report after about two months on 27.09.2022. The DPCC wrote letters dated 03.08.2022 to DJB, District Magistrate (South West) and CGWA for taking necessary action. CGWA sent response dated 14.09.2022 to the DPCC that tubewell was to be sealed by the concerned District Magistrate. The DJB informed the DPCC vide letter dated 22.09.2022 that the unit could not be sealed as no one from the office of the District Magistrate (South West) was present during the inspection. The DPCC wrote letter dated 05.12.022 to the District Magistrate (South West) for taking necessary action. The illegal borewell in question has been sealed today after notice was issued on the present miscellaneous application. The above said authorities have allowed the illegal borewell to operate from 07.02.2022 (the date of communication of order passed by this Tribunal) till 02.11.2023 without any justification and have flouted the rule of law and illegitimately betrayed the trust of the people by neglecting to discharge the statutory duties entrusted to them.

10. In these facts and circumstances, we are of the considered view that besides the person illegally operating the borewell, the above said statutory authorities are also responsible for causing damage to environment and environmental damage compensation ought to be imposed on and realized from not only the violator but also the DPCC,DJB, District Magistrate (South West) and SDM Dwarka. However, before passing any further order in this regard, we consider it appropriate to give them opportunity to show cause as to why environmental compensation be also not imposed on them.

11. The Registry is directed to issue notices to (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West)

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and (iv) SDM Dwarka accordingly requiring them to file their reply/response on or before 08.11.2023 e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

12. Notices be also issued to Ajit Kumar and Ashish Kumar Plot no. 7, Block-K, Chanakya Palace II, Uttam Nagar requiring them to file their reply/response on or before 08.11.2023 e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

13. List for further consideration 09.11.2023.

14. In view of the facts and circumstance of the case, we consider personal appearance of (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) and (iv) SDM Dwarka **(physically or through VC)** on the next date of hearing to be essential for producing the relevant record and assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are accordingly directed to remain present before this Tribunal on that date.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 02nd 2023
N

1472

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फॉर्म संख्या / Form No. 6

राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार

Govt. of National Capital Territory of Delhi

दिल्ली नगर निगम

MUNICIPAL CORPORATION OF DELHI

मृत्यु प्रमाण पत्र / Death Certificate

0223-1111115687

(Issued under section 17 of the Registration of Death Act, 1969 and 8/13 of Delhi Registration of Death Rule,1999)

This is to certify that the following information has been taken from the original record of DEATH which is the register for Municipal Corporation Of Delhi of KESHAVPURAM ZONE of N.C.T. Delhi

नाम / Name	REKHA SAIGAL
लिंग / Gender	FEMALE
मृत्यु की तिथि / Date Of Death	09/11/2023
मृत्यु का स्थान / Place Of Death	ACTION CANCER HOSPITAL A4, PASCHIM VIHAR NEW DELHI-110063 DELHI PASCHIM VIHAR NORTH EAST DELHI INDIA 110063
पंजीकरण की तिथि / Date Of Registration	11/11/2023
पंजीकरण संख्या / Registration No	MCDOLIR-0223-1111106755
माता का नाम / Name of Mother	RITA RANI PAUL
पिता का नाम / Name of Father	KRISHAN KUMAR PAUL
जीवनसाथी का नाम / Name of Spouse	PULKIT SAIGAL
वर्तमान / मृत्यु के समय पता Present / Address at the time of Death)	FLAT NO-2 RITU APARTMENT A-4 PASCHIM VIHAR NEW DELHI DELHI INDIA 110063
स्थाई पता / Permanent Address	FLAT NO-2 RITU APARTMENT A-4 PASCHIM VIHAR NEW DELHI DELHI INDIA 110063
जारी करने की तिथि / Date of Issue	11/11/2023

प्रत्येक जन्म एवं मृत्यु का पंजीकरण सुनिश्चित करे

ENSURE REGISTRATION OF EVERY BIRTH & DEATH

Note: This certificate is system generated and does not require any seal/signature in original. The authenticity of this certificate can be verified at mcdonline.nic.in

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Govt. of National Capital Territory of Delhi

Municipal Corporation of Delhi

Death Certificate

0223-1111115687

(Issued under section 17 of the Registration of Death Act, 1969 and 8/13 of Delhi Registration of Death Rule, 1999)

This is to certify that the following information has been taken from the original record of DEATH which is the register for Municipal Corporation of Delhi of KESHAVPURAM ZONE of N.C.T. Delhi

Name	REKHA SAIGAL
Gender	FEMALE
Date of Death	09/11/2023
Place of Death	ACTION CANCER HOSPITAL A4, PASCHIM VIHAR NEW DELHI-110063 DELHI PASCHIM VIHAR NORTH EAST DELHI INDIA 110063
Date Of Registration	11/11/2023
Registration No	MCDOLIR-0223-1111106755
Name of Mother	RITA RANI PAUL
Name of Father	KRISHAN KUMAR PAUL
Name of Spouse	PULKIT SAIGAL
Address at the time of Death	FLAT NO-2 RITU APARTMENT A-4 PASCHIM VIHAR NEW DELHI DELHI INDIA 110063
Permanent Address	FLAT NO-2 RITU APARTMENT A-4 PASCHIM VIHAR NEW DELHI DELHI INDIA 110063
Date of Issue	11/11/2023

ENSURE REGISTRATION OF EVERY BIRTH & DEATH

Note: This certificate is system generated and does not require any seal/sig nature in original. The authenticity of this certificate can be verified at mcdonline.nic.in

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ANNEXURE - R-11

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BEFORE HON'BLE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
M.A. No. 24 OF 2023
IN
O.A. No. 33 OF 2022

IN THE MATTER OF:
GANESH PRASAD ...APPLICANT

VERSUS

GOVT. OF NCT OF DELHI & ORS. ...RESPONDENTS

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FILED BY: Richa Kapoor

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DATED: 03.02.2024
PLACE: NEW DELHI

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BEFORE HON'BLE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
M.A. No. 24 OF 2023
IN
O.A. No. 33 OF 2022

IN THE MATTER OF:

GANESH PRASAD
...APPLICANT

VERSUS

GOVT. OF NCT OF DELHI & ORS.
...RESPONDENTS

STATUS REPORT ON BEHALF OF DELHI JAL BOARD IN COMPLIANCE OF ORDERS DATED 04.12.2023 & 04.01.2024

1. That the Delhi Jal Board is filing the present status report in compliance of order dated 04.12.2023 and 04.01.2024.

2. That the Original Application No. 33 of 2022 was filed before this Hon'ble Tribunal by the Applicant namely Ganesh Prasad raising grievance regarding running of the unauthorised RO Plant at K-9, 25 feet Road, Part II, Chanakya Palace, New Delhi, by one Mr. Ashish who has allegedly extracted lacs of litres of ground water and has caused damage to the environment. Accordingly vide order of the said date, this Hon'ble Tribunal taking cognizance of the grievance of the Applicant, constituted a Joint Committee of Chairman DJB, DPCC, District Magistrate (DM), New Delhi and Chairman, State Ground Water Authority (SGWA) to look into the grievance of the applicant. The State PCB i.e. DPCC was appointed

as nodal agency for coordination and compliance. It was also observed in the said order that Joint Committee may meet within one month and undertake site visit and look into the grievance. Factual and action taken report may be furnished within 3 months before the Ld. Registrar General, NGT, Delhi by email at judicial-ngt@gov.in and if necessary he may put the matter before the bench for necessary action.

3. That on receipt of the order dated 31.01.2022, the subject case was marked to the concerned Executive Engineer i.e. EE (M-30) on 21.02.2022 on priority basis and for necessary action. That the concerned EE(M-30) deputed Mr. Shashikant Yadav JE (Civil) to inspect and visit the premises in question i.e. K-9, Chanakaya Palace Part II, New Delhi and report back its observation at site.

4. That the concerned JE (Civil) visited the premises in question on 26.02.2022 and it was discovered that the illegal bore well and unauthorised RO Plant, was instead installed at K-7, Chanakaya Palace, Part II, New Delhi and was owned by Mr. Ajit Singh (8700939586). The relevant site facts noted during the inspection by the J.E. (Civil) are as follows:

   - *One underground bore exists.*
   - *Photograph of RO plant enclosed*
   - *Electricity bill enclosed (non domestic) CA No. 103161369*
   - *Capacity of submersible pump installed 1.5hp*
   - *Permission of bore well not available*
   - *Daily operating hours as per owner 1 hr. Morning and 1 hr evening.*
   - *Filling of bottles as per the owner 100 no filling of 20 litre bottles daily.*

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The site facts noted during the inspection by the J.E. (Civil) dated 26.02.2022 at Page 1/N of the concerned file is already on record.

5. That the concerned EE (M-30) upon receipt of site inspection report from JE(Civil) promptly reported about the illegal extraction of water through unauthorised ground water bore well existing at K-7, Chanakya Place, Part II, New Delhi-59 ("site"), to the Sub-Divisional Magistrate (Dwarka) ("Concerned SDM") vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water. The letter dated 28.02.2022 sent by the EE (M-30) to the SDM Dwarka is also part of record of the captioned case.

6. That it is relevant to mention that the environment department of Govt. of NCT of Delhi had devised the Standard Operating Procedures (SOPs) titled as " *Regulation of extraction of groundwater, closure, prohibition of illegal activities relating to use of borewells/tubewells*" wherein clear responsibilities have been assigned to various agencies such as DJB/local bodies and block development officers for identification of illegal borewells depending on nature of use and Deputy Commissioners (Revenue) of the Districts have been assigned the role of supervision of checking the violation and closure of illegal borewells. An inter-departmental advisory committee has been constituted for each district to assist the Deputy Commissioners. The detailed procedure provided in the SOP is reproduced herein below :-

"*Standard Operating Procedure (SOP):*

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1. *Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.*

2. *The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.*

3. *An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, 'ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of*

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ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4. *The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.*

5. *In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.*

6. *For the purpose of closure of illegal borewells/tubewells, joint action teams under the*

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supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7. *The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.*

8. *The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.*

9. *All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.*

10. *The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue),*

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Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11. As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12. The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

The Standard Operating Procedures (SOPs) titled as "Regulation of extraction of groundwater, closure, prohibition of illegal activities relating to use of borewells/tubewells" devised by Govt. of NCT of Delhi too is part on record of the captioned case.

7. That it is submitted that the DJB has been actively carrying out Local Awareness Programmes through various RWAs and Commercial and Industrial Associations to create awareness among the residents to encourage rain water harvesting and warning the citizens not to engage in illegal activities such as erection, installation & use of borewell for residential, commercial and industrial use. Further, there is also helpline no. 1916 activated by

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DJB for reporting any illegal activities in respect of water and water connection including use of illegal borewells.

8. That the DJB has been duly complying to the responsibilities as assigned as per the said SOP to prevent illegal extraction of ground water and installation of bore wells. It is pertinent to mentioned that due to the vigilant action of the DJB about 19661 illegal bore wells were identified as on 31.08.2021 and thereafter DJB has continued to identify illegal bore wells and prevent ground water extraction.

9. That vide order dated 04.12.2023 passed in M.A. No. 24/2023 in captioned OA No. 33/2022, this Hon'ble Tribunal in para 15 of the said order directed the CEO, DJB to file status report giving requisite information details in tabular format with respect to following aspects:-

   (i) District wise number of illegal borewells identified;
   (ii) District wise number of illegal borewells which have been sealed/closed;
   (iii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
   (iv) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
   (v) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
   (vi) District wise number of illegal borewells which are yet to be sealed/closed; and
   (vii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

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10. That in terms of SOPs in paragraph 6 above, it is worthwhile to mention that for regulation of ground water in MCD jurisdiction, DJB is the competent authority and District Magistrate (Revenue) of the area are authorized officer(s) to supervise checking, violation i.e. detection of illegal borewells and closure thereof through the SDMs. Therefore, all the actions for sealing, imposition and recovery of the EDC are to be taken by the authorized officers i.e. District Magistrates through their concerned Sub-Divisional Magistrates. Therefore, DJB has in compliance of the said order dated 04.12.2023 has written letters to the concerned District Magistrates/ Sub-Divisional Magistrates asking them to provide take prompt actions against the illegal extraction of ground water in respective districts of Delhi and dealing thereof.

11. That Delhi Jal Board filed I.A. No. 02/2024 before this Hon'ble Tribunal seeking extension of time to file status report in compliance of order dated 04.12.2023. Vide order dated 04.01.2024, this Hon'ble Tribunal was pleased to grant extension of time for filing of the status report.

12. That the DJB being the competent authority of ground water in NCT of Delhi has envisaged the action plan for effective regulation and management of ground water in Delhi and the frame work of the said action plan shall be as under:

1. AQUIFER MANAGEMENT

Ground water conservation and recharge is essential for effective ground water management. Following steps shall be taken:

a) Target for recovery of depleted aquifers needs to be set.

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b) Rainwater harvesting to be pursued aggressively and promoted through incentives, scientific advice and monitoring shall be incorporated into the program for sustained effectiveness.

c) Construction of water bodies for raising water table. To protect water bodies from encroachment and waste dumping, each water body shall have conservation and maintenance plan regarding water quantity and quality.

2. *DATA BASE*:

That an accurate data base of the private and public tubewells through mapping shall be prepared on GIS for accounting extraction of ground water.

3. *SUBSTITUTION OF FRESH WATER/GROUND WATER USE BY RECYCLED WASTE WATER:*

That to reduce dependence of water demand on fresh water/ground water, more wastewater has to be treated and recycled even up to drinking water level

a) Use of recycled water to be encouraged for irrigation, large gardens, parks and flushing etc.

b) Year wise targets for recycled water shall be framed.

c) STPs to be constructed / upgraded to meet the meet enhanced treatment standard for water reuse.

d) Use of recycled water in recharging ground water.

e) Construction of Decentralised STPs where effluent can be used locally.

4. *PROMOTION OF WATER CONSERVATION AND EFFICIENCY FOR DEMAND MANAGEMENT*

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That through increased awareness and integration of water saving technology the per capita water usage can be steadily brought down in following manner:

a) Conservation of freshwater use through water saving devices like shower heads, taps, sprinklers etc. This shall be reinforced by a retrofitting program and also by rebates on efficient devices. Water devices shall be rated through an independent institution. Also, disincentives cess will be levied to less efficient devices of the consumers

b) Encouraging efficient garden irrigation and water conservation strategies in private and public gardens. Public gardens to be gardened through sprinklers only

c) Mandatory water audit on large scale users to establish reduction possibilities and encouraging recycled water use.

5. *CONTROLLING DISTRIBUTION LOSSES*

That currently the level of water loss in transmission and distribution is much more than the norm of 15%. The curtailing of losses shall be attained in a planned manner where there is lesser extraction of ground water and greater availability of recycled water.

6. *PUBLIC EDUCATION AND AWARENESS*

That public at large is ill informed and is not properly aware about availability, constraints and methods of water conservation. Consumers being the largest stake holders need to play important role in water conservation. Therefore effective and regular campaigns to raise public support shall be done

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7. *EFFECTIVE MONITORING AND FUNCTIONING OF DISTRICT ADVISORY COMMITTEES FOR RESTRICTED AND REGULATED ABSTRACTION OF GROUND WATER*

That the District magistrate of each area is the authorised officer for the purpose of regulation of ground water development and management. Particularly DM have has to seal the illegal borewells in their areas. However, lot of illegal borewells are pending for sealing. Therefore, functioning of DMs has to checked for expediting sealings.

13. Further, in compliance to get report under para 15 of the order dated 04.12.2023, DJB has taken following measures for conservation and management of ground water:

    i. That DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SEs, DJB vide their letters dated 22.12.2023 to 29.12.2023 requested DMs to expedite sealing of illegal borewells and to provide the information. In this connection, copy of letters dated 22.12.23 to 29.12.2023 sent to DMs are annexed at **Annexure R-1 (Colly)**.

    ii. Member (WS) vide his letter dated 01.01.24 requested the Dy. Commissioner (Revenue) HQ to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. A copy of letter dated 01.01.2024 sent to Dy. Commissioner (Revenue) HQ is annexed at **Annexure R-2**.

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iii. During a meeting held by Chief Secretary with DMs on 06.01.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority.

iv. Chief Engineer (GW) vide his letter dated 09.01.2024 requested DMs to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure 1(Colly). A copy of the letters dated 9.1.24 sent to DMs is annexed at **Annexure R-3 (Colly)**.

v. That the CEO, DJB had a virtual meeting with DMs(Revenue) North, North -West, South -East, South - West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report. An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 from Addl. CEO, DJB is annexed at **Annexure R-4**.

vi. That as per order of the Hon'ble Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, incorrect report has been received from DM(Central), DM(South-East) , DM(West) and DM(East). Further, report was not received from DM-North, North-West, Shahdara, New Delhi and South districts. Therefore, CE(GW) vide letter dated 30.1.2024 requested DMs to send /correct the report for submission in the tribunal by

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1.2.24.A copy of letters dated 30.1.24 delivered to the offices of DMs is annexed at **Annexure R-5 (Colly).**

14. That furthermore, necessary action is being taken for mobilization of staff for sealing of illegal bore wells and action taken report received from DMs in the tabular format with respect to the requisite information of the aspects narrated in para 15 of the order dated 04.12.2023 is as under:

DMs	District Wise Number of Illegal Borewells Identified (As per previous data submitted, referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of illegal borewells which have been Sealed /close d	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise / Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
North	761	748 (earlier data, up-dation awaited)	Report awaited					Report awaited
East	116	110 (earlier this data was 116)	105	Data awaited	36	8	8	Data being reconciled by DM office
South West	6681	1955 (updated	NIL	NIL	NIL	4726	NIL	Report received.
South East	297	183 (earlier this data was 297)	Data awaited	Data awaited	Data awaited	Data awaited	Data awaited	Data being reconciled by DM office
North West	6299	5814 (earlier data,up-dation awaited)	Report awaited					Report awaited
Shahdara	552	552 (Already sealed)	Report awaited					Report awaited
New Delhi	75	75 (Already sealed)	Report awaited					Report awaited

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Central	611	196 (earlier this data was 412)	Data awaited	Data awaited	Data awaited	Data awaited	Data awaited	Data being reconciled by DM office
West	2185	1536 (earlier this data was 1793)	0	0	0	343	Data not provided	Data being reconciled by DM office
North East	0	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Report awaited
South	84	84 (Already sealed)	Report awaited					Report awaited
Total	19661							

Note: Reports on action taken on illegal borewells/number of borewells sealed are awaited from the DMs of the district- North, North-West, Shahdara, New Delhi and South and will be shared with hon'ble NGT in due course.

The reports received from the DMs of the district- South West, South East, Central, West, North East and East are annexed as **Annexure R- 6(Colly).**

15. It is pertinent to state that Delhi Jal Board has taken the following steps for promotion of rain water harvesting systems to recharge ground water:

    a) Delhi Jal Board has promoted Rain Water Management by providing 10% rebate on water bill on installation of adequate and functional RWH structures.

    b) Delhi Jal Board provides financial assistance to consumers upto Rs. 50,000 or 50% of the cost of RWH structure whichever is less.

    c) There is a provision of 50% penalty on water bill for nonexistence of RWH structures for plot area more than 100 sqm.

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d) Guidelines issued by Ministry of Housing and Urban Affairs, GOI for Urban Water Conservation under Jal Shakti Abhiyan thrust areas include Rain Water Harvesting, Reuse of treated effluent, Rejuvenation of water Bodies and Plantation are being followed. The guidelines for INLINE RAIN WATER HARVESTING in Delhi have also been issued by DJB.

e) Plan for RWH structure is mandatory for receiving No Objection Certificate (NOC) to builders for approval of building plan.

f) Wide publicity for adopting RWH structures through print, electronic, visual, workshop, exhibitions seminars, booklets, pamphlets etc. is being done by Delhi Jal Board.

g) Delhi Jal Board has empanelled service providers/ consultants for design of RWH system as per Guideline of DJB. The details are available on DJB website i.e. www.delhijalboard.nic.in.

h) Nodal officer are appointed by DJB for technical assistance for RWH along with creating of RWH cell through Rain Centres/Jal Shakti Kendra.

i) Delhi Jal Board has constructed and made all 666 recharge pits functional.

16. That status of installation of rain water harvesting system in GNCTD is as under:

S.N.	Departments	Total Installations	Number of RWH Systems installed

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1.	Delhi Jal Board	594	594
2.	Other than DJB	89	89
3.	Schools, Colleges	4549	4144
4.	Other deptt	5472	3966
	Total	10704	8793

17. Delhi Jal Board is carrying out rejuvenation of 64 numbers of Water Bodies out of which rejuvenation work at 39 number of water bodies has been completed and tender for 25 number shall be called shortly. The work of creation of water body at Timarpur oxidation pond, Dwarka, Pappankalan, Rohini, Nilothi, revival of Roshanara Lake is being taken up.

18. The major reuse of treated waste water in and around the city is for irrigation, horticulture and industrial use. There is demand for use of treated waste water for cooling in the power stations. Other options include ground water recharge, return to be raw water source, and the treatment and reuse of treated waste water, for flushing of toilets, i.e. use for non-potable purposes like washing of Railways, Buses, Construction industry.

19. The Delhi Jal Board presently supplies about 120 MGD of treated waste water to the Irrigation Department, Power Plants and for irrigation purposes by CPWD and in Rohini area by DDA & Flood Control and Irrigation Department. Efforts are being made to increase the treated waste water supply from 120 MGD to 210 MGD in subsequent years.

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20. That stage of annual ground water extraction in Delhi in year 2017 was 119.61% of annual extractable ground water recourses whereas Stage of annual ground water extraction in year 2023 was 99.13% of annual extractable ground water resources as per the report for Dynamic Ground Water Assessment of India 2023 issued by Central Ground Water Board. Therefore, there is improvement in ground water situation in Delhi. Total annual ground water recharge has also been increased from 0.32 billion cubic meter in the year 2017 to 0.38 billion cubic meter in the year 2023 as per report for Dynamic Ground Water Assessment of India 2023 issued by Central Ground Water Board. The Delhi Jal Board endeavors and remains committed to improve ground water recharge situation and prevent unauthorized extraction of ground water in Delhi.

21. That the status report is being submitted in this Hon'ble Tribunal for record and kind perusal. However, Delhi Jal Board shall abide any direction passed by this Hon'ble Tribunal. Submitted pleased.

Chief Executive Officer

Place: New Delhi
Dated: 02.02.2024

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ANNEXURE R1

Colly)

(R)

OFFICIAL STAMP GOVT OF N.C.T. OF DELHI
OFFICE OF THE ADDL. CHIEF ENGINEER (HQ)
ENGINEER'S TOWER, 2nd FLOOR, SECTT. OFFICES
NEAR MOOLCHAND CROSSING, NEW DELHI-110003

NGT OA (NA) West Moti Nagar Pitampura Distt. Mahavir Nagar Delhi

1422

The Secretary (New Delhi District)
[illegible] Road,
New Delhi-[illegible]

Sub: Illegal Borewells

NGT Principal Bench (MA No: 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt. of NCT of Delhi and Ors

Please find enclosed Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 [illegible] NGT has directed to submit the details of identified illegal borewells in Delhi.

As DM is the competent authority and District Magistrate of each Revenue district is its Authorized [illegible] regular checking/ violations i.e. detection of illegal borewells and closure thereof through the [illegible] it is requested to provide information urgently in the attached Annexure A, so that the [illegible] can be submitted to the Hon'ble court before time i.e. on or before 02-01-2024.

Encl:

1. Annexure A
2. Copy of Hon'ble NGT's Decision for the subject case.

(S.K. Dahiya)
SE(MV)HQ

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DELHI JAL BOARD, GOVT. OF NCT OF DELHI
OFFICE OF THE ADDITIONAL CHIEF ENGINEER (M)-1
EXECUTIVE ENGINEER (M)-62/T-2
E BLOCK PARK: pPEET VIHAR: DELHI-110092

To,

District Magistrate (South-West)
Old Terminal Tax Building
Kapashera
New Delhi.

Subject: Sealing of illegal Borewells

Ref. No: NGT (Principal Bench) (MA No.24/2003 in OA No. 33/2022) in the matter of Ganesh Prasad Vs. Govt of NCT of Delhi and Ors.

That the Hon'ble NGT case No. 24/2003 in original application No. 33/2022 in the matter of Ganesh Prasad the Hon'ble NGT has directed to submit the details identified illegal borewells in Delhi.

In the matter competent authority and District Magistrate of each Revenue District is its authority for checking violations I.e. detection of illegal borewells and closure thereof the and is requested to provide information urgently in the attached Annexure A so that the same can be submitted to the Hon'ble Court before time I.e. on or before 02.01.2024.

Encl:

1. Annexure A
2. Copy of HOn'ble NGT Decision for the subject case.

Sd/-
(S. K. Dahiya)
(T. SE (M)10

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DELHI JAL BOARD; GOVERNMENT OF N.C.T. OF DELHI
OFFICE OF ADDITIONAL CEIEF ENGINEER (M)-1
EXECUTIVE ENGINEER (M)-62/T-2
E BLOCK PARK: PREET VIHAR: DELHI-110092

No. DJB/ F.2 / EE (M) 62/2023-24/ 6526-6532 Dated :- 26/12/23

To

District Magistrate (Shahdara),
Office Complex Nand Nagari
Delhi-110095

Subject:- Sealing of Illegal Borewells.

Ref No :- NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

-Sd/-
Nodal Officer ACE (M)-1

Copy to for kind information:-

1. PS to CEO
2. Member (Admin)
3. CE Nodal (W)
4. CE (Ground Water)
5. ACE (M)-1
6. All EEs (M)-1 for coordinating with DM office for obtaining the required information.

Sudhir Kumar Gupta
Nodal Officer ACE (M)-1

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(A)

DELHI JAL BOARD

OFFICE OF THE SUPERINTENDING ENGINEER (M)-XI
ROOM NO 102, OLD SHIV MANDIR MARG,
JAL SADAN, LAJPAT NAGAR, NEW DELHI-110024
Email : semi1.djb@gmail.com

No.DJB/ SE(M)-XI /2023/ 9114 Dated: 29.12.2023

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

Subject: Sealing of illegal tube wells.

R/Sir,

As aware, DJB is the Competent Authority and District Magistrate of each Revenue district is Authorized Officer to supervise, checking violations i.e. detection of illegal tube wells and closure thereof through the SDMs.

It is important to mention that in a recent hearing of NGT case No. MA No 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running tube wells (The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of illegal tube wells. The list of identified illegal tube wells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of technical assistance during sealing.

Encl 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

(Bhupesh Chandra Patel)
Superintending Engineer (M)-XI

215

1361

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER(M)-9
COMMAND TANK NO. 04, SECTOR-20, DWARKA,
NEW DELHI-110075
E-Mail: - acem9djb@gmail.com /Ph. No. 011-20892836

NO.DJB/ ACE (M)-9/2023/ 1494 to 1501

Dated: 29/12/2023

To

District Magistrate (South-West)
Old Terminal Tax Building
Kapashera
New Delhi-110037

Subject: Sealing of Illegal Borewells

R/Sir,

As per Gazette notification of Delhi by department of Environment and Forest, dated 12th July 2010 in the exercise of the power conferred by Section 5 of EPA 1986; DJB is Competent Authority to grant permission of borewells and District Magistrate of each Revenue district is Authorized Officer to regulate ground water extraction i.e. to supervise, checking violations and taking action on illegal borewells and sealing of illegal borewells and closure thereof through the SDMs.

Hon'ble NGT in the matter of MA No. 24/2023/ in OA No. 33/2022 on 04.12.2023 has reiterated its directions to take fast remedial actions against illegally running bore wells. (The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of illegal borewells. The list of identified illegal borewells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of assistance for any kind of assistance for sealing.

Sd-
SE (M)-9

Copy for information to: -
1. PS to CEO, DJB for kind information
2. Member (Admin)/CE Nodal(W)
3. All EEs (M)-9 for coordinating with SDM office for sealing.

SE (M)-9

216 1357c

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE SUPERITENDING ENGINEER(M)-9
COMMAND TANK NO. 04, SECTOR-20, DWARKA,
NEW DELHI-110075
E-Mail: - acem9djb@gmail.com /Ph. No. 011-20892516

NO.DJB/ ACE (M)-9/2023/ 1486 to 1493 Dated: 28/12/2023

To

District Magistrate (South-West)
Old Terminal Tax Building
Kapashera
New Delhi-110037

Subject: Sealing of Illegal Borewells.

Ref No:-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Sir,

Hon'ble NGT in the above mentioned matter of MA No. 24/2023 in OA No. 33/2022 on 04.12.2023, has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority to grant permission of borewells and District Magistrate of each Revenue district is Authorized Officer for the purpose of regulation of ground water development and management in the respective revenue areas under their jurisdiction i.e. to supervise, checking violations, detection of illegal borewells and sealing thereof through the SDMs.

Your are therefore to provide the information it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble NGT before time i.e. on or before 02.01.2024.

End. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

Sd-
SE (M)-9

Copy for information to: -
1. FS to CEC DJB for kind information
2. Member (Admin)/CE Nodal(W)
3. All EEs (M)-9 for coordinating with SDM office for sealing.

SE (M)-9

27 (A) 1387

DELHI JAL BOARD, GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER(M)-5
ROOM NO.312, VARUNALAYA PH-I, KAROL BAGH,
NEW DELHI-110005
E-Mail. I.D. seem5djb@gmail.com

No. DJB/ SE (M)-5/ 2023-24/ 1513 Date: - 28/12/23

District Magistrate (Central)
14, Darya Ganj
New Delhi.

Subject: Sealing of Illegal Borewells.

Ref No.-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors

R/Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified legal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

(P.Pant)
SE(M)-5

Copy to:-
1. PS to CEO, DJB for kind information.
2. Member (Admin.)/CE Nodal (W)
3. All EEs(M)-5 for coordinating with DM office for obtaining the required information.

SE(M)-5

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DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)8
NEAR TWIN TANKS: OUTER RING ROAD
PASCHIM VIHAR: NEW DELHI
email : acem8.djb@gmail.com; Ph. 20850446

NO. DJB/S.E(M)8/2023/963 to 976 Dated: 26.12.2023

To

District Magistrate (West),
Plot No. 3, Shivaji Park,
Raja Garden,
New Delhi.

Subject: Sealing of Illegal Borewells.
Ref No:-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1.Annexure A.
2.Copy of Hon'ble NGT's Decision for the subject case.

26/12/23

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

Copy to:

1. PS to CEO, DJB for kind information.
2. Member (Admin)/ CE Nodal(W)
3. All EEs(M)-8 for coordinating with DM office for obtaining the required information.

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

28

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)II
NEAR TWIN TANKS OUTER RING ROAD
PASCHIM VIHAR, NEW DELHI
email:seeng.djbmain@gmail.com; Ph. 28080119

NO. DJB/S.E(M)B/2023/D-13 To 150 Dated: 22.12.2023

To

District Magistrate (West),
Plot No. 3, Shivaji Park,
Raja Garden,
New Delhi.

Subject: Sealing of Illegal Borewells.

Madam,

As aware, DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs.

It is important to mention that in a recent hearing of NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running bore wells.(The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of illegal borewells. The list of identified illegal borewells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of assistance for sealing.

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-B

Copy to:

1. CEO, DJB for kind information.
2. Member (Admin)/ CE Nodal(W)
3. All EEs/ AEs /JEs(M)-B for coordinating with SDM office for sealing.

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-B

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141/c

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE ADDL. CHIEF ENGINEER (M) 10
ENGINEERS BHAWAN, 2ND FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI-110049
email id: [illegible]

STOP CORONA: Wear Mask, Follow Physical Distancing, Maintain Hand Hygiene"

Date: 29/12/2023

No. F.DJB/ADD.CE/M-10/2023/1413

(A)

To

District Magistrate (South-East)
Old Court Complex Building, 3rd,
Nehru Park, Rd, Lajpat Nagar IV,
New Delhi, Delhi 110024

Sub: Sealing of Illegal Borewells.

Ref: NGT (Principal Bench) MA No: 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt. of NCT of Delhi and Ors

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04-12-2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the competent authority and District Magistrate of each Revenue district is its Authorized officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. Therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble court before time i.e. on or before 02-01-2024.

Encl:

1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

(S.K. Dahiya)
SE(M)/10

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DELHI JAL BOARD

OFFICE OF THE SUPERINTENDING ENGINEER (M)-XI
ROOM NO 102, OLD SHIV MANDIR MARG,
JAL SADAN, LAJPAT NAGAR, NEW DELHI 110024
Email [redacted]

No.DJB/ SE(M)-XI /2023/ [illegible]

Dated: 29.12.2023

To,
DM (South East)
Old Gargi College Building,
Amar Colony, Lajpat Nagar,
New Delhi-110024.

Subject: Sealing of Illegal tube wells.

R/Sir,

As aware, DJB is the Competent Authority and District Magistrate of each Revenue district is Authorized Officer to supervise, checking violations i.e. detection of illegal tube wells and closure thereof through the SDMs.

It is important to mention that in a recent hearing of NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running tube wells (The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of Illegal tube wells. The list of identified illegal tube wells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of technical assistance during sealing.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

(Bhupesh Chandra Patel)
Superintending Engineer (M)-XI

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DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE ADDL. CHIEF ENGINEER (M)-1
EE (M)-1/T-1 M-16 POCKET-E: MAYUR VIHAR PHASE-II
DELHI – 110091
PHONE No. 011-22722392 & Email Id-: djb.acem57@gmail.com

No. F-14/DJB/EE(M)-1/T-1 /2023-24/ 5974-80 Dated: 2 DEC 2023

To,

D.M.(East),
L.M. Bandh, Shastri Nagar,
Delhi-110031.

Subject: - Sealing of illegal Borewells.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e., detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure-A, so that the sought information can be submitted to the Hon'ble Court before time i.e., on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

Sd/-
EXECUTIVE ENGINEER (M)-1/T-1

Copy to: -

1. PS to CEO, DJB for kind information
2. Member (Admin)/CE Nodal (W)
3. All EEs (M)-1 for coordinating with DM office for obtaining the required information.

(Vinai Kumar Chauhan)
EXECUTIVE ENGINEER (M)-1/T-1

olc
M/F

223

1461

"STOP CORONA"
"WEAR MASK, FOLLOW PHYSICAL DISTANCING, MAINTAIN HAND HYGIENE"

DELHI JAL BOARD: (GOVT. OF NCT OF DELHI)
OFFICE OF SUPERINDENTING ENGINEER (M)-4
LUCKNOW ROAD TIMARPUR DELHI-110054

NO. DJB/SE(M) 4/2023/ 5278 529 Dated: 27.12.2023

District Magistrate (North)
Alipur
New Delhi

Subject: - Sealing of Illegal Borewells.

Ref No:- NGT(Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

As aware, concerned District Magistrate is the competent authority and DM of each revenue district is its authorize officer to supervise, checking violations i.e detection of illegal borewells and closure thereof through the concerned SDMs.
It is pertinent to mention that in a recent hearing of Hon'ble NGT case No. MA No.24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running borewells.
Accordingly it is requested to expedite the sealing of illegal borewells. The list of identified illegal borewells along with their locations has already been provided to your office. DJB team is readily available for any kind of assistance for sealing.

(Pawan Kumar)
SE(M)-4

Copy to :-

1. PS to CEO,DJB for kind information
2. Member(Admin.)/CE Nodal(W)
3. CE(Cordination)-I
4. All EEs(M)-04 for coordinating with DM office for necessary action

SE(M)-4

O/c

224

1496

DELHI JAL BOARD; GOVERNMENT OF N.C.T. OF DELHI
OFFICE OF ADDITIONAL CEIEF ENGINEER (M)-1
EXECUTIVE ENGINEER (M)-62/T-2
E BLOCK PARK: PREET VIHAR: DELHI-110092

No. DJB/ F.2 / EE (M) 62/2023-24/ 6526-6532 Dated :- 26/12/23

To

District Magistrate (Shahdara),
Office Complex Nand Nagari
Delhi-110095

Subject:- **Sealing of Illegal Borewells.**

Ref No :- NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) In the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

-Sd/-
Nodal Officer ACE (M)-1

Copy to for kind information:-

1. PS to CEO
2. Member (Admin)
3. CE Nodal (W)
4. CE (Ground Water)
5. ACE (M)-1
6. All EEs (M)-1 for coordinating with DM office for obtaining the required information.

Sudhir Kumar Gupta
Nodal Officer ACE (M)-1

225

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आज़ादी का अमृत महोत्सव

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF SUPERINTENDING ENGINEER(M)-6
MU BLOCK, PITAMPURA, DELHI 110034

DJB/SE(M)-6/2023/ 533

Dated 28/12/2023

To,

The District Magistrate
Kanjhawala, Delhi-110081

Subject:- Sealing of Illegal Borewells.

Ref No:-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1.Annexure A.

2. Copy of Hon'ble NGT's Decision for the subject case.

(Mukesh Jindal)
Superintending Engineer (M)-6

Copy to,

1) PS to CEO for kind information.
2) Member (Admin)/CE (Nodal)W
3) All EEs (M)-6 for coordinating with DM office for obtaining the required information.
4) O/copy.

(Mukesh Jindal)
Superintending Engineer (M)-6

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DELHI JAL BOARD
OFFICE OF THE SUPERINTENDING ENGINEER(M)-6
MU-BLOCK, PITAMPURA, DELHI-110034.

1541

NO. DJB/SE (M)-6/2023/ 501 - 516 Dated :- 24/12/23.

To

District Magistrate (North West)
Kanjhawala Delhi-110081.

Subject: Sealing of Illegal Borewells.

R/Madam,

As aware, DM is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs.

It is important to mention that in a recent hearing of NGT case No. MA No, 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running bore wells.(The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of illegal borewells. The list of identified illegal borewells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of assistance for sealing.

(Mukesh Jindal)
Superintending Engineer (M)-6

Copy to:

1. CEO,DJB for kind Information.
2. Member (Admin)/ CE Nodal(W)
3. All EEs/ AEs /JEs(M)-6 for coordinating with SDM office for sealing.
4. O/copy

(Mukesh Jindal)
Superintending Engineer (M)-6

227

1531

DELHI JAL BOARD

DELHI JAL BOARD; GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)-7
NEAR SURAJMAL STADIUM METRO STATION
NANGLOI PH.III: NEW DELHI-110041
E-mail – seem7.djb@gmail.com

No. DJB/SE(M)-7/2023-24/ 1041-1050 DATED:- 27.12.2023

To,

The District Magistrate (North West),
Kanjhawala,
New Delhi-110081.

Sub:- Sealing of Illegal Borewells.
Ref. No. NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt. of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble GNT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue District is its Authorized Officer to supervise, checking violation i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Enclosed:- 1. Annexure (A).
2. Copy of Hon'ble NGT's Decision for the subject case

sd

(B.S.RAWAT)
SUPERINTENDING ENGINEER (M)-7

Copy to:-
1. PS to CEO, DJB for kind information please.
2. Member(Admin)/CE Nodal(W)
3. All EEs(M)-7 for coordinating with DM for obtaining the required information.

O/C

27/12/2023

(B.S.RAWAT)
SUPERINTENDING ENGINEER (M)-7

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112/c

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE MEMBER(WATER SUPPLY)
VARUNALAYA PH-II: KAROL BAGH, NEW DELHI-110005
Phone No. 011-23520578, Fax No. 011-23524612
Email: memberwsdjb@gmail.com

No.F-3/DJB/Member(WS)/2024/01-07 Dated: 01-01-2024

Dear Sir,

In reference to a case before NGT (Principal Bench) (MA No.24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad versus Govt. Of NCT of Delhi and Othrs, a written reply was filed by DJB on dated 02.12.2023. During the hearing, the Hon'ble Tribunal was quite satisfied with the action taken by the DJB for sealing the illegal borewells in this particular case, however Hon'ble Judge was not satisfied with the overall action taken by the concerned stakeholders as per the existing SOPs issued by the Environment Department as well as DPCC. The Hon'ble NGT has pointed out that no report has been filed by DJB, DPCC and NDMC in compliance of Order dated 25.02.2022. The tribunal has sought requisite details in tabular format which can be compiled in consultation with all DCs/ DMs (Revenue), DPCC and CGWA:-

1. District wise number of illegal borewells identified;
2. District wise number of illegal borewells which have been sealed/closed;
3. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
4. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
5. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
6. District wise number of illegal borewells which are yet to be sealed/closed; and
7. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

The sought information is to be submitted to the Hon'ble NGT on top priority through e-filing portal.

It is worthwhile to mention that for regulation of ground water in MCD jurisdiction, DJB is the competent authority and District Magistrate (Revenue) of the area are Authorised officers to supervise checking, violation i.e. detection of illegal borewells and closure thereof through the SDMs. Therefore, all the actions for sealing, imposition and recovery of the EDC are to be taken by the Authorised officers i.e. DMs through their concerned SDMs.

I would appreciate the opportunity to schedule a virtual meeting at the earliest with worthy Divisional Commissioner as per his convenience to further sensitize the DMs and SDMs to fast

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track the sealing of illegal borewells. There is also a need to prepare detailed action plans district-wise to seal the remaining illegal borewells in a time bound manner.

It is proposed to schedule the meeting on priority preferably before the next date of Hearing i.e. on 04.01.2024. Accordingly divisional commissioner may please be requested to fix up at the earliest.

With regards,

Yours Sincerely

(S.L. Meena)
Member (WS)

Dy. Commissioner (Revenue) HQ
C/o. Divisional Commissioner, Delhi
5th Shyam Nath Marg, Delhi – 110054.

Copy to:-

1. CEO for kind information please.
2. Member (A) : ----do---
3. Add. CEO
4. CE(GW): to follow up for all actions as desired by CEO
5. ACE(M)-8: to take all actions as desired by CEO in supervision of CE(GW)
6. EO to Member (WS) to pursue
7. M.F.

Member (WS) 01-1-2024

2/30

1266

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-40/CE(GW)/2024/ 79-86 Dated: 9.1.2024

To
District Magistrate (New Delhi District)
Jam Nagar House, Shahjahan Road,
Delhi-110011

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 75 out of 75 nos. of illegal borewells in New Delhi district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-10, DJB vide his letter dated 29.12.23 has already requested you to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure -A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1.CEO
2.Member (A)
3.Member (WS)
4.Add. CEO
5.SE (M)-8
6.SE (M)-10

Pravesh Tyagi
CE (GW)

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DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 71-78 Dated: 9.1.2024

To
District Magistrate (Shahdara)
Office Complex Nand Nagari,
Delhi-110095

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 552 nos. out of 552 nos. of illegal borewells in East district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, Nodal ACE (M)-1, DJB vide his letter dated 26.12.23 has already requested you to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure -A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1.CEO
2.Member (A)
3.Member (WS)
4.Add. CE(O)
5.SE (M)-8
6.SE (M)-1

Pravesh Yadav
CE (GW)

232

1314

39

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-40/CE(GW)/2024/ 63 -78 Dated: 9.1.2024

To
District Magistrate (South District)
MB Road, Saket,
Delhi-110068

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 84 out of 84 nos. of illegal borewells in New Delhi district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-11, DJB vide his letter dated 29.12.23 has already requested you to expedite sealing of illegal borewells, provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure -A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-11

Pravesh Tyagi.
CE (GW)

223

5

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DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 55-62

Dated: 9.1.2024

To
District Magistrate (South-West)
Old Terminal Tax Building
Kapashera New Delhi-110037

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 1410 nos. out of 6681 nos of illegal borewells in South-West district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-9, DJB vide his letters dated 28.12.23 has already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-9/8

Pravesh Tyagi
CE (GW)

234

1396

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 69 -81

Dated: 9.1.2024

To
District Magistrate (Central)
14, Daryaganj, New Delhi-110002

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 412 nos. out of 611 no of illegal borewells in Central district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-5, DJB vide their letters dated 28.12.23 have already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-5

Pravesh Vyas
CE (GW)

235

Annexure-R/30

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 92 93

Dated: 9.1.2024

To
District Magistrate (West)
Plot No.3, Shivaji Park,
Raja Garden, New Delhi

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 1793 nos. out of 2185 no of illegal borewells in West district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-8, DJB vide their letters dated 22.12.23 and 26.12.23 has already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A.

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8

Praveen Singh
CE (GW)

236

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 :VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 2 1 Dated: 9.1.2024

To
District Magistrate (North)
G.T Karnal Road,
Alipur, Delhi-110036

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 748 nos. out of 761 nos of illegal borewells in North district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-3/DJB vide his letter dated 28.12.23 has already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A.

Encl: as above

Pravesh Tyagi
(P.K Tyagi)
CE (GW)

O/o
Diary No.
Date 10/1/24
Alipur, Delhi-110036

237

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 38-46 Dated: 9.1.2024

To
District Magistrate (South-East)
Old Gargi College Building,lajpat Nagar -IV
New Delhi-110024

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 231 nos. out of 297 nos. of illegal borewells in South-East district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-10 and SE (M)-11, DJB vide their letters dated 29.12.23 have already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-10,11

Pravesh Tyagi
CE (GW)

238

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 :VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 30 - 37 Dated: 9.1.2024

To
District Magistrate (East)
LM Bandh, Shastri Nagar,
Delhi-110031

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 116 nos. out of 116 nos. of illegal borewells in East district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, EE (M)-1, DJB vide his letter dated 26.12.23 has already requested you to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure -A .

Encl: as above

sd/ —
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-I

Parvesh Yadav.
CE (GW)

239

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 21-27 Dated: 9.1.2024

To
District Magistrate (North)
G.T Karnal Road,
Alipur, Delhi-110036

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 748 nos. out of 761 nos of illegal borewells in North district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-3, DJB vide his letter dated 28.12.23 has already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A.

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-3/8

Pravesh Tyagi.
CE (GW)

240

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 13-20 Dated: 9.1.2024

To
District Magistrate (North- East)
Office Complex Nand Nagari,
Delhi-110095

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 0 out of 0 nos. of illegal borewells in North- East district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, Nodal Officer ACE (M)-1 DJB vide his letter dated 2612.23 has already requested you to expedite to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-1

Prakash Tyagi
CE (GW)

241

Annexure-B

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 03 to 12 Dated: 9.1.2024

To
District Magistrate (North-West)
Kanjhawala, Delhi-110081

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 5814 nos. out of 8299 no of illegal borewells in North- West district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-6 and SE (M)-7, DJB vide their letters dated 27.12.23 and 28.12.23 have already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-6/7

Parvesh Jyoti
CE (GW)

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(D)

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE ADDITIONAL CEO
VARUNALAYA PHASE-II : KAROL BAGH NEW DELHI 110005
Room No. 121, E-mail: addlceo.djb@nic.in

No. DJB/Addl.CEO/NGT/2024/- 3070 to 3117 Dated: 24.01.2024

ORDER

In pursuance of the Hon'ble NGT orders in the matter of Ganesh Prasad V/s Govt. of NCT of Delhi & Ors, following joint teams are constituted for sealing off illegal bore wells in their areas.

District Magistrates are requested to monitor the functioning of joint teams and submit monthly status in the above matter to the undersigned.

<table>
<tr><th colspan="3">DISTRICT- NORTH</th></tr>
<tr><td colspan="2">District Magistrate (North)
Sh. Yash Choudhary, IAS
(Email: dcnorth@nic.in)</td><td>Superintending Engineer
Sh. Pawan Sharma (Mobile No-9650300144)</td></tr>
<tr><td colspan="3">SDM-Model Town
Sh. Gagandeep

Executive Engineer
Sh. S.K. Singh
(9650291378)
Along with concerned AE/JE & Field Staff</td></tr>
<tr><th colspan="3">DISTRICT- NORTH-WEST</th></tr>
<tr><td colspan="2">District Magistrate
Ms. Ankita Anand, IAS
(Email : dcnw@nic.in)</td><td>Superintending Engineer
Sh. Sukh Pal Singh (Mobile No-9650291065)</td></tr>
<tr><td>Team-1
SDM-Rohini
Sh. Manish Chandra Verma

Executive Engineer
Sh. Shiv Kumar Chauhan
(9650291446)

Along with concerned AE/JE & Field Staff</td><td>Team-2
SDM-Kanjhawala
Sh. Ananth Dwivedi

Executive Engineer
Sh. Harish Chander
(9650094544)

Along with concerned AE/JE & Field Staff</td><td>Team-3
SDM-Saraswati Vihar
Sh. M. Bharani

Executive Engineer
Sh. Sandeep Sharma
(9650291033)

Along with concerned AE/JE & Field Staff</td></tr>
</table>

dlc

243

DISTRICT-SOUTH EAST

District Magistrate Sh. Santosh Rai, IAS (Email: dcse.rev.delhi@nic.in)		Superintending Engineer Sh. S.K. Dahiya (Mobile No- 9650291401)
Team-1 SDM- Kalkaji Sh. Jagat Bhushan Kapil Executive Engineer Sh. Naresh Chauhan (9650425566) Along with concerned AE/JE & Field Staff	**Team-2** SDM-Defence Colony Sh. Gaurav Saini Executive Engineer Sh. M.K. Verma (9650094325) Along with concerned AE/JE & Field Staff	**Team-3** SDM-Sarita Vihar Sh. Sanjay Jha Executive Engineer Sh. Manoj Kumar Sharma (9650200460) Along with concerned AE/JE & Field Staff

DISTRICT-SOUTH WEST

District Magistrate Sh. Lakhsay Singhal, IAS (Email: dcsw@nic.in)		Superintending Engineer Sh. Anil Kumar Sharma (Mobile No-9650291103)
Team-1 SDM-Kapashera Sh. Namgyal Angmu Executive Engineer Sh. Satish Kumar Saini (9650105691) Along with concerned AE/JE & Field Staff	**Team-2** SDM-Najafgarh Sh. Prateek Raj Yadav Executive Engineer Sh. Manish Kumar (9650291227) Along with concerned AE/JE & Field Staff	**Team-3** SDM-Dwarka Sh. Vinay Kumar Mongia Executive Engineer Sh. R.D. Meena (9650844667) Along with concerned AE/JE & Field Staff

DISTRICT-CENTRAL

District Magistrate Sh. G. Sudhakar, IAS (Email: dccentral@nic.in)		Superintending Engineer Sh. Pawan Kumar (Mobile No-9650300144)
Team-1 SDM- Kotwali Sh. Arvind Rana Executive Engineer Sh. Maninderjeet Singh (9650291209) Along with concerned AE/JE & Field Staff	**Team-2** SDM- Civil-Lines Ms. Meena Tyagi Executive Engineer Sh. Kirti Bhushan (9650291214) Along with concerned AE/JE & Field Staff	**Team-3** SDM- Karol Bagh Sh. Shakti Banger Executive Engineer Sh. S.K. Singh (9650291378) Along with concerned AE/JE & Field Staff



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DISTRICT-WEST

District Magistrate Ms. Kinny Singh , IAS (Email: dcwest@nic.in)		Superintending Engineer Sh. Dalbir Singh (Mobile No 9650290773)
Team-1 SDM- Patel Nagar Sh. Aditya Sangotra Executive Engineer Sh. Rakesh Garg (9810164554) Along with concerned AE/JE & Field Staff	**Team-2** SDM- Rajauri Garden Sh. Ashish Kumar Executive Engineer Mr. Ramesh Gupta (9650591677) Along with concerned AE/JE & Field Staff	**Team-3** SDM-Punjabi Bagh Sh. Arvind Jain Executive Engineer Sh. Pulkit Sehgal (9650290768) Along with concerned AE/JE & Field Staff

This is issued with the approval of CEO, DJB.

(Cheshta Yadav) 24/01/24
Addl.CEO, DJB

All concerned

Copy to:-

1. CEO, DJB- For kind information
2. M(A)/M(F)/M(Dr.)/M(WS)- for kind information.

Addl.CEO, DJB 24/01/24

245

ANNEXURE R5

(E)

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/2897-9215. Dated: 30.01.2024

To
District Magistrate (Central)
14, Daryaganj, New Delhi-110002

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, it was directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 412 nos. out of 611 no of illegal borewells in Central district as on 31.8.21(Copy enclosed at **Annexure- A**).

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-5, DJB vide their letters dated 28.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, it has not been received so far despite following up the matter by the undersigned and office of SE(M)- 5.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

-2- 246

It is again requested to direct concerned SDMs to submit action taken report as per Annexure- B by 01.02.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

Sd/-
(P.K.Tyagi)
CE (GW)

Copy to:-

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-5: Please keep close co-ordination with DM office and obtain the report by 2.2.24

Pravesh Tyagi
CE (GW)

O/C

247

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/216 to 222. Dated: 30.1.2024

To
District Magistrate (South-West)
Old Terminal Tax Building
Kapashera New Delhi-110037

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, it was directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 1410 nos. out of 6681 no of illegal borewells in South-West district as on 31.8.21(Copy enclosed at **Annexure- A).**

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-9, DJB vide their letters dated 28.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B).**

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, it has not been received so far despite following up the matter by the undersigned and office of SE(M)- 9.

248

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is again requested to direct concerned SDMs to submit action taken report as per Annexure- B by 01.02.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-9: Please keep close co-ordination with DM office and obtain the report by 2.2.24

Paresh Nag
CE (GW)

O/C

243

(E)

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 :VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/223 to 230 A

Dated: 30.1.2024

To
District Magistrate (North-West)
Kanjhawala, Delhi-110081

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, it was directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 5814 nos. out of 8299 illegal borewells in North-West district as on 31.8.21(Copy enclosed at **Annexure- A)**.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-3,6 and 7, DJB vide their letters dated 27.12.23 and 28.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B)**.

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, it has not been received so far despite following up the matter by the undersigned and office of SE(M)- 3.

250

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is again requested to direct concerned SDMs to submit action taken report as per Annexure- B by 01.02.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8,6,7
6. SE (M)-3: Please keep close co-ordination with DM office and obtain the report by 2.2.24

CE (GW)

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/231 to 236 Dated: 30.1.2024

To
District Magistrate (West)
Plot No.3, Shivaji Park,
Raja Garden, New Delhi

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Madam,

Kindly refer to order dated 04.12.23 issued by the tribunal for above stated subject wherein it has been mentioned that action has been taken on 1793 nos. out of 2185 illegal borewells in West district as on 31.8.2021. In this connection, please refer to your report dated 27.01.24 wherein it has been reported that 1536 number of illegal bore wells have been sealed/closed out of 2185 number of identified borewells (copy enclosed at **Annexure A**). Thus the borewells sealed/closed as on date are less than the borewells sealed on 31.8.2021.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-8, DJB vide their letters dated 22.12.23 and 26.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, incorrect report has been received.

252

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is, therefore, requested to direct concerned SDMs to check and submit correct report by 1.2.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8: Please keep close co-ordination with DM office and obtain the report by 1.2.24

CE (GW)

293

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 :VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/237 to 244.

Dated: 30.1.2024

To
District Magistrate (North)
G.T Karnal Road,
Alipur, Delhi-110036

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

Kindly refer to order dated 04.12.23 issued by the tribunal for above stated subject wherein it has been mentioned that action has been taken on 748 nos. out of 761 illegal borewells in West district as on 31.8.2021. In this connection, please refer to your report dated 29.01.24 wherein it has been reported that 233 number of illegal bore wells have been sealed/closed out of 728 number of identified borewells (copy enclosed at **Annexure A**). Thus the borewells sealed/closed as on 29.1.2024 are less than the borewells sealed as on 31.8.2021.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-3/4, DJB vide their letters dated 28.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, incorrect report has been received.

254

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is, therefore, requested to direct concerned SDMs to check and submit correct report by 1.2.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8,4
6. SE (M)-3: Please keep close co-ordination with DM office and obtain the report by 1.2.24

CE (GW)

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 :VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 245 to 252. Dated: 30.1.2024

To
District Magistrate (South-East)
Old Gargi College Building,lajpat Nagar -IV
New Delhi-110024

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

Kindly refer to order dated 04.12.23 issued by the tribunal for above stated subject wherein it has been mentioned that action has been taken on 231 nos. out of 297 illegal borewells in West district as on 31.8.2021. In this connection, please refer to your report dated 29.01.24 wherein it has been reported that 183 number of illegal bore wells have been sealed/closed out of 297 number of identified borewells (copy enclosed at **Annexure A**). Thus the borewells sealed/closed as on December 2024 are less than the borewells sealed as on 31.8.2021.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-10/11, DJB vide their letters dated 29.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, incorrect report has been received on 29.1.24.

207

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is, therefore, requested to direct concerned SDMs to check and submit correct report by 1.2.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8,11
6. SE (M)-10: Please keep close co-ordination with DM office and obtain the report by 1.2.24

o/c

CE (GW)

257

OFFICE OF THE SUB DIVISIONAL MAGISTRATE (HEADQUARTER)
DISTRICT MAGISTRATE (SOUTH WEST)'S OFFICE COMPLEX,
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI – 110037.

Date:-31/01/2024

REPORT on sealing of Illegal Borewell

	District Wise Number of Illegal Borewells Identified	District Wise number of illegal borewells which have been sealed/closed	Disrict wise number of occupier/ Proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC has been recovered	Disrict wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	Disrict wise number of of illegal borewells which are yet to be sealed/closed	District wise/Proprietors of illegal borrewells on whom penalty/EDC is yet to be imposed	Remarks
uth West (Najafgarh)	6681	36	Nil	Nil	Nil	Nil	Nil	-
uth West (Dwarka)		1485	NIL	Nil	Nil	Nil	Nil	-
uth West (Kapashera)		434	Nil	Nil	Nil	Nil	Nil	-
tal	6681	1955	Nil	Nil	Nil	4726	Nil	-

he above report is based on the information received from three Sub-Divisions.

31/01/2024

SDM (HQ)
District South-West

Sub Divisional Magistrate (HQ) South-West

2553

OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-EAST)
OLD GARGI COLLEGE BUILDING, LAJPAT NAGAR-IV
NEW DELHI-110024

No.F.03/DM/SE/Coord/2023/942 Dated: 01/ 02/2024

To

The Chief Engineer(GW)
Office of the Chief Engineer(GW)
Delhi Jal Board
Govt. of NCT of Delhi
Room No. 412, Varunalaya Phase-I
Karol Bagh, New Delhi-110005

Sub: Sealing of Illegal Borewells

Sir

With reference to your office letter No. F-32/CE(GW)/2024/245dated 30/01/2024 on the subject cited above, it is informed that as per the available office record, the weekly report (period 23/08/2021 to 30/08/2021) was sent to Revenue Deparment, HQ through this office e-mail dated 31/08/2021 and out of 297 number of identified borewells177 number of illegal borewells were sealed/ closed (copy enclosed) and not 231. Further the monthly report of December 2023, compiled on the basis of reports received from the sub-divisions in which total 183 number of illegal borewells have been sealed/ closed was forwarded to Revenue Department HQ.(copy enclosed).

Further please find enclosed herewith the information sought vide your office letter. No.F-32/CE(GW)/2024/38-46 dated 09/01/2024 in the format in respect of District South East.

This issues with the approval of the competent authority.

Sub Divisional Magistrate
(Nodal Reporting Officer)
District South-East

Scanned with OKEN Scanner

259

OFFICE OF THE SUB DIVISIONAL MAGISTRATE (SOUTH-EAST)
OLD GARGI COLLEGE BUILDING, LAJPAT NAGAR-IV
NEW DELHI-110024

Name of District-South East

Sub Divisions	District wise number of Illegal Borewells identified	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number occupier/ proprietor of illegal borewells from whom penalty/EDC is to be recovered	District wise number of occupier/Proprictor of illegal borewells from whom penalty /EDC is to be recovered	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier /Proprietor of illegal borewells from whom penalty/EDC Is to be imposed	Remark
Sarita Vihar	111	56	0	0	0	56	0	23,borewell not identified 29, Balance to be sealed 03 nos. of borwells show DJB permission
Defence Colony	109	74	-	-	-	74	-	07,borewell not identified Physically 28, Borewell balance to be sealed
Kakaji	77	53	-	-	-	53		24, not traceable
Total	297	183	-	-	-	183	-	

Scanned with OKEN Scanner

260

REPORT IN RESPECT OF BOREWELL OF CENTRAL DISTRICT

dated:- 31/01/2024

DM	Sub-Division	District wise Number of Illegal Borewells Identified	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier/proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is to be recovered	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is to be recovered	District wise number of illegal borewells which have been sealed/ closed	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is to be imposed	Remarks
Central	Kotwali	503	136	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	40	Not pertain to Civil Lines Sub-Division.	1) Court stay on 160 Borewells 2) 85 bore-wells not identified/found removed physically 3) 02 properties were found sealed. 4) 01 matter has been sent to DJB for clarification.
	karol bagh	118	40	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	136	Not pertain to Civil Lines Sub-Division.	1) 21 borewells not identified/found removed phycically 2) 57 borewells balance to be seal
	Civil Lines	27	20	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	20	Not pertain to Civil Lines Sub-Division.	1) 07 Borewell Balance to seal

SDM (Civil Lines)

261

OFFICE OF THE DISTRICT MAGISTRATE (WEST)
GOVERNMENT OF NCT OF DELHI
PLOT NO 3: SHIVAJI PLACE RAJA GARDEN: NEW DELHI

F. No. FI (26)/DDC/DM (W)/2013-14/VOL-III/57 Dated: 27/01/2024

To,

Sh. Dalbir Singh,
Superintending Engineer (M-8)
Delhi Jal Board,
Paschim Vihar, New Delhi
(Email ID: acem8.djb@gmail.com)

Report on Sealing of illegal Borewells as on 25.01.2024 OA No. 25/2019 & 685/2019.

DMs	District wise Number of illegal Borewells identified	District wise number of illegal borewells which have been sealed /closed	District wise number of occupier/proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise/proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
Punjabi Bagh	552	304	0	0	114	-	*134 repeated entries
Patel Nagar	776	583	0	0	144	-	*16 not in sub division *33 repeated entries
Rajouri	857	649	0	0	85	-	*123 repeated entries
DM (West)	2185	1536	0	0	343	-	306

27/01/2024

(PRAVIR JAIN)
SDM (IIQ)/DISTRICT (WEST)

1544

282

OFFICE OF THE DEPUTY COMMISSIONER, DISTRICT NORTH-EAST
GOVT. OF NCT OF DELHI
D.C. OFFICE COMPLEX, NAND NAGRI, DELHI-110093

F.SDM(HQ)/DC/NE/Misc-V/2013/PF /525-27 Dated: 16/01/2024

To

The Chief Engineer (GW),
Delhi Jal Board, GNCTD,
Office of the Chief Engineer (GW),
Room No-412, Varunalaya Phase-I,
Karol Bagh, New Delhi-110005

Subject:-Regarding sealing of illegal borewells.

Sir,

Reference letter No. F.32/CE(GW)/2024/13 dated 09.01.2024 on the above cited subject vide which it is requested to provide the status of sealing of identified illegal borewells and action plan to seal remaining identified illegal borewells.

In this regard, the requisite information in the prescribed format in respect of District North-East for sealing of identified illegal borewells are as under:-

DM	District wise number of illegal borewells identified	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier/proprietors of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC is to be recovered	District wise number of illegal borewells which are yet to be sealed/closed	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC is yet to be imposed	Remarks
North-East	Nil	NA	NA	NA	NA	Nil	NA	There are no illegal borewells in identified list of DJB for sealing in District North-East.

This is for your kind information and necessary action.

Yours faithfully

SDM (HQ)
DISTRICT NORTH-EAST

F.SDM(HQ)/DC/NE/Misc-V/2013/PF /525-27 Dated: 16/01/2024

Copy for information to:-

1. The SDM-V (HQ, O/o Divisional Commissioner, Revenue Department, 5, Sham Nath Marg, Delhi-110054
2. PA to District Magistrate, District North-East

SDM (HQ)
DISTRICT NORTH-EAST

Office of CE (Ground Water)
Diary No. 110
Date 19/01/24

DELHI JAL BOARD
Diary No. 223
Date 25/1/2024

Praveshmore 23.1.24

SE(M)-8

EE(M)-32

263

[illegible]: - Sealing of illegal Borewells

DMs	District wise number of illegal borewells identified	District wise number of illegal borewells which have been sealed/ closed	District wise number of occupier/ proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of ccupier/ proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
DM (East)	116	110	105	36	8	8	Two Complaints received recently in Sub-Division Preet Vihar

21.1.21

Scanned with OKEN Scanner

ANNEXURE - R12

264

BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
MA NO. 24/2023
IN
ORIGINAL APPLICATION NO. 33/2022

IN THE MATTER OF

Ganesh Prasad ...Applicant

VERSUS

Govt. ofNCT of Delhi & Ors. ...Respondents

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4.	**ANNEXURE -3** Details given in the report of DPCC in its report dated 03.9.2021 in reference to illegal borewells	60

Filed by:-

(Gajender Tomar)
CE(GW)

265

BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
MA NO. 24/2023
IN
ORIGINAL APPLICATION NO. 33/2022

IN THE MATTER OF

Ganesh Prasad ...Applicant

VERSUS

Govt. of NCT of Delhi & Ors. ...Respondents

SUPPLEMENTARY STATUS REPORT ON BEHALF OF DJB IN FURTHERANCE TO REPORT DATED 03.02.2023 AND IN COMPLIANCE OF ORDER DATED 05.02.2024

Most respectfully Showeth:-

1. The grievance in captioned OA was that R.O. plant was being run un-authorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by one Mr. Ashish.

2. The above said O.A. was disposed off by this Tribunal vide order dated 31.01.2022 whereby the Joint Committee constituted was directed to look into the grievance and submit Factual and Action Taken Report within three months.

3. A factual action taken report dated 14.12.2022 was filed by the DPCC and in view of non-compliance the matter was listed on judicial side. Vide order dated 21.07.2023, the DM, (South West), Delhi and DPCC were directed to file Action Taken Reports but no Reports were filed on which notices were ordered to be issued to the MS, DPCC, CEO, DJB, DM (South West), Delhi and SDM (Dwarka) (besides the Project Proponents) who were asked to appear before this Tribunal physically or through VC on 09.11.2023.

4. That vide order dated 09.11.2023, the Hon'ble Tribunal directed the CEO DJB to appear physically on 04.12.2023 to address the complaints filed

regarding illegal borewells, action taken regarding the same, monitoring mechanism evolved and action taken against defaulting officers/officials.

5. In compliance thereof Mr. A. Anbarasu, CEO, DJB appeared on the next date of hearing i.e. 04.12.2023 before this Hon'ble Tribunal along with other DJB officers and had also filed reply affidavit vide email dated 02.12.2023 stating out reasons for his non-appearance on 09.11.2023 before this Hon'ble Tribunal.

6. Subsequently, the Hon'ble Tribunal vide the order dated 04.12.2023 gave time to CEO, DJB to give requisite details in tabular format with respect to following aspects and listed the matter on 04.01.2024 for further adjudication :-

   (i) District wise number of illegal borewells identified; M.A No. 24/2023 in O.A No.33/2022 Ganesh Prasad Vs. Govt. of NCT of Delhi & Ors. 9

   (ii) District wise number of illegal borewells which have been sealed/closed;

   (iii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;

   (iv) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;

   (v) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;

   (vi) District wise number of illegal borewells which are yet to be sealed/closed; and

   (vii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

7. Thereafter on 04.01.2024, an I.A. No. 02/2024 was filed by the DJB for extension of three weeks' time for submission of the report which was

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allowed vide order dated 04.01.2024 and the matter was thereafter fixed for 05.02.2024.

8. That on 05.02.2024, a status report was filed by DJB stating that except for the District Magistrate, South West, the other District Magistrates have not supplied requisite information to the DJB for filing the report and the status report dated 03.02.2024 has been filed as per the available data. The status report indicated that in total 19661 illegal borewells have been identified out of which 8299 illegal borewells have been observed in North-West District followed by 6681 in South-West District of NCT of Delhi. The DJB in its report has also disclosed the status of Rain Water Harvesting System in GNCTD. Upon perusal of the report, the Hon'ble Tribunal gave the following directions :-

> *6. Since the complete report on behalf of the DJB is awaited and prayer for extension of time has been made, therefore, DJB is directed to file the report within a period of four weeks by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.*
>
> *7. All the District Magistrates are expected to cooperate with the DJB and submit the requisite information to the DJB within two weeks. It is clarified that if any District Magistrate fails to respond to the request of the DJB to furnish the requisite information then the Tribunal may be required to pass an order for personal appearance of the said District Magistrate.*

and thereafter fixed the matter for 18.04.2024 for further adjudication.

9. In compliance of the directions given by the Hon'ble Tribunal vide the order dated 05.02.2024, DJB pursued the matter diligently to expedite the process and accordingly following steps were taken to ensure timely and effective submission of the status report :

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a. A meeting was called on 05.03.2024 with all the DM's of Delhi by Additional CEO, DJB being in chair and reiterated that the requisite information be provided within 2 weeks as per the directions of Hon'ble Tribunal.

b. Letters dated 14.02.2024, 19.03.2024 and 02.04.2024 was written by CE (GW) to all DMs, for providing the required information with copy to DPCC for providing EDC details.

Copies of letters sent by DJB to concerned DMs requesting requisite information of illegal borewells are annexed and marked herein as **Annexure I. (Colly)**

10. In continuation to the earlier status report dated 03.02.2024 and in compliance of the order dated 05.02.2024, DJB is submitting the requisite information of the illegal borewells as received from the Concerned DMs for facility of reference in the tabular form below :-

DMs	District Wise Number of Illegal Borewells Identified (As per previous data submitted, referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of illegal borewells which have been Sealed /closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise / Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
COL.1.	COL.2	COL.3	COL.4	COL.5	COL.6	COL.7	COL.8	COL.9
North	728	233	NIL	NIL	NIL	119	15	As per report submitted, a total of 376 borewells contains duplicate entries, non-traceable.
East	116	110	110	87	23	6	6	
South West	6681	2434	NIL	NIL	NIL	4247	NIL	
South East	297	163	NIL	NIL	NIL	57 (03 nos. of borewells show DJB permission)	130	30 Borewells not identified physically

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North West	9128	5901	Information not available	Information not available	Information not available	3227	Information not available	Report is compiled on the basis of reports received from Kanjhawala, Rohini and Saraswati Vihar sub divisions, after reconciliation with concerned Executive Engineer of DJB. Details of penalty/ EDC regarding illegal borewells already sealed by DJB is not available
Shahdara	552	358	NIL	NIL	NIL	NIL	NIL	SDM(Vivek Vihar)Total Borewell = 178 Borewell Sealed = 117 Blank = 2 Water Tank Supply = 3 Permission CGWA = 5 Not visited =1 Not operational = 1 No Borewell = 29 Locked = 4 Already cut off = 16 SDM(Seemapuri) Total Borewell = 374 Borewell Sealed = 241 Duplicated Entries = 22 Incomplete Address/Non traceable = 20 DJB connection found in place of borewell = 61 Borewell not found = 30 SDM(Shahdara) No Address pertains to Sub- list Division (Shahdara) as per the list of addresses provided by the Delhi Jal Board. Hence, report may be treated as Nil.
New Delhi	75	75	Report not Received from DM	Report not Received from DM	Report not Received from DM	NIL	Report not Received from DM	Report not received from DM (earlier data)
Central	676	246	Not pertains to DM	Not pertains to DM	Not pertains to DM	161	Not pertains to DM	Civil line- Nil Kotwali- 1)Court stay on 160 borewells 2)85 borewells not identified/ found removed physically 3)02 properties were found sealed 4)01 matter has been sent to DJB for clarification Karol Bagh- 1)21 borewells not identified/ found removed physically 2)46 borewells balanced to be seal 02 no of borewells does not fall under the jurisdiction District Central Hence total comes to 676+2=678

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West	2185	1573	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	361	Data to be provided by DPCC to DJB	SDM(Punjabi Bagh) 65 Duplicate + 18 not found =83 SDM(Rajouri Garden) 119 Not found SDM(Patel Nagar) -33 Not found + 16 Not pertain to Patel Nagar sub division=49 Total-251
North East	Nil	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	There are no illegal borewells in identified list of DJB for sealing in District North East.
South	84	84	EDC report pertains to DPCC	EDC report pertains to DPCC	EDC report pertains to DPCC	NIL	EDC report pertains to DPCC	In addition to original survey of 64 borewells, 16 additional borewells have been sealed. Out of 15, EDC has been imposed on 14 borewells and for 02, DPCC has informed that imposing of EDC is under process.
Total	20522	11197				6178		

Copy of the letters/data received from the concerned DMs with regards to illegal borewells are annexed and marked herein as **Annexure-2.(Colly)**

11. This report as received from the concerned DMs regarding illegal borewells is being submitted herein in tabulated form for perusal and consideration of this Hon'ble Tribunal. DJB is also filling the report of DPCC dated 03.09.2021 in reference to data of illegal borewells received from the Revenue Department furnished before this Hon'ble Tribunal on 08.11.2023. Details given in the report ofDPCC dated 03.09.2021 in reference to illegal borewells is annexed and marked herein as **Annexure -3.**

12. 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)
CE(GW)

271

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 832 Dated: - 02.04.2024

To
The District Magistrate (New Delhi District)
Jam Nagar House, Shahjahan Road,
Delhi-110011

Subject: Sealing of illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, reports from DM (New Delhi) is still awaited.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed (Annexure A) by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl. Annexure A.

Sd/-
(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:

1. Addl. CEO for kind information.
2. Member (Secretary, DPCC- is humbly requested to direct the concerned office to update the status of EDC in the attached format under intimation to this office.
3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) it is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

SE (Zone)-8
Delhi Jal Board
Diary No. 862
Date 5/4/2024

ASO

(Gajender Tomar)
CE(GW)/Nodal Officer

272

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 784 Dated: - 02.04.2024

To
The District Magistrate (South-East)
Old Gargi College Building,
Amar Colony, Lajpat Nagar
Delhi-110024

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, while compiling the data, certain discrepancies and inconsistencies have been observed with respect to earlier reports submitted by the DPCC to the Hon'ble NGT. The discrepancies pertaining to respective District Magistrates have been highlighted in the enclosed compiled draft report. Concerned DMs are once again requested to go through the compiled draft report and make efforts to reconcile the discrepancies and provide the updated correct data.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl. 1. Draft updated compiled Report.

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:

1. Addl. CEO for kind information.
2. Member (Secretary, DPCC- is humbly requested to direct the concerned office to update the status of EOC in the attached format under intimation to this office.
3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) it is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

(Gajender Tomar)
CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 861
Date 5/4/2024

273

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/796

Dated: - 02.04.2024

To
The District Magistrate (West)
Plot No. 3, Shivaji Park, Raja Garden
New Delhi-110095

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, while compiling the data, certain discrepancies and inconsistencies have been observed with respect to earlier reports submitted by the DPCC to the Hon'ble NGT. The discrepancies pertaining to respective District Magistrates have been highlighted in the enclosed compiled draft report. Concerned DMs are once again requested to go through the compiled draft report and make efforts to reconcile the discrepancies and provide the updated correct data.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl. 1. Draft updated compiled Report.

Sd/-
(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:

1. Addl. CEO for kind information.
2. Member (Secretary, DPCC- is humbly requested to direct the concerned office to update the status of EDC in the attached format under intimation to this office.
3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) it is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

A.S.O

(Gajender Tomar)
CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 859
Date 5/4/2024

274

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/802. Dated: - 02.04.2024

To
The District Magistrate (North)
G. T. Karnal Road, Alipur,
Delhi-110036

Subject: Sealing of illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, while compiling the data, certain discrepancies and inconsistencies have been observed with respect to earlier reports submitted by the DPCC to the Hon'ble NGT. The discrepancies pertaining to respective District Magistrates have been highlighted in the enclosed compiled draft report. Concerned DMs are once again requested to go through the compiled draft report and make efforts to reconcile the discrepancies and provide the updated correct data.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl. 1. Draft updated compiled Report.

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:

1. Addl. CEO for kind information.
2. Member (Secretary, DPCC- is humbly requested to direct the concerned office to update the status of EDC in the attached format under intimation to this office.
3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) It is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

SE (Zone)-8
Delhi Jal Board
Diary No. 858
Date 5/4/2024

A.S.O.

(Gajender Tomar)
CE(GW)/Nodal Officer

275

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No: 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/826. Dated: - 02.04.2024

To
The District Magistrate (Shahdara)
Office complex Nand Nagari,
Delhi-110095

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, while compiling the data, certain discrepancies and inconsistencies have been observed with respect to earlier reports submitted by the DPCC to the Hon'ble NGT. The discrepancies pertaining to respective District Magistrates have been highlighted in the enclosed compiled draft report. Concerned DMs are once again requested to go through the compiled draft report and make efforts to reconcile the discrepancies and provide the updated correct data.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl: 1. Draft updated compiled Report.

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:

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3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) It is requested to coordinate with the concerned District Magistrates and submit the updated report.
4. SE(M)-8/Sub Nodal officer – to pursue.

A.S.O.

(Gajender Tomar)
CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 854
Date 5/4/2024

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/820

Dated: - 02.04.2024

To
The District Magistrate (South-West)
Old Terminal tax Building, Kapaskhera
New Delhi-110037

Subject: Sealing of illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

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Encl. 1. Draft updated compiled Report.

(Gajender Tomar)
CE(GW)/Nodal Officer

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3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) it is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

(Gajender Tomar)
CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 855
Date 5/4/2024

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DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/814

Dated: - 02.04.2024

To
The District Magistrate (East)
LM Bandh, Shastri Nagar,
Delhi-110031

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, while compiling the data, certain discrepancies and inconsistencies have been observed with respect to earlier reports submitted by the DPCC to the Hon'ble NGT. The discrepancies pertaining to respective District Magistrates have been highlighted in the enclosed compiled draft report. Concerned DMs are once again requested to go through the compiled draft report and make efforts to reconcile the discrepancies and provide the updated correct data.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl. 1. Draft updated compiled Report.

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:

1. Addl. CEO for kind information.
2. Member (Secretary, DPCC- is humbly requested to direct the concerned office to update the status of EDC in the attached format under intimation to this office.
3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) it is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

A.S.O.

(Gajender Tomar)
CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 856
Date 5/4/2024

278

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi ka Amrit Mahotsav

No. DJB/CE(GW)/2024/808 Dated: - 02.04.2024

To
The District Magistrate (North-West)
D. C. Office complex, Kanjhawala
New Delhi-110081

Subject: Sealing of illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, reports from DM (North West) is still awaited.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed (Annexure A) by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl. Annexure A.

Sd/-
(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:

1. Addl. CEO for kind information.
2. Member (Secretary, DPCC- is humbly requested to direct the concerned office to update the status of EDC in the attached format under intimation to this office.
3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) it is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

A.S.O.

(Gajender Tomar)
CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 857
Date 5/4/24

278

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/795. Dated: - 02.04.2024

To
The District Magistrate (West)
Plot No. 3, Shivaji Park, Raja Garden
New Delhi-110095

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, while compiling the data, certain discrepancies and inconsistencies have been observed with respect to earlier reports submitted by the DPCC to the Hon'ble NGT. The discrepancies pertaining to respective District Magistrates have been highlighted in the enclosed compiled draft report. Concerned DMs are once again requested to go through the compiled draft report and make efforts to reconcile the discrepancies and provide the updated correct data.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl. 1. Draft updated compiled Report.

Sd/
(Gajender Tomar)
CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 882
Date 5/4/24

Copy to:

1. Addl. CEO for kind information.
2. Member (Secretary, DPCC- is humbly requested to direct the concerned office to update the status of EDC in the attached format under intimation to this office.
3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) it is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

Send copy to SE's m 6/7/8.

Dy. No. 387
Date 3/4/24

Pl. up file SE(M)/8

4.04.24

(Gajender Tomar)
CE(GW)/Nodal Officer

ASO

280

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/790 Dated: - 02.04.2024

To
The District Magistrate (Central)
14, Daryaganj,
New Delhi-110002

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of Data.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In continuation to this office letters dated 14.02.2024, 19.03.2024 and virtual meeting chaired by Addl. CEO, DJB with all concerned DMs on 05.03.2024 in this regard, while compiling the data, certain discrepancies and inconsistencies have been observed with respect to earlier reports submitted by the DPCC to the Hon'ble NGT. The discrepancies pertaining to respective District Magistrates have been highlighted in the enclosed compiled draft report. Concerned DMs are once again requested to go through the compiled draft report and make efforts to reconcile the discrepancies and provide the updated correct data.

As the date of submission of the report has already elapsed, it requested to provide your updated reconciled report in the format prescribed by 5.04.2024. If no response/ updated data is received by 05.04.2024, this office will submit the available data to the Hon'ble NGT.

Encl. 1. Draft updated compiled Report.

Sd/
(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:

1. Addl. CEO for kind information.
2. Member (Secretary, DPCC- is humbly requested to direct the concerned office to update the status of EDC in the attached format under intimation to this office.
3. CE N(Water)/CE(West)/CE(East)(Central)(North)(West) (South) It is requested to coordinate with the concerned District Magistrates and submit the updated report
4. SE(M)-8/Sub Nodal officer – to pursue.

SE (Zone)-8
Delhi Jal Board
Diary No. 860
Date 5/4/2024

(Gajender Tomar)
CE(GW)/Nodal Officer

281

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 775. **Dated: - 19.03.2024**

To,
The District Magistrate (North)
G. T. Karnal Road, Alipur,
Delhi-110036

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

In the last hearing dated 05.02.2024, Hon'ble Court has ordered that "All *the District Magistrates are expected to cooperate with the DJB and submit the requisite information to the DJB within two weeks. It is clarified that if any District Magistrate fails to respond to the request of the DJB to furnish the requisite information then the Tribunal may be required to pass an order for personal appearance of the said District Magistrate*"

In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 24.03.2024 pl.
5 Office copy

CE(GW)/Nodal Officer

ASD

691
20/3/24

232

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 715 Dated: - 19.03.2024

To,

The District Magistrate (New Delhi District)
Jam Nagar House, Shahjahan Road,
Delhi-110011

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

In the last hearing dated 05.02.2024, Hon'ble Court has ordered that "All ***the District Magistrates are expected to cooperate with the DJB and submit the requisite information to the DJB within two weeks. It is clarified that if any District Magistrate fails to respond to the request of the DJB to furnish the requisite information then the Tribunal may be required to pass an order for personal appearance of the said District Magistrate***"

In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: **It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.**
4 SE(M)-8/Sub Nodal officer – **to pursue and submit consolidated details by 24.03.2024 pl.**
5 Office copy.

CE(GW)/Nodal Officer

699
26/3/24

283

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 765 Dated: - 19.03.2024

To,
The District Magistrate (East)
L.M Bandh, Shastri Nagar,
Delhi-110031

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

In the last hearing dated 05.02.2024, Hon'ble Court has ordered that "All *the District Magistrates are expected to cooperate with the DJB and submit the requisite information to the DJB within two weeks. It is clarified that if any District Magistrate fails to respond to the request of the DJB to furnish the requisite information then the Tribunal may be required to pass an order for personal appearance of the said District Magistrate*"

In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 24.03.2024 pl.
5 Office copy

CE(GW)/Nodal Officer

692
20/3/24

1566

284

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 728. Dated: - 19.03.2024

To,

The District Magistrate (South-East)
Old Gargi College Building,
Amar Colony, Lajpat Nagar
Delhi-110024

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

In the last hearing dated 05.02.2024, Hon'ble Court has ordered that "*All the District Magistrates are expected to cooperate with the DJB and submit the requisite information to the DJB within two weeks. It is clarified that if any District Magistrate fails to respond to the request of the DJB to furnish the requisite information then the Tribunal may be required to pass an order for personal appearance of the said District Magistrate*"

In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. **It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.**

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: **It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.**
4 SE(M)-B/Sub Nodal officer – **to pursue and submit consolidated details by 24.03.2024 pl.**
5 Office copy

SF (Zone)-B
Delhi Jal Board
Diary No. 746
Date 26/3/2024

CE(GW)/Nodal Officer

Ganesh Letter to SE(M) 6/7/18

Typo, 2017

28/3
Date 20-3-24

SE (M)-B

285

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 755 **Dated: - 19.03.2024**

To,

The District Magistrate (South-West)
Old Terminal tax Building, Kapaskhera
New Delhi-110037

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

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In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 24.03.2024 pl.
5 Office copy.

CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 703
Date 25/3/24

1568

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Coronat wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/745 **Dated: - 19.03.2024**

To,

The District Magistrate (Shahdara)
Office complex Nand Nagari,
Delhi-110095

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

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In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4. CE(East)/(Central/North)/West/South: **It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.**
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 24.03.2024 pl.
5 Office copy

CE(GW)/Nodal Officer

702
20/3/24

287

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/735 Dated: - 19.03.2024

To,
The District Magistrate (North-West)
D. C. Office complex, Kanjhawala
New Delhi-110081

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

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Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

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2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: **It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.**
4 SE(M)-8/Sub Nodal officer – **to pursue and submit consolidated details by 24.03.2024 pl.**
5 Office copy

CE(GW)/Nodal Officer

707
20/3/24

1570

288

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/725 Dated: - 19.03.2024

To,

The District Magistrate (South-East)
Old Gargi College Building,
Amar Colony, Lajpat Nagar
Delhi-110024

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) In the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

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In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 24.03.2024 pl.
5 Office copy

CE(GW)/Nodal Officer

700
26/3/24

289

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 699. Dated: - 19.03.2024

To,
The District Magistrate (West)
Plot No. 3, Shivaji Park, Raja Garden
New Delhi-110095

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

In the last hearing dated 05.02.2024, Hon'ble Court has ordered that ***"All the District Magistrates are expected to coopergte with the DJB and submit the requisite information to the DJB within two weeks. It is clarified that if any District Magistrate fails to respond to the request of the DJB to furnish the requisite information then the Tribunal may be required to pass an order for personal appearance of the said District Magistrate"***

In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: **It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.**
4 SE(M)-8/Sub Nodal officer – **to pursue and submit consolidated details by 24.03.2024 pl.**
5 Office copy

CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 694
Dated 25/3/24

290

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 765/ Dated: - 19.03.2024

To,

The District Magistrate (Central)
14, Daryaganj,
New Delhi-110002

Sub: - Sealing of illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

In the last hearing dated 05.02.2024, Hon'ble Court has ordered that "All *the District Magistrates are expected to cooperate with the DJB and submit the requisite information to the DJB within two weeks. It is clarified that if any District Magistrate fails to respond to the request of the DJB to furnish the requisite information then the Tribunal may be required to pass an order for personal appearance of the said District Magistrate*"

In view of above, you are once again requested to intervene and direct the concerned offices for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 24.03.2024 pl.
5 Office copy

CE(GW)/Nodal Officer

Delhi Jal Board
Diary No. 698
Date 26/3/24

291

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 412, VARUNALAYA PHASE-I, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 685 Dated: - 19.03.2024

To,

The District Magistrate (South)
M B Road Saket,
Delhi-110068

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

In continuation to this office letter dated 14.02.2024, the desired information is still awaited. In this regard Addl. CEO, DJB had also taken online meeting on dated 05.03.2024 to expedite the issue. The till date updated report is attached herewith.

In the last hearing dated 05.02.2024, Hon'ble Court has ordered that "All *the District Magistrates are expected to cooperate with the DJB and submit the requisite information to the DJB within two weeks. It is clarified that if any District Magistrate fails to respond to the request of the DJB to furnish the requisite information then the Tribunal may be required to pass an order for personal appearance of the said District Magistrate*"

In view of above, you are once again requested to intervene and direct the concerned offices to reconcile the data EDC. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Letter dated 14.02.2024

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 Member Secretary DPCC - is humbly requested to direct concern office to update the status of EDC in the attach format by 24.03.2024 under intimation to this office.
3 CEN(Water):
4 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 24.03.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 24.03.2024 pl.
5 Office copy

CE(GW)/Nodal Officer

SE (Zone)-8
Delhi Jal Board
Diary No. 690
Date 25/3/24

292

Delhi Jal Board

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)8
NEAR TWIN TANKS: OUTER RING ROAD
PASCHIM VIHAR: NEW DELHI
email : acem8.djb@gmail.com; Ph. 20850446

NO. DJB/S.E(M)8/2024/ 176 Dated: 04.03.2024

To

The District Magistrate (West),
Govt. of NCT of Delhi,
Raja Garden,
New Delhi – 110027

Subject: Sealing of illegal Borewells, reconciliation and up-dation of Data.
Ref No:-1. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) In the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.
2.DJB/SE(M)-8/2024/ 152-155 dated 20.02.2024 .

R/Madam,

Please refer to the report provided by SDM(Headquarter) vide letter No.F.1(26)/DDC/DM(W)/2013-14/Vol-III/216-218 dated 23.02.24 vide which sub-division wise data has been provided but it is not covering all the seven points asked by the Hon'ble NGT. The submitted report is covering only 03 points.

In this regard, it is informed that the Hon'ble NGT has desired the data about illegal borewells sealings on specific points, format of the same was already provided vide Annexure A in the letter of the undersigned dated 20.02.2024.

Therefore, it is again requested to provide the duly signed data in the prescribed format only (i.e. Annexure A) by 5th March, 2024, so that the same can be filed to the Hon'ble NGT. It is reminded that the time granted by the Hon'ble NGT to file the reply has already elapsed.

Encl. 1. Annexure A.
2. Order of Hon'ble NGT dated.05.02.2024 along with status report filed by DJB on the basis of information provided by DMs.

4/3/24

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

R&I
Dairy & Dispatch Stamp
Plot No.-3, Shivaji Place,
Raja Garden New Delhi-27
06/03/24

293

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 338 Dated: - 14.02.2024

To,

The District Magistrate (South-West)
Old Terminal tax Building,
Kapashera
New Delhi-110037

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) In the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

Please find enclosed herewith order of Hon'ble NGT in the case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect of illegal borewells for your kind perusal and to update and submit the requisite information regarding sealing of remaining borewells and EDC details as per format attached as annexure (A) by 19.02.2024. This is as per Hon'ble NGT order dated 05.02.2024 (Copy of NGT order is attached herewith).

A joint team of Executive Engineer, DJB and SDMs have been already constituted vide letter no. DJB/Addl. CEO/NGT/2024/3111 dated 24.01.2024 issued by Addl. CEO, DJB (Copy enclosed herewith for reference) wherein it was also requested to monitor the functioning of joint team and submit monthly status in the above matter. It is also requested to convene a meeting of the joint teams at the earliest for expediting the sealing of illegal borewells and to reconcile the data in respect of numbers of illegal borewells identified, numbers of illegal borewell which have been sealed/ closed and numbers which are yet to be sealed/ closed as anomalies were noticed in the data.

In view of above, you are humbly requested to intervene and direct the concerned SDMs for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 CEN(Water): do
3 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 19.02.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

DELHI JAL BOARD
SECTION
Diary No. 395
Date 19/2/24

CE(GW)/Nodal Officer

1576

294

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 354 Dated: - 14.02.2024

To,

The District Magistrate (North)
G.T. Karnal Road, Alipur,
New Delhi-110036

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

Please find enclosed herewith order of Hon'ble NGT in the case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect of illegal borewells for your kind perusal and to update and submit the requisite information regarding sealing of remaining borewells and EDC details as per format attached as annexure (A) by 19.02.2024. This is as per Hon'ble NGT order dated 05.02.2024 (Copy of NGT order is attached herewith).

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Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 CEN(Water): do
3 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 19.02.2024.
4-SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

DELHI JAL BOARD
SE(M)-8
Diary No. 398
Date 19/2/24

CE(GW)/Nodal Officer

298

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005,
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

No. DJB/CE(GW)/2024/ 313 Dated: - 14.02.2024

To,

The District Magistrate (Shahdara)
Office Complex Nand Nagari,
New Delhi-110095

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

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2 Annexure(A).
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

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4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

DELHI JAL BOARD
Z 8
399
19/2/24

CE(GW)/Nodal Officer

296

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

No. DJB/CE(GW)/2024/ 346/ Dated: - 14.02.2024

To,

The District Magistrate (East)
L.M Bandh, Shastri Nagar,
Delhi-110031

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

Please find enclosed herewith order of Hon'ble NGT in the case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect of illegal borewells for your kind perusal and to update and submit the requisite information regarding sealing of remaining borewells and EDC details as per format attached as annexure (A) by 19.02.2024. This is as per Hon'ble NGT order dated 05.02.2024 (Copy of NGT order is attached herewith).

A joint team of Executive Engineer, DJB and SDMs have been already constituted vide letter no. DJB/Addl. CEO/NGT/2024/3111 dated 24.01.2024 issued by Addl. CEO, DJB (Copy enclosed herewith for reference) wherein it was also requested to monitor the functioning of joint team and submit monthly status in the above matter. It is also requested to convene a meeting of the joint teams at the earliest for expediting the sealing of illegal borewells and to reconcile the data in respect of numbers of illegal borewells identified, numbers of illegal borewell which have been sealed/ closed and numbers which are yet to be sealed/ closed as anomalies were noticed in the data.

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Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
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4 SE(M)-B/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

CE(GW)/Nodal Officer

DELHI JAL BOARD
Rec'd
400
Date 19/2/24

297

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005,
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

No. DJB/CE(GW)/2024/ 3221 Dated: - 14.02.2024

To,

The District Magistrate (North-West)
D.C. Office Complex,
Kanjhawala,
New Delhi-110081

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

Please find enclosed herewith order of Hon'ble NGT in the case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect of illegal borewells for your kind perusal and to update and submit the requisite information regarding sealing of remaining borewells and EDC details as per format attached as annexure (A) by 19.02.2024. This is as per Hon'ble NGT order dated 05.02.2024 (Copy of NGT order is attached herewith).

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Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2.CEN(Water): do
3 CE(East)/(Central/North)/West/South: it is requested to coordinate with the concerned District Magistrates and submit the updated report before 19.02.2024.
4 SE(M)-II/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

DELHI JAL BOARD
SE (Z)-II
No. 407
Dt. 19/2/24

CE(GW)/Nodal Officer

298

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

No. DJB/CE(GW)/2024/ 305 Dated: - 14.02.2024

To,

The District Magistrate (New Delhi District)
Jam Nagar House, Shahjahan Road,
Delhi-110011

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

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Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 CEN(Water): do
3 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 19.02.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

DELHI JAL BOARD
Sr. No. 402
Date 19/2/24

CE(GW)/Nodal Officer

294

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona; wear mask, maintain social distance & washing of hands

No. DJB/CE(GW)/2024/ 2971 Dated: - 14.02.2024

To,

The District Magistrate (Central)
14, Daryaganj,
New Delhi-110002

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

Please find enclosed herewith order of Hon'ble NGT in the case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect of illegal borewells for your kind perusal and to update and submit the requisite information regarding sealing of remaining borewells and EDC details as per format attached as annexure (A) by 19.02.2024. This is as per Hon'ble NGT order dated 05.02.2024 (Copy of NGT order is attached herewith).

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Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 CEN(Water): do
3 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 19.02.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

DELHI JAL BOARD
SE (Z)-I
Diary No. 403
Date 19/2/24

CE(GW)/Nodal Officer

300

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi Ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 330 Dated: - 14.02.2024

To,

The District Magistrate (South-East)
Old Gargi College Building,
Amar Colony, Lajpat Nagar,
New Delhi-110024

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

Please find enclosed herewith order of Hon'ble NGT in the case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect of illegal borewells for your kind perusal and to update and submit the requisite information regarding sealing of remaining borewells and EDC details as per format attached as annexure (A) by 19.02.2024. This is as per Hon'ble NGT order dated 05.02.2024 (Copy of NGT order is attached herewith).

A joint team of Executive Engineer, DJB and SDMs have been already constituted vide letter no. DJB/Addl. CEO/NGT/2024/3111 dated 24.01.2024 issued by Addl. CEO, DJB (Copy enclosed herewith for reference) wherein it was also requested to monitor the functioning of joint team and submit monthly status in the above matter. It is also requested to convene a meeting of the joint teams at the earliest for expediting the sealing of illegal borewells and to reconcile the data in respect of numbers of illegal borewells identified, numbers of illegal borewell which have been sealed/ closed and numbers which are yet to be sealed/ closed as anomalies were noticed in the data.

In view of above, you are humbly requested to intervene and direct the concerned SDMs for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 CEN(Water): do
3 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 19.02.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

DELHI JAL BOARD
397
19/2/24

CE(GW)/Nodal Officer

301

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005,
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands

Azadi ka Amrit Mahotsav

No. DJB/CE(GW)/2024/ 261 Dated: - 14.02.2024

To,

The District Magistrate (North-East)
Office complex Nand Nagari,
Delhi-110095

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

Please find enclosed herewith order of Hon'ble NGT in the case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect of illegal borewells for your kind perusal and to update and submit the requisite information regarding sealing of remaining borewells and EDC details as per format attached as annexure (A) by 19.02.2024. This is as per Hon'ble NGT order dated 05.02.2024 (Copy of NGT order is attached herewith).

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In view of above, you are humbly requested to intervene and direct the concerned SDMs for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to: -

1 Addl. CEO for kind information please.
2 CEN(Water): do
3 CE(East)/(Central/North)/West/South: **it is requested to coordinate with the concerned District Magistrates and submit the updated report before 19.02.2024.**
4 SE(M)-8/Sub Nodal officer – **to pursue and submit consolidated details by 19.02.2024 pl.**
5 Office copy

CE(GW)/Nodal Officer

DELHI JAL BOARD
Z
405
19/2/24

A.S.O

302

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM No. 113, VARUNALAYA PHASE-II, KAROLBAGH,
NEW DELHI-110005.
Email: -djb.cegwdjb@gmail.com
Stop Corona: wear mask, maintain social distance & washing of hands.

No. DJB/CE(GW)/2024/ 286 Dated: - 14.02.2024

To,

The District Magistrate (West)
Plot No.3, Shivaji Park,
Raja Garden
New Delhi

CE (WEST)
Delhi Jal Board
Dy. No. 60
Date 16/2/24

Office of C.E. (N&C)
Diary No. 316
Dated 16/2/24

Sub: - Sealing of Illegal Borewells, reconciliation and up- dation of Data.

Ref. No.: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

Please find enclosed herewith order of Hon'ble NGT in the case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect of illegal borewells for your kind perusal and to update and submit the requisite information regarding sealing of remaining borewells and EDC details as per format attached as annexure (A) by 19.02.2024. This is as per Hon'ble NGT order dated 05.02.2024 (Copy of NGT order is attached herewith).

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In view of above, you are humbly requested to intervene and direct the concerned SDMs for convening meeting of the joint team with DJB Executive Engineer immediately and to reconcile the data of identified and sealed/closed illegal borewells/ EDC and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/ data to Hon'ble NGT in the prescribed format.

Enclosed: - 1 Hon'ble NGT order
2 Annexure(A)
3 Letter of Addl. CEO

DELHI JAL BOARD
SE (M)-8,
Dy No. 424
Date 20/2/24 Copy to: -

(Gajender Tomar)
CE(GW)/Nodal Officer

1 Addl. CEO for kind information please.
2 CEN(Water): do
3 CE(East)/(Central/North)/West/South: It is requested to coordinate with the concerned District Magistrates and submit the updated report before 19.02.2024.
4 SE(M)-8/Sub Nodal officer – to pursue and submit consolidated details by 19.02.2024 pl.
5 Office copy

CE(GW)/Nodal Officer

CE(WEST)
SE(M)8 19/2/24
16/2/2024
SE(M)/8
A.S.O

302

1585

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER(M)-5
ROOM NO.312, VARUNALAYA PH-I: KAROL BAGH,
NEW DELHI-110005

Azadi Ka Amrit Mahotsav

No. DJB /SE(M)-5/2024 1335 Dated:- 26/2/24

District Magistrate (Central)
12/1, Jam Nagar House
Shah Jahan Road
New Dehli-110011

Sub:- Sealing of illegal borewells, reconciliation and up-dation of Data.
Ref No:- NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt. of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024. Hon'ble Court noticed that except DM (South West), no other DM has provided the complete details about sealing of illegal borewells. Accordingly, Hon'ble Court has granted last chance to provide the complete report within 04weeks. Hon'ble Tribunal has also directed District Magistrates that action may be taken against them if they fail to provide the updated status report. The detailed directions may please be checked on the NGT website as and when available.

Also as aware, joint teams of DJB and SDMs have been already constituted vide letter No. DJB/Addl. CEO/NGT/2024/3111 dated 24.01.2024 issued by Addl. CEO, DJB (copy enclosed herewith for reference) wherein it was also requested to monitor the functioning of joint team and submit monthly status in the above mentioned Court case. It is also requested to convene a meeting of the joint teams at the earlies for expediting the sealing of illegal borewells and to reconcile the data submitted by SDMs as anomalies were noticed in the status report provided by SDM (HQ)/District (West) dated 27.01.2024. Earlier the number of sealed borewells as reported to Hon'ble NGT were 1793 as compared to present reported 1536 which is an anomaly as the last sealing figure should not come down rather it should increase.

In view of above, you are humbly requested to direct the concerned SDMs and their officers to expedite sealing of remaining illegal borewells and to diligently reconcile the data for onward submission to Hon'ble NGT in the prescribed formal. Also, meeting of the joint teams may please be convened in this week as per your convenience.

Encl: 1 Annexure A
2 Letter of Addl. CEO

(Priti Pant)
SE(M)-5

Copy for kind information to

1. CEN(Water)
2. CE(C&N)
3. CE(GW)/Nodal Officer
4. SE(M)-8/Sub-Nodal Officer
5. EE(M)-19/20/21/22/23 and 39: to pursue and submit consolidated details.
6. SO(M)-5

SE(M)-5

SE (Zone)-8
Delhi Jal Board
Diary No. 491
Date 28/2/2024

304

Delhi Jal Board

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)8
NEAR TWIN TANKS: OUTER RING ROAD
PASCHIM VIHAR: NEW DELHI
email : acem8.djb@gmail.com; Ph. 20850446

NO. DJB/S.E(M)8/2024/ 152 To 155 Dated: 20.02.2024

To

The District Magistrate (West),
Govt. of NCT of Delhi,
Raja Garden,
New Delhi – 110027

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of Data.
Ref No:-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) In the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

As aware, the Hon'ble NGT during the last hearing held on 05.02.2024 for the above referred case, directed Delhi Jal board to submit the complete updated status report of illegal borewells within 04 weeks i.e. by **04.03.2024**. Also the District Magistrates were directed to provide updated status of illegal borewells to Delhi Jal Board within 02 weeks i.e. **before 19.2.2024**. Copy of the Hon'ble NGT's Order dated 05.02.2024 is attached herewith for reference.

In this regard, a meeting was also held on 08.2.2024 under your Chairpersonship for updation and reconciliation of data. In the meeting, all the concerned officers i.e. SDMs and Executive Engineers were directed to expedite the sealing of the remaining illegal borewells and to reconcile the data. Efforts were also made to reconcile the data in the meeting itself, however it could not be completed that day. It is expected that the data may have been reconciled by the concerned SDMs by now.

Therefore, it is humbly requested to provide the compiled updated data of illegal borewells of West District area in the prescribed format (Annexure-A) to this office as early as possible so that the same may be submitted to the Hon'ble NGT within the timelines. The last status report submitted by DJB to the Hon'ble NGT is available at page-3 in the Order itself.

Encl. 1. Annexure A.
2. Order of Hon'ble NGT dated.05.02.2024

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

Copy to:

1. PS to CEO, DJB for kind information.
2. Member (Admin)/ CE Nodal(W)/CE(West)/CE(GW)/ Addl. CEO
3. All EEs (M)-8 for coordinating with DM office, assisting the sealing drive and reconciliation of data.

20/2/24

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

RBI
Dairy & Cl... Society
Plot No.-3, Shivaji Place,
Raja Garden, New Delhi-27
21/2/24

305

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER(M)-9
COMMAND TANK NO. 04, SECTOR-20, DWARKA,
NEW DELHI-110075
E-Mail: - acem9djb@gmail.com /Ph. No. 011-20892536

NO.DJB/ ACE (M)-9/2023/ 166 Dated: 8/2/24

To

District Magistrate (South-West)
Old Terminal Tax Building
Kapashera
New Delhi-110037

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of data.

Ref No- Hon'ble NGT (Principal Bench) (MA No. 24/23 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt. of NCT of Delhi and others.

Sir,

Please find enclosed herewith order of Hon'ble NGT in the case No MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, regarding furnishing the requisite details in respect illegal borewells for your kind perusal and to submit the requisite information within 2 weeks as per Annexure-A so as to furnish the report to the Hon'ble NGT as per orders. (Copy of Annexure-A is attached herewith).

A joint team of Executive Engineers DJB and SDMs have already been constituted vide letter No. DJB/Addl. CEO/NGT/2024.3111 dated 24.01.24 issued by Addl. CEO. DJB (copy enclosed herewith for reference) wherein it was also requested to monitor the functioning of joint teams and to submit monthly status in the above matter. It is also requested to convene a meeting of the joint teams at the earliest for expediting the sealing of illegal borewells and to reconcile the data in respect of number of illegal borewells identified, number of illegal borewell which have been sealed/closed and number which are yet to be sealed/closed as anomalies were noticed in the data.

In view of the above you are requested to direct the concerned SDMs for convening meeting of the joint team with DJB Executive Engineers immediately and to reconcile the data of identified and sealed/closed illegal borewells and to expedite sealing of remaining illegal borewells. It is important to diligently reconcile the data for onward submission of accurate figure/data to Hon'ble NGT in the prescribed format please.

An early action in this matter is solicited.

Encl. 1. Hon'ble NGT Order
2. Annexure-A
3. Letter of Addl. CEO (DJB)

SE (M)-9

DELHI JAL BOARD
SE ( )-8,
Diary No. 351
Date 13/2/24

A SO

306

Delhi Jal Board

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)8
NEAR TWIN TANKS: OUTER RING ROAD
PASCHIM VIHAR: NEW DELHI
email : acem8.djb@gmail.com; Ph. 20850446

NO. DJB/S.E(M)8/2024/ 105-40 115

Dated: 06.02.2024

To

District Magistrate (West),
PLOT NO.3, SHIVAJI PARK,
RAJA GARDEN,
New Delhi-110026

Subject: Sealing of Illegal Borewells, reconciliation and up-dation of Data.
Ref No:-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 held on 05.02.2024, Hon'ble Court noticed that except DM (South West), no other DM has provided the complete details about sealing of illegal borewells. Accordingly, Hon'ble Court has granted last chance to provide the complete report within 04 weeks. Hon'ble Tribunal has also directed District Magistrates that action may be taken against them if they fail to provide the updated status report. The detailed directions may please be checked on the NGT website as and when available.

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In view of the above, you are humbly requested to direct the concerned SDMs and their officers to expedite sealing of remaining illegal borewells and to diligently reconcile the data for onward submission to Hon'ble NGT in the prescribed format. Also, meeting of the joint teams may please be convened in this week preferably before 13.02.2024 as per your convenience.

Encl. 1.Annexure A.
2.Letter of Addl. CEO

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

Copy to:

1. PS to CEO, DJB for kind information.
2. Member (Admin)/ CE Nodal(W)/Addl. CEO
3. All EEs (M)-8 for coordinating with DM office for assisting the sealing drive and for reconciliation of data.

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

307

Government of National Capital Territory of Delhi
DEPARTMENT OF REVENUE, DISTRICT NORTH
Office of the SDM (Narela), MPCC Building, Naya Bans, Delhi-110082.

F.No. SDM/NL/2024/794 Dated : 29/01/24

To,

Sh. Pawan Sharma, SE (M) 4,
Old Lucknow Road,
Timarpur, Delhi-110054.

Report on sealing of illegal borwells as on 29.01.2024 OA No. 25/2019 & 685/2019.

DM (North)	District wise Number of illegal Borewells identified	District wise number of illegal Borewells which have been sealed / closed	District wise Number of occupier/properietor of illegal borwells on home penalty / EDC has been imposed	District wise Number of occupier/properietor of illegal borwells on home penalty / EDC is yet to be recovered	District wise Number of borewells which are yet to be sealed / closed	District wise Number of occupier/properietor of illegal borwells on home penalty / EDC is yet to be imposed.	Remarks
Model Town	15	15	NIL.	NIL.	-	15	No staff from the Delhi Jal Board has been reported till date.
Alipur	380	118	-	-	84	-	1. Duplicate entry 03, 2. Incomplete address/non traceable 175.
Narela	333	100	-	-	35	-	1. Duplicate entry 99, 2. Incomplete address/non traceable 99.
Total	728	233	-	-	119	15	

29/1/24

TEHSILDAR: NARELA
DISTRICT: NORTH

308 EAST

Through E-mail

GOVT. OF NCT OF DELHI
REVENUE DEPARTMENT (DISTRICT EAST)
OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (HQ)
L.M.BUNDH SHASTRI NAGAR DELHI-110031

F.No. DM(E)/SDM(HQ)/Reports/2024/ 1[illegible] Dated: .04.2024

To,

The Chief Engineer (GW),
Delhi Jal Board
Govt. NCT of Delhi,
Room No. 412, Varunalaya Phase-I,
Karol Bagh, New Delhi-110005

Subject: - Sealing of illegal Borewells, reconciliation and up-dation of Data.

Sir,

This has reference to your office letter no. DJB/CE(GW)/2024/809 dated 02.04.2024 on the subject cited above.

In this regard, the requisite information has been prepared and annexed as Annexure-A. The report has been compiled on the basis of the reports received from Sub-Divisions (Mayur Vihar, Preet Vihar, Gandhi Nagar), District East.

This is for kind information and necessary action.

Encl: - As above

Yours faithfully,

R.K.MEENA
SDM (HQ), DISTRICT EAST

DM - EAST

309

Annexure-A

Sub: - Sealing of Illegal Borewells-reg.

DMs	District wise number of illegal borewells identified	District wise number of illegal borewells which have been sealed/ closed	District wise number of occupier/ proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ proprietor of illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
DM (East)	116	110	110	87	23	6	6	

SOUTH WEST

OFFICE OF THE SUB DIVISIONAL MAGISTRATE (HEADQUARTER)
DISTRICT MAGISTRATE (SOUTH WEST)'S OFFICE COMPLEX,
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI – 110037.

Date:-08/04/2024

REPORT on sealing of Illegal Borewell till 31.03.2024

DMs	District Wise Number of Illegal Borewells identified	District Wise number of illegal borewells which have been sealed/closed	Disrict wise number of occupier/ Proprietor of illegal borewells on whom penalty/EDC has been imposed	Disrict wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC has been recovered	Disrict wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	Disrict wise number of of illegal borewells which are yet to be sealed/closed	District wise/Proprietors of illegal borrewells on whom penalty/EDC is yet to be imposed	Remarks
South West (Najafgarh)	6681	36	Nil	Nil	Nil	-	Nil	-
South West (Dwarka)		1964	NIL	Nil	Nil	-	Nil	-
South West (Kapashera)		434	Nil	Nil	Nil	-	Nil	-
Total	6681	2434	Nil	Nil	Nil	4247	Nil	-

The above report is based on the information received from three Sub-Divisions.

SO (HQ) S.D.M 4/4

District South-West

311

SOUTH EAST

OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-EAST)
OLD GARGI COLLEGE BUILDING, LAJPAT NAGAR-IV
NEW DELHI-110024

No.F.03/DM/SE/Coord/2023/1010 Dated: 7 04/2024

To

The Chief Engineer(GW)
Office of the Chief Engineer(GW)
Delhi Jal Board
Govt. of NCT of Delhi
Room No. 412, Varunalaya Phase-I
Karol Bagh, New Delhi-110005

Sub: Sealing of Illegal Borewells, reconciliation and updation of Data

Sir

With reference to your office letter No. DJB/CE(GW)/2024/779 dated 02/04/2024 on the subject cited above, please find enclosed herewith the information in the prescribed format in respect of District South East.

This issues with the approval of the competent authority.

Sub Divisional Magistrate
(Nodal Reporting Officer)
District South-East

392

OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-EAST)
OLD GARGI COLLEGE BUILDING, LAJPAT NAGAR-IV
NEW DELHI-110024

Date: /04/2024

Sub: Sealing of Illegal Borewells, reconciliation and updation of Data

District (South East)	District wise Number of illegal Bore wells identified (As per previous data submitted, referred by Hon'ble e NGT vide Order against hearing dated 4.1.24)	District wise Number of illegal Bore wells which have been Sealed Closed	District wise number of occupier/Proprietor of illegal borewells on whom penalty/EDC has been imposed	Distt wise number of occupier/Proprietor of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/Proprietor of Illegal borewells from whom penalty/EDC has been yet to be recovered	District wise number of Illegal borewells which are yet to be sealed/ closed	District wise/Proprietor of illegal borewells on whom penalty/EDC is yet to be imposed	Remarks
Sub-Division (Sarita Vihar)	111	56	Nil	Nil	Nil	29 03 nos. of Borewells show DJB permission	56	23 Borewells not identified physically
Sub-Division (Kalkaji)	77	53	Nil	Nil	Nil	Nil	Nil	-
Sub-Division (Defence Colony)	109	74	Nil	Nil	Nil	28	74	07 Borewells not identified physically
Total	297	183	Nil	Nil	Nil	57 03 nos. of Borewells show DJB permission	130	30 Borewells not identified physically

Sub Divisional Magistrate
(Nodal Reporting Officer)
District South-East

3/3

North West

Illegal Borewells Report (District North-West) as on 12.04.2024

DMs	District Wise Number of illegal borewells identified	District Wise number of illegal borewells which have been Sealed/closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	District Wise number of illegal borewells which are yet to be Sealed /closed	District Wise/ Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
North-West	9128	5901	Information not available	Information not available	Information not available	3227	Information not available	Report is compiled on the basis of reports received from Kanjhawala, Rohini and Saraswati Vihar Sub Divisions, after reconciliation with concerned Executive Engineers of DJB. Details of Penalty/EDC regarding illegal borewells already sealed by DJB is not available

This issues with the approval of DM North-West.

12/4/24

SDM (HQ)
District North-West

Sub-Divisional Magistrate (HQ) Kanjhawala, Delhi-18

314

GOVERNMENT OF NCT OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE-HQ (SHAHDARA)
D.C. OFFICE COMPLEX NAND NAGRI, DELHI-110093.

SHAHDARA

Dated: 05/03/2024

No.SDM/HQ/SHAH/2024/7267

To,

The Additional (CEO)
Delhi Jal Board,
Varunalaya Ph-II, Jhandewalan,
Karol Bagh, New Delhi-110005

Sub:- ATR on Sealing of illegal borewells (illegal borewells identified by DJB in residential area) NGT OA No.25/2019.

Sir/Madam,

This is with reference to the message received in this office through Whatsapp dated 05.03.2024 on the subject cited above.

Sub-Division	District wise number of Illegal Borewells Identified (As per previous data submitted referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of illegal borewel is which have been Sealed/ Closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells form whom penalty EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells form whom penalty EDC is yet to be recovered	District wise number of illegal borewel is which are yet to be sealed/ closed	District wise / Proprietor of illegal borewel is on whom penalty / EDC is yet to be imposed	Remarks
Vivek Vihar	178	117 Sealed	Nil	Nil	Nil	Nil	Nil	Total Borewell = 178 Borewell Sealed = 117 Blank = 2 Water Tank Supply = 3 Permission CGWA = 3 Not visited = 1 Not operational = 1 No Borewell = 29 Locked = 4 Already cut off = 18
Karmapuri	374	241	Nil	Nil	Nil	Nil	Nil	Total Borewell = 374 Borewell Sealed = 241 Duplicated Entries = 22 Incomplete Address/ Non traceable = 20 DJB connection found in place of borewell = 61 Borewell not found = 30
Shahdara	-	Nil	Nil	Nil	Nil	Nil	Nil	No Address pertains to Sub-Division (Shahdara) as per the list of addresses provided by the Delhi Jal Board. Hence, report may be treated as Nil.
Total	552	358	Nil	Nil	Nil	Nil	Nil	

Report is compiled on the basis of information duly received from all three sub division of District (Shahdara).

(LOKESH PRASAD)
SDM (HQ)
DISTT. (SHAHDARA)

Copy to:-The SDM (HQ) (NGT/Environment Branch), O/o Divisional Commissioner (Revenue),
5, Sham Nath Marg, Delhi-110054

Sub Divisional Magistrate (HQ) * Distt. Shahdara *

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Central

DM	Sub-Division	District Wise Number of Illegal Borewells identified	District wise number of illegal borewells which have been sealed/ closed	District wise number of occupier/proprietor of Illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/proprietor of Illegal borewells from whom penalty/EDC to be recovered	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/closed	District wise proprietor of illegal borewells penalty/EDC is yet to be imposed	Remarks
Central	Civil Lines	28	28	Not pertain to Civil Lines Sub-Division	Not pertain to Civil Lines Sub-Division	Not pertain to Civil Lines Sub-Division	NIL	Not pertain to Civil Lines Sub-Division	NIL
	Kotwali	499	136	Not pertain to Kotwali Sub-Division	Not pertain to Kotwali Sub-Division	Not pertain to Kotwali Sub-Division	115	Not pertain to Kotwali Sub-Division	1) Court stay on 160 Borewells 2) 85 bore-wells not identified/found removed physically 3) 02 properties were found sealed. 4) 01 matter has been sent to DJB for clarification

Sub Divisional Magistrate * Civil Lines, Delhi *

3/6

Karol bagh	149	83	Not pertain to Karol bagh Sub Division	Not pertain to Karol bagh Sub Division	Not pertain to Karol bagh Sub Division	46	Not pertain to Karol bagh Sub Division	1) 21 borewells not identified/found removed phycically 2) 46 borewells balance to be seal
Total	676	246						02 No. of borewells does not fall under the Jurisdiction District Central Hence total comes to 676+2=678

Sub Divisional Magistrate
Civil Lines, Delhi

10/04/2024

WEST

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OFFICE OF THE DISTRICT MAGISTRATE (WEST)
GOVERNMENTOF NCT OF DELHI:
PLOT No. 3, SHIVAJI PLACE, RAJA GARDEN, NEW DELHI.

F. No. 1 (26)/DDC/DM (W)/2013-14/VOL-III 257 Dated: 8.4.24

To

Sh. Dalbir Singh,
Superintending Engineer (M-8)
Delhi Jal Board, Paschim Vihar, New Delhi
(Email ID: acem8.djb@gmail.com)

Report on Sealing of Illegal Bore wells as on 31.03.2024 OA No. 33/2022

DMs	District Wise Number of Illegal Borewells Identified (As per previous data submitted, referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of illegal borewells which have been Sealed/ closed	District wise number of occupier /Proprietor or of illegal bore wells on whom penalty / EDC has been imposed	District wise number of occupier / Proprietor or of illegal bore wells from whom penalty/ EDC has been recovered	District wise number of occupier / Proprietor or of illegal bore wells from whom penalty/ EDC is yet to be recovered	District wise number of illegal bore wells which are yet to be sealed/ closed	District wise/Proprietors of illegal bore wells on whom penalty/ EDC is yet to be imposed	Remarks
SDM (Punjabi Bagh)	568	308	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	177	Data to be Provided By DPCC to DJB	65 Duplicate + 18 Not Found = 83
SDM (Rajouri Garden)	857	659	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	79	Data to be Provided By DPCC to DJB	119 Not Found
SDM (Patel Nagar)	760	606	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	105	Data to be Provided By DPCC to DJB	33 Not Found + 16 Not Pertain to Patel Nagar = 49
Total	2185	1573				361		251

Note : NGT may be requested that the 251 number of borewells which are duplicate entries / not found during joint inspections may be allowed to be deducted from total 2185 number of illegal borewells

This issues with the approval of District Magistrate (West).

SDM (HQ)/DISTRICT WEST

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NORTH EAST

OFFICE OF THE DEPUTY COMMISSIONER, DISTRICT NORTH-EAST
GOVT. OF NCT OF DELHI
D.C. OFFICE COMPLEX, NAND NAGRI, DELHI-110093

F.SDM(HQ)/DC/NE/Misc-V/2013/PF /525-27 Dated: 16/01/2024

To

The Chief Engineer (GW),
Delhi Jal Board, GNCTD,
Office of the Chief Engineer (GW),
Room No-412, Varunalaya Phase-I,
Karol Bagh, New Delhi-110005

Subject:-Regarding sealing of illegal borewells.

Sir,

Reference letter No. F.32/CE(GW)/2024/13 dated 09.01.2024 on the above cited subject vide which it is requested to provide the status of sealing of identified illegal borewells and action plan to seal remaining identified illegal borewells.

In this regard, the requisite information in the prescribed format in respect of District North-East for sealing of identified illegal borewells are as under:-

DM	District wise number of illegal borewells identified	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier/proprietors of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC is to be recovered	District wise number of illegal borewells which are yet to be sealed/closed	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC is yet to be imposed	Remarks
North-East	Nil	NA	NA	NA	NA	Nil	NA	There are no illegal borewells in identified list of DJB for sealing in District North-East.

This is for your kind information and necessary action.

Yours faithfully

SDM (HQ)
DISTRICT NORTH-EAST
Dated: 16/01/2024

F.SDM(HQ)/DC/NE/Misc-V/2013/PF /525-27

Copy for information to:-

1. The SDM-V (HQ, O/o Divisional Commissioner, Revenue Department, 5, Sham Nath Marg, Delhi-110054
2. PA to District Magistrate, District North-East

SDM (HQ)
DISTRICT NORTH-EAST

Office of CE (Ground Water)
Diary No. 110
Date 19/01/24

DELHI JAL BOARD
SE (M)-8,
Diary No. 223
Date: 25/1/2024

Praveen Singh 23.1.24

SE(M)-8

EE(M)-32

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SOUTH

OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (HQ)
REVENUE DEPARTMENT: GOVERNMENT OF NCT OF DELHI
M.B. ROAD : SAKET : NEW DELHI

No.9(3)DC(S)/Coordination/091530668/2018/ 80 Dated: - 06./03./2024

To

The Gajender Tomar
CE (GW)/Nodal Officer
Room No. 113, Varunalya Phase-II, Karol Bagh
Delhi Jal Board, GNCTD- 110005

Sub: - Sealing of Illegal Borewells, reconciliation and up-dation of Data.

Ref: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

Reference meeting held on 05.03.2024 and your letter dated 14.02.2024 in the matter of sealing of Illegal Borewells, reconciliation and up-dation of Data. The District South has already sent a letter dated 04.03.2024 stating therein that all 84 identified illegal Borewells are sealed in District South as mentioned in NGT order dated 05.02.2024 and pending report of EDC is pertaining to DPCC (Copy enclosed).

Further, as directed in the meeting, the report in prescribed proforma is prepared and forwarded herewith.

Encl: As above.

06/03/2024
Statistical Officer
(Coordination Branch)
District South

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ANNEXURE-A

Name of District: South

Sl. No.	District	District wise number of Illegal Borewells identified	District wise number of Illegal Borewells which have been sealed/closed	District wise number of occupier/Proprietor of Illegal Borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietor of Illegal Borewells from whom penalty/EDC has been recovered.	District wise number of occupier/proprietor of Illegal Borewells from whom penalty/EDC is to be recovered.	District wise number of Illegal Borewells which are yet to be sealed/closed	District wise number of occupier/proprietor of Illegal Borewells from whom penalty/EDC is to be imposed	Remarks
1	South	84	84 [Already mentioned in the NGT Order dated 05.02.2024	EDC report pertains to DPCC and may be obtained from them	EDC report pertains to DPCC and may be obtained from them.	EDC report pertains to DPCC and may be obtained from them.	Nil.	EDC report pertains to DPCC and may be obtained from them	-

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OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (HQ)
REVENUE DEPARTMENT: GOVERNMENT OF NCT OF DELHI
M.B. ROAD : SAKET : NEW DELHI

No.9(3)DC(S)/Coordination/091530668/2018/4204-09 Dated: -10/04/2024

To

Sh. Sawant Singh
Executive Engineer (M)-56/46
Delhi Jal Board, GNCTD
Opposite J-Block, Saket
New Delhi-110017

Sub: - Regarding seeking information in respect of illegal borewells.

Sir,

Reference your letter dated 08.04.2024 in the matter of sealing of illegal Borewells, reconciliation and up-dation of Data. The District South has already sent a letter dated 04.03.2024 stating therein that all 84 identified illegal Borewells are sealed in District South as mentioned in NGT order dated 05.02.2024.

Further as discussed in the meeting held on 10.04.2024, it is to state that in addition to 84 already sealed borewells, 16 more borewells as identified have been sealed and delivery report of SCN has been sent to DPCC for imposing EDC. (List of 16 borewells is annexed).

Encl: As above.

Statistical Officer
(Coordination Branch)
District South

Copy to:-

1. SDM (Mehrauli), Old Tehsil Building, Mehrauli, New Delhi-110030.
2. SDM (Hauz Khas), M.B Road Saket, New Delhi-110068.
3. SDM (Saket), M.B Road Saket, New Delhi-110068.
4. PA to DM (South), M.B Road Saket, New Delhi-110068
5. Sr. Engineer, DPCC, Delhi Pollution Control Committee, 2nd Floor, C Block, Vikas Bhawan,-II, Civil Lines, Delhi-110054.

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List of 16 Borewells Sealed in Distt. South in addition of 84 borewells already sealed.

Sr. No.	Address/Location of Illegal Borewell	Number of Illegal Borewell identified	Action Taken	EDC imposed by DPCC	Remark
1	Occupier, A-1& 2, South Extension, Part-II, New Delhi-110049	01	Sealed	DPCC has informed that EDC has been imposed	
2	The Occupier,House No. 188, Shahpur Jat Village, New Delhi-110049	01	Sealed	DPCC has informed that EDC has been imposed	
3	The Occupier, D-1/B, Green Park, Ashirwad Complex, New Delhi-110016	01	Sealed	DPCC has informed that EDC has been imposed	
4	**The Occupier, S-168, Panchshell Park, New Delhi-110017**	**01**	**Sealed**	**DPCC has informed that imposing of EDC under process**	
5	The Occupier, H. No. 138, Opp. House No. 211, Rajpur Khurd, New Delhi-110068	01	Sealed	DPCC has informed that EDC has been imposed	
6	The Occupier, khasra No. 409 , Village Neb Sarai, New Delhi-110068	01	Sealed	DPCC has informed that EDC has been imposed	
7.	The Occupier, Opp Farm 6 (Singla Farm) Bandh Road Satbari, New Delhi-110074.	01	Sealed	DPCC has informed that EDC has been imposed	
8.	The Ocupier, Farm No. 7, Mother TeressaDrive, New Delhi-110017	01	Sealed	DPCC has informed that EDC has been imposed	
9.	The Occupier Sabji Mandi Main Chhattarpuri Bhati Road Opposite Harswaroop Colony Bus Stand Village Asola New Delhi-110074.	01	Sealed	DPCC has informed that EDC has been imposed	

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10.	The Occupier Road Near Bus Stand, Dhera More village Bhati, New Delhi-110016	01	Sealed	DPCC has informed that EDC has been imposed	
11	**Occupier, Community Center Gali Opp. Gali No.4 New Delhi-110017**	**01**	**Sealed**	**DPCC has informed that imposing of EDC under process**	
12	The Occupier, Near Second Avenue Chandanholla Village, Fatehpur Beri, Delhi-110074	01	Sealed	DPCC has informed that EDC has been imposed	
13	The Occupier, (2 Borewell) khasra No. 1011, Village Fatehpur Beri, New Delhi-110074	02	Sealed	DPCC has informed that EDC has been imposed	
14	The Occupier, Back side of MK Garden, Sizra Road Village, Fatehpur Beri, New Delhi-110074	01	Sealed	DPCC has informed that EDC has been imposed	
15	The Occupier, H. No. G1-2035, Opposite side of street in front of House NO. G-1-2038, Aya Nagar, New Delhi	01	Sealed	DPCC has informed that EDC has been imposed	
	Total	**16**			

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District	ATR (Borewell sealed till		
	No. of illegal borewells identified in the district	Action taken on illegal borewells till 31.08.2021	No. of illegal borewells to be sealed
North	761	748	13
East	116	116	0
South West	6681	1410	5271
South East	297	231	66
North West	8299	5814	2485
Shahdara	552	552	0
New Delhi	75	75	0
Central	611	412	199
West	2185	1793	392
North East	0	0	0
South	84	84	0
Total	19661	11235	8426

4. DPCC on its part has taken following action to assess the Environmental Compensation to be imposed on the basis of information received from DJB and Revenue Authorities:

(i) Show cause notices for imposition of EDC issued : 18315
(ii) EDC amount proposed in above mentioned SCNs: 70,65,80,000/-
(iii) EDC amount imposed: 70,65,80,000/-
(iv) EDC amount received: Rs. 23,80,000/-
(v) EDC amount yet to be recovered: 70,42,00,000/-

Due to continuing pandemic, the process of recovery is very slow and Revenue authorities are not able to spare their manpower for taking action.

5. That many units had mentioned their inability or delay in depositing the EDC due to Covid-19 Pandemic and low economic activity during last few months since March 2020. They have also mentioned that unprecedented health crises and emergency coupled with steep downfall in the revenue earning due to lockdown which has brought down the economic activities to the lowest level. In case of remaining units, recovery certificates was issued to the concerned District Magistrate/SDMs, to recover the amount as arrears of land revenue from the remaining units which have not deposited Environmental Damages Compensation (EDC)."

11. This Tribunal observed that huge environmental compensation of more than Rs. 70 Crores was computed but a negligible amount of Rs. 23.8 lakhs was recovered. No action for prosecution was taken against violators. Further, out of 19661 illegal bore wells, identified in various

ANNEXURE-R-13

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Item No. 13 Court No. 2

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

Miscellaneous Application No. 24/2023
IN
Original Application No.33/2022
(I.A. No. 02/2024)

Ganesh Prasad Applicant

Versus

Govt. of NCT of Delhi & Ors. Respondents

Date of hearing: 18.04.2024

CORAM: HON'BLE MR. ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Applicant: None for the applicant.

Respondents: Mr. Kush Sharma, Ms. Nichchaya Nigam and Ms. Vagni Singh Advocates for DPCC with Mr. Dinesh Jindal Legal Officer.

Mr. Kunal Anand, Ms. Shisham Pradhan and Ms.Atika Singh, Advocates for respondent no. 3-DJB.

Mr. A. Anbarasu CEO, Mr. Gajendra Tomar C.E. (S), Mr. B. C. Patel SE (M) and Mr. Sawant Singh Xen (M)

Application is registered based on a complaint received by Post.

ORDER

1. Supplementary report has been filed by the DJB vide email dated 13.04.2024 and report has been filed by DPCC vide email dated 15.04.2024.

2. The case has been taken up with O.A. No. 639/2022 titled as Pritipal Sharma Vs. Govt. of NCT of Delhi & Ors.

3. We have heard the learned counsel for the parties and have interacted with the officers present.

4. Order is reserved and the order will be pronounced and uploaded on the website of this Tribunal on or before 15.05.2024.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

April 18th, 2024.
AG

ANNEXURE - R- 14

Item No.08 (Court No. 2)

327

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPALBENCH

(By Video Conferencing)
Original Application No. 639/2022

Pritipal Sharma ...Applicant

Versus

Govt. of NCT of Delhi & Ors. ...Respondents

Date of hearing: 15.09.2022

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010.

ORDER

1. This application has been filed by Mr. Pritipal Sharma under sections 14 and 15 read with section 18(1) of the National Green Tribunal Act, 2010 seeking the following reliefs:-

> *"1. Direct Respondent no. 1 to 4 to seal the illegally running bore wells located in the plot adjoining House No. GI-2035, Aya Nagar, New Delhi – 110047 and in the plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, New Delhi – 1047 which are under the ownership of Respondent no. 5 and completely cease operation of Respondent no. 5.*
> *2. Direct Respondent No. 6 to 9 who are the owners of House no. 1031/CI/I G-I Block in Aya Nagar, Phase 6, New Delhi – 110047 to demolish the construction of ramps and steps along the street in G-I Block built by them and restore the drain and allow it to flow without any obstruction and pollution.*
> *3. Pass any other order as the Hon'ble Tribunal may deem fit and proper in facts and circumstances of the case."*

4. The applicant has submitted that respondent no. 5, who is owner of the plot adjoining House No. GI-2035, Aya Nagar, New Delhi – 110047 and the plot on the opposite side of the street in front of House No. GI-2038, *Aya*

Nagar, New Delhi – 110047, has installed borewells in the above said plots without permission from the Delhi Jal Board and he is extracting groundwater for commercial purposes with out obtaining No objection certificate from the Central Ground Water Authority and is supplying the same to residents of Aya Nagar and beyond through water tankers. The tractors that are being used for suppling of the illegally extracted ground water from unauthorized borewells for commercial purposes also do not carry number plates. The tractors are parked in the main streets which causes traffic jams. Plying of the tractors is also causing air and noise pollution creating health problems for the residents of the locality including mother of the applicant.

5. The applicant has further submitted that respondents no 6 to 9, who are resident of Aya Nagar locality, have encroached upon and blocked the open storm water drain by constructing stairs and ramps outside their houses over the same resulting in increased toxicity and health hazards due to gases trapped inside the drain. Such construction of ramps and stairs is in contravention of section 24 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974.

6. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of representative of Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponents, verify the factual position and submit its report within one month by e-mail at judicial-

ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. The State PCB will be the nodal agency for coordination and compliance.

7. In case the Joint Committee observes any violations of consent conditions/environmental norms, then it shall forward a copy of its report to:-

(i) The concerned Project Proponents to enable them to comply with the recommendations in the report of the Joint Committee or file objections against the observations/recommendations contained in the same and file their response before this Tribunal as desired within one month from the date of receipt of a copy of the report of the Joint Committee; and

(ii) The Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi to enable them to take appropriate remedial action by giving notice to/hearing the project proponents and following due process of law in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment and they shall submit their action taken reports separately within one month from the date of receipt of a copy of the report of the Joint Committee.

The report be submitted within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

8. List for further consideration on 06.12.2022.

9. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Central Ground

Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi by e-mail for compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

September 15, 2022
AG

ANNEXURE K 15

In compliance with the Hon'ble NGT order dated 15.0
in O.A NO - 639/2022 titled "Pritipal Sharma Vers
Govt. of NCT of Delhi & ors", joint inspection was (3
carried out by the joint committee comprising officials
from DM(South), CGWB, DJB and DPCC. The complainan
Pritipal Sharma was also present with the joint
committee during the inspection.
Following were the observations during the inspection :—

(1) No illegal borewell/sub-mersible was found in the plot adjoining House No: GJ-2035, Aya Nagar, New Delhi-47 during the time of Inspection. Complainant sh. Pritipal sharma was also with the joint committe to verify the fact that there was no borewell adjoining the above mentioned house address.

(2) The plot opposite to H. No GJ-2038, Aya Nagar was found locked during the inspection. Photos were taken.

(3) Site visited by the joint committe as mentioned in the Hon'ble NGT order in O.A No. 639/2022. It was observed that no sewer line was present in the Aya Nagar colony.

(4) Storm water drains were found covered with slabs on the both side of the street. Further it has been found/observed that stairs/ramps are being constructed on these slabs of storm water drain partially. Photos were taken.

11/10/22 Hungalkha JEE, DPCC
(Vijaykumar) CGWB
11/10/22 JE/DJB
11/10/2022 CHAIRPERSON
11/10/22 Patwari SDM/Offg SDM/Offg

Attendance

1614 332

(4) (27)

Name	Designation	Signature.
AMZAD KHAN	JEE, DPCC	Amzad Khan
JAIDEV KUMAR	Kanungo SDM/office Mehrauli	11/10/22 9818773277
Jappu Meena	Patwari	11-10-22
VIJAY KUMAR	JE (CIVIL)/DJB	
Pvt Ltd PRITI POL	Complaint	11/10/22
Dr. L. Vijayakumar	Addl Hydrogeologist	11/10/22
Roopak Kumar	MI (DJB)	11/10/22
Sanjeev Malik	Field Asstt. (DJB)	11/10/22
Rep Rep	Rep Rep	Rep Rep

333.

JOINT INSPECTION REPORT

In compliance with the Hon'ble NGT order dated 15.09.2022 in O.A. No. 639 of 2022 titled "Pritpal Sharma Vs. Govt. of NCT of Delhi & Ors.", joint inspection was carried out by the joint committee comprising officials from DM(South), NGWB, DJB and DPCC. The complainant Pritpal Sharma was also present with the Joint Committee during inspection.

Flowing were the observation during the inspection:

1. No illegal borewell/ Sub-_____ incesible was found in the plot adjoining house No. GI-2035, Aya Nagar, New Delhi –47 during the time of inspection. Cmplainant Sh. Pritpal Sharma was also with the joint committee to verify the fact that there was no borewell adjoining the above mentioned house address.
2. The plot opposite to House No. GI-2038, Aya Nagar was found locked during the inspection. Photos were taken.
3. Site visited by the Joint Committee as mentioned in Hon'ble NGT order in O.A. No. 639 of 2022. It was observed that no severe line was present in Aya Nagar Colny.
4. Storm water drains were found covered with slabs on the both side of the street. Further it has been found/ observed that stairs / ramps are being constructed on these slabs of storm water drain partially. Photos were taken.

Sd/-
11.10.2022

ANNEXURE-R 16

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Item No. 04 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

(Through Physical Hearing with Hybrid VC Option)

Original Application No. 639/2022

Pritipal Sharma ...Applicant

Versus

Govt. of NCT of Delhi & Ors. ...Respondents

Date of hearing: 06.12.2022

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: Mr. Samad Kumar Sunny and Rohan Dua, Advocates and applicant in person.

Respondents: Ms. Sakshi Popli, Advocate for DPCC (through VC).

Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010.

ORDER

1. Mr. Pritipal Sharma has filed the present application under sections 14 and 15 read with section 18(1) of the National Green Tribunal Act, 2010 for directing respondent no. 1 to 4 to seal the illegally running bore wells located in the plot adjoining House No. GI-2035, Aya Nagar, New Delhi and directing respondents no. 6 to 9, owners of House no. 1031/CI/I G-I Block in Aya Nagar, Phase 6, New Delhi, to demolish the construction of ramps and steps along the street in G-I Block built by them and restore the drain and allow it to flow without any obstruction and pollution.

2. Vide order dated 15.09.2022, this Tribunal constituted a Joint Committee comprising of the Central Ground Water Authority, the Delhi Jal Board, the DPCC and the Deputy Commissioner, South Delhi and directed the same to submit factual and action report within one month. In compliance thereof, action taken report and report of the Joint Committee has been filed by the DPCC vide email dated 15.11.2022

3. We have gone through the report and we find that the Joint Committee has merely said that plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, New Delhi was locked and has not verified the factual position of any bore-well in the above said plot. The Joint Committee is directed to revisit the above-said plot and verify the factual position and submit its report **within two months** at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

4. In view of the averments made in the application and observations made in the report, we consider it appropriate to have response from the respondents. The Registry is directed to issue notices to the respondents requiring them to file their reply/response **within two months** at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

5. List for further consideration on 20.03.2023.

6. In the facts and circumstances of the case, we also consider presence of Officers duly instructed/authorized by the Delhi Jal Board, DPCC and Deputy Commissioner (South), Delhi to be essential for assisting this Tribunal in just and fair adjudication of the questions involved in the case and accordingly, such Officers shall remain present before this Tribunal physically with relevant records on the date fixed.

7. A copy of this order be sent to the Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner (South), Delhi by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 06 2022
AVT

Annexure I (Colly.)

संयुक्त सर्वेक्षण व अवैध बोरवैल सील कार्यवाही

आज रोज दिनांक 03/02/2022, N.G.T. केस No. 639/2022, केस टाईटल प्रीतिपाल शर्मा V/s G.N.C.T of Delhi & Ors. आदेश दिनांक 06/12/2022 की अनुपालना में संयुक्त सर्वेक्षण C.G.WA., D.J.B., राजस्व विभाग और DPCC के अधिकारियों की उपस्थिति में किया गया। N.G.T. आदेश में दर्ज पता GI-2038 के सामने स्थित प्लाट पर पहुंचे। मौके पर स्थानीय पूछताछ की गई। पूछताछ में मालूम हुआ कि उपरोक्त प्लाट के परिसर में अवैध बोरवैल स्थित है और इस बोरवैल को R.O. प्लांट के लिये इस्तेमाल किया जाता है व पानी बेचा जाता है। मौके पर उपरोक्त प्लाट के मेन गेट पर ताला लगा मिला, यह सुनिश्चित किया गया कि प्लाट में कोई भी नहीं है अतः परिसर के मेन गेट पर लगे ताले और पानी की टंकी का मेन वाल्व सील किया गया। तभी मकान मालिक का कोई रिश्तेदार मौके पर आया जिसने अपनी पहचान बताने से इन्कार कर दिया व स्वीकारा कि इस प्लाट में अवैध बोरवैल व R.O. प्लान्ट है परन्तु ताला खोलने से मना कर दिया। इसलिये कोर्ट के आदेशानुसार व जन कल्याण के लिये राजस्व विभाग के उपस्थित अधिकारियों द्वारा सीलिंग की कार्यवाही उपरोक्त सभी विभागों के अधिकारियों की उपस्थिति में की गई। मौके पर किसी भी पक्ष की मजाहमत पेश नहीं आई।

03/02/22

3/2/2023
Shilpi Gupta
Scientist-C
9560188658

03/02/23
AMZAD KHAN
JEE, DPCC
8860364102

3/2/23
03/02/23
VIJAY Kumar
JE/DJB
9650[illegible]

388

JOINT SURVEY AND ILLEGAL BORE WELL SEALING PROCEEDINGS

Today, on 03/02/2022, in compliance with order dated 06/12/2022 passed in NGT Case No.639/2022 case titled as Pritipal Sharma vs. GNCT of Delhi & Ors., joint survey was conducted in the presence of officials of C.G.WA., DJB, Revenue Department and DICC. Reached the plot situated in front of the address GI-2088 recorded in the NGT order. Local inquiries were made on the spot. It was found in the information that illegal borewell is located in the premises of the above plot and this borewell is used for R.O. plant and water is being sold. On the spot, the main gate of the above plot was found locked, it was ensured that there was no one in the plot, hence the locks on the main gate of the premises and the main valve of the water tank were sealed. Then a relative of the house owner came to the spot who refused to reveal his identity and accepted that there is an illegal borewell and RO plant in this plot but denied opening the lock. Therefore, as per the court order and for public welfare,

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the sealing proceedings were carried out by the Deputy Officers of the Revenue Department in the presence of the officers of all the above departments. No excuse of any kind was presented on the spot.

Sd/- illegible	03/02/2023	Sd/-
Shilpi Gupta	Amzad Khan	3/2/2023
Scientist-C	JEE, DPCC	Vijay Kumar
9560188658	8860364102	JE/DJB
		9650300985

//TRUE TRANSLATED COPY//

ANNEXURE-R-18

GOVERNMENT OF NCT OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (MEHRAULI)
OLD TEHSIL BUILDING, MEHRAULI
NEW DELHI-110030

340

F. No. 01/SDM/Meh/Bore-Well/GC/2023/ 3591-94 **Dated:** 07/08/2023

To,

The Consultant Judicial,
Hon'ble National Green Tribunal Principal Bench,
J69J+F7X, Faridkot House, Copernicus Marg, Near India Gate,
New Delhi, Delhi 110001.

Sub: Submission in the matter of Original Application No. 639/2022 titled as Pritipal Sharma V/s Govt. of NCT of Delhi & Ors.

Sir,

This office is in receipt of Hon'ble National Green Tribunal Principal Bench court order in the **matter of Pritipal Sharma V/s Govt. of NCT of Delhi & Ors. Original Application No. 639/2022.**, *"wherein Hon'ble NGT observed in its* ***order dated 06.12.2022*** *that the Joint Committee had merely said that plot on the opposite side of the street in front of* ***House No. GI-2038, Aya Nagar, New Delhi*** *was locked and had not verified the factual position of any bore-well in the above said plot and the Joint Committee was directed to revisit the above-said plot and verify the factual position and submit its report".*

It is submitted that complaint received from Executive Engineer (Project) W-I, Delhi Jal Board against illegal submersible/bore well installed at ***House No. GI-2038, Aya Nagar, New Delhi***, wherein it is stated that DJB has inspected the premises along with DJB, NGT and found unauthorised bore wells in the said property. The Owner/occupier is unknown. Details are being sought from MCD.

In this regard, it is submitted that in compliance to the direction of Hon'ble NGT, a bore well in ***House No. GI-2038, Aya Nagar, New Delhi*** was sealed on **13.04.2023** by the team constituted for sealing of bore-well. **(Copy of photographs is annexure as Annexure-I).**

The report is being submitted before Hon'ble National Green Tribunal Principal Bench, New Delhi.

Yours faithfully,

S.D.M./R.A. Mehrauli, New Delhi

7/8/2023

(DR. SHASHIPAL DABAS)
SDM (MEHRAULI)

F. No. 01/SDM/Meh/Bore-Well/GC/2023/ **Dated:**

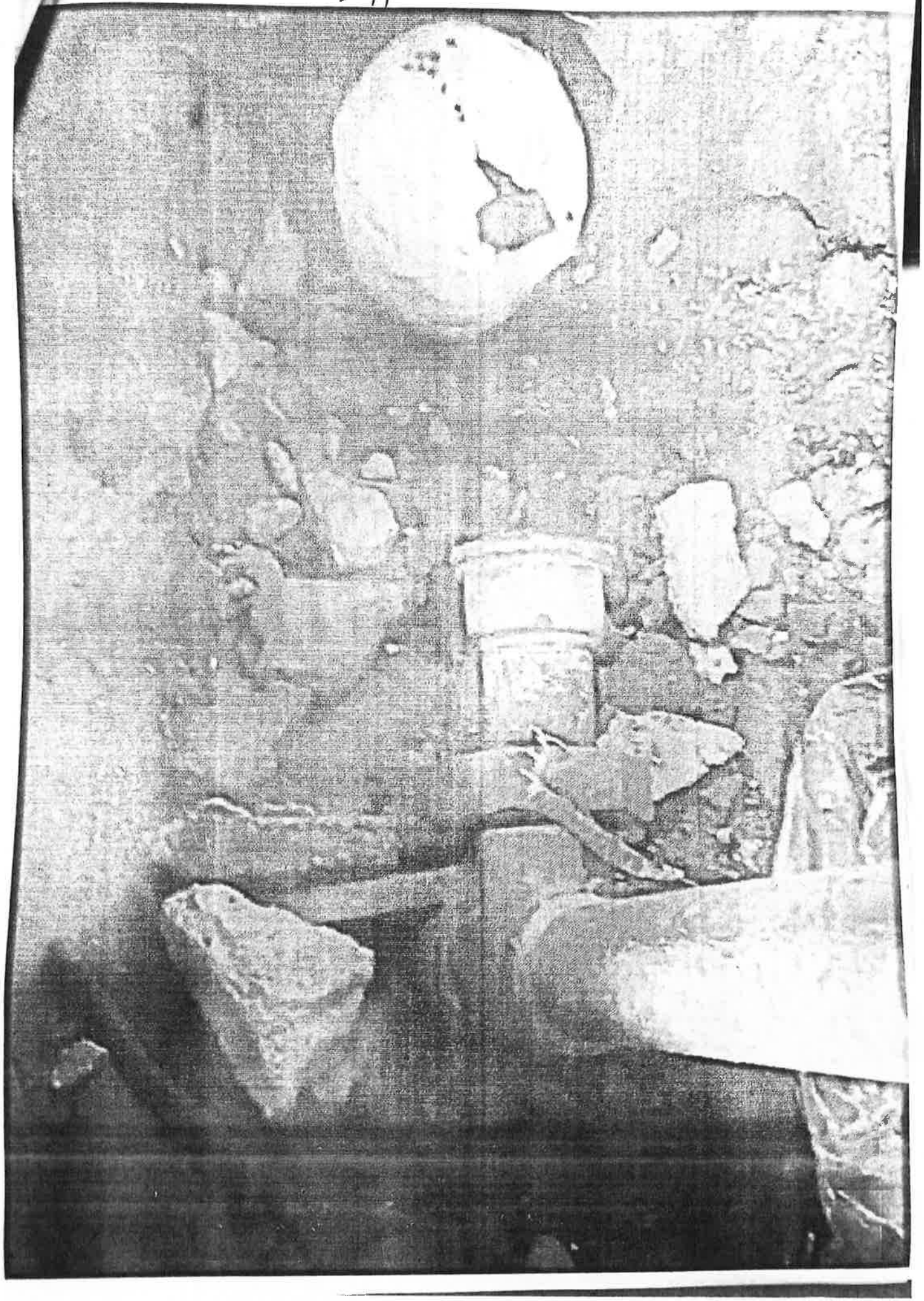
Copy to:-

1 The Superintending Engineer (South), DJB, Jal Sadan, Lajpat Nagar, New Delhi for necessary action.

2 PA to DM (South), M.B. Road, Saket, New Delhi for information

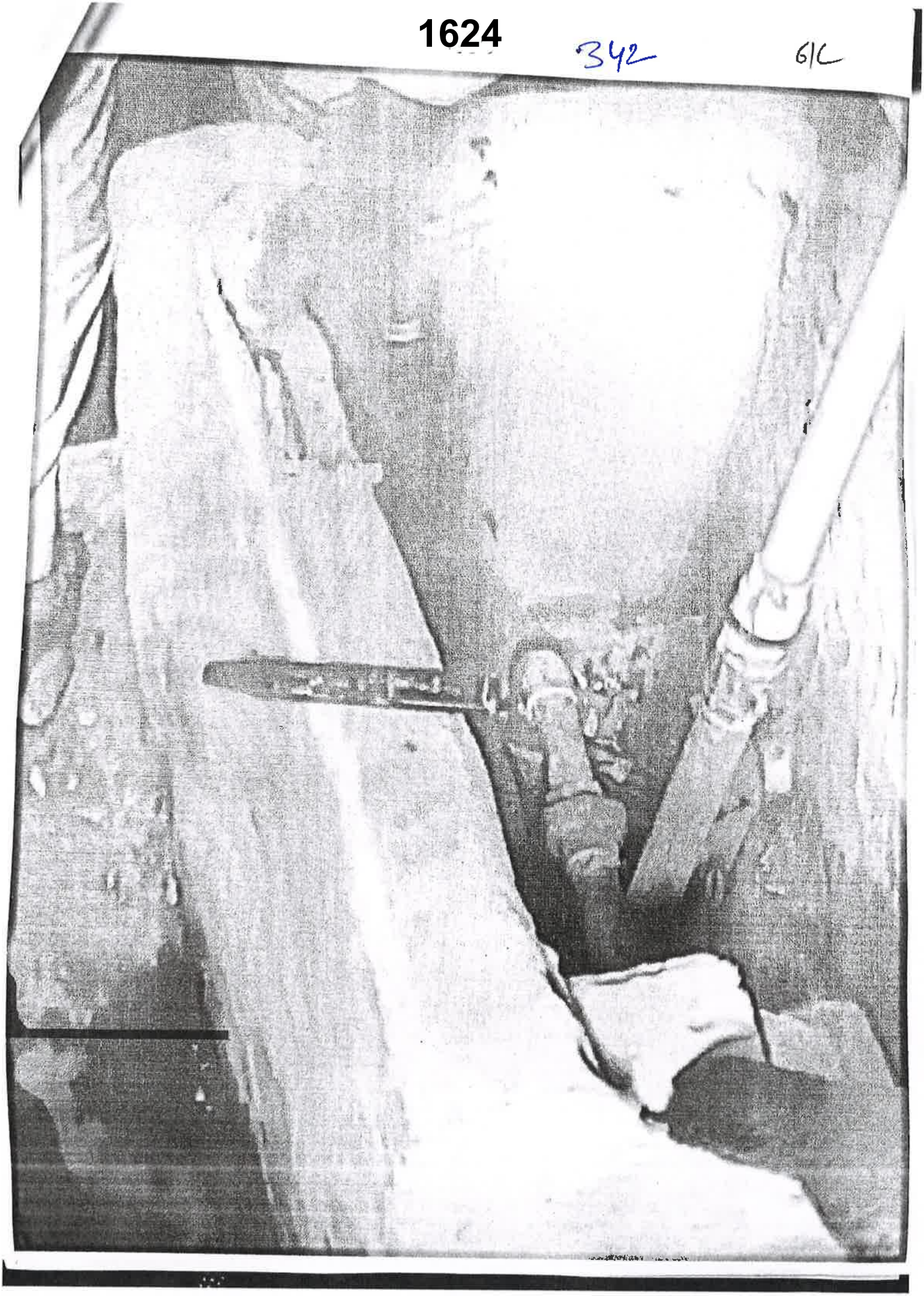
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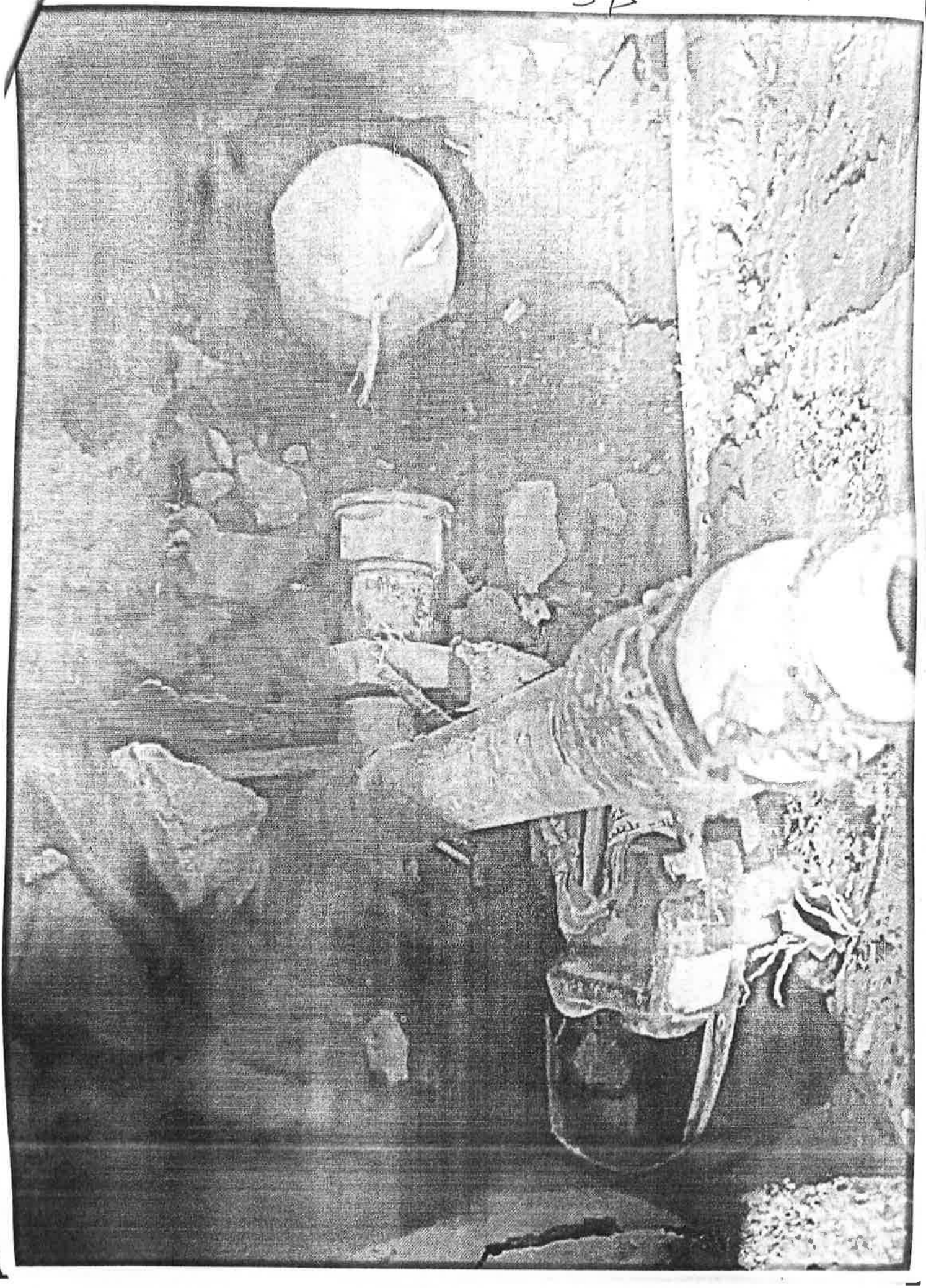
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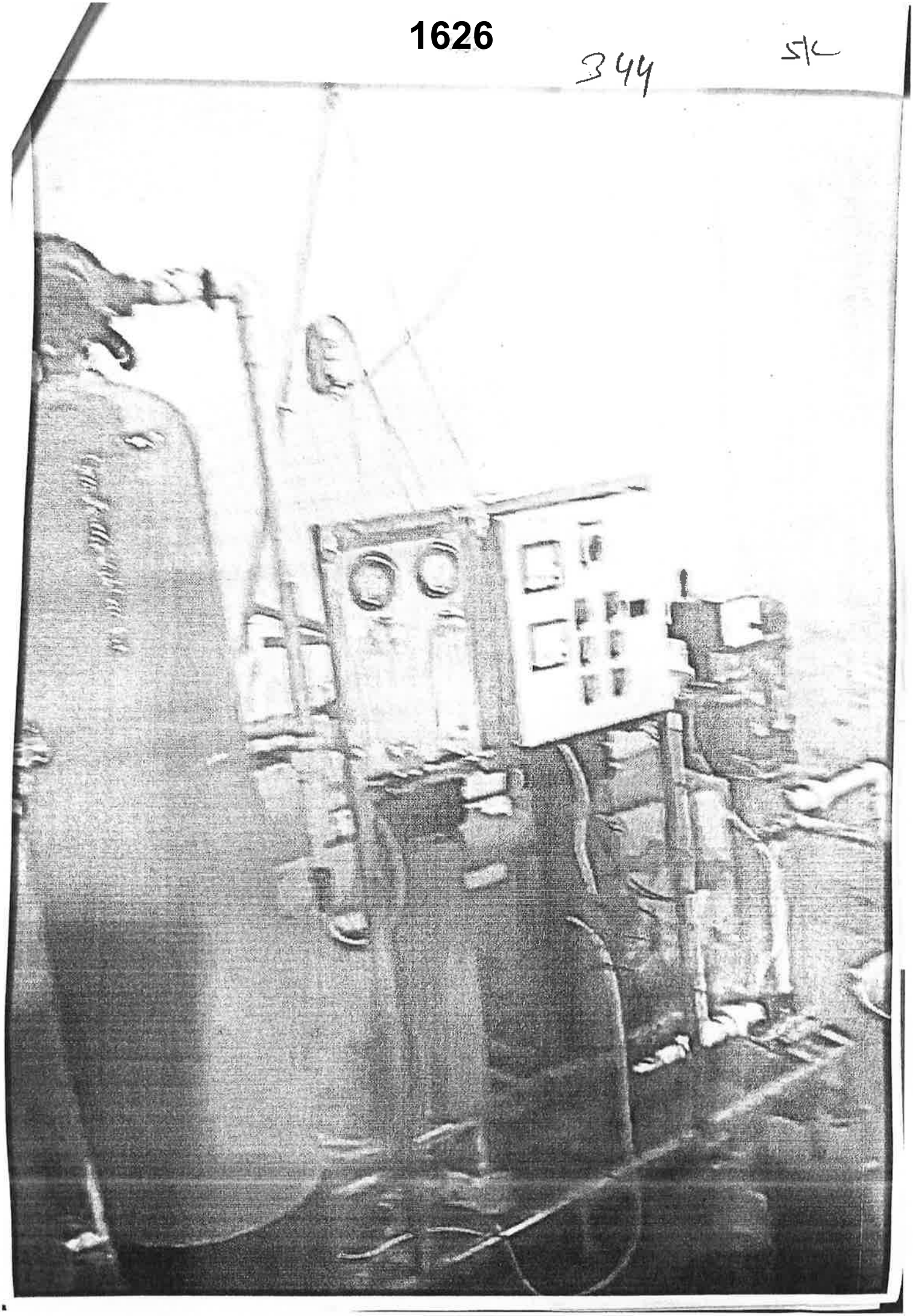
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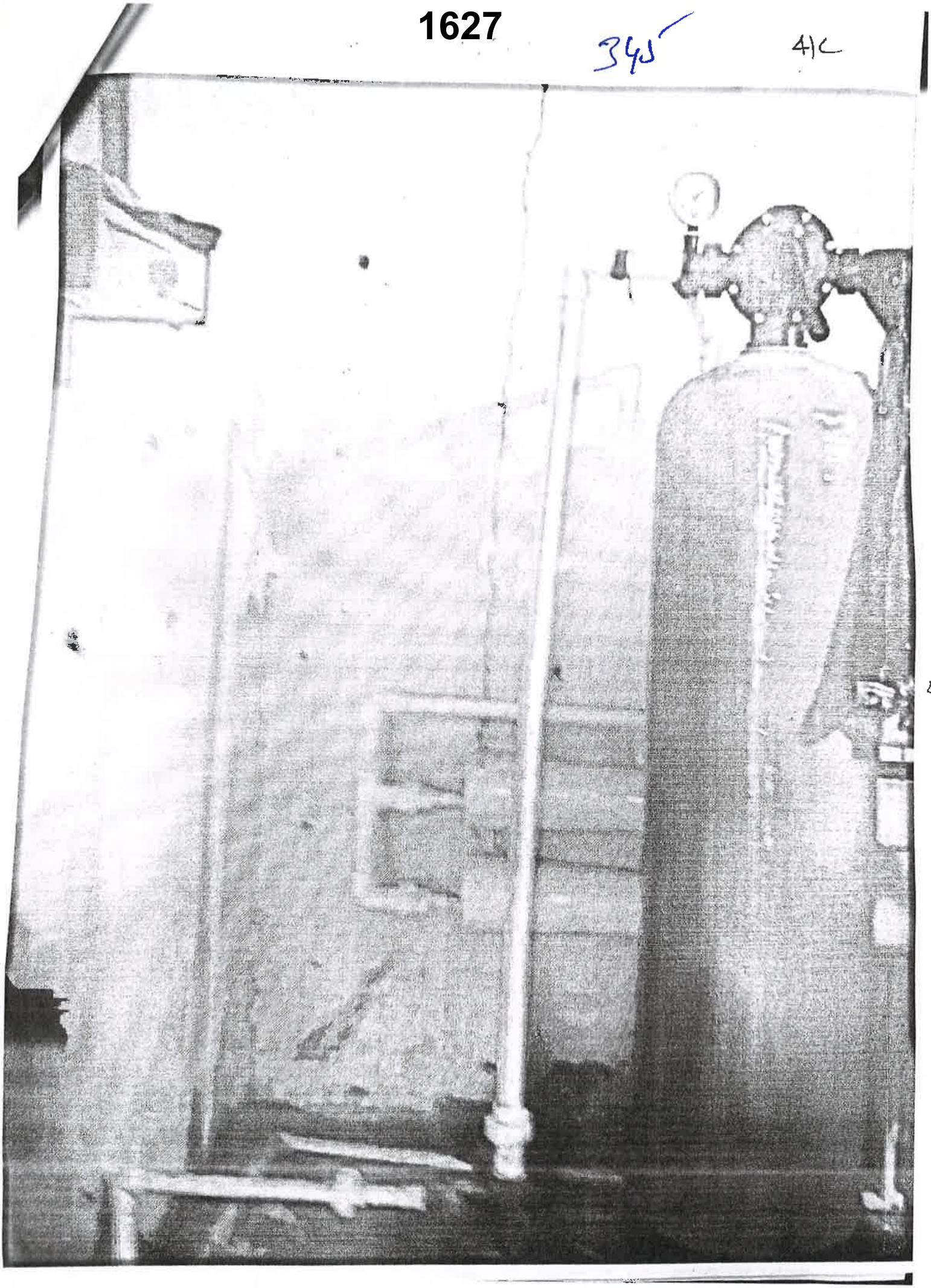


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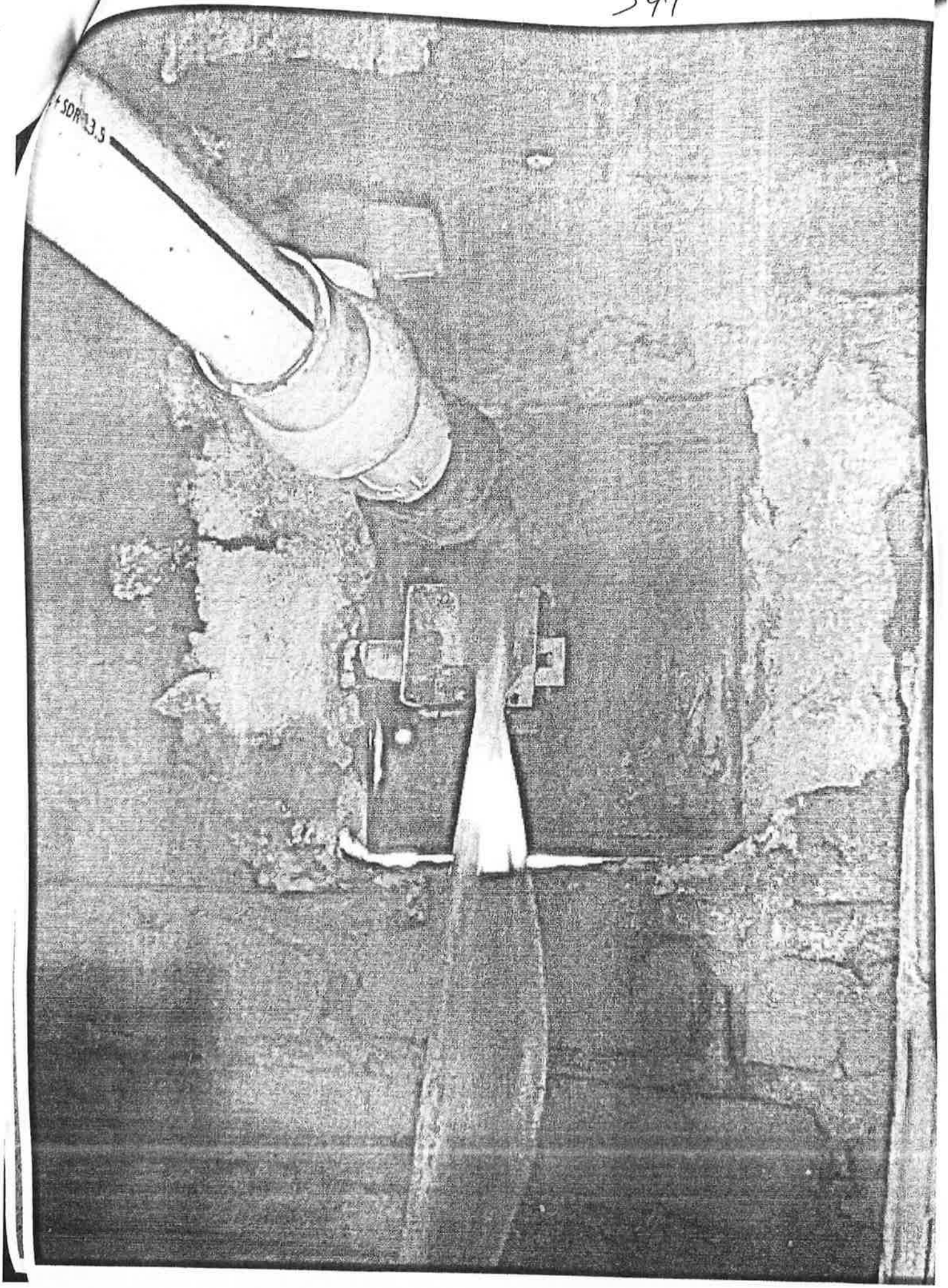


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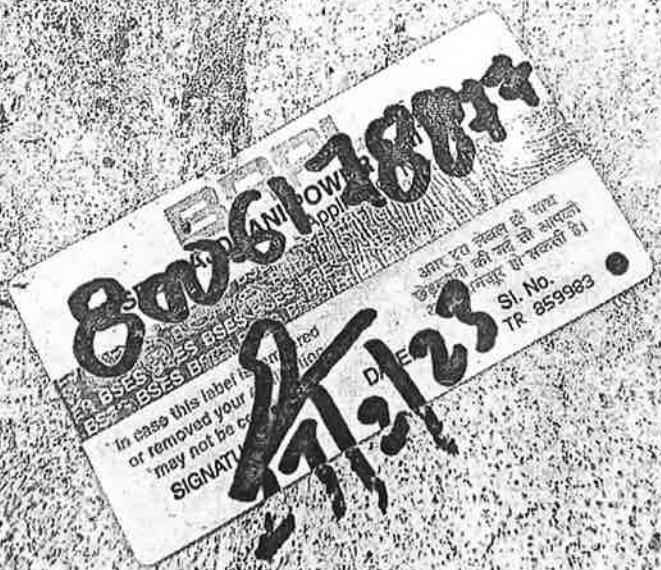
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ANNEXURE - R- 19

349

Item No.06 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

(Through Physical Hearing with Hybrid VC Option)

Original Application No.639/2022

Pritipal Sharma ...Applicant

Versus

Govt. of NCT of Delhi & Ors. ...Respondents

Date of hearing: 21.04.2023

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: Mr. Rohan Dua, Advocate with applicant in Person.

Respondents: Ms. Jyoti Mendiratta, Advocate for respondents no. 1 and 4.
Ms. Sakshi Popli, Advocate for respondent No. 3.DJB.
Mr. B.C. Patel, Additional Chief Engineer, DJB.
Mr. Shri Mekala Chaitanya Prasad, District Magistrate (South) for respondent no. 4.
None for respondents 2 and 5.
(Application dismissed as withdrawn qua relief against respondents no. 6 to 9 vide order dated 20.04.2023.)

Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010.

ORDER

1. In compliance of order dated 20.04.2023 Mr. Mekala Chaitanya Prasad, District Magistrate (South), Delhihas appeared today and we have interacted with him. He has assured to evolve mechanism and take appropriate remedial action regarding illegal borewells operating in the area. He seeks time to file action taken report in this regard. Action taken report be filed on or before 30.06.2023.

2. List for further consideration on 24.07.2023.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

April 21, 2023
N

ANNEXURE- R 20

351

Item No. 09 Court No. 1

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 639/2022

Pritipal Sharma Applicant

Versus

Govt. of NCT of Delhi & Ors. Respondent(s)

Date of hearing: 24.07.2023

CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER

Applicant: Mr. Pritipal Sharma, Applicant in Person

Respondent: Ms. Jyoti Mendiratta, Adv. with Mr. Shashi Pal, SDM, Mehraulli & Mr. Radhey Sham, SDM, Saket
Ms. Sakshi Popli, Adv. for DJB & DPCC

ORDER

1. For negligence of those to whom public duties have been entrusted can never be allowed to cause public mischief.

2. The main object for the constitution of the Central Ground Water Board/Authority is the urgent need for regulating the indiscriminate boring and withdrawal of underground water in the country. We have no doubt that the Authority so constituted shall apply its mind to this urgent aspect of the matter and shall issue necessary regulatory directions with a view to preserve and protect the underground water. This aspect may be taken up by the Authority on an urgent basis.

3. The problem of extraction of groundwater was considered a serious problem and repeated complaints have been filed before the authorities concerned which had not taken care by the authorities concerned and OA

No. 685/2019, *Rakesh Kumar vs. Govt. of NCT of Delhi* was filed before this Tribunal and repeated directions were issued to the authorities concerned authorizing the District Magistrate to take immediate necessary action and to seal illegal borewells/tube-wells to stop extraction of groundwater and further close the units but no remedial action has been taken by the authorities concerned.

4. Aggrieved by inaction by the authorities in Delhi, the applicant filed a petition with the fact that Respondent No. 5, owner of the plot adjoining House No. GI-2035, Aya Nagar, New Delhi-110047 and the plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, New Delhi-110047 has installed borewells in the above-said plots without permission from the Delhi Jal Board and extracting groundwater for commercial purposes without obtaining No Objection Certificate from the authorities concerned.

5. The matter was taken up by this Tribunal on 15.09.2022 and a joint Committee was constituted with direction to submit factual and action taken report.

6. In compliance thereof, the joint Committee visited the site and filed a report that the plot as mentioned above was found locked during inspection. Discharge of water in the drains was found covered with the slabs on both sides of street. Further, it was observed that stairs/ramps are being constructed on the slabs of storm water drains partially.

7. DPCC has further submitted a report/response with the facts that there is an illegal bore-well and installation of RO Plant which was used for commercial purposes.

8. During the course of hearing, the Sub Divisional Magistrates, Mehrauli and Saket attended the proceedings and submitted that they have visited the site and actions are being taken. The applicant with the lady attended the hearing and submitted that during the visit the lady and her son was seriously beaten by the authority concerned or on the direction of the authority in their presence with a view to withdraw the complaint or to not prosecute further proceedings.

9. The applicant has further submitted that there are tanker mafias which are extracting groundwater and through RO Plants, they are doing commercial activities and the authorities concerned are not taking any action against these tanker mafias. The facts as narrated by the applicant and the lady with the applicant reveals and clears that unauthorized borewells exists at many locations while at some locations the borewells are said to have been sealed. The facts as narrated by the learned SDMs answered that proper remedial actions by way of closing the borewells and recovery of compensation for the illegal drawal of groundwater has not been taken by the authorities concerned and activities are adversely affecting the environment. There is also nothing to show that analysis of quality of water with a view to take further remedial actions against the supply of contaminated water, if any, or the quality of water which is being used by the RO Plant owners and are used for commercial purposes.

10. The matter was taken up by this Tribunal in OA No. 685/2019, *Rakesh Kumar vs. Govt. of NCT of Delhi* and vide order dated 15.05.2020, it was observed:

> *"xxx .....xxx.....xxx*
> *5. Needless to say that protection of ground water is of great significance, particularly in view of falling of ground water levels in Delhi. In O.A. No. 176 of 2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors., the matter has been dealt with by this*

Tribunal in the last about 5 years which was last reviewed on 11.9.2019. Reference was made to the judgment of the Hon'ble Supreme Court in M.C Mehta v. Union of India and Ors (1997) 11 SCC 312 whereby the Hon'ble Supreme Court directed constitution of Central Regulatory Body in the light of the recommendation of an Expert Committee, under Section 5 of the Environment (Protection) Act, 1986 (EP Act). The Central Ground Water Authority (CGWA) has been constituted. The Tribunal found that effective functioning was far from satisfactory in achieving the object of protecting the ground water levels. With the result, illegal drawal of ground water by the hotels, industries and builders for commercial purposes in over exploited, critical and semi critical (OCS) areas was continuing at large scale. The Tribunal elaborately considered the problem and need for constant action by the regulatory authorities. After noticing the available data, the Tribunal noted the failure of the authorities in performing their duties on the subject on account of which situation continues to deteriorate. The Tribunal also considered and noted the report of the CPCB dated 26.06.2019 dealing with the methodology for assessment of environmental compensation for illegal extraction of ground water. It was observed:-

> *"1. Remedial action against falling groundwater levels in the country is the subject matter of consideration before this Tribunal. Taking cognizance of news item under the caption "Falling Groundwater Level Threatens City", appearing in the Indian Express of 18.03.1996, the Hon'ble Supreme Court issued notice to the Central Groundwater Body and DPCC, Municipal Corporation of Delhi and Delhi Waterworks and Sewerage Disposal Undertaking (now DJB).[1] Suggestions were sought from NEERI and thereafter from Ministry of Water Resource. The MoWR acknowledged the problem and stated that a Model Bill has been prepared to regulate and control the development of groundwater in their respective areas.*
>
> *xxx .....xxx.....xxx*
>
> *4. The Hon'ble Supreme Court directed:*
>
> > ***"9.** The Central Government in the Ministry of Environment and Forest shall constitute the Central Groundwater Board as an Authority under Section 3(3) of the Act. The Authority so constituted shall exercise all the powers under the Act necessary for the purpose of regulation and control of groundwater management and development. The Central Government shall confer on the Authority the power to give directions under Section 5 of the Act and also powers to take such measures or pass any orders in respect of all the matters referred to in sub-section (2) of Section 3 of the Act.*
> >
> > ***10.** We make it clear that the Board having been constituted an Authority under Section 3(3) of the Act, it*

[1] (1997) 11 SCC 312

can resort to the penal provisions contained in Sections 15 to 21 of the Act.

12. *The main object for the constitution of the Board as an Authority is the urgent need for regulating the indiscriminate boring and withdrawal of underground water in the country. We have no doubt that the Authority so constituted shall apply its mind to this urgent aspect of the matter and shall issue necessary regulatory directions with a view to preserve and protect the underground water. This aspect may be taken up by the Authority on an urgent basis."*

5. Even though 23 years have passed after the passing of the judgment of the Hon'ble Supreme Court, the situation of falling groundwater level has not improved and has in fact further deteriorated. Unfortunately, in spite of clear directions of the Hon'ble Supreme Court, the CGWA is not willing to take the ownership of the subject and repeatedly takes the plea that it does not have the infrastructure or that the responsibility of dealing with the problem is of the States and not that of the said authority. It is high time that the working of the CGWA is reviewed and remedial measures are taken including assessment of suitability of the person to head it.

6. Petitions have been filed before this Tribunal from time to time with the grievance of illegal drawal of groundwater by hotels, industries and builders for commercial purposes. The grievance of the applicants in the present application is that there is fast depletion of ground water in NOIDA and Greater NOIDA, District Gautam Budh Nagar, U.P. There is large scale extraction of groundwater by various construction companies. Directions relating to the water harvesting are not complied with. No measures are properly adopted to stop the fast depleting ground water levels.

7. This Tribunal has ascertained facts and directed the regulatory authorities to take remedial action by way of closing such drawal, initiating prosecution and recovering compensation on 'Polluter Pays' principle.[2] A separate order is being passed in several other matters on the same subject.[3] There is need for constant action by the regulatory authorities and mechanism for higher level review of working of such authorities to avoid unnecessary litigation.

8. We may now refer to some of the proceedings before this Tribunal in the present matter. Significant proceedings are reflected in orders dated 23.04.2015, 26.07.2018, 28.08.2018, 12.11.2018, 03.01.2019 and 07.05.2019. It was noted in the order dated 23.04.2015 that ground water level has gone down

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[2] E.g. separate order passed today in Harinder Dhingra Vs. International Recreation & Amusement Ltd. & Ors O.A No. 458/2017.

3 Original Application No. 59/2012 (M.A. No. 34/2016 & M.A. No. 190/2016), Original Application No. 108/2013, Original Application No. 179/2013 , Appeal No. 67/2015 , M.A. No. 107/2019, Original Application No. 484/2015 Original Application No. 327/2018 , Original Application No. 115/2017, Original Application No. 411/2018, Original Application No. 613/2017, Original Application No. 614/2017

in NOIDA by 15 mtrs. between 2007-2014. On 26.07.2018, it was noted that even apart from NOIDA, Greater NOIDA, Delhi and NCR, the situation in OCS region calls for stringent regulation for ground water extraction. In the order dated 28.08.2018, the Tribunal directed the Ministry of Water Resource (MoWR), Government of India, in consultation with the Ministry of Environment, Forest and Climate Change (MoEF&CC) and Ministry of Agriculture (MoA), to review the existing mechanism for effective conservation of ground water resources in OCS. It was directed that the policy framework must include monitoring mechanism by way of provision for coercive measures, consistent with the mandate in the judgement of the Hon'ble Supreme Court of India in M.C Mehta (supra). The guidelines of CGWA that permission to extract ground water in over exploited, critical and semi-critical (OCS) areas is to be given only for drinking and domestic purposes were noted. OCS areas were identified and notified by the CGWA having regard to the depletion of groundwater level. OCS areas were further classified as 'notified' and 'non-notified' without any basis and 'non-notified' were not being regulated. The Tribunal directed remedial measures to be taken.

9. On 12.11.2018, the matter was further considered. After making reference to the 2012 Guidelines issued by the CGWA and Draft Guidelines dated 16.11.2015, the Tribunal noted following points:

i. CGWA was repeatedly disowning its responsibility on the plea that regulation of ground water was a State subject, contrary to the mandate in the judgement of the Hon'ble Supreme Court in M.C Mehta (Supra).

ii. CGWA was failing to regulate drawal of ground water in OCS on the ground that it had not issued a notification except for some areas, and without such notification, there was no need for regulating extraction of ground water even in OCS.

iii. Extraction of ground water for commercial purposes was being allowed in OCS just by a mechanical condition that the ground water will be recharged, without ensuring compliance of such condition.

iv. Underground water was being allowed to be extracted for illegal constructions, bottling plants, swimming pools etc. without any impact study or effective steps for rain water harvesting for recharge of the ground water.

v. CGWA was repeatedly taking the plea that charges were being collected for permitting drawal of underground water for commercial purposes in OCS against the Precautionary Principle, Sustainable Development as well as Intergenerational Equity Principles.

vi. *Difficulties of agriculturists needed to be addressed in a phased manner by persuading the agriculturists to switch over to less water consuming crops and to consider use of treated sewage water instead of extraction of fresh underground water, wherever viable.*

vii. *Untreated effluents are not to be discharged in the water.*

10. Notification dated 12.12.2018 was issued by Ministry of Water Resources (MoWR) which was considered by this Tribunal vide order dated 03.01.2019. The Tribunal noted from the affidavit filed by the CGWA found that utilizable water in India is 1137 BCM which comprises of 690 BCM of surface water and 447 BCM of replenishable ground water resources. In the year 2009, about 2700 BCM of ground water was available in deeper aquifers, below the zone of water level fluctuations. Thus, ground water over exploitation is recommended to be restricted to sustainability of ground water by annual replenishment in order to facilitate long term sustainability of ground water. It is further stated that per year extraction is 253 BCM which is 25% of the global ground water extraction. Out of total 6,584 assessment units, 1,034 fall in over-exploited category (where extraction is more than 100%of recharge), 253 fall in critical category (where extraction is 90-100% of the recharge), 681 fall under semi-critical category (where extraction is 70-100% of the recharge) and 4,520 are under safe category (where extraction is 90% of the recharge). About 90% extraction is for agricultural purposes, 10% for drinking, domestic and industrial purposes. Industrial use is 5%. Model building bye-laws 2016 include the provision of rain water harvesting in all new buildings on plots of 100 sq. mtrs. and above. Entire storm water is to be captured for water harvesting through suitable structures in all public and open spaces of more than 500 sq. mtrs. Buildings having minimum discharge of 10,000 liters and above are required to have waste water recycling system for horticulture purposes. 'Mission Water Conservation' has been introduced by the Ministry of Agriculture, Government of India. Inter-Ministerial Committee has been constituted under the chairmanship of the Secretary, Ministry of Water Resources, Government of India. The Ministry is also carrying out training programme and Information, Education & Communication (IEC) activities for awareness. The Department of Land Resources is implementing water-shed development projects. Certain States have taken initiatives including Punjab Preservation of Subsoil Water Act, 2009 which ban early sowing of paddy nursery and transplantation of saplings. Maharashtra Groundwater (Development and Management) Act, 2009 prohibits drilling of deep wells within for agriculture or industrial usage, pumping of ground water for deep well of depth of 60 mtrs. or more. The CGWA has issued advisories and it requires taking of NOC for ground water withdrawal but the agriculture section is not subjected to ground water regulation on account of socio-economic implications. The steps taken by the CGWA include directions for rooftop rain water harvesting systems, ground water

recharge measures along the National highways, State national highways, railway tracks, etc., artificial recharge in over-exploited areas, large and medium industries using ground water to take up the ground water conservation measures. CGWA imposes condition while granting NOC for withdrawal of ground water in States/UTs which do not have functional ground water authorities. NOCs are granted online in a user-friendly manner. Industries in safe category are exempted from NOC but in OCS areas, condition for grant of NOC is rain water harvesting/ground water recharge measures and NOCs are denied in over-exploited areas. Non-water intensive industries drawing ground water up to 100 m^3/day are exempted from NOC in critical areas, non-water intensive industries drawing up to 50 m^3/day are exempted from NOC. (In over-exploited areas, non-water intensive industries are exempted which are drawing ground water up to 25 m^3/day. Permitted water extraction is restricted to 60% of the proposed recharge. Ground water extraction should not be exceeded 1,500m^3/day for each unit. In semi-critical areas, ground water extraction is restricted to 200% and 100% of proposed recharge for non-water intensive and water intensive industries respectively. In critical areas, ground water extraction is permitted up to 100% and 50% of proposed recharge for non-water intensive and water intensive industries respectively. In over-exploited areas, ground water extraction is permitted up to 50% of the proposed recharge). Till 2015, existing industries were not required to seek any NOC. In compliance of order of the Tribunal dated 15.04.2015, existing industries were brought within the purview of NOC with effect from 16.11.2015.

13. The Tribunal noted the relevant statistics on the subject as follows:

> *"2. As per publication of NITI Ayog, India is placed at 120th amongst 122 countries in water quality index. Most states have achieved less than 50% of the total score in augmentation of groundwater resources, highlighting a growing national crisis. 54% of India's ground water wells are decreasing in levels and 21 major cities across the country are expected to run out of ground water by 2020. Almost none of the States have built the infrastructure required to recharge groundwater in over exploited and critical areas. Several States such as U.P., Bihar, Rajasthan etc. have not put in place any regulatory framework for managing the groundwater. These states produce 20-30% of India's agricultural output and groundwater accounts for 63% of all irrigation water. Therefore, unsustainable extraction in these states also poses a significant food security risk for the country. 3. About 60% of the irrigation needs, 85% of rural drinking water needs and 50% of urban water needs are met through ground water. The CGWB has categorised the areas into the following on the basis of availability of ground water resources:*

Safe	*(<=90%, No decline in water levels)*

Critical	*(>70% and <=100%, decline in water levels)*
Semi-critical	*(<100%, decline in water levels)*
Over-exploited	*(>100%, decline in water levels)*

4.As per another survey, India extracts most ground water. Globally, 25% of total annual global annual water is extracted in India. The extraction level is going up continuously

5. Depletion of ground water not only creates crisis for drinking water in absence of inadequate surface water being available in certain areas where there may be drought conditions, but also affects e-flow in rivers and can also increase salinity in soil."

14. The Tribunal accordingly held:

"27. We are satisfied that the Notification dated 12.12.2018 tested on the Precautionary Principle, Sustainable Development as well as Inter-generational Equity Principles is unsustainable in law and instead of conservation of ground water which is necessary for providing access to drinking water in OCS areas, as well also other needs of environment, including sustenance of rivers and other water bodies, it will result in fast depletion of ground water and damage to water bodies and will be destructive of the fundamental right to life under Article 21 of the Constitution of India.

28. Accordingly, the impugned Notification may not be given effect to in view of serious shortcomings as pointed above so that an appropriate mechanism can be introduced consistent with the needs of environment."

16. Accordingly, affidavit filed by the MoEF&CC on 18.07.2019 and report of the CPCB dated 26.06.2019 have been put up for consideration today. We take up the said reports for consideration.

17. The report dated 18.07.2019 gives statistics as follows:-

"As per the latest assessment in categories of OCS areas Delhi is ranked first as 82% of total number of assessed units followed by Rajasthan (81%), Punjab (81%), Haryana (75%), and Tamil Nadu (50%)

In order to regulate ground water abstraction in Over Exploited / Semi – critical areas, CGWA notifies areas (blocks / talukas/ mandals/ firkas areas) under Environment (Protection) Act, 1986 for regulation of ground water development and management. In these notified areas, abstraction of ground water is not allowed for any purpose other than drinking and domestic use. For monitoring and supervision of notified area, CGWA has empowered district level authorities of State Government under Section 4 of the Environment

(Protection) Act, 1986. CGWA has notified total 162 areas in the country till 2012 out of 1033 identified Over Exploited areas."

18. Apart from giving the above statistics the report deals with the review of institutional framework, gaps in groundwater management strategy and makes recommendations providing for levy of water conservation fee, criteria for extraction of groundwater in OCS area, registration of bore-wells, utilization of treated sewage water, shifting of cropping pattern and irrigation practices, optimal use of fresh water and best conservation practices. It is suggested that guidelines be prepared applicable pan India with liberty to lay down more stringent norms by the States depending on local conditions, making water resource estimation every two years, periodic assessment of OCS areas, inviting projects from experts for water management and preparation of decadal action plans.

19. The report remains deficient as the issue of preventing depletion of ground water has not been duly addressed. The effective enforcement mechanism of conditions subject to which groundwater extraction may be allowed in OCS areas has not been provided. Mere condition of recharge without clear strategy of enforcement is no safeguard for permitting extraction of groundwater. The report leaves many issues to be dealt with by further studies. The need for immediate concrete action to prevent further depletion is not met by the report nor the effective safeguards against abuse of permission for extraction in violation of conditions for extraction and effective remedies against rampant illegal extractions have been suggested. This shows that further remedial action needs to be taken.

20. The report of CPCB dated 26.06.2019 deals with methodology for assessing environmental compensation (EC), Formula for Environmental Compensation for illegal extraction of ground water, Environmental Compensation Rate (ECRGw) which has been further dealt with in different categories, i.e. ECRGw for Drinking & Domestic use for household purposes and those for institutional activity, commercial complexes, townships etc., ECRGw for Packaged Drinking Water Units, ECRGw for Mining, Infrastructure and Dewatering Projects, ECRGw for Industrial Units, Deterrent factors to compensate losses and environmental damage (for packaging drinking water units, mining, industrial and commercial purposes) and Deterrent Factor . Formula for Environmental Compensation for illegal extraction of ground water is as follows:

"5. Formula for Environmental Compensation for illegal extraction of ground water

The committee recommended that the formula considering water consumption, no of days, rates for imposing Environmental Compensation based on the purpose for illegal abstraction of ground water as well as the deterrent factor detailed below:-

EC_{Gw}= Water consumption per day x Environmental Compensation rate for illegal extraction of ground water (ECR_{Gw}) x No. of Days x Deterrent Factor

Where, water consumption is in m^3/day and ECRGw in Rs/m3"

All other details can be seen from the report which is available on the website of CPCB. The report also gives recommendations as follows:

21. The committee has given following recommendations:

1. *In case of fixation of liability, it always lies with current owner of the premises where illegal extraction of groundwater is taking place.*

2. *Violation duration may be assumed as at least one year in case where no evidence for period of installation of borewell could be established.*

3. *For illegal industrial ground water abstraction, where metering system is not available, water consumption may be estimated as per consent conditions imposed by SPCB/PCC.*

4. *Water intensive industries should only be permitted in safe, semi-critical and critical area, and should not be allowed to establish new industries in overexploited area.*

5. *Water in over-exploited area should be permitted only for drinking purposes and industries established in this area without prior consent or NOC from CGWA or another concerned department must be closed down with immediate effect. No expansion in existing industrial activity should be permitted, irrespective of additional water demand arises or not.*

6. *Present categorization of area (Over-exploited, Critical and Semi-Critical), as per CGWA shall be considered for calculation of EC, regardless of the area category when the period of violation started.*

7. *In case of all existing cases having more than 5000 KLD ground water demand, permission may be given only after examining scientific assessment of water availability and assessing intergenerational equity by CGWA.*

8. *The industrial units should be directed to adopt State of the Art technologies, use of surface water, treated waste water and reduce specific water consumption, thereby ground water demand is reduced by 10% over three years' period. The industries also be encouraged to create facilities for storage of excess storm water and adequate measures such*

as groundwater recharge as well as restoration of lakes /ponds in the vicinity of the industry.

9. *In addition, all repeated violations will attract EC at 1.25 times the previous EC.*

10. *Authorities assigned for levy EC and taking penal action are listed below:*

S. No.	***Actions***	***Authority***
1.	*To seal illegal bore-well/ tube-well to stop extraction of water and further closure of project*	*District Magistrate*
2.	*To levy EC_{GW} as per prescribed method*	*District Magistrate/ CGWA*
3.	*To levy EC on industries involved in illegal abstraction of Groundwater , as per the method prescribed in report of CPCB- "EC for industrial units"*	*CPCB/SPCB/PCC*
4.	*Prosecution of Violator*	*CGWA under Environment (Protection) Act,1986 (or)*
		SPCB/PCC under Water (Prevention and Control of Pollution), Act, 1974

22. CGWA shall maintain a separate account for collection and utilization of environmental compensation levied for illegal extraction of ground water on the violators. For easy understanding w.r.t levying of EC on violators as per the recommendation of CPCB, case studies given at ***Annexure II*** *may please be referred.*

24. We conclude this order with the following directions:

(i) We constitute a Committee to go into the following questions:

(a) Steps required to be taken for preventing depletion of ground water.
(b) Robust monitoring mechanism to ensure that no ground water is unauthorizedly extracted, including review of manning and functioning of CGWA.
(c) Robust mechanism to monitor conditions laid down for grant of permission for extraction of ground water.
(d) Recommendations in the report of the CPCB dated 26.06.2019 referred to above.

(ii) The composition of the Committee will be as follows:-
(i) Joint Secretary, MoEF&CC
(ii) Concerned Joint Secretary, MoWR, dealing with the subject

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(iii) CGWB
(iv) National Institute of Hydrology, Roorkee
(v) National Remote Sensing Center, Hyderabad
(vi) CPCB

The nodal agency will be the Joint Secretary, MoWR for coordination and compliance. The Committee may look into the reports already submitted. The report may be furnished within two months by e-mail at judicial-ngt@gov.in.

(iii) The report of CPCB with regard to compensation is accepted by way of an interim arrangement and the same may be acted upon by the regulatory authorities and compensation recovered from the violators, for the period of violation, which may be assessed on case to case basis. The report of CPCB that water intensive industries can be allowed even in semi-critical and critical area without any further safeguards may not be acted upon till further orders."

6. In the context of Delhi, there are repeated allegations of tankers Mafias engaged in extraction of ground water without any remedial action by the authorities. In a recent order dated 06.05.2020 in O.A. No. 970/2019, Nand Kumar v. Govt. of NCT of Delhi, the Tribunal noted that out of 141 identified illegal borewells in Mayapuri area, DJB sealed only 4 and 137 illegal borewells were still continuing. This is merely one instance while the problem appears to be widespread.

7. In O.A. No. 496/2016, Tribunal on its own motion v. Govt. of NCT of Delhi, the Tribunal is considering the issues relating to water management in Delhi, including the control of illegal extraction of ground water. The matter was initially taken up in the light of the news item dated 19.06.2015 in the Hindustan Times highlighting the problem of contamination of ground water in Delhi. The same is being dealt with for the last five years. Since steps taken by the authorities were not found to be satisfactory, vide order dated 30.08.2018, this Tribunal constituted an independent Monitoring Committee, headed by Justice S.P. Garg, former Judge of Delhi High Court. The Committee has undertaken extensive work. The Committee has found that 14231 borewells were illegally operating in Delhi. 15% of the ground water had reached below 40 meters. Depleting of ground water was also affecting the flow the river Yamuna. The Committee in its later report found that Subsidy in the form of free water was being misused and to avoid payment of water charges for more than 20,000 litres free water, ground water was being freely extracted without any remedial action by the authorities. The Committee made its recommendations, including sealing of illegal borewells. The Tribunal, vide order dated 03.02.2020 in the said matter, directed the DJB to recover compensation from the persons illegally extracting ground water as per formula suggested by the CPCB. Some of the observations in the order are:-

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"1. Issue taken up for consideration in the present matter is the water management in Delhi including rain water harvesting, revival of water bodies and use of treated water and control of illegal extraction of ground water. The problem of contamination of ground water in Delhi was highlighted in a news item dated 19.06.2015 in the Hindustan Times which led to initiation of proceeding by this Tribunal. On 10.12.2015, the Tribunal constituted a Committee headed by Special Secretary (Environment), Delhi to take remedial action. The Committee gave its status report on 09.09.2016 recommending comprehensive ground water management plan covering Rain Water Harvesting (RWH) systems, use of treated water for ground water recharge and regulation of extraction of ground water, apart from revival and rejuvenation of water bodies.

2. The Tribunal by the order dated 30.08.2018, constituted an independent Monitoring Committee headed by Justice S.P. Garg, former Judge of Delhi High Court to oversee issues relating to water management in Delhi. The Committee has already furnished its reports dated 18.02.2019 and 31.07.2019 which were dealt with respectively by orders dated 19.02.2019 and 11.09.2019.

3. The first report mentioned identification of 50 water bodies in different parts of Delhi out of available list of 201 water bodies. On the subject of RWH systems, it was found that 6761 systems were in place. With regard to ground water recharge, it was mentioned that 14,231 borewells were illegally operating. 15% of ground water had already reached below 40 meters which requires serious efforts for recharge. Depleting level of ground water was also affecting the flow of river Yamuna.

4. Second report mentioned that the ground water resources were over-exploited. Out of 34 units, 22 were over-exploited (dark blocks), 2 were critical, 7 were semi critical and 3 were in safe category. Over use of ground water for drinking, irrigation and domestic purposes was resulting in rapid depletion of ground water. Water table dropped to more than 300 feet in many areas. Kitchen water can be made potable by spending 10% money compared to converting other waste water into drinking water. 90% fresh water was being used for non-drinking purposes which could be substituted by reused water. 280 MCM rain water is lost which needs to be conserved. ULBs were to ensure that all Government buildings have RWH structures and if they were not functional, they have to be made functional. Treated water can be used for AC cooling towers, buses/trains washing, thermal power plants, other non-potable industrial uses and flushing in domestic uses. 300 installations of DJB have RWH. All Government buildings have to make a provision for RWH. PWD was to implement the RWH system where buildings are maintained by PWD. Decision of the Delhi Cabinet dated 02.07.2019 makes such a provision. List of 559 such buildings had already been prepared. On the subject of illegal borewells, the Committee mentioned that number of illegal borewells as on 30.06.2019 was assessed to be 17,062.

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Parks and gardens were also having tubewells which were required to be stopped to promote use of treated water for gardening. The DJB had improved its network for distribution of treated water. 400 borewells were operating in Patparganj Industrial area which matter needs to be resolved by the Chief Secretary. Environmental compensation suggested by CPCB ranging from Rs. 10,000/- to Rs. 1,00,000/- as an interim measure was required to be recovered for illegal extraction of ground water.

5. On the subject of subsidy under Free Water Scheme, the Committee observed:

> *"8. The Committee then considered the status of illegal borewells and found it necessary to seal the same. Action of sealing was too slow. Number of illegal borewells as on 30.06.2019 was assessed to be 17,062. Parks and gardens were also having tubewells which were required to be stopped to promote use of treated water for gardening. The DJB has improved its network for distribution of treated water. 400 borewells are operating in Patparganj Industrial area which matter needs to be resolved by the Chief Secretary. Environmental compensation suggested by CPCB ranging from Rs. 10,000/- to Rs. 1,00,000/- as an interim measure was required to be recovered for illegal extraction of ground water. Theft of water in any form should be dealt with as per law promptly.*
>
> *9. The Monitoring Committee has been informed that subsidy being provided under 20,000 liter free water scheme is misused by several Group Housing Societies. After availing the required quantity of 20,000 liters free of cost, these societies start extracting groundwater by using tube-wells/bore-wells to avoid payment of water tariffs. DJB should take effective steps to prevent this practice."*

11. With regard to preventing uncalled for extraction of ground water for horticulture purposes, it is mentioned that tube-wells/bore-wells will be closed and only treated water will be used for horticulture purposes. A time bound action plan has been indicated.

13. The report also mentions the steps taken for sealing of illegal bore-wells, including 400 tube-wells in Patparganj industrial area.

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

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with a view to ensure sustainable development and inter-generational equity. Accordingly, we lay down such regime as an interim measure as follows:-

(i)	*Failure in revival of water bodies by the land owning agencies till 31.03.2021.*	*@Rs. 50,000/- per month payable to and to be recovered by DJB who may notify such agencies within one month about this direction.*
(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)	*Illegal extraction of ground water by the person doing so.*	*As per earlier order dated 11.09.2019 in O.A. No. 176/2015, Shailesh Singh v. Hotel Holiday Regency as per formula suggested by CPCB payable to and to be recovered by DJB who may notify all concerned by a general order on its website or otherwise within one month about this direction.*
(iv)	For failure to use treated water for secondary purposes after 31.03.2021 and use of fresh in lieu thereof by the DJB.	@ Rs. 1 Lakh per month per STP payable to and to be recovered by CPCB who may notify all concerned by a general order on its website or otherwise within one month about this direction.

"

8. In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tubewells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter."

11. Learned SDM has further submitted that they have visited the site and the report is under preparation or under submission, though they are repeatedly submitting that action has been taken. The conduct of the concerned SDM shows that there is reckless exercise of the powers and non-compliances of the orders and non-compliance of the rules, which further show that the officer is negligent in performing his duties sincerely though he is paid from State exchequer.

12. Learned Counsel appearing and representing the respondent has sought short time to file action taken report by the authorities concerned.

13. Respondents/SDMs present during the hearing are directed to take necessary action and develop effective mechanism for preventing extraction of groundwater by unauthorized operators and tanker mafias and prompt coercive measures must be taken. The illegal borewells must be stopped immediately and sealed according to the rules. The past violations and extraction of groundwater shall be calculated according to rules and according to parameters laid down by the CPCB and the environmental compensation must be imposed according to law. SDM is further directed to take assistance from electricity department and to ensure disconnection of electricity supply for illegal borewells which are being used for illegal extraction of groundwater/borewells. Further action taken report be filed within three weeks by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

14. The authorities are expected not to coerce or influence the litigant or the complainant.

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15. List the matter on 15.09.2023.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

July 24, 2023
Original Application No. 639/2022
DV

ANNEXURE - R 21

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Item No.09 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

(Through Physical Hearing with Hybrid VC Option)

Original Application No.639/2022
(I.A. NO 293/2023)

Pritipal Sharma ...Applicant

Versus

Govt. of NCT of Delhi & Ors. ...Respondents

Date of hearing: 07.02.2024

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: Mr. Katyayni, Advocate for applicant with applicant in Person.

Respondents: Ms. Jyoti Mendiratta, Advocate for respondents no. 1 and 4
Ms. Richa Kapoor, Advocate for Delhi JAL Board. respondent no. 3-DJB
Ms. Sakshi Popli, Advocate for DPCC (through VC).

Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010.

ORDER

1. It has been pointed out that in order dated 19.10.2023 words 'Vivek Vihar' were wrongly written instead of 'Mehrauli' due to inadvertent typographical mistake which is ordered to be corrected accordingly. Correction be also made copy of the order uploaded on the website of this Tribunal.

2. Vide order dated 19.10.2023, Ms. Sakshi Popli, learned Counsel for DJB and DPCC and Dr. Shashipal Dabas, SDM, Mehrauli were allowed to file additional action taken reports within three months.

3. In compliance thereof report has been filed by the DPCC vide email dated 06.02.2024.

4. We find that the status report filed by DPCC has been prepared casually without taking into consideration the observations made by this Tribunal in its orders passed in the case. In the status report there is no mention regarding 15 cases referred to in the report filed vide email dated 14.09.2023 by District Magistrate (South), Delhi where in orders regarding imposition of environmental compensation are awaited from the DPCC. The DPCC is directed to file additional status report giving information, as on 31.01.2024, in tabular format with respect to the following aspects (i) particulars of cases in which environmental compensation has been imposed; (ii) particulars of cases in which environmental compensation has been realized; (iii) particulars of cases (including 15 cases mentioned above) in which matter of imposition of environmental compensation is pending; (iv) particulars of cases in which environmental compensation realized has been utilized; and (v) particulars regarding activities carried out by utilization of amount of environmental compensation.

5. The additional status report by DPCC be filed by the Member Secretary of DPCC by way of his affidavit within one month by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

6. No report has been filed by DJB and SDM, Mehrauli. The DJB and SDM, Mehrauli are given one more opportunity to file additional action taken reports.

7. Action taken reports be filed by the concerned Chief Engineer, DJB and the SDM, Mehrauli by way of their affidavits within one month by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF. In his affidavit SDM, Mehrauli shall mention as to who is the owner of the plot in question where the illegal bore well was being operated and in case the

information is not available with his office, what steps have been taken to procure the same.

8. In view of the facts and circumstances conditional attachment of the plot in question for realization of the amount of environmental compensation imposed is ordered. Warrant of attachment of the plot in question be issued and be sent to the District Magistrate (South), Delhi for execution and submission of report regarding compliance of this order by way of his affidavit.

9. Compliance report be filed by District Magistrate (South), Delhi within one month by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

10. List the matter on 18.03.2024 for further consideration.

11. In view of the facts and circumstance of the case, we also consider personal appearance of the concerned Chief Engineer, DJB, the District Magistrate, (South), Delhi and the SDM, Mehrauli, physically on the next date of hearing to be essential for producing the relevant record and assisting this Tribunal in just and proper adjudication of the questions involved in the case. Accordingly they are directed to remain present before this Tribunal on that date with the relevant record.

12. A copy of this order be sent to Chief Secretary, Government of NCT of Delhi, Chief Executive Officer, DJB, District Magistrate (South), Delhi and SDM, Mehrauli by email for ensuring requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 7th 2024
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ANNEXURE - R 22

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

O.A. No. 639 OF 2022

IN THE MATTER OF:

Pritipal Sharma ..... Applicant

Versus

Govt. of NCT of Delhi & Ors. ..... Respondents

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(Gajender Tomar)
Chief Engineer (South)
Delhi Jal Board

Date: 07.03.2024

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

O.A. No. 639 OF 2022

IN THE MATTER OF:

Pritipal Sharma	.....	Applicant
	Versus	
Govt. of NCT of Delhi & Ors.	.....	Respondents

ACTION TAKEN REPORT ON BEHALF OF DELHI JAL BOARD IN COMPLIANCE OF ORDER DATED 07.02.2024 OF THE HON'BLE TRIBUNAL

MOST RESPECTFULLY SHOWETH:

1. That the Applicant in the present case i.e. Mr. Pritipal Sharma has filed an Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010 before the Hon'ble NGT *inter alia* praying for the following reliefs:

(i) Direct the Respondent no. 1 to 4 to seal the illegal bore wells located in the plot adjoining House No. GI-2035, Aya Nagar, New Delhi – 110047 and in the plot on the opposite to the street in front of House No. GI-2038, Aya Nagar, New Delhi – 110047 which are under the ownership of Respondent no. 5 and completely cease operation of Respondent no. 5.

(ii). Direct the Respondent No. 6 to 9 who are the owners of House no. 1031/CI/I G-I Block in Aya Nagar, Phase 6, New Delhi – 110047 to demolish the construction of ramps and

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steps along the street in G-I Block built by them and restore the drain and allow it to flow without any obstruction and pollution.

However, later vide order dated 20.4.2023 the Hon'ble Tribunal was pleased to dismiss the application as withdrawn insofar as the second relief prayed for in the application, since Rule 14 of the National Green Tribunal (Practices and Procedure) Rules, 2011 provides that an application or appeal, as the case may be, shall be based upon a single cause of action and the applicant may seek one or more relief provided they are consequential to one another, the learned Counsel for the applicant has conceded that the second relief is not consequential to the first relief and as such does not press for the second relief. Thus the complaint regarding running of bore wells illegally by respondent no. 5 in plot adjoining House No. GI-2035, Aya Nagar, New Delhi and in the plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, New Delhi remained to be heard/adjudicated.

2. That this Hon'ble Tribunal, vide its order dated 15.9.2022, had constituted a Joint Committee comprising of representative of Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi and directed the Committee to meet within two weeks and to undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponents and also verify the factual position and submit its report within one month by e-mail. It further directed that the State PCB will be the nodal agency for coordination and compliance.

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, this Hon'ble Tribunal further directed that if the Joint committee observes any violations of consent conditions/environmental norms, then it shall forward a copy of its report to the concerned Project Proponents to enable them to comply with the recommendations in the report of the Joint Committee or file objections against the observations/ recommendations contained in the same and file their response before this Tribunal as desired within one month from the date of receipt of a copy of the report of the Joint Committee; and The Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi to enable them to take appropriate remedial action by giving notice to/hearing the project proponents and following due process of law in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment and they shall submit their action taken reports separately within one month from the date of receipt of a copy of the report of the Joint Committee.

4. That further this Hon'ble Tribunal, vide its order dated 07.02.2024, has directed the DPCC to file status with regard to 15 illegal borewells as mentioned in the report of DM (Mehrauli) and also directed DJB and DM (Mehrauli) to file further status report. In this regard, the requisite status report on behalf of DJB is as under:

That the relevant portion of draft guidelines for Ground water extraction issued by Govt. of NCT of Delhi vide dated 19.04.2023, inline with the Notification of the CGWA , Ministry of Jal Shakti (Department of Water Resources, river Development and Ganga Rejuvenation , Government of India) vide Notification dated 24.09.2020, is reproduced below:

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3. This Hon'ble Tribunal further directed that if the Joint Committee observes any violations of consent conditions/environmental norms, then it shall forward a copy of its report to the concerned Project Proponents to enable them to comply with the recommendations in the report of the Joint Committee or file objections against the observations/ recommendations contained in the same and file their response before this Tribunal as desired within one month from the date of receipt of a copy of the report of the Joint Committee; and The Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi to enable them to take appropriate remedial action by giving notice to/hearing the project proponents and following due process of law in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment and they shall submit their action taken reports separately within one month from the date of receipt of a copy of the report of the Joint Committee.

4. That further this Hon'ble Tribunal, vide its order dated 07.02.2024, has directed the DPCC to file status with regard to 15 illegal borewells as mentioned in the report of DM (Mehrauli) and also directed DJB and DM (Mehrauli) to file further status report. In this regard, the requisite status report on behalf of DJB is as under:

That the relevant portion of draft guidelines for Ground water extraction issued by Govt. of NCT of Delhi vide dated 19.04.2023, inline with the Notification of the CGWA , Ministry of Jal Shakti (Department of Water Resources, river Development and Ganga Rejuvenation , Government of India) vide Notification dated 24.09.2020, is reproduced below:-

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...1..0 "Applicability for seeking no objection certificate(NOC), In the whole of the NCT of Delhi no person , group, authority, association or institution shall draw ground water without permission (both new as well as existing drawing) for domestic, commercial, agriculture and or industrial uses, without permission of Competent authority i.e Delhi Jal board, Delhi Cantonment board and New Delhi Municipal council. The entire process of grant of NOC shall be online through a web based application system, to be done by Delhi Jal board, Delhi Cantonment board and New Delhi Municipal council as per area jurisdiction. While granting NOC, CGWA report on aquifer mapping and Ground water management plan of NCT Delhi should be taken into consideration". As per notification , the District Magistrate is given the authority to sanction the bore well and seal all the illegal operating bore wells in the district.

The draft notification is under discussion with all stakeholders.

The following is the status of action taken with regard to sealing of illegal bore wells

S.No	Bore well sealing order and dated.	Site description	Sub division	Status
1	SDM/HK/bore well sealing/2023/ 3782-87 dated 27.6.2023	H.no- 188 Shahpur Jat Village Delhi-110049	Hauz Khas	Sealed
2	SDM/HK/ bore well/ sealing /2023/ 3782-87 dated 27.6.2023	D-1/ B, green Park Ashirwad complex New Delhi	Hauz Khas	Sealed
3	27/SDM/HK/bore well/2022/7780-24 dated 24.09.2022	S-168 Panchsheel Park ND-	Hauz Khas	Sealed
4	27/SDM/HK/bore well/2022/7780-24 dated 24.09.2022	A-& A-2 South Extension Part II ND	Hauz Khas	Sealed
5	No.F (B-sealing)/SDM/Saket/2022/ 7945 dated17.05.2023	H.no- 138 opp. H.no- 211 Rajpur Khurd	Saket	Sealed

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6	No. F(B-sealing)/SDM/Saket/2023/1597 dated 03.08.2023	Khasra no- 409 Village Neb Sarai	Saket	Sealed
7	No.F(B-sealing)/SDM/Saket/2023/1620 dated 0908.2023	Opp. Farm no 6 single Farm Bandh road, Satbari	Saket	Sealed
8	No. F(B-sealing)/SDM/Saket/2023/1619 dated 09.08.2023	Community Centre Gali, Opp. To Gali No. 4	Saket	Sealed
9	No.F(B-sealing)/SDM/Saket/2023/1692 dated 22.08.2023	Farm no 7 Mother Teresa Drive	Saket	Sealed
10	30.01.2023	Near second Avenue chandanhulla Village Fatehpur Beri	Mehrauli	Sealed
11	30.01.2023	Back side of MK Garden Sizra Road Village Fatehpur Beri	Mehrauli	Sealed
12	24.05.2023	Khasra no 1011 Village Fatehpur Beri	Mehrauli	Sealed
13	30.05.2023	Sabji Mandi Mainchhattarpur Bhati road	Mehrauli	Sealed
14	01.06.2023	Road near Bus stand Dera More Village Bhati	Mehrauli	Sealed
15	13.04.2023	Opposite H.no- G-I 2038 Aya Nagar , New Delhi	Mehrauli	Sealed

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The requisite details in respect of above sealed bore wells has been provided to DPCC by DJB vide letter no- DJB/EE(M)-46/48/2023/261-263 Dated 27.7.2023 and vide letter no. DJB/EE (M)-45/46 /2024 /735 dated 29.02.2024& 04.03.24 respectively and the same are annexed herein as **Annexure- "A , B&C" respectively**. The Office order dated 29.08.2023, constituting a Joint Team is also annexed herewith as **Annexure 'D'.**

5. That this report is being submitted for kind perusal and consideration of this Hon'ble Tribunal and it is further undertaken that Delhi Jal Board shall remain duty bound by any other direction or order(s) as may be passed by this Hon'ble Tribunal.

(Gajender Tomar)
Chief Engineer (South)
Delhi Jal Board

Date: 07.03.2024

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ANNEXURE-A

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE ADDITIONAL CHIEF ENGINEER (M)-II
MAINTENANCE DIVISION EE (M)-46/48
OPPOSITE J- BLOCK MARKET, SAKET, NEW DELHI- 110017
Telephone: 011-29552688 /E-mail ID: ee51djb@gmail.com

Dated: 07/7/23

No. DJB/EE (M)-46/48/2023/ 961 to 963

Sr. Environment Engineer (CMC-II)
Delhi Pollution control Committee
Department of Environment
GNCTD, 2nd floor C- block Vikas Bhawan AN-II
Upper Bela Road civil Lines Delhi- 54.

Subject: Regarding Hon'ble NGT O.A no- 639/2022 titled "Pritpal Sharma Vs GNCTD".

Ref: No. DPCC/CMC-II/NGT/OA-639/2022/5302 Dated: 06.7.2023

Sir/ Madam

In reference to above, the requested details are as under:-

1. **Capacity of pump-** It is submitted that at the time of inspection it is found that borewell pipe has been cut and motor dropped into the borewell. Hence capacity of pump could not assess.
2. **Diameter of pipe-** 150 mm dia.
3. **Motor head** -85 meter approx. (Data collected from adjoining area DJB Borewell).
4. **Time of running** – Not known. But borewell is use for commercial purpose.

Sd/-
(Satish Kumar)
Executive Engineer (M)-46

Copy to
1. ACE(M)- XI, for kind information please.
2. Sh. Vijay Kumar, JE (Civil) - to keep in record.

Executive Engineer (M)-46

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ANNEXURE-B

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
MAINTENANCE DIVISION EE (M)-45/46
OPPOSITE I- BLOCK MARKET, SAKET, NEW DELHI- 110017
Telephone: 011-29552688 /E-mail ID: ee1djb@gmail.com

No. DJB/EE (M)-45/46/2024/ 735 – 737 Dated: 29/2/24

Sr. Environment Engineer (CMC-II)
Delhi Pollution control Committee
Department of Environment
GNCTD, 2nd floor C- block Vikas Bhawan AN-II
Upper Bela Road civil Lines Delhi- 110054.

Subject: Details of sealed borewells in matter of Hon'ble NGT O.A no- 639/2022 titled "Pritpal Sharma Vs GNCTD".

Ref: No. DPCC/CMC-II/ NGT-OA-639/2022/5302 Dated: - 06.7.2023

Sir

This is in continuance of our previous correspondence no. DJB/EE (M)-46/48/2023/261-263 Dated: - 27.7.2023 vide which the details of one no. sealed borewell (Capacity of pump, Diameter of pipe, Motor Head, Time of running) was provided in above court case matter. In addition this the requisite detail of 1½ nos. sealed borewell is attached herewith for further necessary action please.

Enclosure- Annexure- A, B and C

(Sawant Singh)
Executive Engineer (M)-45/46

c/cdy Hdtr

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Subject	Requisite details for sealed borewells						
S.No. (as per DM (South) report)	Borewell sealing order & dated	Site description	Sub-division	Capacity of pump	Diameter of pipe (mm)	Motor Head (metre)	Time of running
5	No. F (B-sealing)/SDM Saket/2022/945 dated 17.05.2023	H. NO. 138, Opp. House No. 211, Rajpur Khurd	Saket	Since motor dropped inside borewell, so not known	150	85	Since operated illegaly inside private premises, so not known
7	No. F (B-sealing)/SDM Saket/2022/1620 dated 09.08.2023	Opp. Farm No. 6 (Single Farm Bandh Road, Satbari)	Saket	Since motor dropped inside borewell, so not known	150	75	Since operated illegaly inside private premises, so not known
8	No. F (B-sealing)/SDM Saket/2022/1619 dated 09.08.2023	Community Centre Gali, Opp. Gali No. 4	Saket	Since motor dropped inside borewell, so not known	150	80	Since operated illegaly inside private premises, so not known
9	No. F (B-sealing)/SDM Saket/2022/1692 dated 22.08.2023	Farm No. 7, Mother Teresa Drive	Saket	Since motor dropped inside borewell, so not known	150	75	Since operated illegaly inside private premises, so not known
10	30.01.2023	Near Second Avenue Chandanholla, Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	90	Since operated illegaly inside private premises, so not known

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11	30.01.2023	Back Side of MK Garden, Sizra Road, Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	75	Since operated illegaly inside private premises, so not known
12	24.05.2023	Khasra No. 1011, Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegaly inside private premises, so not known
13	30.05.2023	Sabji Mandi, Main Chhattarpur Bhati Road, Opposite Harswaroop Colony Bus Stand, Village Asola	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegaly inside private premises, so not known
14	01.06.2023	Road near Bus Stand Dera More Village Bhati	Mehrauli	Since motor dropped inside borewell, so not known	150	90	Since operated illegaly inside private premises, so not known
	EE(E&M)-M-11	EE(M)-46		AE(E&M) JE (E&M)		JE(Civil)	

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ANNEXURE-C

DELHI JAL BOARD

OFFICE OF THE EXECUTIVE ENGINEER (M)-45/46
OPPOSITE J-BLOCK MARKET, SAKET,
NEW DELHI-110017

No. DJB/EE(M)-45/46/2024/743 **Dated: 04.03.2024**

To,

Sr. Environment Engineer (CMC-II)
Delhi Pollution Control Committee
Department of Environment
GNCTD, 2nd Floor C-Block Vikas Bhawan AN-II
Upper Bela Road Civil Lines Delhi-110054

Subject: - Details of sealed borewells in matter of Hon'ble NGT O.A. No. 639/2022 titled "Pritpal Sharma Vs GNCTD".

Ref : DPCC/CMC-II/NGT-OA-639/2022/5302 dated 06.07.2023

Sir,

This is in continuance of our previous correspondence no. DJB/EE(M)-46/48/2023/261-263 dated 27.07.2023 & DJB/EE(M)-45/46/2024/735-737 dated 29.02.2024 vide which details of 14 nos. sealed borewell (Capacity of pump, Diameter of pipe, Motor Head, Time of running) was provided in above court case matter. In this regard it is to be clarified that details provided at S.No. 12 of list (i.e. in Khasra No. 1011, Village Fatehpur Beri) is same for 2 nos. of bore wells.

Now the updated list for 15 nos. of bore wells details is hereby enclosed for your necessary action please.

(Sawant Singh)
Executive Engineer (M)-45/46

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Subject:	Requisite details for sealed borewells						
S.No. (as per DM (South) report)	Borewell sealing order & dated	Site description	Sub- Division	Capacity of pump	Diameter of pipe (mm)	Motor Head (Meter)	Time of running
5	No.F(B-sealing)/SDM/Saket/2022/7945ated:-17.05.2023	H.no- 138 opp. H.no-211 Rajpur Khurd	Saket	Since motor dropped inside borewell, so not known	150	85	Since operated illegally inside private premises, so not known.
7	No.F(B-sealing)/SDM/Saket/2023/1620dated:-0908.2023	Opp. Farm no 6 single Farm Bandh road, Satbari	Saket	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known.
8	No.F(B-sealing)/SDM/Saket/2023/1619dated:-09.08.2023	Community sentergalioppgali no- 4	Saket	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known.
9	No.F(B-sealing)/SDM/Saket/2023/1692dated:-22.08.2023	Farm no 7 Mother Teresa Drive	Saket	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known.
10	30.01.2023	Near second Avenue chandanhullaVillahe Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	90	Since operated illegally inside private premises, so not known.
11	30.01.2023	Back side of MK Garden Sizra Road Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known.
12 (i)	24.05.2023	Khasra no 1011 Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known.
(ii)	24.05.2023	Khasra no 1011 Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known.
13	30.05.2023	Sabji Mandi Mainchhattarpur Bhati road	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known.

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14	01.06.2023	Road near Bus stand dera More village Bhati	Mehrauli	Since motor dropped inside borewell, so not known	150	90	Since operated illegally inside private premises, so not known.

EE(M)M-45/46

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ANNEXURE-D

OFFICE OF THE ADDL. DISTRICT MAGISTRATE (SOUTH)
M.B. ROAD, SAKET, NEW DELHI-110068.

No.F-ADM(S)/2023/ 1496 Dated: 29/08/23

OFFICE ORDER

Many complaints have been received regarding illegal Bore-wells and unauthorized extraction of ground water which is depleting the water table at Revenue District South Delhi. Hon'ble NGT have directed the concerned departments to take necessary action and to develop effective mechanism for preventing extraction of ground water by unauthorized operators vide O.A. No. 639/2022 in the matter of Pritipal Sharma Vs. Govt. of NCT of Delhi & Ors. and O.A. No. 25/2019 in the matter of Abdul Farukh Vs. Govt. of NCT of Delhi.

Accordingly, a joint team is constituted for enforcing directions of Hon'ble NGT and applicable Acts / guidelines, in this regard. The composition of joint team is as follows: -

Sub-Division, Hauz Khas	Sub-Division, Mehrauli	Sub-Division, Saket
Dr. Mukesh Kumar, SDM (Hauz Khas) M. No. 8900984021	Dr. Shashi Pal Dabas, SDM (Mehrauli) M. No. 9540324806	Sh. Radhey Shyam Meena, SDM (Saket) M. No. 9119111191
Sh. Vineet Dewedi, Assistant Engineer, DJB M. No. 9650286969	Sh. Vijay Kumar, Junior Engineer, DJB M. No. 9650300985	Sh. Abhishek Kumar Assistant Engineer, DJB M. No. 9650291129 & Sh. Atul Anand Junior Engineer M. No. 7303565635
District In-charge of DPCC	District In-charge of DPCC	District In-charge of DPCC
Sh. Rajesh Yadav, BSES M. No. 9312782413	Sh. Abhishek Singh, BSES M. No. 9811504890	Sh. Vishal Prabhakar, BSES M. No. 9310926740
Area S.H.O.	Area S.H.O.	Area S.H.O.

This issues with the approval of District Magistrate (South).

(ANKIT KUMAR AGARWAL)
ADM (SOUTH)
ANKIT KUMAR AGARWAL
Addl. District Magistrate
M.B. Road, Saket, New Delhi-68

Copy to: -

1. CEO, Delhi Jal Board, 306, 3rd Floor, Varunalaya, Ph-II, Jhandewalan Estate, Karol Bagh, New Delhi - 110005.
2. Member Secretary, DPCC, 6th Floor, C-Wing, Delhi Secretariat, IP Estate, New Delhi - 110002.
3. District Magistrate (South), M. B. Road, Saket, New Delhi - 110068.
4. DCP, South District, Police Station Colony, Mayfair Gardens, Hauz Khas, New Delhi - 110016.

ANNEXURE-R 23

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Item No.03 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPALBENCH, NEW DELHI.

(Through Physical Hearing with Hybrid VC Option)

Original Application No.639/2022

Pritipal Sharma ...Applicant

Versus

Govt. of NCT of Delhi & Ors. ...Respondents

Date of hearing: 18.03.2024

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicant: Mr. Katyayni, Advocate with applicant in Person.

Respondents: Ms. Jyoti Mendiratta Standing Counsel for respondents no. 1 and 4.
Ms. Richa Kapoor and Ms. Esha Sharma, Advocates for respondent no. 3-DJB.
Mr. Gajender Tomar, Chief Engineer (South), DJB.
Shri Mekala Chaitanya Prasad, DM (South), Delhi and Ms. Mahima Madan, SDM (Mehrauli).
Ms. Sakshi Popli, Advocate for DPCC.
Mr. Dinesh Jindal LO, DPCC.

Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010.

ORDER

1. In compliance of order dated 07.02.2024 reports have been filed by DJB vide email dated 07.03.2024; by SDM, Mehrauli vide email dated 16.03.2024 and by DPCC vide email dated 16.03.2024 and Mr. Mekala Chaitanya, DM (South), Delhi, Ms. Mahima Madan, SDM (Mehrauli) and Mr. Gajender Tomar, Chief Engineer (South), DJB have appeared physically before this Tribunal and we have interacted with them.

2. In its report DJB has mentioned that DJB had provided requisite details in respect of the 15 borewells in question.

3. In her report Ms. Mahima Madan, SDM, Mehrauli has submitted that the land where borewell was sealed falls in Khasra No. 1978, Village Aya Nagar and ownership of the land falls in the name of Forest Department.

4. However, SDM, Mehrauli had not given any information to the DPCC and DCF (South), Delhi and has not obtained any response from DCF (South), Delhi.

5. In view of the said report we consider the presence of DCF (South), Delhi to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case. Accordingly, DCF (South), Delhi is impleaded as respondent no. 10. The Registry is directed to amend the memo of parties and to issue notice to DCF (South), Delhi requiring him to file his response/report at least one week before the date of hearing hereby fixed at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF regarding all relevant aspects including encroachment running of illegal borewell on the land in question and steps taken for removal of encroachment.

6. It is clarified in case of failure to appear or file response heavy costs may be imposed on DCF (South), Delhi.

7. We find serious deficiencies in the working of the governmental agencies who have been assigned the task of taking remedial action on complaints received regarding operation of illegal borewells in NCT of Delhi.

8. It may be observed here that this Tribunal vide order dated 15.05.2020 passed in O.A. No. 685/2019 directed the Chief Secretary, Delhi to take a meeting within one month and oversee preparation of an appropriate SOP for preventing extraction of ground water by way of unauthorized borewells and wherever such illegality was found, prompt coercive measures be taken. In compliance thereof meeting was taken by the Chief Secretary, Delhi on 12.06.2020 and SOP was finalized and brought into effect.

9. During hearing of the above said O.A. it was brought to the notice of the Tribunal that DJB had identified 19661 illegal borewells on which action was being taken and 7248 units had already been closed by the district authorities and the remaining units were remaining to be closed.

10. DJB is directed to file status report with reference to all illegal borewells identified by it in the NCT of Delhi including illegal borewells remaining to be closed out of above mentioned 19661 illegal borewells. Action Taken Report in this regard be filed by DJB on or before 15.04.2024 giving the complete information at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

11. Vide order dated 07.02.2024 the DPCC was directed to file additional status report giving information, as on 31.01.2024, in tabular format with respect to the following aspects (i) particulars of cases in which environmental compensation has been imposed; (ii) particulars of cases in which environmental compensation has been realized; (iii) particulars of cases (including 15 cases mentioned above) in which matter of imposition of environmental compensation is pending; (iv) particulars of cases in which environmental compensation realized has been utilized; and (v) particulars regarding activities carried out by utilization of amount of environmental compensation.

12. In compliance of order dated 07.02.2024 DPCC has filed additional status report vide email dated 16.03.2024. Along with the status report DPCC has enclosed requisite information in tabular format in landscape print-outs.

13. In above said additional status report information has been provided regarding environmental compensation as **Annexure 1.** Statement showing the utilization by DPCC of the amount received as environmental compensation has been filed as **Annexure 2**. With reference to 15 sites regarding which information was received from SDMs of Hauz Khas, Saket and Mehrauli, DPCC issued show cause notices dated 08.03.2024 to all 15 units

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for levying Environmental Compensation of Rs. 30,000/- (each unit) on account of illegal/ unauthorized extraction of ground for domestic purpose and copies of the show cause notices dated 08.03.2024 have been enclosed herewith as **Annexure 3**. In additional status report it has also been mentioned that, DPCC sent letters dated 06.10.2023 and 08.11.2023 to SDM (Mehrauli) to know the real owner of the illegal borewell so that EC may be levied on the right person but no response was received from SDM (Mehrauli) and notice addressed to "The Proprietor" of the unit was got already pasted on the door of the unit's premises.

14. A perusal of **Annexure 1** shows that show cause notices for imposition of EDC were issued in 18493 cases but orders for imposition of EDC were passed in 18481 cases. EDC has been recovered only in 121 cases and recovery of EDC is pending in 18372 cases. The DPCC has not mentioned the total amount of EDC imposed and the total amount of EDC which has been recovered. In Annexure A it has been mentioned that amount of Rs. 53,70,000/- is yet to be utilized by DPCC. In **Annexure 2** DPCC has given information regarding expenditure incurred from Environmental Damage Charge w.e.f. 2015-16 to 2023-24 (upto 29.02.2024) and total expenditure incurred upto 29.02.2024 is mentioned to be Rs.19,04,96,464/-. However, the statement shows that amount of EDC has been spent only on the following

1. Installation and Running (Operational and Maintenance) CAAQMS,
2. Research and Study Project,
3. Procurement of instrument and Rent for Air Lab,
4. Installation of Recycle unit in Govt. School,
5. Monitoring of Air Pollution at various locations of Delhi,
6. Honorarium of Oversight Committee/Technical Consultants,
7. Installation of Noise Monitoring Station at Delhi,
8. Seminar and conference,
9. IT Expenses (Purchase and Salary IT Resources) and

ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

20. It may be observed here that in number of cases coming up before this Bench we have observed apathy/laxity/delay/inaction on the part of the concerned District Magistrates/Sub Divisional Magistrates.

21. In view of such deficiencies and for ensuring proper transparency and accountability all the District Magistrates in NCT of Delhi are directed to upload on the respective website of the District Administration latest by 15.04.2024 the information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused.

22. The Chief Secretary, NCT of Delhi is directed to issue appropriate instructions for requisite compliance while specifically mentioning that in case of inaction/negligence on the part of the concerned administrative officers strict disciplinary action will be taken against them.

23. The Chief Secretary, NCT of Delhi is directed to look into the matter of recovery of EDC in the remaining cases and issue appropriate instructions for expediting the recovery thereof.

24. Respondent no. 1-GNCTD is directed to file its response as to why it be not directed to pay the amount of EDC to DPCC and recover the same from the violators through its Officers in due course of time as remediation of environment cannot be deferred. Response be filed on or before 15.04.2024 by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

25. List for further consideration on 18.04.2024.

10. Advertising Charge/Printing Charges/Others.

15. We find that not only the report of DPCC is materially deficient but also the remedial measures taken by DPCC by utilization of EDC are grossly inadequate. Definitely, something more is required to be done by DPCC for remediation of environmental damage caused and appropriate remedial measures need to be cataloged and implemented.

16. This case is illustrative how the Authorities entrusted with the task of administering the legal regime governing groundwater in Delhi sleep over the matters and act without coordination.

17. The Chief Secretary, NCT of Delhi is directed to convene a meeting with the CEO, DJB, the Member Secretary, DPCC and all concerned officers of GNCTD (including the District Magistrates in Delhi), DJB and MCD for taking remedial measures for proper implementation of the directions issued by Hon'ble Supreme Court, this Tribunal, provisions contained in Delhi Jal Board Act, 1998, directions issued with the approval of Lt. Governor, Delhi on 18.02.2010 and 10.01.20214, Minutes of Meeting held by the Chief Secretary, Delhi on 12.06.2020 and SOP finalized regarding the same.

18. DPCC is directed to file additional status report on or before 15.04.2024 by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF giving the complete information with respect to all relevant aspects including the total amount of EDC imposed and the total amount of EDC which has been recovered.

19. Respondent no. 1-GNCTD is also directed to file its response as to why in view of the delay on the part of its officers in realization of amount of environmental compensation imposed on the violators, GNCTD be not directed to pay the amount of environmental compensation for remediation of the environmental damage caused with liberty to recover the same from the violators through the proceedings initiated on references received from DPCC. Specific response be filed on or before 15.04.2024 by email at judicial-

26. In view of the facts and circumstance of the case, we also consider personal appearance of the officers duly authorised by the Chief Secretary, NCT of Delhi, CEO, Delhi Jal Board and the Member Secretary, DPCC **(physically)** before this Tribunal on that date to be essential for assisting this Tribunal in just and proper adjudication of the questions involved in the case and they are accordingly directed to remain present before this Tribunal on that date.

27. A copy of this order be forwarded to the Chief Secretary, NCT of Delhi, CEO, Delhi Jal Board and the Member Secretary, DPCC by e-mail for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 18th, 2024
ag

ANNEXURE-R 24

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 639 of 2022

395

IN THE MATTER OF:
Pritipal Sharma .....Applicant

Versus

Govt of NCT of Delhi and Ors .....Respondent

INDEX

S.No.	Particulars	Page no.
1.	Supplementary Status Report In Compliance of order dated 18.03.2024	1-6
2.	Copy of the letters/data received from the concerned DMs with regards to illegal borewells are annexed and marked herein as Annexure-1.(Colly)	7-23

Gajender Tomar

(Gajender Tomar)
Chief Engineer (South)

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 639 of 2022

IN THE MATTER OF:
Pritipal Sharma .....Applicant

Versus

Govt of NCT of Delhi and Ors .....Respondent

SUPPLEMENTARY STATUS REPORT IN COMPLIANCE OF ORDERDATED 18.03.2024

Most Respectfully Showeth:-

1. That the present report is being filed on behalf of Delhi Jal Board in compliance of the order dated 18.03.2024 passed by this Hon'ble Tribunal.

2. This application has been filed by Mr. Pritipal Sharma under sections 14 and 15 read with section 18(1) of the National Green Tribunal Act, 2010 seeking the following reliefs:-

"1. Direct Respondent no. 1 to 4 to seal the illegally running bore wells located in the plot adjoining House No. GI-2035, Aya Nagar, New Delhi – 110047 and in the plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, New Delhi – 1047 which are under the ownership of Respondent no. 5 and completely cease operation of Respondent no. 5.

2. Direct Respondent No. 6 to 9 who are the owners of House no. 1031/CI/I G-I Block in Aya Nagar, Phase 6, New Delhi – 110047 to demolish the construction of ramps and steps along the street in G-I Block built by them and restore the drain and allow it to flow without any obstruction and pollution.

3. Pass any other order as the Hon'ble Tribunal may deem fit and proper in facts and circumstances of the case. "

3. The applicant has submitted that respondent no. 5, who is owner of the plot adjoining House No. GI-2035, Aya Nagar, New Delhi – 110047 and the plot on

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the opposite side of the street in front of House No. GI-2038, Aya, Nagar, New Delhi – 110047, has installed borewells in the above said plots without permission from the Delhi Jal Board and he is extracting groundwater for commercial purposes without obtaining No objection certificate from the Central Ground Water Authority and is supplying the same to residents of Aya Nagar and beyond through water tankers. The tractors that are being used for suppling of the illegally extracted ground water from unauthorized borewells for commercial purposes also do not carry number plates. The tractors are parked in the main streets which causes traffic jams. Plying of the tractors is also causing air and noise pollution creating health problems for the residents of the locality including mother of the applicant.

4.The applicant has further submitted that respondents no 6 to 9, who are resident of Aya Nagar locality, have encroached upon and blocked the open storm water drain by constructing stairs and ramps outside their houses over the same resulting in increased toxicity and health hazards due to gases trapped inside the drain. Such construction of ramps and stairs is in contravention of section 24 (1) (b) of the Water (Prevention and Control of Pollution) Act, 1974.

5.That the matter wastaken up by the Hon'ble NGT on 15.9.2022 wherein the tribunal had directed to constitute a joint committee comprising of representative of CGWA, DJB, DPCC and DC (Revenue) South Delhi and directed them to address the grievance of the Applicant and accordingly file a status report to that effect.

6. Thereafter, the status report was submittedby the Joint committee on next date of hearing i.e. 20.04.2023.

7. Later on 07.02.2024,the Hon'ble Tribunal once again directed the Chief Engineer, DJB to file another action taken report signed and verified by the Concerned Chief Engineer, DJB by way of their affidavits which was submitted on 07.03.2024.

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8.The report was considered by this Hon'ble Tribunal and vide a separate order dated 18.03.2024 the Hon'ble NGT directed as follows :-

"DJB is directed to file status report with reference to all illegal borewells identified by it in the NCT of Delhi including illegal borewells remaining to be closed out of above mentioned 19661 illegal borewells. Action Taken Report in this regard be filed by DJB on or before 15.04.2024 giving the complete information at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF."

9.In view of the aforesaid, DJB seeks to submit as under:-

DMs	District Wise Number of Illegal Borewell Identified (As per previous data submitted ,referred By Hon'ble NGT vide Order against the hearing dated 4.1.24)	District Wise number of illegal borewells which have been sealed /closed	District wise numberof occupier/ Proprietor of Illegalbo rewells on whom penalty/ EDC has been imposed	District wise number of occupier /Proprietor of Illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ Proprietor of Illegal borewells from whom penalty/ EDC Is yet to be recovered	District wise number of Illegal borewells which are yet to be sealed/closed	District wise/ Proprietors of Illegal borewells on whom penalty/EDC Is yet to be Imposed	Remarks
COL.1.	COL.2	COL.3	COL.4	COL.5	COL.6	COL.7	COL.8	COL.9
North	728	233	NIL	NIL	NIL	119	15	As per report submitted, total of 376 borewells contains duplicate entries, non-traceable.
EAST	116	110	110	87	23	6	6	

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South West	6681	2434	NIL	NIL	NIL	4247	NIL	
South East	297	183	Nil	Nil	Nil	57(03 nos of borewells shows djb permission)	130	30 nos borewells not identified physically
North West	9128	5901	Information not available	Information not available	Information not available	3277	Information not available	Report is Compiled on the basis of reports receivedfrom Kanjhawala, Rohini and saraswati vihar sub divisions after reconciliation with concerned Executive Engineer of DJB. Details of penalty/ EDC regarding illegal borewells already sealed by DJB is not available
Shahdara	552	358	Nil	Nil	Nil	Nil	Nil	SDM vivek vihar (Total borewell= 178 borewell sealed 117 blank =2 water tank supply =3 Permission CGWA= 5 Not visited =1 Not opertation=1 No borewell= 29 , Locked =4, already cut off= 16, SDM(Seema Puri) Total borewell= 374, borewell sealed= 241, Duplicated entries= 22, incomplete address/ non traceable= 20, djb connection found in place of borewell= 61, borewell not found= 30 SDM(Shahdara) no address pertains to sub list division (shahdara) as per the list of addresses provided by the DJB, Hence report may be treated as NIL
New Delhi	75	75	Report not received from	Report not received from	Report not received from DM	NIL	Report not received from DM	Report not received from DM (Earlier Data)

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			DM	DM				
Central	676	246	Not pertain to DM	Not pertain to DM	Not pertain to DM	161	Not pertain to DM	Civil lines – Nil, Kotwali- 1) Court stay on 160 borewells , 2) 85 borewells not itendified/ found removed physically, 3) 02 properties were found sealed , 4) 01 matter has been sent to DJB fro clarificarion karolbagh- 1)- 21 borewells not identified/found remove dphysically, 2)- 46 boirewells balanced to be seal 02 nos of borewells does not falls under the jurisdiction district central Hence total comes to 676+ 2= 678
West	**2185**	1573	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	361	Data to be provided by DPCC to DJB	SDM(Punjabi bagh) 65 duplicated+ 18 not found = 83, SDM(Rajori Garden) 119 not found, SDM(Patal Nagar)- 33 not found + 16 not pertains to Patel Nagar Sub Division= 49 Total= 251
North East	**Nil**	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	There are no illegal borewells in identified list of DJB for sealing in District North East
South	**84**	84	EDC Report pertains to DPCC	EDC Report pertains to DPCC	EDC Report pertains to DPCC	**Nil**	EDC Report pertains to DPCC	In addition to original survey of 84 borewells, 16 additional borewells have sealed. Out of 15 , EDC has been imposed on 14 nos borewells and 02 , DPCC has informed that imposing EDC is under process.
TOTAL	**20522**	11197				**8178**		

Copy of the letters/data received from the concerned DMs with regards to illegal borewells are annexed and marked herein as **Annexure-1.(Colly)**

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10. This report is being submitted for perusal and consideration of this Hon'ble Tribunal and it is further undertaken that Delhi Jal Board shall remain duty bound by any direction or order by this Hon'ble Tribunal.

Gajender Tomar

(Gajender Tomar)
Chief Engineer (South)

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Government of National Capital Territory of Delhi
DEPARTMENT OF REVENUE, DISTRICT NORTH
Office of the SDM (Narela), MPCC Building, Naya Bans, Delhi-110082.

F.No. SDM/NL/2024/794 Dated : 29/01/24

To,

Sh. Pawan Sharma, SE (M) 4,
Old Lucknow Road,
Timarpur, Delhi-110054.

Report on sealing of illegal borwells as on 29.01.2024 OA No. 25/2019 & 685/2019.

DM (North)	District wise Number of illegal Borewells identified	District wise number of illegal Borewells which have been sealed / closed	District wise Number of occupier/properictor of illegal borwells on home penalty / EDC has been imposed	District wise Number of occupier/propericitor of illegal borwells on home penalty / EDC is yet to be recovered	District wise Number of borewells which are yet to be sealed / closed	District wise Number of occupier/properictor of illegal borwells on home penalty / EDC is yet to be imposed.	Remarks
Model Town	15	15	NIL	NIL	-	15	No staff from the Delhi Jal Board has been reported till date.
Alipur	380	118	-	-	84	-	1. Duplicate entry 03, 2. Incomplete address/non traceable 175.
Narela	333	100	-	-	35	-	1. Duplicate entry 99, 2. Incomplete address/non traceable 99.
Total	728	233	-	-	119	15	

29/1/24

TEHSILDAR: NARELA
DISTRICT: NORTH

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Through E-mail

GOVT. OF NCT OF DELHI
REVENUE DEPARTMENT (DISTRICT EAST)
OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (HQ)
L.M.BUNDH SHASTRI NAGAR DELHI-110031

F.No. DM(E)/SDM(HQ)/Reports/2024/ 1[illegible] Dated: [illegible].04.2024

To,

The Chief Engineer (GW),
Delhi Jal Board
Govt. NCT of Delhi,
Room No. 412, Varunalaya Phase-I,
Karol Bagh, New Delhi-110005

Subject: - Sealing of illegal Borewells, reconciliation and up-dation of Data.

Sir,

This has reference to your office letter no. DJB/CE(GW)/2024/809 dated 02.04.2024 on the subject cited above.

In this regard, the requisite information has been prepared and annexed as Annexure-A. The report has been compiled on the basis of the reports received from Sub-Divisions (Mayur Vihar, Preet Vihar, Gandhi Nagar), District East.

This is for kind information and necessary action.

Encl: - As above

Yours faithfully,

R.K.MEENA
SDM (HQ), DISTRICT EAST

DM - EAST

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Annexure-A

Sub: - Sealing of Illegal Borewells-reg.

DMs	District wise number of illegal borewells identified	District wise number of illegal borewells which have been sealed/ closed	District wise number of occupier/ proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ proprietor of illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
DM (East)	116	110	110	87	23	6	6	

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SOUTH WEST

OFFICE OF THE SUB DIVISIONAL MAGISTRATE (HEADQUARTER)
DISTRICT MAGISTRATE (SOUTH WEST)'S OFFICE COMPLEX,
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI – 110037.

Date:-08/04/2024

REPORT on sealing of Illegal Borewell till 31.03.2024

DMs	District Wise Number of Illegal Borewells Identified	District Wise number of illegal borewells which have been sealed/closed	Disrict wise number of occupier/ Proprietor of illegal borewells on whom penalty/EDC has been imposed	Disrict wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC has been recovered	Disrict wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	Disrict wise number of of illegal borewells which are yet to be sealed/closed	District wise/Proprietors of illegal borrewells on whom penalty/EDC is yet to be imposed	Remarks
South West (Najafgarh)	6681	36	Nil	Nil	Nil	-	Nil	-
South West (Dwarka)		1964	NIL	Nil	Nil	-	Nil	-
South West (Kapashera)		434	Nil	Nil	Nil	-	Nil	-
Total	6681	2434	Nil	Nil	Nil	4247	Nil	-

The above report is based on the information received from three Sub-Divisions.

SDM(HQ) K.O. 8/4/24
District South-West

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SOUTH EAST

OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-EAST)
OLD GARGI COLLEGE BUILDING, LAJPAT NAGAR-IV
NEW DELHI-110024

No.F.03/DM/SE/Coord/2023/1010 Dated: 7/04/2024

To

The Chief Engineer(GW)
Office of the Chief Engineer(GW)
Delhi Jal Board
Govt. of NCT of Delhi
Room No. 412, Varunalaya Phase-I
Karol Bagh, New Delhi-110005

Sub: Sealing of Illegal Borewells, reconciliation and updation of Data

Sir

With reference to your office letter No. DJB/CE(GW)/2024/779 dated 02/04/2024 on the subject cited above, please find enclosed herewith the information in the prescribed format in respect of District South East.

This issues with the approval of the competent authority.

Sub Divisional Magistrate
(Nodal Reporting Officer)
District South-East

407

OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-EAST)
OLD GARGI COLLEGE BUILDING, LAJPAT NAGAR-IV
NEW DELHI-110024

Date: /04/2024

Sub: Sealing of Illegal Borewells, reconciliation and updation of Data

District (South East)	District wise Number of illegal Bore wells identified (As per previous data submitted referred by Hon'ble e NGT vide Order against hearing dated 4.1.24)	District wise Number of illegal Bore wells which have been Sealed Closed	District wise number of occupier/Proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/Proprietor of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/Proprietor of illegal borewells from whom penalty/EDC has been yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise/Proprietors of illegal borewells on whom penalty/EDC is yet to be imposed	Remarks
Sub-Division (Sarita Vihar)	111	56	Nil	Nil	Nil	29 03 nos. of Borewells show DJB permission	56	23 Borewells not identified physically
Sub-Division (Kalkaji)	77	53	Nil	Nil	Nil	Nil	Nil	-
Sub-Division (Defence Colony)	109	74	Nil	Nil	Nil	28	74	07 Borewells not identified physically
Total	297	183	Nil	Nil	Nil	57 03 nos. of Borewells show DJB permission	130	30 Borewells not identified physically

Sub Divisional Magistrate
(Nodal Reporting Officer)
District South-East

1690

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North West

Illegal Borewells Report (District North-West) as on 12.04.2024

DMs	District Wise Number of illegal borewells identified	District Wise number of illegal borewells which have been Sealed/closed	District wise number of occupier/ Proprictor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	District Wise number of illegal borewells which are yet to be Sealed /closed	District Wise/ Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
North-West	9128	5901	Information not available	Information not available	Information not available	3227	Information not available	Report is compiled on the basis of reports received from Kanjhawala, Rohini and Saraswati Vihar Sub Divisions, after reconciliation with concerned Executive Engineers of DJB. Details of Penalty/EDC regarding illegal borewells already sealed by DJB is not available

This issues with the approval of DM North-West.

12/4/24

SDM (HQ)
District North-West

Sub-Divisional Magistrate (HQ) Kanjhawala, Delhi-81

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GOVERNMENT OF NCT OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE-HQ (SHAHDARA)
D.C. OFFICE COMPLEX NAND NAGRI, DELHI-110093.

SHAHDARA

No.SDM/HQ/SHAH/2024/7267 Dated: 05/03/2024

To,

The Additional (CEO)
Delhi Jal Board,
Varunalaya Ph-II, Jhandewalan,
Karol Bagh, New Delhi-110005

Sub:- ATR on Sealing of illegal borewells (illegal borewells identified by DJB in residential area) NGT OA No.25/2019.

Sir/Madam,

This is with reference to the message received in this office through Whatsapp dated 05.03.2024 on the subject cited above.

Sub-Division	District wise number of Illegal Borewells Identified (As per previous data submitted referred by Hon'ble NGT vide Order against bearing dated 4.1.24)	District Wise number of illegal borewel is which have been Sealed/ Closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells form whom penalty EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells form whom penalty EDC is yet to be recovered	District wise number of illegal borewel is which are yet to be sealed/ closed	District wise / Proprietor of illegal borewel is on whom penalty / EDC is yet to be imposed	Remarks
Vivek Vihar	178	117 Sealed	Nil	Nil	Nil	Nil	Nil	Total Borewell = 178 Borewell Sealed = 117 Blank = 2 Water Tank Supply = 3 Permission CGWA = 5 Not visited = 1 Not operational = 1 No Borewell = 29 Locked = 4 Already cut off = 16
Karmapuri	374	241	Nil	Nil	Nil	Nil	Nil	Total Borewell = 374 Borewell Sealed = 241 Duplicated Entries = 22 Incomplete Address/ Non traceable = 20 DJB connection found in place of borewell = 61 Borewell not found = 30
Shahdara	-	Nil	Nil	Nil	Nil	Nil	Nil	No Address pertains to Sub-Division (Shahdara) as per the list of addresses provided by the Delhi Jal Board. Hence, report may be treated as Nil.
Total	552	358	Nil	Nil	Nil	Nil	Nil	

Report is compiled on the basis of information duly received from all three sub division of District (Shahdara).

(LOKESH PRASAD)
SDM (HQ)
DISTT. (SHAHDARA)

Copy to:-The SDM (HQ) (NGT/Environment Branch), O/o Divisional Commissioner (Revenue), 5, Sham Nath Marg, Delhi-110054

Sub Divisional Magistrate (HQ) Distt. Shahdara

4/0

Central

DM	Sub-Division	District Wise Number of Illegal Borewells identified	District wise number of illegal borewells which have been sealed/ closed	District wise number of occupier/proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/proprietor of Illegal borewells from whom penalty/EDC to be recovered	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/closed	District wise proprietor of illegal borewells penalty/EDC is yet to be imposed	Remarks
Central	**Civil Lines**	28	28	Not pertain to Civil Lines Sub-Division	Not pertain to Civil Lines Sub-Division	Not pertain to Civil Lines Sub-Division	NIL	Not pertain to Civil Lines Sub-Division	NIL
	Kotwali	499	136	Not pertain to Kotwali Sub-Division	Not pertain to Kotwali Sub-Division	Not pertain to Kotwali Sub-Division	115	Not pertain to Kotwali Sub-Division	1) Court stay on 160 Borewells 2) 85 bore-wells not identified/found removed physically 3) 02 properties were found sealed. 4) 01 matter has been sent to DJB for clarification

Sub Divisional Magistrate * Civil Lines, Delhi *

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Karol bagh	140	82	Not pertain to Karol bagh Sub Division	Not pertain to Karol bagh Sub Division	Not pertain to Karol bagh Sub Division	46	Not pertain to Karol bagh Sub Division	1) 21 borewells not identified/found removed phycically 2) 46 borewells balance to be seal
Total	676	246						02 No. of borewells does not fall under the Jurisdiction District Central Hence total comes to 676+2=678

Sub Divisional Magistrate
Civil Lines, Delhi

10/04/2024

412 WEST

OFFICE OF THE DISTRICT MAGISTRATE (WEST)
GOVERNMENTOF NCT OF DELHI:
PLOT No. 3, SHIVAJI PLACE, RAJA GARDEN, NEW DELHI.

F. No. I (26)/DDC/DM (W)2013-14/VOL-III/ 257 Dated: 8.4.24

To

Sh. Dalbir Singh,
Superintending Engineer (M-8)
Delhi Jal Board, Paschim Vihar, New Delhi
(Email ID: acem8.djb@gmail.com)

Report on Sealing of Illegal Bore wells as on 31.03.2024 OA No. 33/2022

DMs	District Wise Number of Illegal Borewells Identified (As per previous data submitted, referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of Illegal borewells which have been Sealed/ closed	District wise number of occupier /Proprietor or of illegal bore wells on whom penalty / EDC has been imposed	District wise number of occupier / Proprietor or of illegal bore wells from whom penalty/ EDC has been recovered	District wise number of occupier / Proprietor or of illegal bore wells from whom penalty/ EDC is yet to be recovered	District wise number of illegal bore wells which are yet to be sealed/ closed	District wise/Proprietors of illegal bore wells on whom penalty/ EDC is yet to be imposed	Remarks
SDM (Punjabi Bagh)	568	308	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	177	Data to be Provided By DPCC to DJB	65 Duplicate + 18 Not Found = 83
SDM (Rajouri Garden)	857	659	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	79	Data to be Provided By DPCC to DJB	119 Not Found
SDM (Patel Nagar)	760	606	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	Data to be Provided By DPCC to DJB	105	Data to be Provided By DPCC to DJB	33 Not Found + 16 Not Pertain to Patel Nagar = 49
Total	2185	1573				361		251

Note : NGT may be requested that the 251 number of borewells which are duplicate entries / not found during joint inspections may be allowed to be deducted from total 2185 number of illegal borewells

This issues with the approval of District Magistrate (West).

SDM (HQ)/DISTRICT WEST

1695

4/3 NORTH EAST

OFFICE OF THE DEPUTY COMMISSIONER, DISTRICT NORTH-EAST
GOVT. OF NCT OF DELHI
D.C. OFFICE COMPLEX, NAND NAGRI, DELHI-110093

F.SDM(HQ)/DC/NE/Misc-V/2013/PF /525-27 Dated: 16/01/2024

To

The Chief Engineer (GW),
Delhi Jal Board, GNCTD,
Office of the Chief Engineer (GW),
Room No-412, Varunalaya Phase-I,
Karol Bagh, New Delhi-110005

Subject:-Regarding sealing of illegal borewells.

Sir,

Reference letter No. F.32/CE(GW)/2024/13 dated 09.01.2024 on the above cited subject vide which it is requested to provide the status of sealing of identified illegal borewells and action plan to seal remaining identified illegal borewells.

In this regard, the requisite information in the prescribed format in respect of District North-East for sealing of identified illegal borewells are as under:-

DM	District wise number of illegal borewells identified	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier/proprietors of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC is to be recovered	District wise number of illegal borewells which are yet to be sealed/closed	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC is yet to be imposed	Remarks
North-East	Nil	NA	NA	NA	NA	Nil	NA	There are no illegal borewells in identified list of DJB for sealing in District North-East.

This is for your kind information and necessary action.

Yours faithfully

SDM (HQ)
DISTRICT NORTH-EAST
Dated: 16/01/2024

F.SDM(HQ)/DC/NE/Misc-V/2013/PF /525-27

Copy for information to:-

1. The SDM-V (HQ, O/o Divisional Commissioner, Revenue Department, 5, Sham Nath Marg, Delhi-110054
2. PA to District Magistrate, District North-East

SDM (HQ)
DISTRICT NORTH-EAST

Office of CE (Ground Water)
Diary No. 110
Date 19/01/24

DELHI JAL BOARD
SE (M)-8,
Diary No. 223
Date 25/1/2024

Praveen Singh 23.1.24

SE(M)-8

EE(m)-32

4/4

SOUTH

OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (HQ)
REVENUE DEPARTMENT: GOVERNMENT OF NCT OF DELHI
M.B. ROAD : SAKET : NEW DELHI

No.9(3)DC(S)/Coordination/091530668/2018/ 80 Dated: - 06./03./2024

To

The Gajender Tomar
CE (GW)/Nodal Officer
Room No. 113, Varunalya Phase-II, Karol Bagh
Delhi Jal Board, GNCTD- 110005

Sub: - Sealing of Illegal Borewells, reconciliation and up-dation of Data.

Ref: - NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir,

Reference meeting held on 05.03.2024 and your letter dated 14.02.2024 in the matter of sealing of Illegal Borewells, reconciliation and up-dation of Data. The District South has already sent a letter dated 04.03.2024 stating therein that all 84 identified illegal Borewells are sealed in District South as mentioned in NGT order dated 05.02.2024 and pending report of EDC is pertaining to DPCC (Copy enclosed).

Further, as directed in the meeting, the report in prescribed proforma is prepared and forwarded herewith.

Encl: As above.

06/03/2024
Statistical Officer
(Coordination Branch)
District South

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ANNEXURE-A

Name of District: South

Sl. No.	District	District wise number of Illegal Borewells Identified	District wise number of Illegal Borewells which have been sealed/closed	District wise number of occupier/Proprietor of Illegal Borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietor of Illegal Borewells from whom penalty/EDC has been recovered.	District wise number of occupier/proprietor of Illegal Borewells from whom penalty/EDC is to be recovered.	District wise number of Illegal Borewells which are yet to be sealed/closed	District wise number of occupier/proprietor of Illegal Borewells from whom penalty/EDC is to be imposed	Remarks
1	South	84	84 [Already mentioned in the NGT Order dated 05.02.2024	EDC report pertains to DPCC and may be obtained from them	EDC report pertains to DPCC and may be obtained from them	EDC report pertains to DPCC and may be obtained from them.	NIL	EDC report pertains to DPCC and may be obtained from them	-

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OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (HQ)
REVENUE DEPARTMENT: GOVERNMENT OF NCT OF DELHI
M.B. ROAD : SAKET : NEW DELHI

No.9(3)DC(S)/Coordination/091530668/2018/4204-09 Dated: -10/04/2024

To

Sh. Sawant Singh
Executive Engineer (M)-56/46
Delhi Jal Board, GNCTD
Opposite J-Block, Saket
New Delhi-110017

Sub: - Regarding seeking information in respect of illegal borewells.

Sir,

Reference your letter dated 08.04.2024 in the matter of sealing of Illegal Borewells, reconciliation and up-dation of Data. The District South has already sent a letter dated 04.03.2024 stating therein that all 84 identified illegal Borewells are sealed in District South as mentioned in NGT order dated 05.02.2024.

Further as discussed in the meeting held on 10.04.2024, it is to state that in addition to 84 already sealed borewells, 16 more borewells as identified have been sealed and delivery report of SCN has been sent to DPCC for imposing EDC. (List of 16 borewells is annexed).

Encl: As above.

Statistical Officer
(Coordination Branch)
District South

Copy to:-

1. SDM (Mehrauli), Old Tehsil Building, Mehrauli, New Delhi-110030.
2. SDM (Hauz Khas), M.B Road Saket, New Delhi-110068.
3. SDM (Saket), M.B Road Saket, New Delhi-110068.
4. PA to DM (South), M.B Road Saket, New Delhi-110068
5. Sr. Engineer, DPCC, Delhi Pollution Control Committee, 2nd Floor, C Block, Vikas Bhawan,-II, Civil Lines, Delhi-110054.

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List of 16 Borewells Sealed in Distt. South in addition of 84 borewells already sealed.

Sr. No.	Address/Location of Illegal Borewell	Number of Illegal Borewell Identified	Action Taken	EDC Imposed by DPCC	Remark
1	Occupier, A-18& 2, South Extension, Part-II, New Delhi-110049	01	Sealed	DPCC has Informed that EDC has been Imposed	
2	The Occupier,House No. 188, Shahpur Jat Village, New Delhi-110049	01	Sealed	DPCC has informed that EDC has been imposed	
3	The Occupier, D-1/8, Green Park, Ashirwad Complex, New Delhi-110016	01	Sealed	DPCC has informed that EDC has been imposed	
4	**The Occupier, S-168, Panchshell Park, New Delhi-110017**	**01**	**Sealed**	**DPCC has informed that imposing of EDC under process**	
5	The Occupier, H. No. 138, Opp. House No. 211, Rajpur Khurd, New Delhi-110068	01	Sealed	DPCC has informed that EDC has been imposed	
6	The Occupier, khasra No. 409 , Village Neb Sarai, New Delhi-110068	01	Sealed	DPCC has Informed that EDC has been imposed	
7.	The Occupier, Opp Farm 6 (Singla Farm) Bandh Road Satbari, New Delhi-110074.	01	Sealed	DPCC has Informed that EDC has been imposed	
8.	The Ocupier, Farm No. 7, Mother TeressaDrive, New Delhi-110017	01	Sealed	DPCC has Informed that EDC has been Imposed	
9.	The Occupier Sabji Mandi Main Chhattarpuri Bhati Road Opposite Harswaroop Colony Bus Stand Village Asola New Delhi-110074.	01	Sealed	DPCC has Informed that EDC has been Imposed	

10.	The Occupier Road Near Bus Stand, Dhera More village Bhati, New Delhi-110016	01	Sealed	DPCC has informed that EDC has been imposed	
11	**Occupier, Community Center Gali Opp. Gali No.4 New Delhi-110017**	**01**	**Sealed**	**DPCC has informed that imposing of EDC under process**	
12	The Occupier, Near Second Avenue Chandanholla Village, Fatehpur Beri, Delhi-110074	01	Sealed	DPCC has informed that EDC has been imposed	
13	The Occupier, (2 Borewell) khasra No. 1011, Village Fatehpur Beri, New Delhi-110074	02	Sealed	DPCC has informed that EDC has been imposed	
14	The Occupier, Back side of MK Garden, Sizra Road Village, Fatehpur Beri, New Delhi-110074	01	Sealed	DPCC has informed that EDC has been imposed	
15	The Occupier, H. No. G1-2035, Opposite side of street in front of House NO. G-1-2038, Aya Nagar, New Delhi	01	Sealed	DPCC has informed that EDC has been imposed	
	Total	**16**			

ANNEXURE- R-25

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Item No. 01 & 02 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

Original Application No.639/2022
(I.A. No. 293/2023)

Pritpal Sharma ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

With

M.A. No. 24/2023
In
O.A. No. 33/2022
(I.A. No. 02/2024)

Ganesh Prasad ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

Date of last hearing:- 18.04.2024.

Date of order:- 28.08.2024.

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicants: None for the applicants.

Respondents: Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD and DM (South West), Delhi.
Ms.Atika Singh and Ms. Udipti Chopra, Proxy Counsel

for Ms. Richa Kapoor, Advocate for DJB.
Ms. Sakshi Popli, Advocate for DPCC (through VC).
Ms. Srishti Dabas, Project Associate (Legal), Forest Department.

Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010.

Order

1. We all know that 'Water', one of the five elements, is creator and saviour of life and life wholly depends on it yet unmindful of the consequences we are indulging in questionable acts due to which surface water bodies, lakes, etc. are drying up, ground water is contaminated and fast depleting and rivers are not only highly polluted but also shrinking and dying in our Country.

2. No doubt, treated sewage/industrial effluent may be reused for industrial, horticultural and agricultural purposes but prospect of recycling sewage/industrial effluent for use as drinking water seems to be wholly unacceptable to all of us and we have to save quality and quantity of water to save our own existence and have to urgently take all remedial steps before any irreversible damage is caused to the environment.

3. Both these cases-**O.A. No. 639/2022 Pritipal Sharma Vs. GNCTD & Ors.** and **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. GNCTD & Ors.**, which required taking of prompt remedial action by the concerned Statutory and Administrative Authorities, are illustrative of the numerous fact situations where the concerned Statutory and Administrative Authorities are miserably failing in prompt discharge of their statutory duties to protect and improve the environment.

4. Both these cases also raise a difficult question for this Tribunal to answer as to how to enforce environmental laws/norms if the Statutory and Administrative Authorities, which are not only statutorily empowered but also mandated by the constitution to protect and improve environment, culpably neglect to discharge the duties assigned to them and fail to take requisite action due to some vested interests, for extraneous considerations and with ulterior motives.

5. We also find it extremely difficult to answer this question in the complex factual matrix woven by case after case coming up before this Tribunal showing complete insensitivity and inaction on the part of the concerned Statutory and Administrative Authorities which also endlessly indulge in blaming and shifting accountability to others.

6. Since the question raised is common, both these cases have been taken up together and this common order is passed in both the cases.

7. A brief resume of the facts of both these cases, which speak for countless fact situations, is spelled out hereunder to unfold the dilemma and search for solution animating this Tribunal.

OA No. 639/2022 Pritpal Sharma Vs. Government of NCT of Delhi & Ors.

The grievance of the applicant

8. The applicant, claiming respondent no. 5 to be owner of the plot adjoining House No. GI-2035, Aya Nagar, Delhi and the plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, Delhi filed the subject original application complaining that respondent no.5 has installed borewells in the above said plots without

permission from DJB and he is extracting groundwater for commercial purposes without obtaining No Objection Certificate from CGWA and is supplying the same to residents of Aya Nagar and beyond through water tankers in violation of environmental laws/norms.

Proceedings on 15.09.2022

9. This Tribunal constituted a Joint Committee comprising of representative of Central Ground Water Authority (CGWA), Delhi Jal Board (DJB), Delhi Pollution Control Committee (DPCC) and Deputy Commissioner, (South) Delhi and directed the same to verify the factual position and submit its report within one month.

Proceedings on 06.12.2022

10. In report filed vide email dated 15.11.2022, the Joint Committee submitted that no illegal borewell/submersible was found in the plot adjoining House No. GI-2035, Aya Nagar, Delhi but the plot opposite to House No. GI-2038, Aya Nagar, Delhi was found locked and **the Joint Committee submitted that no action was required to be taken on the basis of the Joint Inspection**.

11. This Tribunal vide order dated 06.12.2022 directed further verification of the factual position regarding the plot opposite to House No. GI-2038, Aya Nagar, Delhi. Personal appearance of officers duly authorized by DJB, DPCC and District Magistrate (DM) (South) Delhi was ordered.

Proceedings on 20.03.2023

12. In report filed vide email dated 10.03.2023 **the Joint Committee mentioned that on inspection on 13.04.2023, illegal**

borewell was found to be situated in the plot opposite to House No. GI-2038, Aya Nagar, Delhi.

13. Mr. Amjad Khan JEE appeared for DPCC but no officer authorized by DJB and DM (South) Delhi appeared. Personal appearance of the CEO, DJB and DM (South), Delhi was ordered.

Proceedings on 20.04.2023

14. CEO, DJB was exempted from personal appearance vide order dated 19.04.2024 passed on his application and Mr. B C Patel, Additional Chief Engineer, Delhi appeared for him but DM (South) Delhi did not appear and **on being joined by teleconferencing he sought time on the ground that order was not served on him**.

Proceedings on 21.04.2023

15. Mr. Mekala Chaitanya Prasad, District Magistrate (South), Delhi appeared and assured to evolve mechanism and take appropriate remedial action regarding illegal borewells operating in the area and **sought time to file action taken report in this regard**.

Proceedings on 24.07.2023

16. Mr. Shashi Pal, SDM, Mehrauli and Mr. Radhey Sham, SDM Saket appeared before this Tribunal. The applicant submitted that there are tanker mafias which are extracting groundwater and through RO Plants, they are doing commercial activities and the authorities concerned are not taking any action against these tanker mafias.

17. Respondents/SDMs present during the hearing were directed to take necessary action and develop effective mechanism for preventing

extraction of groundwater by unauthorized operators and tanker mafias and take prompt coercive measures and file action taken report within three weeks.

Proceedings on 19.10.2023

18. In compliance of order dated 24.07.2023 reports were filed by SDM, Mehrauli vide emails dated 25.08.2023 and 07.09.2023, by the District Magistrate (South) Delhi vide email dated 14.09.2023 and by the DPCC vide email dated 17.10.2023.

19. Reports filed by the concerned authorities showed complete lack of coordination between them. In his report District Magistrate, (South) Delhi mentioned that the matter of assessment of environmental damage compensation is pending with DPCC for very long period mentioned therein. In its report DPCC referred to proceedings taken for imposition of environmental compensation for illegal borewell in the present case but stated that it did not have the information regarding owner of the plot and it issued notice to alleged project proponent **Mr. Rinku, who said that he is neither the owner nor tenant in the premises in question. Information regarding ownership of the plot was not available even with the SDM, Vivek Vihar who was present before this Tribunal.** This Tribunal observed that the concerned authorities, which are under statutory and constitutional obligation to protect and improve the environment, could not be allowed to neglect or delay taking of appropriate remedial action for protection and improvement of environment on such frivolous grounds/lame excuses. This Tribunal accordingly directed the authorities to resolve all such bottlenecks in the implementation of the statutory provisions/environmental norms by seeking the relevant information

from the concerned authorities and also avoiding unnecessary delay in taking of such action. Action taken reports were ordered to be filed by email within three months.

Proceedings on 07.02.2024

20. Report was filed by the DPCC vide email dated 06.02.2024. **This Tribunal observed that status report filed by DPCC has been prepared casually without taking into consideration the observations made by this Tribunal in its orders passed in the case**. In the status report there is no mention regarding 15 cases referred to in the report filed vide email dated 14.09.2023 by the District Magistrate (South), Delhi where in orders regarding imposition of environmental compensation are awaited from the DPCC. The DPCC was directed to file additional status report within one month giving information, as on 31.01.2024, in tabular format with respect to the following aspects **(i) particulars of cases in which environmental compensation has been imposed; (ii) particulars of cases in which environmental compensation has been realized; (iii) particulars of cases (including 15 cases mentioned above) in which matter of imposition of environmental compensation is pending; (iv) particulars of cases in which environmental compensation realized has been utilized; and (v) particulars regarding activities carried out by utilization of amount of environmental compensation.**

21. **No report was filed by DJB and SDM, Mehrauli** and they were given one more opportunity to file additional action taken reports within one month. **SDM, Mehrauli was directed to mention in his affidavit as to who is the owner of the plot in question where the illegal borewell was being operated and in case the information is**

not available with his office, what steps have been taken to procure the same. In view of the facts and circumstances conditional attachment of the plot in question for realization of the amount of environmental compensation imposed was ordered. Warrant of attachment of the plot in question was ordered to be issued and to be sent to the District Magistrate (South), Delhi for execution and submission of report regarding compliance of the order by way of his affidavit within one month. Personal appearance of concerned Chief Engineer, DJB, DM (South), Delhi and SDM, Mehrauli was ordered.

Proceedings on 18.03.2024

22. In compliance of order dated 07.02.2024 reports were filed by DJB vide email dated 07.03.2024; by SDM, Mehrauli vide email dated 16.03.2024 and by DPCC vide email dated 16.03.2024 and Mr. Mekala Chaitanya, DM (South), Delhi, Ms. Mahima Madan, SDM (Mehrauli) and Mr. Gajender Tomar, Chief Engineer (South), DJB appeared physically before this Tribunal.

23. In its report DJB mentioned that DJB had provided requisite details in respect of the 15 borewells in question. **In her report Ms. Mahima Madan, SDM, Mehrauli submitted that the land where borewell was sealed falls in Khasra No. 1978, Village Aya Nagar and ownership of the land is in the name of Forest Department. However, SDM, Mehrauli had not given any information to the DPCC and DCF (South), Delhi and did not obtain any response from DCF (South), Delhi.**

24. In view of said report this Tribunal impleaded DCF (South), Delhi as respondent no. 10 and issued notice requiring him to file his

response. It was clarified that in case of failure to appear or file response heavy costs may be imposed on DCF (South), Delhi.

25. This Tribunal observed serious deficiencies in the working of the governmental agencies who have been assigned the task of taking remedial action on complaints received regarding operation of illegal borewells in NCT of Delhi. This Tribunal referred to order **dated 15.05.2020** passed in **O.A. No. 685/2019** titled as **Rakesh Kumar vs. Govt. of NCT of Delhi & Ors.** whereby the Chief Secretary, Delhi was directed to take a meeting within one month and oversee preparation of an appropriate SOP for preventing extraction of ground water by way of unauthorized borewells with further direction that wherever such illegality was found, prompt coercive measures be taken. In compliance thereof meeting was taken by the Chief Secretary, Delhi on 12.06.2020 and SOP was finalized and brought into effect. During hearing of the above said O.A. it was brought to the notice of the Tribunal that **DJB had identified 19661 illegal borewells on which action was being taken and 7248 units had already been closed by the district authorities and the remaining units were to be closed**.

26. In view thereof this Tribunal directed DJB to file status report with reference to all illegal borewells identified by it in the NCT of Delhi including illegal borewells remaining to be closed out of above mentioned 19661 illegal borewells on or before 15.04.2024 giving the complete information regarding the same.

27. This Tribunal noticed that in compliance of order dated 07.02.2024 DPCC had filed additional status report vide email dated 16.03.2024 and had enclosed therewith requisite information in

tabular format regarding environmental compensation as Annexure 1 and utilization by DPCC of the amount received as environmental compensation as Annexure 2. DPCC also mentioned therein that with reference to 15 sites regarding which information was received from SDMs of Hauz Khas, Saket and Mehrauli, DPCC issued show cause notices dated 08.03.2024 to all 15 units for levying Environmental Compensation of Rs. 30,000/- (each unit) on account of illegal/ unauthorized extraction of ground for domestic purpose and enclosed copies of the show cause notices dated 08.03.2024 as Annexure 3. In additional status report DPCC also mentioned that, DPCC sent letters dated 06.10.2023 and 08.11.2023 to SDM (Mehrauli) to know the real owner of the illegal borewell so that EC may be levied on the right person but no response was received from SDM (Mehrauli) and notice addressed to "The Proprietor" of the unit was got pasted on the door of the unit's premises.

28. Vide order dated 18.03.2024 remedial directions were given by this Tribunal which may be summarized as under:

(i) The Chief Secretary, GNCT of Delhi was directed to convene a meeting with the CEO, DJB, the Member Secretary, DPCC and all concerned officers of GNCTD (including the District Magistrates in Delhi), DJB and MCD for taking remedial measures for proper implementation of the directions issued by Hon'ble Supreme Court, this Tribunal, provisions contained in Delhi Jal Board Act, 1998, directions issued with the approval of Lt. Governor, Delhi on 18.05.2010 and 10.01.2014, Minutes of Meeting held by the Chief Secretary, Delhi on 12.06.2020 and SOP finalized regarding the same.

(ii) DPCC was directed to file additional status report giving the complete information with respect to all relevant aspects including the total amount of EDC imposed and the total amount of EDC which has been recovered.

(iii) Respondent no. 1-GNCTD was directed to file its response as to why in view of the delay on the part of its officers in realization of amount of environmental compensation imposed on the violators, GNCTD be not directed to pay the amount of environmental compensation for remediation of the environmental damage caused with liberty to recover the same from the violators through the proceedings initiated on references received from DPCC as remediation of environment cannot be deferred.

(iv) All the District Magistrates in NCT of Delhi were directed to upload on the respective website of the District Administration latest by 15.04.2024 the information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused.

(v) The Chief Secretary, NCT of Delhi was directed to issue appropriate instructions for requisite compliance while specifically mentioning that in case of inaction/negligence on the part of the concerned administrative officers strict disciplinary

action will be taken against them.

(vi) The Chief Secretary, NCT of Delhi was also directed to look into the matter of recovery of Environmental Damage Compensation (EDC) in the remaining cases and issue appropriate instructions for expediting the recovery thereof.

(vii) Personal appearance of the officers duly authorised by the Chief Secretary, NCT of Delhi, CEO, Delhi Jal Board and the Member Secretary, DPCC **(physically)** before this Tribunal was ordered.

Proceedings on 18.04.2024

29. Supplementary report was filed by the Chief Engineer South DJB vide email dated 15.04.2024 and the same will be referred to in later part of this order.

30. Status report was filed by DPCC vide email dated 16.04.2024. The relevant part of the Status report is reproduced below:-

> ***"Status Report on behalf of Delhi Pollution Control Committee in compliance to the order dated 18.03.2024.***
> ***X X X X***
>
> *5. That in the instant case, in addition to Sh. Rinku, DPCC has imposed interim environmental compensation @ Rs. 30000/- each on 11 more violators and Rs. 60,000/- on two borewells of a violator as he/she had two borewells in the premises vide letters dated 09.4.2024. Further letter for confirmation of EDC for remaining two borewells is being issued.*
>
> *6.* ***That, out of total imposed EDC amount of Rs 70.65 crore, EDC recovered to date stands at ₹53,70,000/- (Rupees Fifty-Three Lakhs Seventy Thousand Only) from 121 violators.***
>
> *7.* ***Out of 53 lakhs EDC recovered on the issue of ground water, DPCC has utilized the same as***

development of infrastructure for water quality surveillance in line with CPCB guidelines.

8. That, in the meeting taken by Chief Secretary, Delhi on 12.04.2024, it was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by ***Hon'ble High Court in WPC No. 7594/2018 in order dated 08.04.2024. The EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies."***

31. Status report was filed by Govt. of NCT of Delhi vide email dated 16.04.2024. The relevant part of the Status report is reproduced below:-

"***Status Report on behalf of Government of NCT of Delhi in compliance to the order dated 18.03.2024.***

X X X X

2. That, in compliance with the aforesaid order of this Hon'ble Tribunal, the Chief Secretary, Government of NCT of Delhi convened a meeting of the officers from Delhi Jal Board (DJB), Municipal Corporation of Delhi (MCD), Delhi Pollution Control Committee (DPCC), Delhi Police, Urban Development Department, Revenue department and other concerned departments on 12.04.2024. Minutes of the meeting is enclosed herewith as Annexure-1.

3. That, DJB, District Magistrates and DPCC was directed to enforce the rules issued under Environment Protection Act, 1986 with respect to regulation of bore wells.

4. ***That, the DJB/Revenue Department shall initiate action for taking actions on illegal bore wells particularly focusing in areas that are over exploited or where extraction of water is being used for profiteering. Further, they would accord permissions where water table is satisfactory and water is potable.***

5. ***That, DPCC has been directed to effect recovery of EDC imposed, by following due process. Its engineers may be authorized for effecting recovery for proper accountability. DPCC along with DMs have been directed to focus their efforts where ground water is under stress.***

6. That, DJB was advised to improve the efficiency in water supply by preventing leakages in water/revenue.

7. ***That, the utilization of EDC needs to be targeted at full scale remediation of environmental***

damage caused by the illegal extraction of ground water; and hence it was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by Hon'ble High Court in WP (C) No. 7594/2018 in order dated 08.04.2024. The EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies.

8. ***That, DPCC will develop an online portal for logging in the process of giving permission to bore wells, identification and action against bore wells and imposition and recovery of EC, which will be used by stakeholders as above."***

32. Short Affidavit was filed by DCF (South) Delhi vide email dated 25.07.2024. In the affidavit it has been submitted that the **land where the illegal bore well was sealed on 13.04.2023 falls in Khasra No. 1978, Village Aya Nagar and ownership of the land falls in the name of Forest Department regarding which information regarding the illegal bore well was given to DCF (South) Delhi in 2024. DCF (South) Delhi has taken steps for removal of the encroachment on forest land of Khasra no. 1978 in** Village Aya Nagar vide notices dated 09.02.2024 and 16.04.2024. The Hon'ble High Court of Delhi vide order dated 29.02.2024 disposed of two matters titled as **"Adarsh Enclave Residents Welfare Association (Regd.) versus GNCTD, W.P.(C) no. 3086/2024 and Devki Devi versus GNCTD & Ors., W.P (C) No. 3088/2024"** with a direction to the DCF (South) Delhi to decide the representation of the petitioners therein with respect to the petitioners' property within 6 weeks after receiving the said representation and not to take any coercive actions against the property in question until the representation of the petitioners therein is decided. On 05.04.2024, the DCF (South) Delhi had received a short representation by Adarsh Enclave Residents Welfare Association (Regd.) to which the DCF (South) Delhi directed the Adarsh Enclave

Residents Welfare Association (Regd.) to file a detailed representation, However, the same is not filed till date. DCF (South) Delhi has submitted that due to stay on Khasra no. 1978, he is unable to do anything with respect to Khasra no. 1978, Village Aya Nagar, Delhi.

33. **In the present case illegal borewell was sealed on 13.04.2023 after more than six months from passing of order dated 15.09.2022 for verification and remedial action and the violator has not been identified and penalized despite expiry of more than one and half years.**

34. The applicant has submitted in reply dated 12.04.2024 that borewell approx. 50 are unauthorizedly running in Aya Nagar, Delhi and supply the filtered RO water to the nearby residents on huge cost. The applicant submitted that it is not possible for him to provide addresses where the unauthorized bore will are running but he provided two snaps and made two complaints to the Executive Engineer DJB, Saket, New Delhi on 09.04.2024 vide Diary No.76 and and to the District Magistrate, M.B. Road, New Delhi on date 09.04.2024 vide diary no.12265.

O.A. No. 33/2022 Ganesh Prasad Vs. Govt. of NCT of Delhi & Ors.

Grievances of the applicant

35. O.A. No. 33 of 2022 was filed by Mr. Ganesh Prasad with the grievance that R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

36. Vide order dated 31.01.2022 this Tribunal constituted a Joint Committee comprising of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority **to**

look into the grievance and submit factual and action taken report within three months before Ld. Registrar General, NGT, Delhi who was given liberty to put the matter before the Bench for necessary directions, if considered necessary and the application was disposed of accordingly.

37. **Report dated 14.12.2022 was filed by the DPCC** that **on inspection of the site on 29.07.2022 no RO Plant was found to exist at Plot no. 9, Block K, Part II, Chanakya Place but one RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar and Sh. Ashish Kumar**. No NOC/permission had been obtained from DJB/ CGWA for running the RO plant/ extracting ground water and the waste water generated from the plant was being discharged directly to the drain. **A letter was written by DPCC on 03.08.2022, to Delhi Jal Board, DM (South West) and CGWA for taking necessary action at their end**. The response from CGWA received on 14.09.2022 indicated that the unit has to take permission from the DJB/ District Administration and that the tube well should be sealed by DM as DM is authorized officer for sealing of tube well and taking legal action. **The DJB vide letter dated 22.09.2022 informed that the unit could not be sealed as no one from the office of DM (South West), Delhi was present during the joint inspection. It also enclosed a letter written by DJB to SDM (Dwarka) for taking action against the illegal bore well observed during the joint inspection on 29.07.2022**. No Action Taken Report was received from DM (South West) Delhi. DPCC wrote letter dated 05.12.2022 to DM (South West) Delhi for taking necessary action. Under orders of Hon'ble Chairperson of this Tribunal, the matter was listed before the Bench for further

directions.

Proceedings on 21.07.2023

38. Vide order dated 21.07.2023, **the District Magistrate (South West) Delhi was directed to comply with the directions issued by the DPCC and submit further action taken report and the DPCC was directed to calculate environmental compensation and to realize the same in accordance with the rules and to submit report in this regard.**

Proceedings on 02.11.2023

39. **No reports were submitted by the District Magistrate (South West) Delhi and the DPCC in compliance of above mentioned order**. Mr. V.K. Mongia, SDM (Dwarka) appeared before this Tribunal through VC on 02.11.2023 and verbally submitted that **the R.O. plant had been sealed on 02.11.2023** and the report will be submitted in due course of time. The DPCC submitted that appropriate proceedings are being initiated for imposition and realization of environmental compensation from the project proponents.

40. This Tribunal observed that the case also showed insensitivity to environmental issues and inefficiency, inaction, gross negligence on the part of instrumentalities of the State, which are under Constitutional obligation to protect and improve the environment. Unauthorized R.O. plant is stated to have been sealed on 02.11.2023 despite the fact that order constituting the Joint Committee with direction to submit factual and action taken report within three months was passed on 31.01.2022 and was conveyed to the concerned authorities by email dated 07.02.2022 sent at the email IDs "Chairman, DPCC

chdpcc@nic.in, Member Secretary msdpcc@nic.in, Spl. Secretary Env. ssenv@delhi.gov.in, ceodelhi.djbceodelhi.djb@nic.in, UdaiBhan, secy.djb@nic.in, Dr. Monica Priyadarshinidcnd@nic.in, Central Ground Water Authority cgwa@nic.in, Ashok Kumar Pater mcgwa-cgwb@nic.in", yet **the Joint Committee consisting of officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site after more than five months on 29.07.2022 and submitted its report after about two months on 27.09.2022**. The DPCC wrote letters dated 03.08.2022 to DJB, District Magistrate (South West) Delhi and CGWA for taking necessary action. CGWA sent response dated 14.09.2022 to the DPCC that tubewell was to be sealed by the concerned District Magistrate. The DJB informed the DPCC vide letter dated 22.09.2022 that the unit could not be sealed as no one from the office of the District Magistrate (South West) Delhi was present during the inspection. **The DPCC wrote letter dated 05.12.022 to the District Magistrate (South West) Delhi for taking necessary action. The illegal borewell in question was sealed on 02.11.2023 after notice was issued on the miscellaneous application. The authorities allowed the illegal borewell to operate from 07.02.2022 (the date of communication of order passed by this Tribunal) till 02.11.2023 without any justification and have flouted the rule of law and illegitimately betrayed the trust of the people by neglecting to discharge the statutory duties entrusted to them.**

41. Show cause notices were issued to (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) Delhi and (iv) SDM Dwarka as to why environmental compensation be also not imposed on them. Notices were also issued to Ajit Kumar and

Ashish Kumar Plot no. 7, Block-K, Chanakya Palace II, Uttam Nagar. Personal appearance of (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) and (iv) SDM Dwarka (physically or through VC) was ordered.

Proceedings on 09.11.2023

42. **No replies/responses were filed before this Tribunal** but Mr. K. S. Jayachandran, Member Secretary, DPCC appeared through VC and Mr. Lakshay Singhal, District Magistrate (South West), Delhi and Mr. Vinay Kumar Mongia, SDM Dwarka, Delhi and Ajit Kumar and Ashish Kumar appeared physically before this Tribunal.

43. **In the course of hearing on 09.11.2023 the violators Ajit Kumar and Ashish Kumar stated that about 5 to 6 other illegal borewells were operating in the area and even Mr. Shashi Kant, Assistant Engineer stated that he had some information about 4 other illegal borewells operating in the area**.

44. Mr. Lakshay Singhal, District Magistrate (South West), Delhi and Mr. Vinay Kumar Mongia, SDM Dwarka, Delhi stated that they had joined recently. **They were directed to conduct appropriate fact finding enquiry and fix responsibility for not taking of prompt remedial action of sealing illegal borewell and delay in compliance with the orders passed by this Tribunal and take appropriate disciplinary action against defaulting officials and submit an interim/final action taken report.**

45. The Chief Secretary, GNCT of Delhi was also directed to obtain explanation of the concerned officers who were posted as District Magistrate, South West/SDM Dwarka during the relevant period for

ascertaining reasons of non-compliance with the orders passed by this Tribunal and to send the same to this Tribunal.

46. In view of cases coming up before this Tribunal showing that the concerned Statutory Authorities/Public Servants entrusted with the duties of enforcement of environmental norms were not taking prompt remedial action, this Tribunal considered their sensitization about environmental issues and constitutional obligation to protect and improve the environment by induction training at the time of recruitment and in service training by way of refresher courses to be essential and directed the Chief Secretary, GNCT of Delhi to take requisite steps within one month for sensitizing concerned administrative officers posted as District Magistrates/Sub Divisional Magistrates and officers posted in concerned statutory authorities like DJB by organising refresher courses at the weekends and inviting resource persons having expertise in the field of environmental law.

47. Despite order for appearance on 09.11.2023 CEO, DJB did not appear physically or through VC and did not make any request for exemption and appearance through any Senior Officer. On the other hand, Mr. Shashi Kant, Assistant Engineer appeared and stated that CEO, DJB had dual charge and was busy in some other work. All efforts made through DJB Officers/Officials and Registry of the Tribunal to join CEO, DJB through VC/mobile phone call remained unfruitful.

48. In the facts and circumstances of the case, considering the nature of illegalities involved, significance of the remedial measures and necessity of taking prompt action, this Tribunal considered examination of CEO, DJB with respect to the complaints filed

regarding illegal borewells, action taken regarding the same, monitoring mechanism evolved and action taken against defaulting officers/officials to be essential. Accordingly, summons were ordered to be issued against CEO, DJB to appear before this Tribunal on 04.12.2023.

Proceedings on 04.12.2023

49. In compliance of order dated 09.11.2023 Mr. A. Anbarasu, CEO, DJB appeared before this Tribunal alongwith other DJB officers and also filed reply affidavit vide email dated 02.12.2023 regarding action taken by DJB on receipt of a copy of order dated 31.01.2022.

50. In the reply affidavit it was mentioned that the concerned **JE (Civil) visited the premises in question on 26.02.2022** and it was discovered that **the illegal bore-well and unauthorised RO Plant was installed at K-7, Chanakaya Palace, Part II, New Delhi** and was owned by Mr. Ajit Singh. The concerned EE (M- 30) upon receipt of site inspection report from JE(Civil), promptly reported about the illegal extraction of water through unauthorized ground water bore-well existing at K-7, Chanakaya Place, Part II, New Delhi-59, to the Sub-Divisional Magistrate (Dwarka**) vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water**. In terms of the order dated 31.01.2022 passed in **O.A. No. 33 of 2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** , DPCC organized the inspection on 29.07.2022 of the site K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. The officials of Delhi Jal Board (DJB), CGWA & DPCC attended the inspection at site on 29.07.2022. However, the bore-well in question could not be sealed on the date of inspection **as no officer**

from the office of the concerned District Magistrate (South-West), Delhi was present during Joint Inspection. Thereafter, the concerned EE(M), DJB had issued reminder letter dated 09.09.2022 to SDM (Dwarka) alongwith the copy of order dated 31.01.2022 of this Tribunal requesting immediate action and sealing of the bore-well in question. On 21.07.2023, M.A. No. 24 of 2023 in O.A. No. 33 of 2022 was taken up for hearing by this Tribunal wherein the grievance was made regarding running of unauthorized RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi.

51. It was further submitted in the reply affidavit that in compliance of order dated 21.07.2023 DJB had been taking active steps to launch awareness programmes through various RWAs and Commercial and Industrial Associations to create awareness among the residents to encourage Rain Water Harvesting and warning the citizens not to engage in illegal activities such as erection, installation and use of borewell for residential, commercial and industrial use. Further, there **is also helpline no. 1916 activated by DJB for reporting any illegal** activities in respect of water and water connection including use of illegal borewells. DJB has vigilantly acted upon the three other complaints received in respect of illegal borewells installed in Chanakaya Place and its adjoining areas and has duly intimated the concerned office of SDM (Dwarka) through letters and telephonically to initiate sealing actions as per the SOP. Further, reminders have also been sent to the concerned SDM (Dwarka) and DM through letters dated 29.11.2023.

52. In the reply affidavit it was also mentioned that **about 19661 illegal bore-wells were identified as on 31.08.2021 and thereafter**

DJB has continued to identify illegal bore-wells and prevent ground water extraction. Order dated 21.07.2023, was not in the knowledge of DJB and its counsel or representative could not attend on 02.11.2023. In the reply affidavit CEO, DJB also mentioned that order dated 04.11.2023 was brought to his notice for the first time on 09.11.2023 and due to prescheduled engagements mentioned in the reply affidavit, he was unable to attend the hearing before this Tribunal and could not file exemption application.

53. This Tribunal noticed that in the above said case the procedure laid down in SOP was not followed by the concerned Authorities and action was not promptly taken despite detailed orders having been passed by this Tribunal.

54. The CEO, DJB was allowed to file status report giving requisite information in detail in tabular format with respect to following aspects:-

(i) District wise number of illegal borewells identified;

(ii) District wise number of illegal borewells which have been sealed/closed;

(iii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;

(iv) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;

(v) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;

(vi) District wise number of illegal borewells which are yet to be sealed/closed; and

(vii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

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55. The DPCC was also directed to file status report in tabular format with respect to following aspects:-

i. District wise number of cases in which show cause notices for imposition of EDC have been issued;

ii. District wise number of cases in which orders for imposition of EDC have been issued;

iii. District wise number of cases in which orders for imposition of EDC are yet to be issued;

iv. District wise number of cases in which EDC has been recovered;

v. District wise number of cases in which EDC is yet to be recovered;

vi. District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;

vii. District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;

viii. How much of EDC amount recovered from the violators has been utilised by DPCC/DJB with requisite details; and

ix. How much of EDC amount recovered from the violators is yet to be utilised by DPCC/DJB with requisite details.

Proceedings on 04.01.2024

56. I.A. No. 02/2024 was filed on behalf of the DJB seeking extension of time of three weeks to file status report in compliance of order dated 04.12.2023. DPCC also sought time to submit its report.

Proceedings on 05.02.2024

57. DJB submitted that except for the District Magistrate, South West, the other District Magistrates had not supplied requisite information to the DJB for filing the report. Status report was filed by DJB in compliance to orders dated 04.12.2023 and 04.01.2024 on the

basis of available information disclosing the action taken for sealing the illegal bore-wells. DJB also disclosed the status of rain water harvesting systems in NCT of Delhi.

58. DJB and DPCC were granted further time of four weeks and two days respectively as prayed by their Counsels for filing of the reports.

Proceedings on 18.04.2024

59. DJB filed Supplementary status report vide email dated 13.04.2024 which will be referred to in the later part of this order.

60. Status report and additional status report were filed by DPCC vide emails dated 15.04.2024 which will be referred to in the later part of this order.

61. In **O.A. No. 33/2022** titled as **Ganesh Prasad vs. Government of NCT of Delhi & Ors. despite order passed by this Tribunal on 31.01.2022 for taking of remedial action, illegal borewell was sealed on 02.11.2023** after proceedings were initiated by listing of M.A. No. 24/2023 and **environmental compensation of Rs. 1 lakh imposed on violators Shri Ajit Kumar and Shri Ashish Kumar is yet to be recovered by SDM (Dwarka), Delhi** to whom reference for recovery has been made by DPCC vide letter dated 11.01.2024.

62. None appeared for the applicant-Ganesh Prasad in M.A. No. 24/2023.

63. We heard arguments addressed by the learned Counsel for the applicant-Pritipal Sharma and learned Counsel for the respondents in both the cases and reserved orders on 18.04.2024.

64. In their respective arguments learned Counsel for the applicant-Pritipal Sharma and learned Counsel for the respondents have reiterated their respective stands taken in the original application regarding unauthorized operation of illegal borewells by tanker mafia and replies/reports filed by the authorities documenting efforts made.

65. **While going through the material on record we found that relevant information material to adjudication of the questions involved in the present case has not been placed on record and relisting of the matter for further hearing/directions was necessary on which the matter has been relisted for further hearing/directions.**

66. **On due consideration of the submissions made and perusal of the material on record we are also of the considered view that in view of serious non-compliance with the environmental laws/norms regarding regulation and management of groundwater in NCT of Delhi, the scope of the present proceedings is required to be widened and intervention by this Tribunal by issuance of remedial directions and continuous monitoring of compliance is necessitated not only by serious non-compliance in the present cases but also serious non-compliance in other cases which came up/are pending before this Tribunal. The scope of these proceedings is widened accordingly.**

The nature and magnitude of the problem of contamination and depletion of ground water

67. Groundwater is the largest source of usable fresh water all over the world and in every part of the world where surface water supplies are not available, domestic, agricultural, and industrial water needs

are met by using the groundwater.

68. Long un-restricted and un-regulated excessive abstraction of ground water in our country has led to severe depletion of ground water resources. Such long un-restricted and un-regulated excessive abstraction of ground water has serious long term environmental implications as the same can result in drying up of ground water resources and may also affect quality as well as quantity of surface water.

Directions by Hon'ble Supreme Court

69. In **Civil writ Petition No 4677 of 1985** titled as **M.C Mehta Vs. Union of India and Others** on 20.03.1996 Hon'ble Supreme Court took cognizance of the news item under the caption **"Falling Groundwater Level Threatens City",** appearing in the Indian Express of 18.03.1996 brought to its notice by Mr. M.C. Mehta, Advocate. Hon'ble Supreme Court issued notice to the Central Groundwater Board and the Delhi Pollution Control Committee. On 03.04.1996, Hon'ble Supreme Court issued notice to the Municipal Corporation of Delhi and the Delhi Waterworks and Sewerage Disposal Undertaking. Dr P.C. Chaturvedi, Scientist 'D' (Director), Central Groundwater Board, filed an affidavit mentioning that **during the years from 1962 onwards, the water levels in the country are declining. So much so, during the years 1971-83, the fall in water level was from 4 m to 8 m in the National Capital Territory. There was a further fall of water level from 4 m to more than 8 m during the period 1983-85.** One of the reasons for the decline of water level was the enhanced pumpage. Keeping in view the facts stated by Dr. Chaturvedi, Hon'ble Supreme Court issued notice to the Union of India through the

Secretary, Ministry of Water Resources and to the Government of NCT, Delhi, through its Chief Secretary. Various authorities filed affidavits indicating the factual position regarding the fall of water levels in the country. Hon'ble Supreme Court by order dated 04.09.1996 requested Dr. P. Khanna, Director, NEERI, to have the matter examined at the Institute level by experts in the field and to file a report giving suggestions and recommendations for checking further decline of underground water level. NEERI filed the examination report dated 23.09.1996 regarding **"Water Resources Management in India, Present Status and Solution Paradigm"**. Mr. Arun Kumar, Additional Secretary, Ministry of Water Resources, filed an affidavit dated 24.10.1996, commenting on the NEERI Report and also indicating an overall picture of the declining water levels in the country and also the various schemes and activities undertaken by various Departments of Government of India to monitor the groundwater. Hon'ble Supreme Court noticed the NEERI's hololological approach to Water Resources Management and recommendations and vide **order dated 10.12.1996 reported as 1997 11 SSC 312** ordered and directed as under:-

> *"9. The Central Government in the Ministry of Environment and Forest shall constitute the Central Groundwater Board as an Authority under Section 3(3) of the Act. The Authority so constituted shall exercise all the powers under the Act necessary for the purpose of regulation and control of groundwater management and development. The Central Government shall confer on the Authority the power to give directions under Section 5 of the Act and also powers to take such measures or pass any orders in respect of all the matters referred to in sub-section (2) of Section 3 of the Act.*
>
> *10. We make it clear that the Board having been constituted an Authority under Section 3(3) of the Act, it can resort to the penal provisions contained in Sections 15 to 21 of the Act.*
>
> *11. It has been stated by Dr P.C. Chaturvedi and Mr Arun Kumar in their respective affidavits that enhanced and unregulated pumpage of the water is primarily responsible for the decline in the water levels of the country.*

12. The main object for the constitution of the Board as an Authority is the urgent need for regulating the indiscriminate boring and withdrawal of underground water in the country. We have no doubt that the Authority so constituted shall apply its mind to this urgent aspect of the matter and shall issue necessary regulatory directions with a view to preserve and protect the underground water. This aspect may be taken up by the Authority on an urgent basis.

13. The Central Government in the Ministry of Environment and Forest shall issue the necessary notification under Section 3(3) of the Act as directed by us before 15-1-1997."

Constitution of the Central Ground Water Authority

70. In compliance with order dated 10.12.1996 passed by Hon'ble Supreme Court in **Civil writ Petition No 4677 of 1985** titled as **M.C Mehta Vs Union of India & Ors.**, the Central Government constituted the Central Ground Water Authority (referred herein as CGWA) vide **notification number S.O. 38 (E), dated the 14.01.1997** to exercise powers under Section 5 of the Environment (Protection) Act, 1986 for the purposes of regulation and control of Ground Water management and development.

71. The CGWA has been conferred with the following powers vide **notification number S.O. 38 (E) dated 14.01.1997**, as amended from time to time:

i. Exercise of powers under section 5 of the Environment (Protection) Act, 1986 for issuing directions and taking such measures in respect of all the matters referred to in sub-section(2) of section 3 of the said Act.

ii. To resort to penal provisions contained in sections 15 to 21 of the said Act.

iii. To regulate and control, management and development of ground water in the country and to issue necessary regulatory directions

for the purpose.

iv. Exercise of powers under section 4 of the Environment (Protection) Act, 1986 for the appointment of officers.

States /Union Territories not regulated by CGWA

72. However, CGWA is not regulating groundwater development and management in all States and Union Territories and in the following States / Union Territories regulation of groundwater development and management is being done through constitution of State Ground Water Authority or similar authority and through special provincial enactments and/or Government orders.

S.No	States / UTs Name	S.No	States / UTs Name
1	Andhra Pradesh	9	Telangana
2	Goa	10	West Bengal
3	Himachal Pradesh	11	Chandigarh (through bye-laws)
4	Jammu & Kashmir	12	Puducherry
5	Karnataka	13	Lakshadweep
6	Kerala	14	Punjab
7	NCT Delhi (through Govt. Orders)	15	Uttar Pradesh
8	Tamil Nadu (through Govt. Orders)	16	Haryana

73. CGWA has been regulating ground water development and management in other States and Union Territories, by way of issuing public notices, orders, guidelines etc. from time to time.

Directions by this Tribunal

74. This Tribunal **vide order dated 15.04.2015 in OA Nos.**

204/205/206 of 2014 issued directions to CGWA to ensure that any person operating tube-well, or any means to extract ground water shall obtain permission from CGWA and shall operate the same subject to the law in force, even if such unit is existing unit or the unit is yet to be established.

75. This Tribunal **vide its order dated 09.07.2015 in OA Nos. 34 and 37 of 2014** directed all industrial units which are members of the Common Effluent Treatment Plants (CETPs) to approach CGWA through State Pollution Control Board for obtaining 'No Objection Certificate' in accordance with the law.

76. This Tribunal **vide order dated 13.07.2017 in O.A. No. 200/ 2014** directed that every industry should be directed to pay for extraction of such water, that too, subject to the conditions stated in the order permitting such extraction.

77. This Tribunal **vide order dated 28.08.2018 in O.A. Nos. 176/2015 and 59 of 2012** respectively directed the Ministry of Water Resources, River Development and Ganga Rejuvenation to forthwith review the existing mechanism so as to ensure effective steps for conserving the groundwater resources.

CGWA guidelines for grant of 'No Objection Certificate

78. With a view to protect the ground water resources CGWA had , in pursuance of the directions of this Tribunal and in exercise of powers conferred by sub-section (3) of section 3 and section 5 of the Environment (Protection) Act, 1986, circulated the draft guidelines for grant of 'No Objection Certificate' on 11.10.2017 inviting comments and suggestions from all the stakeholders and after due consideration

of all objections and suggestions received in response to the said draft guideline by the Central Government, CGWA notified the guidelines to regulate groundwater over-exploitation and to conserve the groundwater resources in the country vide **notification number S.O. 6140 (E), dated 12.12.2018**.

79. This Tribunal vide **order dated 03.01.2019 in OA No. 176 of 2015** directed that the above mentioned notification dated 12.12. 2018 may not be given effect to as it is unsustainable if tested on **'Precautionary Principle, Sustainable development as well as Inter-generational Equity Principles'** and **if implemented, will result in fast depletion of groundwater and damage to water bodies and will be destructive of the fundamental right to life under Article 21 of the Constitution of India**. This Tribunal **vide order dated 11.09.2019** constituted a committee to deliberate on steps for preventing depletion of groundwater, robust monitoring mechanism against un-authorised extractions and fulfillment of 'No Objection Certificate' conditions, environment compensation etc. with direction to submit its report. The Joint Committee submitted the report along-with draft guidelines to regulate groundwater extraction and groundwater conservation in this Tribunal on 16.03.2020. This Tribunal **vide order dated 20.07.2020** directed CGWA to comply with certain points for sustainable groundwater management while issuing 'No Objection Certificates' to commercial establishments. The Department of Water Resources, River Development & Ganga Rejuvenation, notified the guidelines to regulate and control groundwater extraction in the country vide **notification number S.O. 3289 (E) dated 24.09.2020** in supersession of **notification number S.O. 6140 (E) dated 12.12.2018**.

80. In **O.A. No. 69/2020** titled as **Sushil Bhatt Vs. Moon Beverages Ltd. & Ors.** and **O.A. No. 218/2020** converted into **Appeal No. 45/2020** titled as **Devidas Khatri Vs. Union of India & Ors** this Tribunal scrutinized the CGWA Guidelines 2020 and highlighted the deficiencies in the same.

81. CGWA notified amendments to the CGWA 2020 Guidelines vide **notification number S.O. 1509 (E) dated 29.03.2023.**

Regulation and Management of Groundwater in NCT of Delhi

82. So far as NCT of Delhi is concerned, clause (b) of sub-section (1) of section 9 of the Delhi Jal Board Act, 1998, which specifies functions of DJB, provides that DJB may **plan for regulate and manage the exploitation of ground water in Delhi in consultation with CGWA** and also give advice in this regard to the New Delhi Municipal Council, the Delhi Cantonment Board or any other local authority and clause (d) thereof provides that if so directed by the Government or the Central government, DJB may take over and carry out any functions relating to the management and regulation of sewerage **and ground water** or the drains of any area, hitherto being carried out by the Government, the Delhi Development Authority or any other agency.

83. CGWA issued **Public Notice no. 6 of 2000** on the subject **"Regulation on construction of tubewell/borewells in South and South-West Districts of NCT, Delhi"** relevant part of which reads as under:-

"PUBLIC NOTICE NO. 6 OF 2000

SUB: REGULATION ON CONSTRUCTION OF TUBEWELL/ BOREWELLS IN SOUTH & SOUTH-WEST DISTRICTS OF

NCT, DELHI

"Whereas the Central Ground Water Authority (hereinafter referred to as the "Authority"), has been constituted under sub-section (3) of the section 3 of the Environment (Protection) Act. 1986, vide notification no. S.O.38 (E) dated 14.01.97 for the purposes of regulation and control of ground water development and management.

Whereas Authority is in exercise of its powers and functions as provided in clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act. 1986, has declared ***Najafgarh block, Mehrauli block and Vasant Vihar and Vasant Kunj*** *areas of NCT Delhi as 'Notified Area' on block/area wise basis vide public notice dated 1.4.98, 24.12.99 and 25.4.99 respectively in view of depletion in Ground water resources due to its over-development/incidence of upcoming of saline ground water.*

However due to administrative exigencies, the notified areas have been re-organised on district basis. Now, there are in exercise of the aforesaid powers and in partial modification of the earlier notices, the Authority after considering the need for protecting the ground water resources and to ensure further development activities in consistent with protection and preservation of the ground water resources, hereby declares ***whole of South and South-West districts of NCT Delhi*** *as 'Notified Areas' and imposes prohibition and restriction in these districts on the construction and installation of any new structure for extraction of ground water resources, to avoid further depletion and deterioration in water quality in the said districts.*

Further, henceforth. no person/organization/agency (Govt. or Non-Govt.) shall undertake any scheme/project of ground water development and management in the above-said districts without prior permission of the Authority.

Any contravention of the above notice shall be dealt with in accordance with the provisions of Environment (Protection) Act. 1986" (emphasis added)

84. CGWA issued **Public Notice no. 2 of 2006** on the **subject "Declaration of "Over-Exploited Areas" for registration of ground water abstraction structures"** relevant part of which reads as under:-

"PUBLIC NOTICE NO. 2 OF 2006

DECLARATION OF "OVER-EXPLOITED AREAS" FOR REGISTRATION OF GROUND WATER ABSTRACTION STRUCTURES.

Whereas the Central Government constituted the Central Ground Water Board as an Authority (hereinafter to as the

Authority under sub-section (3) of the Environment (Protection) Act, 1986 (29 of 1986) (herein referred to as the said (Act) vide notification of the Government of India in the Ministry of Environment and Forests number S.O. 38 (E) dated the 14th January, 1997, as amended from time to time, for the purposes of regulation and control of ground water development and management in the whole of India;

And whereas the Central Government have authorized the Authority to issue directions under section 5 of the said Act. In writing, to any person, officer or any authority and such person, officer or authority shall be bound to comply with such direction;

And whereas, the Authority, based on ground water resources assessment undertaken by Central Ground Water Board in consultation with State Governments, have identified certain areas in the states of Andhra Pradesh, Gujarat, Haryana, Karnataka, Kerala, Madhya Pradesh, Maharashtra, National Capital Territory certain draft proposals for the purpose of Delhi, and Tamil Nadu as "Over-exploited areas" where ground water abstraction is more than the average annual replenishment of ground water resources and the ground water level in these areas have also shown continuous decline over the areas;

And whereas, certain draft proposals for the purpose of issuing directions by the Authority to the State authorities or officers, in order to regulate the ground water abstraction, and requiring registration of all such abstraction structures including open-wells, tubewells, borewells in the areas specified in the said Schedule were published vide Public Notice No. 4/2005 dated 19/20.12.2005 as required under rule 4 of the Environment (Protection) Rules, 1986, for inviting objections and suggestions from the public likely to be affected thereby, till the expiry of a period of forty five days from the date of publication of the said public notice;

And whereas, the Authority has considered all objections and suggestions received by it in this regard.

Now, therefore, the Authority, in exercise of the powers conferred by Section (5) of the Environment (Protection) Act, 1986 (29 of 1986) read with paragraph 2 of the above said notification number S.O. 38 (E), hereby issues the following directions namely:-

1. The Chief Officer-in-Charge of Revenue district (whether called as Collector, Deputy Commissioner or by any other name) for areas notified in the State of Haryana, Karnataka, Madhya Pradesh and Maharashtra; in the State of Tamil Nadu, the Chief Engineer WRO/PWD, State Ground and Surface Water Resources Data Center, for the areas notified in the State of Tamil Nadu and ***the Chief Executive Officer, Delhi Jal Board, for the areas notified in the National Capital Territory of Delhi*** *shall registered all the existing*

groundwater abstraction structures including wells, tube-wells, borewells located in the areas so specified in the Schedule in the proforma given in the Annexure to this public notice within the period of nineteen days from the date of publication of this final notice;

In the State of Andhra Pradesh, the Andhra Pradesh state Water, Land and Trees Authority, constituted under Section 3 of the Andhra Pradesh, Land, Water and Trees Act, 2002 (Andhra Pradesh Act, 10 of 2002), for the areas to the State of Andhra Pradesh; in the State of Gujarat, the Gujarat State Ground Water Authority constituted vide notification No. GWR/1095/6/I-1/J-1 dated 19.9.2001, for the areas notified for the State of Gujarat; in the State of Kerala, the Kerala State Ground Water Authority constituted under section 3 of the Kerala Ground Water (Control and Regulation Act, 2002 for the areas notified in the State of Kerala; shall registered all the existing ground water abstraction, structures including wells, tube-wells, bore-wells located in the areas as specified in the said schedule in the proforma given in the Annexure to this public notice within a period of nineteen days from the date of publication of this final notice.

2. The Chief Officer-in-Charge of Revenue District or the concerned State Ground Water Authorities as the case may be, shall submit a copy each of the performa received by it to the Authority within a period of thirty days from the date of such registration.

3. ***Every owner of a ground water abstraction structures including wells, tube-wells, bore-wells located in the areas as specified in the said schedule shall register such structure with the concerned Chief Officer-in-Charge of Revenue district or the State Ground Water Authority, as the case may be in the proforma given in the Annexure and in the manner specified in direction1;***

4. Nothing in these directions shall apply to any owner of non-energized dug-well or bore-well fitted with hand pump used solely for drinking and domestic purpose.

SCHEDULE

Serial Number	***State***	***District/Mandal /Block/Municipal Corporation areas***	***District***
(1)	*(2)*	*(3)*	*(4)*
1.	*Andhra Pradesh*	*1. Armur Mandal*	*Nizamabad*
		2. Husnabad Mandal	*Karimnagar*
		3.Bachannapet Mandal	*Warangal*
2.	*Gujarat*	*1. Anjar*	*Kachchh*

		2. Bhachau	*Kachchh*
		3. Mandvi	*Kachchh*
		4. Mangrol	*Junagarh*
		5. Porbandar	*Porbandar*
3.	*Haryana*	*1. Mahendergarh*	*Mahendergarh*
		2. Farukh Nagar	*Gurgaon*
4.	*Karnataka*	*1. Anekal*	*Bangalore (Urban)*
		2. Bangalore (North)	*Bangalore (Urban)*
		3. Bangalore (South)	*Bangalore (Urban)*
5.	*Kerala*	*1. Kasaragod*	*Kasaragod*
		2. Kodungallur	*Trissur*
6.	*Madhya Pradesh*	*1. Sanwer*	*Indore*
		2. Malhargarh	*Mandsaur*
7.	*Maharashtra*	*1. Yawal*	*Jalgaon*
		2. Raver	*Jalgaon*
8.	***National Capital Territory of Delhi***	***1. East District***	***East District***
		2.North Delhi District	***North Delhi District***
		3.North East District	***North East District***
		4.North West District	***North West District***
		5. West Delhi District	***West Delhi District***
9.	*Tamil Nadu*	*1. Chengam*	*Tiruvannamalai*
		2. Thuraiyur	*Tiruchirappalli*
		3. Thalaivasal	*Salem*
		4. Gangavalli	*Salem*

(emphasis added) "

Report Dynamic Ground Water Resources of NCT, Delhi as on March 2023

85. Central ground Water Board and Department of Urban Development, Government of NCT, Delhi took up the task of estimating the dynamic ground water resources of NCT, Delhi annually based on GEC 2015 methodology. The re-estimation of ground water resources as on 2023 was carried out using the methodology recommended by

Ground Water Estimation Committee (GEC-2015) and the updated data which was provided by various State and Central Government agencies. The estimation was done considering each Tehsil (Revenue) Sub-division as assessment unit. The current status of ground water development is reflected in the category of various Tehsils, which are assigned taking into consideration both the stage of ground water development and the trend of ground water levels. In the **"Report Dynamic Ground Water Resources of NCT, Delhi as on March 2023"** published by Central Ground Water Board State Unit Office, Delhi Department of Water Resources, River Development & Ganga Rejuvenation, Ministry of Jal Shakti in October 2023 the information has been tabulated in the beginning as under:-

"DYNAMIC GROUND WATER RESOURCES OF NCT OF DELHI
As on March, 2023

AT A GLANCE

1	*Total Annual Ground Water Recharge*	*38,152.55 (ham)*
2	*Annual Extractable Ground Water Resources*	*34,449.23 (ham*
3	*Annual Ground Water Extraction*	*34,150.55 (ham)*
4	*Stage of Ground Water Extraction*	*99.13 %*

CATEGORISATION OF ASSESSMENT UNITS (TEHSILS)

S. No.	*Category*	*Assessment Units*
1.	*Safe*	*5 (14.7%)*
2.	*Semi Critical*	*4 (11.8%)*
3.	*Critical*	*12 (35.3%)*
4.	*Over Exploited*	*13 (38.2%)*
	Total	***34***

86. In the above said report results of groundwater resources estimation 2023 are given as under:-

"7.4. Results of Groundwater Resources Estimation 2023

7.4.1. Annual Groundwater Recharge

The annual groundwater recharge includes the components of rainfall recharge and recharge from other sources like canal/drain seepage, return flow from irrigation, seepage from domestic water supply and recharge from water conservation structure. The Annual Groundwater Recharge for NCT Delhi 2022 is estimated as 38152.55 ham. Assessment unit wise details of estimation are presented in Table 19 (column 4 to 8).

7.4.2. Annual Extractable Groundwater Recharge

The annual extractable groundwater recharge as defined in GEC 2015 methodology, involving component of monsoon & non-monsoon recharge and excluding component for natural discharge for the environment, following GEC 2015 norms has been estimated for NCT Delhi is 34449.23 ham. Assessment unit wise details of estimation are presented in Table 19 (column 10).

7.4.2. Annual Groundwater Extraction

During the year under report, almost all departments & Institutions of NCT Delhi have provided geo-referenced extraction data which has been further distributed over Tehsil layer by CGWB to find out tehsil wise extraction. The running hour and discharge have been averaging out as demand of Software. Industrial extraction data was not provided and have been considered on pro rata basis.
The total ground water extraction as defined in GEC 2015 methodology, involving component of domestic ground water extraction, irrigation extraction and industrial extraction has been estimated for NCT Delhi is 34 ham. Assessment unit wise details of ground water extraction is presented in Table 19 (Column 11 to 14).

7.5. Stage of Groundwater Extraction and Categorization of Assessment Units

The Stage of Ground Water Extraction as on 2023 in NCT Delhi varies from 61% in Rohini Tehshil in North West District to 153% in Vasant Vihar tehshil of New Delhi Distrct. The overall Stage of Groundwater Extraction in NCT Delhi as on 2023 is 99%. The information on Stage of Ground Water Extraction is given in table 19 (column 17).
As per recommendation of GEC 2015 methodology, the Dynamic Groundwater Resources (fresh quality) be planned for future ground water management. Out of 34 new assessment units of NCT Delhi, 5 are categorized as 'Safe', 4 as 'Semi Critical', 12 as 'Critical' and rest 13 as 'Over Exploited'. A summarized data on categorization all 34 assessment units of NCT Delhi is presented in Table 19 (column 18). A map showing categorization of assessment units (Tehsils of NCT Delhi) is presented in Figure 39.

7.6. Annual Allocation for Domestic use and Net Ground Water Availability for future use

Annual Allocation for Domestic use for 2025 has been estimated as 27570.3 ham, for entire NCT Delhi. The Assessment unit wise Annual Allocation for Domestic Use as on 2025 is presented in Table 19, column 15. The Net Ground Water Availability for future use in NCT Delhi is 2870 ham (Table 19, column 16)."

87. The categorization of assessment units in NCT of Delhi given in **National Compilation on Dynamic Ground Water Resources of India, 2023** published by **Central Ground Water Board** is reproduced as under:-

DYNAMIC GROUND WATER RESOURCES OF INDIA, 2023												
DELHI												
S. No	Name of District	Total No. of Assessed Units	Safe		Semi Critical		Critical		Over Exploited		Saline	
			No.	%	No.	%	No.	%	No.	%	No.	%
1	North	3	-	-	1	33.33	1	33.33	1	33.33	-	-
2	South East	3	-	-	-	-	3	100	-	-	-	-
3	South West	3	1	33.33	-	-	1	33.33	1	33.33	-	-
4	East	3	-	-	-	-	3	100	-	-	-	-
5	Nazul Land	1	1	100	-	-	-	-	-	-	-	-
6	South	3	-	-	-	-	1	33.33	2	66.67	-	-
7	Central	3	1	33.33	-	-	1	33.33	1	33.33	-	-
8	New Delhi	3	-	-	-	-	-	-	3	100	-	-
9	North West	3	2	66.67	1	33.33	-	-	-	-	-	-
10	West	3	-	-	1	33.33	1	33.33	1	33.33	-	-
11	North East	3	-	-	1	33.33	-	-	2	66.67	-	-
12	Shahdara	3	-	-	-	-	1	33.33	2	66.67	-	-

	Total	34	5	14.71	4	11.76	12	35.29	13	38.24	-	-

Delegation of power under 5 of the Environment (Protection) Act, 1986 to Lieutenant Governor, NCT of Delhi vide notification number S.O. 667 (E) dated 10.09.1992

88. The Central Government authorized the Lieutenant Governor, NCT of Delhi vide **notification number S.O. 667 (E) dated 10.09.1992** to exercise powers under section 5 of the Environment (Protection) Act, 1986 for NCT 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.

Directions issued vide notification no. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010

89. In exercise of power conferred by section 5 of the Environment (Protection) Act. 1986 read with the Ministry of Home Affairs, Government of India Notification number S.O. 667 (E) bearing F.No. U-11030/J/ 91- UTL dated 10.09.1992 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 30.03.2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated 30.04.2009, the Lt. Governor of NCT of Delhi vide **notification number. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010** issued the following directions:-

> *"(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.***

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), of concerned revenue area : Chairman;*
2. *Director (Panchayat): Member;*
3. *Chief Engineer nominated by Delhi Jal Board: Member;*
4. *Representative of Central Ground Water Board, New Delhi : Member;*
5. *Representatives of local bodies having jurisdiction over the area: Member;*
6. *Representative of Department of Environment, GNCTD/DPCC : Member*
7. *Representative of reputed NGO in the field of Groundwater Management nominated by the Deputy Commissioner concerned: Member;*

(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, associftion 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 & Flood Control Department, Govt of NCT 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).***"

90. We have gone through notification no. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010 and we find that the issue of grant of permission for borewell/tubewell is to be dealt with by Competent Authority through the Deputy Commissioner (Revenue) of each revenue area in GNCTD. It may also be added here that as per the above said notification application for grant of permission for borewell/tubewell is to be submitted in the Zonal Offices of the Competent Authority in the form specified by the Competent Authority. It may also be added here that the Executive Engineer of the Competent Authority in-charge of the concerned area is required to recommend the case based on the facts to the concerned Deputy Commissioner (Revenue) of each revenue area, GNCTD who is to issue the orders in the light of the recommendation of the Executive Engineer of the Competent Authority and the Advisory Committee.

91. Even though, in the above said notification the term Competent Authority is not defined but in view of Section 9 (1) (b) of the Delhi Jal Board Act, 1998. DJB is and has to be considered to be the Competent Authority for the purpose of regulation and management of the groundwater in the NCT of Delhi. In SoP titled as **"Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells"** also DJB is mentioned to be

the Competent Authority in the entire NCT of Delhi except areas under New Delhi Municipal Committee and Delhi Cantonment Board. However, we are of the considered view that it will be appropriate, if the above said notification is appropriately amended to define the expression Competent Authority to remove any confusion in this regard.

92. Further on a reading of para 3 and 6 of the above said notification there appears to be some confusion as by para 3 the Deputy Commissioner (Revenue) of each revenue area, GNCTD is delegated with the power of *inter alia* sealing illegal wells based on the recommendations of the Advisory Committee but as per para 6 in emergent violation cases the Deputy Commissioner (Revenue) of each revenue area in GNCTD is required to ensure discontinuation of the illegal ground water drawl by seizure of drilling rig, sealing of tubewell/borewell if so constructed and discontinuation of electricity supply to the energized tubewell even if it is through DG sets, without waiting for recommendation of Advisory Committee. In our considered view illegal drawl of ground water requires immediate action of sealing of the borewell by the Deputy Commissioner (Revenue) of revenue area in question without waiting for recommendation of the Advisory Committee in this regard and the desirability of making appropriate amendment in para 3 of the above said notification is also required to be considered.

93. We, accordingly, request Hon'ble Lieutenant Governor of Delhi to look into the matter for such action as may be considered appropriate.

Directions in OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.

94. In **OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.** this Tribunal took suo-moto cognizance on a letter petition complaining that certain persons are running water plants by illegally extracting the same in different places namely Kashmiri Gate, Tilak Bazar, Sadar Bazar, Azad market, Chandni chowk etc. This Tribunal constituted a Joint Committee comprising DJB and NDMC which submitted action taken report that out of 12 addresses given in the said report, 9 were found extracting ground water illegally, one premises was found locked, and in 3 premises no bore well was found. Another report dated 03.04.2020 was submitted by DJB about 11 locations out of which at 4 places no bore-well was found and in 7 locations, bore-wells were either sealed or running illegally. Both the reports were considered by this Tribunal on 15.05.2020 and noticing that bore-wells were illegally existing and operating and no remedial action was taken by Statutory Regulators, this Tribunal deprecated the inaction on the part of Statutory Regulators and passed a detailed order referring to directions issued in earlier matters dealing with similar violations. Operative part of the order in para 8 reads as under:

> *"8. In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tube - ells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter.*
>
> *A copy of the order be forwarded to the Chief Secretary, Delhi, Secretary, Ministry of Jal Shakti, Govt. of India, DJB, CPCB, DPCC, Commissioners of all Municipal Corporation of Delhi, all the District Magistrates in Delhi and Justice S.P. Garg, former Judge of Delhi High Court."*

95. Pursuant to above referred order status report dated 11.07.2020 was filed by DPCC. In status report dated 11.07.2020 DPCC submitted that in compliance of order of Tribunal, a meeting was taken by the Chief Secretary, Delhi on 12.06.2020 through video conferencing; the meeting was attended by Municipal authorities, DJB, DPCC and District Magistrates of Delhi; SOP has since been finalized and has been brought into effect; in SOP clear responsibilities have been assigned to various agencies as DJB/local bodies and block development officers for identification of illegal borewells depending on the nature of use; Deputy Commissioners (Revenue) of the districts have been assigned role of supervision of checking the violation and closure of illegal borewells and inter departmental advisory committee was constituted for each district to assist Deputy Commissioners. It has been observed that often drilling machines/rigs are used to dig illegal borewells, the mechanism for their regulation including registration and prior permission for movement and deployment has also been incorporated in the SOP.

SOP titled as "Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells"

96. The relevant part of the SOP titled as **"Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells",** which was also reproduced by this Tribunal in its order dated 13.07.2020 passed in above mentioned case, reads as under:-

> *"1. Standard Operating Procedure (SOP): 1. Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law.* ***The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the***

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New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information *on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.*

2. The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

3. An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, 'ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4. ***The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring.*** *The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.*

5. In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

6. For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7. ***The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.***

8. ***The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.***

9. All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10. The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11. As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12. The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district."

97. In status report dated 11.07.2020 filed by DPCC it was also mentioned that during meeting held on 12.06.2020 by Chief Secretary, Government of NCT of Delhi, it was informed that **DJB has already identified 19661 illegal borewells against whom action is being taken and 7248 units were already closed by the district authorities. Report said that remaining units would be closed down on priority as they were already identified and process would be completed within a period of three months**.

98. This Tribunal considered the report on 13.07.2020 and found that action was not taken as per the provisions of SOP. This Tribunal directed that further action be taken which may be overseen by the

DPCC and compliance status as on 31.12.2020 be brought on record by 15.01.2021. In pursuance of order dated 13.07.2020, an action taken report dated 03.09.2021 was filed by DPCC relevant part of which reads as under:

"2. the Chief Secretary, Delhi decided that Delhi Jal Board will prepare the list of illegal borewells, Revenue Department will supervise the closure action of the illegal borewell and DPCC was assigned the task to impose EDC on the violators as per the list provided by DJB.
3. That Revenue Authorities provided the details of action taken by them, which is as follows:

District	***ATR (Borewell sealed till 31.08.2021)***		
	No. of illegal borewells identified in the district	*Action taken on illegal borewells till 31.08.2021*	*No. of illegal borewells to be sealed*
North	*761*	*748*	*13*
East	*116*	*116*	*0*
South West	*6681*	*1410*	*5271*
South East	*297*	*231*	*66*
North West	*8299*	*5814*	*2485*
Shahdara	*552*	*552*	*0*
New Delhi	*75*	*75*	*0*
Central	*611*	*412*	*199*
West	*2185*	*1793*	*392*
North East	*0*	*0*	*0*
South	*84*	*84*	*0*
Total	***19661***	***11235***	***8426***

4. DPCC on its part has taken following action to assess the Environmental Compensation to be imposed on the basis of information received from DJB and Revenue Authorities:

(i) Show cause notices for imposition of EDC issued : 18315
(ii) EDC amount proposed in above mentioned SCNs: 70,65,80,000/-
(iii) EDC amount imposed: 70,65,80,000/-
(iv) EDC amount received: Rs. 23,80,000/-
(v) EDC amount yet to be recovered: 70,42,00,000/-

Due to continuing pandemic, the process of recovery is very slow and Revenue authorities are not able to spare their manpower for taking action.

5. That many units had mentioned their inability or delay

in depositing the EDC due to Covid-19 Pandemic and low economic activity during last few months since March 2020. They have also mentioned that unprecedented health crises and emergency coupled with steep downfall in the revenue earning due to lockdown which has brought down the economic activities to the lowest level. In case of remaining units, recovery certificates was issued to the concerned District Magistrate/SDMs, to recover the amount as arrears of land revenue from the remaining units which have not deposited Environmental Damages Compensation (EDC)."

99. In the above mentioned OA this Tribunal considered the report on 25.02.2022 and observed that **huge environmental compensation of more than Rs. 70 Crores was computed but a negligible amount of Rs. 23.8 lakhs was recovered. No action for prosecution was taken against violators. Further, out of 19661 illegal bore wells, identified in various Districts of Delhi, only 11235 were sealed and 8420 remained to be sealed**. No reason was given as to why all illegally running bore wells were not sealed. An additional action taken report dated 02.11.2021 was filed without much improvement as out of 19661 illegal bore wells identified by DJB, action was taken by Revenue Authorities against 11364 bore wells only till that date. This **Tribunal considered the situation to be disgusting/disappointing due to snail pace level of activities on the part of statutory regulators which clearly indicated dereliction of duties**. Vide order dated 25.02.2022 this Tribunal disposed of above mentioned OA **while directing the authorities to take appropriate remedial action against all the illegally running bore wells identified by DJB and submit a complete compliance report after six months and a copy of the order was ordered to be forwarded to DJB, DPCC and NDMC by e-mail for compliance**.

100. **As per written report submitted by the Registry no such**

report was filed by DJB, DPCC and NDMC in compliance of order dated 25.02.2022 passed in O.A. No. 685/2019 titled as Rakesh Kumar Vs. Government of NCT of Delhi & Ors.

Non Implementation of legal regime/environmental laws/norms.

101. This Tribunal noticed non-compliance and non-implementation of the legal regime and in view thereof vide order dated 04.12.2023 required the CEO, DJB to file status report giving requisite information in detail in tabular format with respect to the following aspects:-

i. District wise number of illegal borewells identified;
ii. District wise number of illegal borewells which have been sealed/closed;
iii. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
iv. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
v. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
vi. District wise number of illegal borewells which are yet to be sealed/closed; and
vii. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

102. DJB filed Supplementary status report in **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** vide email dated 13.04.2024 which reads as under:-

"SUPPLEMENTARY STATUS REPORT ON BEHALF OF DJB IN FURTHERANCE TO REPORT DATED 03.02.2023 AND IN COMPLIANCE OF ORDER DATED 05.02.2024

X X X

10. In continuation to the earlier status report dated 03.02.2024 and in compliance of the order dated 05.02.2024, DJB is submitting the requisite information of the illegal borewells as received from the Concerned DMs for facility of reference in the tabular form below :-

DMs	District Wise Number of Illegal Borewells Identified (As per previous data submitted, referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of illegal borewells which have been Sealed /closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise / Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
COL1.	COL.2	COL.3	COL.4	COL.5	COL.6	COL.7	COL.8	COL.9
North	726	233	NIL	NIL	NIL	119	15	As per report submitted, a total of 376 borewells contains duplicate entries, non-traceable.
East	116	110	110	87	23	6	6	
South West	6661	2434	NIL	NIL	NIL	4247	NIL	
South East	297	163	NIL	NIL	NIL	57 (03 nos. of borewells show DJB permission)	130	30 Borewells not identified physically
North West	9128	5901	Information not available	Information not available	Information not available	3227	Information not available	Report is compiled on the basis of reports received from Kanjhawala, Rohini and Saraswati Vihar sub divisions, after reconciliation with concerned Executive Engineer of DJB. Details of penalty/ EDC regarding illegal borewells already sealed by DJB is not available
Shahdara	552	358	NIL	NIL	NIL	NIL	NIL	SDM(Vivek Vihar)Total Borewell = 178 Borewell Sealed = 117 Blank = 2 Water Tank Supply = 3 Permission CGWA = 5 Not visited =1 Not operational = 1 No Borewell = 29 Locked = 4 Already cut off = 16 SDM(Seemapuri) Total Borewell = 374 Borewell Sealed = 241 Duplicated Entries = 22 Incomplete Address/Non traceable =20 DJB connection found in place of borewell = 61 Borewell not found = 30 SDM(Shahdara) No Address pertains to Sub- list Division (Shahdara) as per the list of addresses provided by the Delhi Jal Board. Hence, report may be treated as Nil.
New Delhi	75	75	Report not Received from DM	Report not Received from DM	Report not Received from DM	NIL	Report not Received from DM	Report not received from DM (earlier data)

Central	676	246	Not pertains to DM	Not pertains to DM	Not pertains to DM	161	Not pertains to DM	Civil line- Nil Kotwali- 1)Court stay on 160 borewells 2) 85 borewells not identified/ found removed physically 3)02 properties were found sealed 4)01 matter has been sent to DJB for clarification Karol Bagh- 1)21 borewells not identified/ found removed physically 2)46 borewells balanced to be seal 02 no of borewells does not fall under the jurisdiction District Central Hence total comes to 676+2=678
West	2185	1573	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	361	Data to be provided by DPCC to DJB	SDM(Punjabi Bagh) 65 Duplicate + 18 not found =83 SDM(Rajouri Garden) 119 Not found SDM(Patel Nagar) -33 Not found + 16 Not pertain to Patel Nagar sub division=49 Total-251
North East	Nil	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	There are no illegal borewells in identified list of DJB for sealing in District North East.
South	84	84	EDC report pertains to DPCC	EDC report pertains to DPCC	EDC report pertains to DPCC	NIL	EDC report pertains to DPCC	In addition to original survey of 84 borewells, 16 additional borewells have been sealed. Out of 15, EDC has been imposed on 14 borewells and for 02, DPCC has informed that imposing of EDC is under process.
Total	20522	11197				8178		

103. Vide order dated 04.12.2023 this Tribunal directed the DPCC to file status report in tabular format with respect to the following aspects:-

i. District wise number of cases in which show cause notices for imposition of EDC have been issued;

ii. District wise number of cases in which orders for imposition of EDC have been issued;

iii. District wise number of cases in which orders for imposition of EDC are yet to be issued;

iv. District wise number of cases in which EDC has been recovered;

v. District wise number of cases in which EDC is yet to be recovered;

vi. District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;

vii. District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;

viii. How much of EDC amount recovered from the violators has been utilised by DPCC/DJB with requisite details; and

ix. How much of EDC amount recovered from the violators is yet to be utilised by DPCC/DJB with requisite details.

104. Status report was filed by DPCC in **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** vide email dated 15.04.2024 which reads as under:-

"STATUS REPORT ON BEHALF OF DELHI POLLUTON CONTROL COMMITTEE WITH RESPECT TO THE ORDER DATED 09.11.2023 , 04.12.2023 and 04.01.2024.

X X X X

5. That, DPCC has no specific account for Environmental Damage Compensation received for illegal ground water extraction from borewells and DPCC is maintaining Environmental Compensation (EC) fund in a common dedicated account meant for use in the following 10 sub-heads , namely:

1. Installation and running of (O&M) CA.AQM Monitoring Stations,
2. Research & study projects
3. Procurement of instruments & Rent for air Lab €. Installation of paper recycling unit in govt. School
5. Monitoring of air pollution at various locations of Delhi
6. Honorariums for oversight cotninittee/Technical consultants
7. Installation of Noise Monitoring station at Delhi
8. Seminars and Conferences
9. IT Expenses (Purchase and Salary IT Resources)
10, Advertising charges.

6. That, status report with respect to order dated 04.12.2023 in tabular format is enclosed herewith as Annexure-1. A statement showing the utilisation by DPCC from the amount received as Environmental Compensation (EC) in tabular format is attached herewith as ANNEXURE72. ***DPCC spent Rs. 145.23 Lakhs out of the fund recovered as Environmental Compensation.***

7. *That with the prior approval of Chief Secretary, Delhi a* ***letter was issued to Divisional Commissioner-Delhi on 08.12.2023 to obtain explanation of the concerned officers who were posted as District Magistrate -(South West) / SDM Dwarka during the relevant period. Copy of the letter dated 08.12.2023 is enclosed herewith as Annexure-3.***

8. *Thai: further, with the prior approval of Chief Secretary,* ***Delhi a letter was issued to Director, Directorate of Training (UTCS).on 08.12.2023 with a request to develop a training module for 2/3 days period to the officers posted as District Magistrate/ SDM urgently. Copy of the letter dated 08.12.2023 is enclosed herewith as Annexure-4.***

9. *That, for calculating Environmental Compensation, DPCC asked the details of borwell from- Delhi jai Board with a copy to CO WA .on 25:09.2023 to calculate the- EC as per CPCB formula. In absence of requisite details, a show cause notice.for imposing interim EC in terms of the. office order dated 09.07.2020 was issued on 16.11.2023, whereby granting 07 days time to submit the reply. Show cause notice was also pasted on the gate of property in addition to sent via speed post. No reply was received with respect :to show cause- notice: therefore, direction for imposition of interim EC. was issued on 08.12.2023. As interim EC wasnot deposited, so recovery certificate was issued to SDM (Dwarka) on 11.01.2024. SDM (Dwarka) issued a letter to Sh. Anil Kumar and Sh. Ashish Kumar for depositing EC on 30.01.2024. Copies of the letter dated 11.01.2024 issued by DPCC and 30.01.2024 issued by SDM are collectively enclosed herewith as Annexure-5(Colly)*

Status Report w.r.t. Illegal Borewells											
	Information										
S. No.	District	District wise number of cases in which show cause notices for imposition of EDC have been issued;	District wise number of cases in which orders for imposition of EDC have been issued;	District wise number of cases in which orders for imposition of EDC are yet to be issued;	District wise number of cases in which EDC is yet to be recovered;	District wise number of cases in which EDC is yet to be recovered;	District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;	District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;	How much of EDC amount recovered from the violators has been utilized by DPCC with requisite details and	How much of EDC amount recovered from the violators is yet to be utilized by DPCC with requisite details (*)	Remarks
1	North	768	768	Nil	4	764	764	0	-	120000	

2	North – west	9015	9005	Nil	56	8959	8959	0	-	2270000	In response to SCNs issued EC amount has been deposited by 10 violators
3	Central	616	616	Nil	1	615	615	0	-	100000	
4	West	768	768	Nil	6	762	762	0	-	180000	
5	South – west	6595	6593	Nil	19	6576	6576	0	-	1270000	In response to SCNs issued EC amount has been deposited by 2 violators
6	South – East	0	0	Nil	0	0	0	0	-	0	
7	South	0	0	Nil	0	0	0	0	-	0	
8	New Delhi	179	179	Nil	34	145	145	0	-	1500000	
9	East	161	161	Nil	0	161	161	0	-	0	
10	North East	0	0	Nil	0	0	0	0	-	0	
11	Shahdara	391	391	Nil	1	390	390	0	-	30000	
Total		**18493**	**18481**	**Nil**	**121**	**18372**	**18372**	**0**	-	**5370000**	

(*) Delhi Pollution Control Committee has no specific account of Environmental Damage Compensation received for illegal ground water from Borewells and DPCC is maintaining Environmental Compensation (EC) fund in a common dedicated account meant for use in the following 10 sub-heads and an amount of Rs. 145.23 lakhs has been utilized during 2022-2023:-

(i) *Installation and Running (Operational and Maintenance CAAQMS,*
(ii) *Research and Study Project,*
(iii) *Procurement of instrument and Rent for Air Lab,*
(iv) *Installation of Recycle unit in Govt. School,*
(v) *Monitoring of Air Pollution at various locations of Delhi,*
(vi) *Honorarium of Oversight Committee/ Technical Consultants,*
(vii) *Installation of Noise Monitoring Station at Delhi,*
(viii) *Seminar and conference,*
(ix) *IT Expenses (Purchase and Salary IT Resources) and*
(x) *Advertising Charge/ Printing Charges/ Others.*

105. Additional status report has been filed by DPCC vide email dated

15.04.2024. The relevant part of the Additional status report is reproduced below:-

> ***"ADDITIONAL STATUS REPORT ON BEHALF OF DELHI POLLUTON CONTROL COMMITTEE WITH RESPECT.***
>
> *X X X X*
>
> *5. That, in addition to the report dated 07.02.2024, it is most respectfully submitted that, DPCC issued recovery letter dated 11.01.2024 to SDM (Dwarka) for recovery of Environmental Compensation (EC) of Rs. 1,00,000/- (One Lakh only) from Sh. Ajit Kumar & Sh. Ashish Kumar, which was levied by DPCC. SDM (Dwarka) issued notice to Sh. Ajit Kumar & Sh. Ashish Kumar to deposit the same to DPCC account. DPCC has not received EC amount so far. DPCC has sent an email on 12.04.2024 to SDM(Dwarka) requesting the present status of recovery of Environmental Compensation (EC). Reply is awaited from the SDM(Dwarka).*
>
> *6. That, on the issue of training, a letter was sent to UTCS regarding training to the administrative officers of Revenue Dept & officers of statutory authorities like DJB etc. on 08.12.2023. Email was also sent to UTCS regarding this on 04.04.2024. UTCS vide email dated 05.04.2024 informed that they are planning to conduct a Training on the given topic i.e. "Environmental issues"."*

106. A perusal of Annexure 1 showed that show cause notices for imposition of EDC were issued in 18493 cases but orders for imposition of EDC were passed in 18481 cases. EDC has been recovered only in 121 cases and recovery of EDC is pending in 18372 cases. The DPCC has not mentioned the total amount of EDC imposed and the total amount of EDC which has been recovered. In Annexure A it has been mentioned that amount of Rs. 53,70,000/- is yet to be utilized by DPCC.

107. In Annexure 2 DPCC has given information regarding expenditure incurred from Environmental Damage Charge w.e.f. 2015-16 to 2023-24 (up to 29.02.2024) and total expenditure incurred up to 29.02.2024 is mentioned to be Rs.19,04,96,464/-. However, the statement shows that

amount of EDC has been spent only on the following:

1. Installation and Running (Operational and Maintenance) CAAQMS,

2. Research and Study Project,

3. Procurement of instrument and Rent for Air Lab,

4. Installation of Recycle unit in Govt. School,
5. Monitoring of Air Pollution at various locations of Delhi,

6. Honorarium of Oversight Committee/Technical Consultants,

7. Installation of Noise Monitoring Station at Delhi,

8. Seminar and conference,
9. IT Expenses (Purchase and Salary IT Resources) and

10. Advertising Charge/Printing Charges/Others.

108. It is evident therefrom that no amount has been spent on conservation/recharge of ground water and creation/rejuvenation of any water body or rain water harvesting facility.

109. This Tribunal observed in order dated 18.03.2024 that not only the report of DPCC is materially deficient but also the remedial measures taken by DPCC by utilization of EDC are grossly inadequate; definitely, something more is required to be done by DPCC for remediation of environmental damage caused and appropriate remedial measures need to be catalogued and implemented. Amount of environmental compensation recovered for illegal abstraction of groundwater ought to be spent on conservation/recharge of ground water and/or creation/rejuvenation of water bodies/rain water harvesting facilities.

110. In compliance with order dated 18.03.2024 passed by this Tribunal, the Chief Secretary, Government of NCT of Delhi convened a meeting of the officers from Delhi Jal Board (DJB), Municipal

Corporation of Delhi (MCD), Delhi Pollution Control Committee (DPCC), Delhi Police, Urban Development Department, Revenue department and other concerned departments on 12.04.2024. **It was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by Hon'ble High Court of Delhi vide order dated 08.04.2024 passed in WP (C) No. 7594/2018 and the EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies.**

Duty of the Government Officers to comply with the orders of this Tribunal and directions for Prosecution of the defaulting officers

111. The Central Zonal Bench of this Tribunal disposed of **Miscellaneous Application No. 04 of 2023 (CZ) in Original Application No. 72 of 2021 (CZ), vide order dated 21.08.2023**, holding that the officers of the Chhattisgarh Environment Conservation Board (CECB) had failed to comply with its order dated 03.02.2023 and had, thereby, committed an offence under Section 26 of the National Green Tribunal Act, 2010. The Central Zonal Bench of this Tribunal accordingly directed the Secretary, MOEF&CC to lodge a criminal complaint before the competent Magistrate's Court against Subrat Sahoo, Chairman, CECB, and P. Arun Prasad, Member Secretary, CECB. Aggrieved thereby, both the officers filed Civil Appeal No. 6707 of 2023 and Civil Appeal No. 6920 of 2023 before Hon'ble Supreme Court which were allowed vide order dated 12.08.2024. **Hon'ble Supreme Court observed in its order dated 12.08.2024 that Section 26 rightly provides for penal action being taken against anyone who fails to comply with an order, award and decision of the NGT but this power has to be exercised with care and caution.** In the case on

hand, the delay on the part of the CECB in the given facts does not amount to willful negligence or an abject dereliction of duty on its part in abiding by such directions Substantial compliance having been achieved, the CECB only sought some more time to make its website more user friendly. As the CECB had achieved full compliance with the directions of the National Green Tribunal, Central Zonal Bench, Bhopal, in its order dated 03.02.2023 in Original Application No. 72 of 2021 (CZ), impugned order dated 21.08.2023 was accordingly set aside. While disposing of the above said appeals Hon'ble Supreme Court observed as under:

> *"...we hasten to make it abundantly clear that every State organ and, in particular, the wings of the Government associated with environment protection, such as the CECB, must be all the more diligent in ensuring timely compliance with the directions of the NGT. Needless to state, such directions are aimed at protection and preservation of the ecology and environment and must take highest priority."*

Serious violations of orders passed by this Tribunal

112. It may be observed here that the material on record shows serious violations by the concerned Authorities themselves. In status report dated 11.07.2020 filed by DPCC in **OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.** it was submitted that in compliance of order of Tribunal, a meeting was taken by the Chief Secretary, Delhi on 12.06.2020 through video conferencing and during meeting, it was informed that DJB has already identified 19661 illegal borewells against whom action is being taken and 7248 units were already closed by the district authorities and that the remaining units would be closed down on priority as they were already identified and process would be completed within a period of three months. This Tribunal considered the situation to be disgusting/disappointing due to

snail pace level of activities on the part of statutory regulators which clearly indicated dereliction of duties. Vide order dated 25.02.2022 this Tribunal directed the authorities to take appropriate remedial action against all the illegally running bore wells identified by DJB and submit a complete compliance report after six months and a copy of the order was ordered to be forwarded to DJB, DPCC and NDMC by e-mail for compliance. As per written report submitted by the Registry no such report was filed by DJB, DPCC and NDMC in compliance of order dated 25.02.2022. As per Supplementary Status Report filed by DJB vide email dated 13.04.2024 out of 20522 illegal borewells identified only 11197 have been closed/sealed and 8178 illegal bore wells are still operating in violation of notifications, SOP and orders passed by this Tribunal. As per annexure 1 enclosed with status report dated 07.02.2024 filed by DPCC vide email dated 15.04.2024 environmental compensation imposed on 18372 violators is yet to be recovered. In **O.A. No. 639/2022 titled as Pritipal Sharma Vs. Government of NCT of Delhi & Ors. illegal borewell was sealed on 13.04.2023 in compliance of order passed by this Tribunal on 15.09.2022 and 06.12.2022** for factual verification and taking of remedial action. **However, the violator has not been yet identified and environmental compensation is yet to be imposed on and recovered from the violator.** In O.A. No. 33/2022 titled as Ganesh Prasad vs. Government of NCT of Delhi & Ors. **despite order passed by this Tribunal on 31.01.2022 for taking of remedial action, illegal borewell was sealed on 02.11.2023** after proceedings were initiated by listing of M.A. No. 24/2023 and **environmental compensation of Rs. 1 lakh imposed on violators Shri Ajit Kumar and Shri Ashish Kumar is yet to be recovered by SDM (Dwarka), Delhi** to whom reference for

recovery has been made by DPCC vide letter dated 11.01.2024.

113. In view of the violations the Chairman and Members of DPCC, Chief Executive Officer of DJB and concerned Officers and concerned Deputy Commissioner (Revenue)/DM, SDM and other officers/officials are also liable (i) to pay appropriate environmental compensation as abettors of environmental damage caused by the violators due to negligence/inaction on their part in taking of prompt action against the violators (ii) to prosecution under Section 26 of the NGT Act 2010 and (iii) to arrest and detention in Civil Prison under Section 25 of the NGT Act 2010 for execution of orders passed by this Tribunal yet in view of observations made by Hon'ble Supreme Court in its **order dated 12.08.2024 passed in Civil Appeal No. 6787 of 2023 titled as P. Arun Prasad & Anr. Vs. Union of India & Ors.,** we consider it appropriate to give them opportunity to make requisite compliance and the matter will be considered further and decided in the context of compliance by them with the environmental laws/norms and orders of this Tribunal.

114. It may be observed here that this Tribunal had vide para no. 21 of its **order dated 18.03.2024 passed in O.A. No. 639/2022** titled as **Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** given the following directions to all the District Magistrates in NCT of Delhi:-

> *"21. In view of such deficiencies and for ensuring proper transparency and accountability all the District Magistrates in NCT of Delhi are directed to upload on the respective website of the District Administration latest by 15.04.2024 the information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused."*

115. After the orders were reserved we made an effort to obtain the relevant information from the web-site of the District Magistrates in NCT of Delhi and observed that the information so uploaded in compliance with above quoted order dated 18.03.2024 was not accessible as the access links were not prominently displayed on the web-site.

116. In the course of hearing today learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi has submitted that as per information available with her some of the District Magistrates have uploaded the relevant information on their websites and referred to the links of the information uploaded by some of the District Magistrates. However, learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi has submitted that some of the District Magistrates have not provided any information regarding uploading of the information as directed by this Tribunal on their websites.

117. On referring to the links provided by learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi we find that even in some of the website, on which information has been uploaded by the District Magistrates, the link for accessing the same has not been prominently displayed on main page of the websites. Uploading the information on the websites without prominently displaying the links for accessing the same on the main page of the websites does not serve any useful purpose and any such compliance made in clandestine manner cannot be said to be proper compliance with the order passed by this Tribunal.

118. Further, it may also be observed that no information is provided on the website of the DJB and all the District Magistrates/Deputy Commissioners (Revenue) in the NCT of Delhi about the number of registered users, number of NoCs granted, application for new registration and NoCs pending, complaints made regarding illegal abstraction of ground water and action taken on the same (although in compliance to order dated 18.03.2024 some of the District Magistrates have uploaded the information as thereby directed.

119. On its website CGWA has made provision for submission of online application for NoC; track your application; know your groundwater charges; know your penalty and other charges; know your environmental compensation; how to apply with advance charges and also for user assistance. Guidelines and steps for filling application form for NoC have also been uploaded on the website. The application form has provision for new user registration and submission for application for NoC for industry, infrastructure and mining purposes. CGWA has also made provision enabling users to lodge a complaint for illegal abstraction of groundwater to concerned authorised officer (DC/DM/Revenue officer) of the state directly through the link given https://cgwa.mowr.gov.in and has also made provision for tracking of the complaint. CGWA has also mentioned the helpline number 011-23383561 on its website. However, it may be observed that the helpline is not working properly and even calls made on the number go un-responded. No information is provided by CGWA on its website about the number of registered users, number of NoCs granted, application for new registration and NoCs pending, complaints made regarding illegal abstraction of ground water and action taken on the same. CGWA is

directed to look into the aspect of functionality of the complaint making and tracking portal and helpline and take all requisite steps to make the same fully functional and provide the requisite information on its website as observed in this order.

Duties of CGWA for regulation and management of groundwater in NCT of Delhi and of DJB, DPCC and all the District Magistrates to act in coordination and in consultation with CGWA.

120. The Central Government authorized the Lieutenant Governor, NCT of Delhi vide **notification number S.O. 667 (E) dated 10.09.1992** to exercise powers under section 5 of the Environment (Protection) Act, 1986 for NCT 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. In exercise of power conferred by section 5 of the Environment (Protection) Act. 1986 read with the Ministry of Home Affairs, Government of India Notification number S.O. 667 (E) bearing F.No. U-11030/J/ 91- UTL dated 10.09.1992 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 30.03.2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated 30.04.2009, the Lt. Governor of NCT of Delhi issued directions vide **notification number. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010**. However, we are of the considered view that both these notifications are not inconsistent with and do not in any manner conflict with, obstruct, curtail or restrict **Notification number S.O. 38 (E) dated 14.01.1997** constituting CGWA and conferring powers on CGWA empowering it to exercise powers under section 5 of the Environment (Protection) Act, 1986 for

issuing directions and taking such measures in respect of all the matters referred to in sub-section(2) of section 3 of the said Act; to resort to penal provisions contained in sections 15 to 21 of the said Act and to regulate and control, management and development of ground water in the Country and also NCT of Delhi and to issue necessary regulatory directions for the purpose. Section 9 of the Delhi Jal Board Act, 1998 which empowers DJB to **plan for regulate and manage the exploitation of ground water in Delhi mandates it to do so in consultation with CGWA**.

121. This Tribunal in its Judgment dated 25.02.2022 passed in **O.A. No. 69/2022 titled as Sushil Bhatt Vs. Moon Beverages Ltd. & Ors**. observed as under:-

> *"X X X X*
> *117. Thus, we are clearly of the view that on the subject of regulation of ground water, provisions of EP Act 1986, the orders issued by Central Government under Section 3(3), and by CGWA under section 5 and/or section 3(2) of EP Act 1986 shall hold field and on this subject Provincial legislation cannot be brought in to impede, obstruct or deny or deprive CGWA, in its function for protection, perseveration and sustenance of ground water in the country....*
> *X X X X*
> *237. CGWA is a Statutory Authority and has statutory powers to issue directions or take such measures as are necessary for protecting environment. These directions are referable to EP Act 1986, enacted vide Entry 13 List 1 of Constitution and therefore even Provincial legislations would have no competence to touch on this subject. Undoubtedly water is in List II Entry 17 but to the extent, the subject of ground water is part of pollution and governed by EP Act, 1986, for the reasons already discussed above, Provincial legislature would lack competence and it cannot make laws in respect of subject of water, covered by EP Act 1986 or orders, directions, rules, etc. made thereunder.*
>
> *X X X X*
> *244. CGWA, while giving directions or laying down guidelines, had to take into consideration, and is under an obligation, to appreciate the mandate of Supreme Court and cannot abrogate or surrender to Provincial legislations on the ground that in some States there are Provincial legislations with regard to ground water and, therefore, Authorities under those enactments will deal with the issues relating to ground water*

and CGWA has no concern particularly when on some aspects Provincial legislations are not consistent with directions of CGWA. It also cannot stay satisfied by issuing guidelines giving easy access to extract ground water in OCS areas to almost all commercial proponents. This is a failure on the part of CGWA in discharge of its statutory duties which neither can be justified nor appreciated."

122. In that case this Tribunal observed in unambiguous terms that CGWA is bound to comply with and cannot override the orders passed by this Tribunal. The relevant para of the order is reproduced as under:-

"238. CGWA, however, even if prevails over Provincial legislations, cannot confer upon itself a jurisdiction so as to sit over the orders of Tribunal. In fact, power of CGWA, which it can exercise under Section 5 and Section 3(2), is subject to the mandate and scheme of EP Act 1986 and if it travels beyond it or infringes the mandate of law contained in EP Act 1986, such direction or order of CGWA would not be valid. NGT Act 2010 is a subsequent enactment and has jurisdiction in respect of environmental matters and its orders have over-riding effect over any other law. Its orders are also binding on the Authorities. Therefore, CGWA is bound by the directions and orders of Tribunal. When exercising powers of issuing directions etc., under Section 3(2) and 5 of EP Act, 1986. CGWA cannot issue orders and direction contrary to the orders of Tribunal."

123. It may be observed here that vide Public Notice no. 6 of 2000 CGWA declared South and South West Districts of NCT of Delhi as "Notified Areas" and vide Public Notice no. 2 of 2006 CGWA notified East, New Delhi, North-East, North-West and West Districts of Delhi as 'over-exploited' areas needing regulation. Even through, vide Public Notice no. 6/2000 CGWA prohibited and restricted abstraction of groundwater without prior permission from CGWA no such prohibition and restriction was imposed vide Public Notice no. 2 of 2006 whereby registration of groundwater structures in the notified Districts was made compulsory. However, in view of the orders passed by this Tribunal the prohibition and restriction on abstraction of groundwater

without prior permission from CGWA/DJB will apply to all the Districts in NCT of Delhi and CGWA/DJB have to regulate drawal of groundwater on that basis.

Directions by the Tribunal

124. In the facts and circumstances of the case following directions are issued:-

(i) CGWA is directed to own the responsibility of assessing status of groundwater in terms of quality, quantity, availability for abstraction and recharge and aid and advise DJB in regulating drawal of ground water assessment unit wise in NCT of Delhi by carrying out requisite scientific studies and issuing appropriate directions/making appropriate recommendations to DJB and the concerned **Deputy Commissioner (Revenue), who also has the designation and powers of District Magistrate in NCT of Delhi and is referred to in this order at some places as District Magistrate and hereafter as Deputy Commissioner (Revenue),** of each revenue area in GNCTD and submit action taken report within three months.

(ii) All functional borewells in NCT of Delhi, which do not have NOC from CGWA/DJB (issued by concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD) being illegal, are ordered to be closed/sealed with immediate effect.

(iii) Concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to take action for closing/sealing of illegal borewells already identified and also initiate proceedings for the prosecution of the violators within three months.

(iv) The concerned Project Proponents of new or existing borewells sealed by the Deputy Commissioner (Revenue) of each revenue area in GNCTD may submit application for grant of NOC to DJB and such applications for grant of NOC be decided expeditiously preferably within three months from the date of submission.

(v) DJB through Deputy Commissioner (Revenue) of the revenue area in question is directed to take requisite action for grant of permission for borewells in accordance with recommendations of the concerned Executive Engineer and Advisory Committee in accordance with groundwater level notifications, environmental norms/guidelines and directions issued by Hon'ble Supreme Court and this Tribunal, recover appropriate charges for drawal of ground water and impose appropriate conditions for recharge of ground water and ensure actual implementation thereof on the ground with geo-tagging for monitoring purpose.

(vi) DJB is directed to conduct survey from time to time for further identification of illegal borewells and take requisite action in respect of illegal borewells identified by further survey in accordance with environmental laws/SOP/directions issued by Hon'ble Supreme Court/this Tribunal.

(vii) DPCC is directed to finalize the proceedings already initiated for imposition of environmental compensation by issuance of show cause notices or initiate proceedings for imposition of environmental compensation on all the violators already identified and pass appropriate orders for imposition of

environmental compensation on them and make references for recovery of environmental compensation from all the violators on whom environmental compensation has already been imposed in accordance with law within three months.

(viii) Government of NCT of Delhi is directed to transfer to DPCC within three months amount of Rs. 70 crores (equal to the amount of environmental compensation imposed by DPCC for which recovery proceedings are pending with the officers of the Government of NCT of Delhi for more than three years) for utilization by DPCC for revival/restoration/rejuvenation /creation of water bodies, rain water harvesting pits etc. and for conservation and recharge of ground water as remediation of environmental damage caused by illegal drawal of ground water cannot be deferred for long periods of time to be taken by the authorities in effecting the recovery and Government of NCT of Delhi may thereafter recover the amount from the violators in accordance with law or waive the recovery as considered appropriate.

(ix) DPCC is directed to prepare and implement Action Plan, in consultation with DJB, concerned Deputy Commissioner (Revenue)/DM and District Advisory Committee for utilization of (i) amount equal to the amount of Environment Compensation imposed on and to be recovered from the violators by drawing the same from the amount of environment compensation lying deposited with it and (ii) amount transferred by Government of NCT of Delhi in lieu of the amount of environmental compensation to be recovered by its

officers from the violators, for remediation of environmental damage caused immediately as such remediation ought not to be deferred for long periods of time likely to be taken in recovering the amount of environmental compensation from the violators and the amount so drawn or transferred may be reimbursed on recovery of the amount from the violators.

(x) DJB is directed to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding number of applications for grant of NoC, number of such applications filed/pending for decision, number of such applications allowed and NoCs granted, number of applications rejected, number of borewells which have been granted NOC, illegal borewells which have been closed/sealed and illegal borewells which are yet to be closed/sealed, procedure for processing of the application for grant of NoC for abstraction of ground water, the charges to be levied for abstraction of ground water, the penal provisions for punishing illegal abstraction of groundwater and liability to pay environmental compensation for illegal abstraction of ground water on its web site by 30.09.2024 and to update the same within 7 days at the end of each month.

(xi) DPCC is directed to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding (i) proceedings initiated for imposition of environmental compensation on the violators (ii) proceedings finalized for imposition of environmental compensation on the violators; (iii) references made for

recovery of environmental compensation from the violators; (iv) amount of environmental compensation recovered; (v) amount of environmental compensation to be recovered; (vi) amount of environmental compensation utilized; (vii) amount of environmental compensation to be utilized; (viii) activities carried out for utilization of the amount of environmental compensation and (ix) activities proposed to be carried out for utilization of the amount of environmental compensation on its web site by 30.09.2024 and to update the same within 7 days at the end of each month thereafter.

(xii) All the Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to upload with link on the main page of their respective websites under heading 'Groundwater Management' complete information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused on the respective website of the District Administration by 30.09.2024 and to update the same within 7 days at the end of each quarter thereafter.

(xiii) CGWA is directed to upload with link on the main page of its website the information regarding the status of groundwater, the necessity for regulation and management of groundwater abstraction, the copies of public notices issued by CGWA and

measures taken for regulation, management, conservation and recharge of groundwater.

(xiv) In **O.A. No. 639/2022 Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** DCF (South), Delhi is directed to file report as to the person who is alleged to have encroached upon the forest land on which the borewell in question was found by the Joint Committee to be operational.

(xv) In **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** SDM (Dwarka), Delhi is directed to file status report regarding recovery of environmental compensation from the violators.

125. Our answer to the question posed in the beginning of this order is that hands of law, as is proverbial, are very strong and no violator whether a person or authority, can escape its hold and fold and survive and thrive without compliance with it.

126. It is, accordingly, clarified (i) that in case of failure to take requisite action as mandated by the Environmental Laws/Norms/Notification/SOP, the Chairman and Members of DPCC, Chief Executive Officer of DJB and concerned Officers and concerned Deputy Commissioner (Revenue)/DM, SDM and officers/officials will be liable (i) to pay appropriate environmental compensation as abettors of environmental damage caused by the violators due to negligence/inaction on their part in taking of prompt action against the violators; (ii) to prosecution under Section 26 of the NGT Act 2010 and (iii) arrest and detention in Civil Prison under Section 25 of the NGT Act 2010 for execution of the orders passed by this Tribunal.

127. It may be observed here that in **O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** this Tribunal while disposing of the application vide order dated 08.04.2021 observed as under:-

> *"1. This application seeks injunction against illegal withdrawal of ground water by 536 hotels operating in Paharganj area of Delhi of which list has been filed. The applicant has relied upon judgment of this Tribunal dated 20.07.2020 in O.A. No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors. to the effect that ground water extraction has to be regulated as per orders of the Hon'ble Supreme Court in MC Mehta vs UOI, 1997 11 SCC 312. Regulation requires that such extraction is allowed ensuring replenishment and that ground water table does not get depleted. The Tribunal having already adjudicated upon the question of law, the matter is only of execution which issue needs to be looked into by the concerned statutory authorities, in accordance with law.*
> *2. Since the present application on multiple causes of action is not permissible as per statutory procedural rules, we permit the applicant to move the concerned SDMs or other authorities and the Chief Secretary, Delhi, who have to enforce/oversee the compliance of norms on the subject.*
>
> *The application is disposed of."*

128. **E.A. No. 11/2023** has been filed in **O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** for execution of order dated 08.04.2021 in respect of illegal withdrawal of groundwater by 536 hotels operating in Paharganj area of Delhi. In the above mentioned EA, this Tribunal is considering the questions as to the authority responsible for regulating the ground water extraction in Delhi and validity of voluntary disclosure scheme and permissibility of extraction of groundwater under the same. The above said case is now fixed for hearing on 03.09.2024.

129. It may be added here that by this order we do not purport to consider and determine the issues involved in above mentioned case and we are considering issuance of the directions on the basis of

statutory provisions and directions under Section 5 of the Environment (Protection) Act, 1986 having statutory force, SOP prepared, directions already issued by the Chief Secretary, Government of NCT of Delhi and directions issued by this Tribunal.

130. However, it is clarified that the directions issued by this Tribunal by this order passed in both the cases **O.A. No. 639/2022** titled as **Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** and **M.A. No. 24/2023** in **O.A. No. 33/2022 Ganesh Prasad Vs. GNCTD & Ors.**, regarding closing of the borewells, prosecution of the concerned Project Proponents and imposition of the environment compensation will not apply to 536 hotels regarding which **E.A. No. 11/2023 in O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** is pending before this Tribunal and is fixed for hearing on 03.09.2024.

131. Action taken reports with respect to other illegal borewells be filed by the the Member Secretary CGWA; the Chief Executive Officer DJB; the Member Secretary, DPCC, all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi, DCF (South), Delhi and SDM (Dwarka), Delhi as directed above at least one week before the date of hearing hereby fixed.

132. I.A. No. 293/2023 in O.A. 639/2022 was filed for exemption of personal appearance of Chief Executive Officer, DJB which was allowed vide order dated 19.04.2023. I.A. No. 02/2023 in O.A. No. 33/2022 was filed by DJB for extension of three weeks time for submission of the report which was allowed vide order dated 04.01.2024 but pendency of the same has been shown in the cause list and disposal of the same be recorded/uploaded as per the orders already passed.

133. List on 06.01.2025 for further consideration.

134. A copy of this order be sent by email to the Chief Secretary, Government of NCT of Delhi; the Member Secretary CGWA; the Chief Executive Officer DJB; the Member Secretary, DPCC and all the Deputy Commissioner (Revenue)/District Magistrates in NCT of Delhi, DCF (South), Delhi and SDM (Dwarka), Delhi for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 28th, 2024
AG

ANNEXURE- R-26

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No.639/2022
(I.A. No. 293/2023)

Pritpal Sharma ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

With
M.A. No. 24/2023
In
O.A. No. 33/2022
(I.A. No. 02/2024)

Ganesh Prasad ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

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Filed through

Richa Kapoor

Richa Kapoor, Advocate
Addl. Standing Counsel,
Delhi Jal Board

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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No.639/2022
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Ganesh Prasad ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

ACTION TAKEN REPORT ON BEHALF OF DELHI JAL BOARD (DJB) IN COMPLIANCE OF ORDER DATED 28.08.2024.

MOST RESPECTFULLY SHOWETH:

1. That the present Action taken Report is being filed on the behalf of Delhi Jal Board (DJB) in compliance of directions issued by the Hon'ble Tribunal vide order dated 28.08.2024. The relevant para of the order dated 28.08.2024 is reproduced hereunder:-

> ***"Directions by the Tribunal***
>
> *124. In the facts and circumstances of the case following directions are issued:-*
>
> *(i) CGWA is directed to own the responsibility of assessing*

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status of groundwater in terms of quality, quantity, availability for abstraction and recharge and aid and advise DJB in regulating drawal of ground water assessment unit wise in NCT.....

(xv) In M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors. SDM (Dwarka), Delhi is directed to file status report regarding recovery of environmental compensation from the violators."

The order dated 28.08.2024 passed by the Hon'ble Tribunal is annexed herein as **Annexure-A**.

2. That the matter herein pertains to the issue of illegal extraction of ground water by illegal borewells. The grievance of the applicant in OA No. 639/2022 "Pritpal Sharma Vs. Government of NCT of Delhi & Ors." is that the respondent no.5 had installed borewells in the plots House No. GI-2035 without permission from DJB and he is extracting groundwater for commercial purposes without obtaining No Objection Certificate from CGWA and is supplying the same to residents of Aya Nagar and beyond through water tankers in violation of environmental laws/norms. Further, O.A. No. 33 of 2022 was filed by Mr. Ganesh Prasad with the grievance that the R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

3. That the matter was adjudicated by the Hon'ble Tribunal on various dates and various departments were called upon to file their responses. Substantially, The Hon'ble Tribunal took cognizance vide order dated 28.08.2024, by issuing 15 directions to various departments.

4. That vide para no. 124 (i) of the order dated 28.08.2024, the Hon'ble

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Tribunal directed *"CGWA to own the responsibility of assessing status of groundwater in terms of quality, quantity, availability for abstraction and recharge and aid and advise DJB in regulating drawl ..... Deputy Commissioner (Revenue), of each revenue area in GNCTD."*

That in reference to the aforesaid direction the status of ground water in terms of quality has been analysed and the advices received from CGWA therefore has been adopted by DJB and circulated for compliance. The Status Report of ground water quality and advices received from CGWA is annexed herein as **Annexure-B**.

5. Additionally, the Hon'ble Tribunal vide para no. 124 (ii) of the order dated 28.08.2024 directed that *"all functional borewells in NCT of Delhi, which do not have NOC from CGWA/DJB (issued by concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD) being illegal, are ordered to be closed/sealed with immediate effect."*

That in compliance of direction issued under the said para, DJB has taken steps and as the illegal borewells are to be sealed by the District Magistrates, the DJB is pursuing with District Magistrates for sealing of illegal borewells. Letters have been written to the DMs. DJB has also provided list of illegal borewells to the DMs, also the lists of identified borewells have been uploaded on the DJB's website. In this regard a meeting was also taken by the CEO(DJB) with all District Magistrates for expediting the sealing of illegal borewells. True copies of the letters is annexed herein as **Annexure – C**.

6. Further, vide para no. 124 (iii) of the order dated 28.08.2024 the Hon'ble Tribunal also directed *"Concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to take action for closing/sealing of illegal borewells already identified and also initiate*

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proceedings for the prosecution of the violators within three months."

That in compliance of the aforesaid directions issued by Tribunal, DJB humbly submits that the action for initiating proceedings for the prosecution of the violators is to be taken up by the concerned District Magistrate. Further, to know the status of the sealing, a link has been created on the DJB's website with access to all DM's for updating the progress of sealing of illegal borewells.

7. In addition to above, vide para no. 124 (iv) of the order dated 28.08.2024, the Hon'ble Tribunal directed *"The concerned Project Proponents of new or existing borewells sealed by the Deputy Commissioner (Revenue) of each revenue area in GNCTD may submit application for grant of NOC to DJB and such applications for grant of NOC be decided expeditiously preferably within three months from the date of submission."*

That in reference to the aforesaid directions issued by Tribunal, DJB humbly submits that the application procedure has been uploaded on the DJB's Website and the applications received for NOC are being processed on priority. Further, to decide the applications within three months the concerned Executive Engineers of DJB who have received the application shall forward the same to the concerned Deputy Commissioner after receiving approval of his Chief Engineer within 10 days of the submission of the application. Also the summary status of applications recommended and pending with DMs is available on the DJB's website.

8. The Hon'ble Tribunal in terms of para no. 124 (v) of the order dated 28.08.2024 directed *"DJB through Deputy Commissioner (Revenue) of the revenue area in question is directed to take requisite action for grant of permission for borewells in accordance with recommendations of the .....conditions for recharge of ground water and ensure*

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actual implementation thereof on the ground with geo-tagging for monitoring purpose."

Subsequently, subject to compliance of aforesaid direction issued by Tribunal, DJB humbly submits that regarding appropriate charges for withdrawal of groundwater, a draft notification regarding Groundwater regulations for Government of Delhi in light of the notification dated 24.09.2020 issued by CGWA, Government of India is under approval with Environment Department of GNCTD. In this draft DJB has also recommended ground water drawl charges. Environment Department has been requested to expedite the notification. True copy of the communications are enclosed herewith as **Annexure-D**.

Further, as an interim arrangement, pending the above mentioned notification, a proposal has been initiated for seeking approval of the Board of DJB for ground water drawl charges. The approved rates shall be implemented accordingly.

For Geo-tagging and installation of flowmeters on the borewells, an advisory has been issued by the DJB. True copy of advisory is enclosed herein as **Annexure-E**.

9. Moreover, vide para no. 124 (vi) of the aforesaid order the Hon'ble Tribunal directed *"DJB to conduct survey from time to time for further identification of illegal borewells and take requisite action in respect of illegal borewells identified by further survey in accordance with environmental laws/SOP/directions issued by Hon'ble Supreme Court/this Tribunal."*

That in reference to the aforesaid direction issued by Tribunal, DJB humbly

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submits that DJB is carrying out time to time survey for identification of illegal borewells. As of now, 20625 Number of illegal borewells have been identified by DJB. Also the detailed status of identification of illegal borewells is available on the DJB's website link : https://docs.google.com/document/d/1m4Wsqg4TBZZbUk7ZQOVLc4pgnfWC7feGJ8kn9qkK6WY/edit?tab=t.0

10. That in addition, as per para no. 124 (vii) of the order dated 28.08.2024 the Hon'ble Tribunal directed *"DPCC to finalize the proceedings already initiated for imposition of environmental compensation by issuance of show cause notices or initiate proceedings for imposition of environmental .....violators on whom environmental compensation has already been imposed in accordance with law within three months."*

That in reference to the aforesaid direction issued by the Tribunal, DJB humbly submits that the directions pertains to DPCC.

11. In furtherance to para no. 124 (viii) of the order dated 28.08.2024, the Hon'ble Tribunal directed *"Government of NCT of Delhi to transfer to DPCC within three months amount of Rs. 70 crores (equal to the amount of environmental compensation imposed by DPCC..... authorities in effecting the recovery and Government of NCT of Delhi may thereafter recover the amount from the violators in accordance with law or waive the recovery as considered appropriate."*

That DJB humbly submits that the aforesaid direction pertains to GNCTD.

12. That vide para no. 124 (ix) of the order dated 28.08.2024 the Hon'ble Tribunal directed *"DPCC is directed to prepare and implement Action Plan, in consultation with DJB, concerned Deputy Commissioner (Revenue)/DM and District Advisory Committee for utilization of (i)*

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amount equal to the amount of Environment Compensation imposed on .....likely to be taken in recovering the amount of environmental compensation from the violators and the amount so drawn or transferred may be reimbursed on recovery of the amount from the violators."

Subsequently, subject to compliance of aforesaid direction issued by Tribunal, DJB humbly submits that a meeting on 17.12.2024 was convened by the Chief Secretary (Delhi) in which DJB and DPCC were present and the Action Plan is being prepared by the DPCC as deliberated in the meeting.

13. That as per para no. 124 (x) of the order dated 28.08.2024 the Hon'ble Tribunal directed *"DJB to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding number of applications for grant of NOC, number of such applications filed/pending for decision, number of such applications allowed and NOCs granted, number of applications rejected, ...compensation for illegal abstraction of ground water on its web site by 30.09.2024 and to update the same within 7 days at the end of each month."*

That in reference to the aforesaid direction issued by the Tribunal, DJB humbly submits that DJB has created a link on its website with access to concerned District Magistrates to update their part of the data.

14. In terms of para no. 124 (xi) of the order dated 28.08.2024 the Hon'ble Tribunal directed *"DPCC to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding (i) proceedings initiated for imposition of .....compensation to be utilized; (viii) activities carried*

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out for utilization of the amount of environmental compensation and (ix) activities proposed to be carried out for utilization of the amount of environmental compensation on its web site by 30.09.2024 and to update the same within 7 days at the end of each month thereafter."

That in reference to the aforesaid direction issued by the Tribunal, DJB humbly submits that the directions pertains to DPCC.

15. That as per para no. 124 (xii) of the order dated 28.08.2024 the Hon'ble Tribunal directed *"All the Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to upload with link on the main page of their respective websites under heading 'Groundwater .....and (iii) remedial measures taken for remediating environmental damage caused on the respective website of the District Administration by 30.09.2024 and to update the same within 7 days at the end of each quarter thereafter."*

That in compliance of aforesaid direction issued by Tribunal, DJB humbly submits that the directions pertains to Deputy Commissioner (Revenue) of each revenue area in GNCTD.

16. That furthermore in para no. 124 (xiii) of the order dated 28.08.2024 the Hon'ble Tribunal directed *"CGWA to upload with link on the main page of its website the information regarding the status of groundwater, the necessity for regulation and management of groundwater abstraction, the copies of public notices issued by CGWA and measures taken for regulation, management, conservation and recharge of groundwater."*

That in compliance of aforesaid direction issued by Tribunal, DJB humbly submits that the directions pertains to CGWA.

17. Further, as per para no. 124 (xiv) of the order dated 28.08.2024 the Hon'ble

Tribunal directed *"In O.A. No. 639/2022 Pritipal Sharma Vs. Government of NCT of Delhi & Ors. DCF (South), Delhi to file report as to the person who is alleged to have encroached upon the forest land on which the borewell in question was found by the Joint Committee to be operational."*

That in compliance of directions issued by Tribunal, DJB humbly submits that the directions pertains to DCF (South), Delhi.

18. Lastly, vide para no. 124 (xv) of the order dated 28.08.2024 the Hon'ble Tribunal directed *"In M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors. SDM (Dwarka), Delhi is directed to file status report regarding recovery of environmental compensation from the violators."*

That in compliance of directions issued by Tribunal, DJB humbly submits that the directions pertains to SDM (Dwarka), Delhi

19. The report is being submitted herein for perusal and consideration of this Hon'ble Tribunal.

20. 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.

Gajender Tomar
CE(Ground Water) DJB Delhi

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Item No. 01 & 02 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

Original Application No.639/2022
(I.A. No. 293/2023)

Pritpal Sharma ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

With

M.A. No. 24/2023
In
O.A. No. 33/2022
(I.A. No. 02/2024)

Ganesh Prasad ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

Date of last hearing:- 18.04.2024.

Date of order:- 28.08.2024.

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicants: None for the applicants.

Respondents: Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD and DM (South West), Delhi.
Ms.Atika Singh and Ms. Udipti Chopra, Proxy Counsel

for Ms. Richa Kapoor, Advocate for DJB.
Ms. Sakshi Popli, Advocate for DPCC (through VC).
Ms. Srishti Dabas, Project Associate (Legal), Forest Department.

Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010.

Order

1. We all know that 'Water', one of the five elements, is creator and saviour of life and life wholly depends on it yet unmindful of the consequences we are indulging in questionable acts due to which surface water bodies, lakes, etc. are drying up, ground water is contaminated and fast depleting and rivers are not only highly polluted but also shrinking and dying in our Country.

2. No doubt, treated sewage/industrial effluent may be reused for industrial, horticultural and agricultural purposes but prospect of recycling sewage/industrial effluent for use as drinking water seems to be wholly unacceptable to all of us and we have to save quality and quantity of water to save our own existence and have to urgently take all remedial steps before any irreversible damage is caused to the environment.

3. Both these cases-**O.A. No. 639/2022 Pritipal Sharma Vs. GNCTD & Ors.** and **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. GNCTD & Ors.**, which required taking of prompt remedial action by the concerned Statutory and Administrative Authorities, are illustrative of the numerous fact situations where the concerned Statutory and Administrative Authorities are miserably failing in prompt discharge of their statutory duties to protect and improve the environment.

4. Both these cases also raise a difficult question for this Tribunal to answer as to how to enforce environmental laws/norms if the Statutory and Administrative Authorities, which are not only statutorily empowered but also mandated by the constitution to protect and improve environment, culpably neglect to discharge the duties assigned to them and fail to take requisite action due to some vested interests, for extraneous considerations and with ulterior motives.

5. We also find it extremely difficult to answer this question in the complex factual matrix woven by case after case coming up before this Tribunal showing complete insensitivity and inaction on the part of the concerned Statutory and Administrative Authorities which also endlessly indulge in blaming and shifting accountability to others.

6. Since the question raised is common, both these cases have been taken up together and this common order is passed in both the cases.

7. A brief resume of the facts of both these cases, which speak for countless fact situations, is spelled out hereunder to unfold the dilemma and search for solution animating this Tribunal.

OA No. 639/2022 Pritpal Sharma Vs. Government of NCT of Delhi & Ors.

The grievance of the applicant

8. The applicant, claiming respondent no. 5 to be owner of the plot adjoining House No. GI-2035, Aya Nagar, Delhi and the plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, Delhi filed the subject original application complaining that respondent no.5 has installed borewells in the above said plots without

permission from DJB and he is extracting groundwater for commercial purposes without obtaining No Objection Certificate from CGWA and is supplying the same to residents of Aya Nagar and beyond through water tankers in violation of environmental laws/norms.

Proceedings on 15.09.2022

9. This Tribunal constituted a Joint Committee comprising of representative of Central Ground Water Authority (CGWA), Delhi Jal Board (DJB), Delhi Pollution Control Committee (DPCC) and Deputy Commissioner, (South) Delhi and directed the same to verify the factual position and submit its report within one month.

Proceedings on 06.12.2022

10. In report filed vide email dated 15.11.2022, the Joint Committee submitted that no illegal borewell/submersible was found in the plot adjoining House No. GI-2035, Aya Nagar, Delhi but the plot opposite to House No. GI-2038, Aya Nagar, Delhi was found locked and **the Joint Committee submitted that no action was required to be taken on the basis of the Joint Inspection.**

11. This Tribunal vide order dated 06.12.2022 directed further verification of the factual position regarding the plot opposite to House No. GI-2038, Aya Nagar, Delhi. Personal appearance of officers duly authorized by DJB, DPCC and District Magistrate (DM) (South) Delhi was ordered.

Proceedings on 20.03.2023

12. In report filed vide email dated 10.03.2023 **the Joint Committee mentioned that on inspection on 13.04.2023, illegal**

borewell was found to be situated in the plot opposite to House No. GI-2038, Aya Nagar, Delhi.

13. Mr. Amjad Khan JEE appeared for DPCC but no officer authorized by DJB and DM (South) Delhi appeared. Personal appearance of the CEO, DJB and DM (South), Delhi was ordered.

Proceedings on 20.04.2023

14. CEO, DJB was exempted from personal appearance vide order dated 19.04.2024 passed on his application and Mr. B C Patel, Additional Chief Engineer, Delhi appeared for him but DM (South) Delhi did not appear and **on being joined by teleconferencing he sought time on the ground that order was not served on him.**

Proceedings on 21.04.2023

15. Mr. Mekala Chaitanya Prasad, District Magistrate (South), Delhi appeared and assured to evolve mechanism and take appropriate remedial action regarding illegal borewells operating in the area and **sought time to file action taken report in this regard.**

Proceedings on 24.07.2023

16. Mr. Shashi Pal, SDM, Mehrauli and Mr. Radhey Sham, SDM Saket appeared before this Tribunal. The applicant submitted that there are tanker mafias which are extracting groundwater and through RO Plants, they are doing commercial activities and the authorities concerned are not taking any action against these tanker mafias.

17. Respondents/SDMs present during the hearing were directed to take necessary action and develop effective mechanism for preventing

extraction of groundwater by unauthorized operators and tanker mafias and take prompt coercive measures and file action taken report within three weeks.

Proceedings on 19.10.2023

18. In compliance of order dated 24.07.2023 reports were filed by SDM, Mehrauli vide emails dated 25.08.2023 and 07.09.2023, by the District Magistrate (South) Delhi vide email dated 14.09.2023 and by the DPCC vide email dated 17.10.2023.

19. Reports filed by the concerned authorities showed complete lack of coordination between them. In his report District Magistrate, (South) Delhi mentioned that the matter of assessment of environmental damage compensation is pending with DPCC for very long period mentioned therein. In its report DPCC referred to proceedings taken for imposition of environmental compensation for illegal borewell in the present case but stated that it did not have the information regarding owner of the plot and it issued notice to alleged project proponent **Mr. Rinku, who said that he is neither the owner nor tenant in the premises in question. Information regarding ownership of the plot was not available even with the SDM, Vivek Vihar who was present before this Tribunal.** This Tribunal observed that the concerned authorities, which are under statutory and constitutional obligation to protect and improve the environment, could not be allowed to neglect or delay taking of appropriate remedial action for protection and improvement of environment on such frivolous grounds/lame excuses. This Tribunal accordingly directed the authorities to resolve all such bottlenecks in the implementation of the statutory provisions/environmental norms by seeking the relevant information

from the concerned authorities and also avoiding unnecessary delay in taking of such action. Action taken reports were ordered to be filed by email within three months.

Proceedings on 07.02.2024

20. Report was filed by the DPCC vide email dated 06.02.2024. **This Tribunal observed that status report filed by DPCC has been prepared casually without taking into consideration the observations made by this Tribunal in its orders passed in the case.** In the status report there is no mention regarding 15 cases referred to in the report filed vide email dated 14.09.2023 by the District Magistrate (South), Delhi where in orders regarding imposition of environmental compensation are awaited from the DPCC. The DPCC was directed to file additional status report within one month giving information, as on 31.01.2024, in tabular format with respect to the following aspects **(i) particulars of cases in which environmental compensation has been imposed; (ii) particulars of cases in which environmental compensation has been realized; (iii) particulars of cases (including 15 cases mentioned above) in which matter of imposition of environmental compensation is pending; (iv) particulars of cases in which environmental compensation realized has been utilized; and (v) particulars regarding activities carried out by utilization of amount of environmental compensation.**

21. **No report was filed by DJB and SDM, Mehrauli** and they were given one more opportunity to file additional action taken reports within one month. **SDM, Mehrauli was directed to mention in his affidavit as to who is the owner of the plot in question where the illegal borewell was being operated and in case the information is**

not available with his office, what steps have been taken to procure the same. In view of the facts and circumstances conditional attachment of the plot in question for realization of the amount of environmental compensation imposed was ordered. Warrant of attachment of the plot in question was ordered to be issued and to be sent to the District Magistrate (South), Delhi for execution and submission of report regarding compliance of the order by way of his affidavit within one month. Personal appearance of concerned Chief Engineer, DJB, DM (South), Delhi and SDM, Mehrauli was ordered.

Proceedings on 18.03.2024

22. In compliance of order dated 07.02.2024 reports were filed by DJB vide email dated 07.03.2024; by SDM, Mehrauli vide email dated 16.03.2024 and by DPCC vide email dated 16.03.2024 and Mr. Mekala Chaitanya, DM (South), Delhi, Ms. Mahima Madan, SDM (Mehrauli) and Mr. Gajender Tomar, Chief Engineer (South), DJB appeared physically before this Tribunal.

23. In its report DJB mentioned that DJB had provided requisite details in respect of the 15 borewells in question. **In her report Ms. Mahima Madan, SDM, Mehrauli submitted that the land where borewell was sealed falls in Khasra No. 1978, Village Aya Nagar and ownership of the land is in the name of Forest Department. However, SDM, Mehrauli had not given any information to the DPCC and DCF (South), Delhi and did not obtain any response from DCF (South), Delhi.**

24. In view of said report this Tribunal impleaded DCF (South), Delhi as respondent no. 10 and issued notice requiring him to file his

response. It was clarified that in case of failure to appear or file response heavy costs may be imposed on DCF (South), Delhi.

25. This Tribunal observed serious deficiencies in the working of the governmental agencies who have been assigned the task of taking remedial action on complaints received regarding operation of illegal borewells in NCT of Delhi. This Tribunal referred to order dated **15.05.2020** passed in **O.A. No. 685/2019** titled as **Rakesh Kumar vs. Govt. of NCT of Delhi & Ors.** whereby the Chief Secretary, Delhi was directed to take a meeting within one month and oversee preparation of an appropriate SOP for preventing extraction of ground water by way of unauthorized borewells with further direction that wherever such illegality was found, prompt coercive measures be taken. In compliance thereof meeting was taken by the Chief Secretary, Delhi on 12.06.2020 and SOP was finalized and brought into effect. During hearing of the above said O.A. it was brought to the notice of the Tribunal that **DJB had identified 19661 illegal borewells on which action was being taken and 7248 units had already been closed by the district authorities and the remaining units were to be closed.**

26. In view thereof this Tribunal directed DJB to file status report with reference to all illegal borewells identified by it in the NCT of Delhi including illegal borewells remaining to be closed out of above mentioned 19661 illegal borewells on or before 15.04.2024 giving the complete information regarding the same.

27. This Tribunal noticed that in compliance of order dated 07.02.2024 DPCC had filed additional status report vide email dated 16.03.2024 and had enclosed therewith requisite information in

tabular format regarding environmental compensation as Annexure 1 and utilization by DPCC of the amount received as environmental compensation as Annexure 2. DPCC also mentioned therein that with reference to 15 sites regarding which information was received from SDMs of Hauz Khas, Saket and Mehrauli, DPCC issued show cause notices dated 08.03.2024 to all 15 units for levying Environmental Compensation of Rs. 30,000/- (each unit) on account of illegal/ unauthorized extraction of ground for domestic purpose and enclosed copies of the show cause notices dated 08.03.2024 as Annexure 3. In additional status report DPCC also mentioned that, DPCC sent letters dated 06.10.2023 and 08.11.2023 to SDM (Mehrauli) to know the real owner of the illegal borewell so that EC may be levied on the right person but no response was received from SDM (Mehrauli) and notice addressed to "The Proprietor" of the unit was got pasted on the door of the unit's premises.

28. Vide order dated 18.03.2024 remedial directions were given by this Tribunal which may be summarized as under:

(i) The Chief Secretary, GNCT of Delhi was directed to convene a meeting with the CEO, DJB, the Member Secretary, DPCC and all concerned officers of GNCTD (including the District Magistrates in Delhi), DJB and MCD for taking remedial measures for proper implementation of the directions issued by Hon'ble Supreme Court, this Tribunal, provisions contained in Delhi Jal Board Act, 1998, directions issued with the approval of Lt. Governor, Delhi on 18.05.2010 and 10.01.2014, Minutes of Meeting held by the Chief Secretary, Delhi on 12.06.2020 and SOP finalized regarding the same.

(ii) DPCC was directed to file additional status report giving the complete information with respect to all relevant aspects including the total amount of EDC imposed and the total amount of EDC which has been recovered.

(iii) Respondent no. 1-GNCTD was directed to file its response as to why in view of the delay on the part of its officers in realization of amount of environmental compensation imposed on the violators, GNCTD be not directed to pay the amount of environmental compensation for remediation of the environmental damage caused with liberty to recover the same from the violators through the proceedings initiated on references received from DPCC as remediation of environment cannot be deferred.

(iv) All the District Magistrates in NCT of Delhi were directed to upload on the respective website of the District Administration latest by 15.04.2024 the information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused.

(v) The Chief Secretary, NCT of Delhi was directed to issue appropriate instructions for requisite compliance while specifically mentioning that in case of inaction/negligence on the part of the concerned administrative officers strict disciplinary

action will be taken against them.

(vi) The Chief Secretary, NCT of Delhi was also directed to look into the matter of recovery of Environmental Damage Compensation (EDC) in the remaining cases and issue appropriate instructions for expediting the recovery thereof.

(vii) Personal appearance of the officers duly authorised by the Chief Secretary, NCT of Delhi, CEO, Delhi Jal Board and the Member Secretary, DPCC **(physically)** before this Tribunal was ordered.

Proceedings on 18.04.2024

29. Supplementary report was filed by the Chief Engineer South DJB vide email dated 15.04.2024 and the same will be referred to in later part of this order.

30. Status report was filed by DPCC vide email dated 16.04.2024. The relevant part of the Status report is reproduced below:-

> ***"Status Report on behalf of Delhi Pollution Control Committee in compliance to the order dated 18.03.2024.***
> ***X X X X***
>
> *5. That in the instant case, in addition to Sh. Rinku, DPCC has imposed interim environmental compensation @ Rs. 30000/- each on 11 more violators and Rs. 60,000/- on two borewells of a violator as he/she had two borewells in the premises vide letters dated 09.4.2024. Further letter for confirmation of EDC for remaining two borewells is being issued.*
>
> ***6. That, out of total imposed EDC amount of Rs 70.65 crore, EDC recovered to date stands at ₹53,70,000/- (Rupees Fifty-Three Lakhs Seventy Thousand Only) from 121 violators.***
>
> ***7. Out of 53 lakhs EDC recovered on the issue of ground water, DPCC has utilized the same as***

development of infrastructure for water quality surveillance in line with CPCB guidelines.

8. That, in the meeting taken by Chief Secretary, Delhi on 12.04.2024, it was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by ***Hon'ble High Court in WPC No. 7594/2018 in order dated 08.04.2024. The EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies."***

31. Status report was filed by Govt. of NCT of Delhi vide email dated 16.04.2024. The relevant part of the Status report is reproduced below:-

"Status Report on behalf of Government of NCT of Delhi in compliance to the order dated 18.03.2024.

X X X X

2. That, in compliance with the aforesaid order of this Hon'ble Tribunal, the Chief Secretary, Government of NCT of Delhi convened a meeting of the officers from Delhi Jal Board (DJB), Municipal Corporation of Delhi (MCD), Delhi Pollution Control Committee (DPCC), Delhi Police, Urban Development Department, Revenue department and other concerned departments on 12.04.2024. Minutes of the meeting is enclosed herewith as Annexure-1.

3. That, DJB, District Magistrates and DPCC was directed to enforce the rules issued under Environment Protection Act, 1986 with respect to regulation of bore wells.

4. That, the DJB/Revenue Department shall inttiate action for taking actions on illegal bore wells particularly focusing in areas that are over exploited or where extraction of water is being used for profiteering. Further, they would accord permissions where water table is satisfactory and water is potable.

5. That, DPCC has been directed to effect recovery of EDC imposed, by following due process. Its engineers may be authorized for effecting recovery for proper accountability. DPCC along with DMs have been directed to focus their efforts where ground water is under stress.

6. That, DJB was advised to improve the efficiency in water supply by preventing leakages in water/revenue.

7. That, the utilization of EDC needs to be targeted at full scale remediation of environmental

damage caused by the illegal extraction of ground water; and hence it was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by Hon'ble High Court in WP (C) No. 7594/2018 in order dated 08.04.2024. The EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies.

8. That, DPCC will develop an online portal for logging in the process of giving permission to bore wells, identification and action against bore wells and imposition and recovery of EC, which will be used by stakeholders as above."

32. Short Affidavit was filed by DCF (South) Delhi vide email dated 25.07.2024. In the affidavit it has been submitted that the **land where the illegal bore well was sealed on 13.04.2023 falls in Khasra No. 1978, Village Aya Nagar and ownership of the land falls in the name of Forest Department regarding which information regarding the illegal bore well was given to DCF (South) Delhi in 2024. DCF (South) Delhi has taken steps for removal of the encroachment on forest land of Khasra no. 1978 in** Village Aya Nagar vide notices dated 09.02.2024 and 16.04.2024. The Hon'ble High Court of Delhi vide order dated 29.02.2024 disposed of two matters titled as **"Adarsh Enclave Residents Welfare Association (Regd.) versus GNCTD, W.P.(C) no. 3086/2024 and Devki Devi versus GNCTD & Ors., W.P (C) No. 3088/2024"** with a direction to the DCF (South) Delhi to decide the representation of the petitioners therein with respect to the petitioners' property within 6 weeks after receiving the said representation and not to take any coercive actions against the property in question until the representation of the petitioners therein is decided. On 05.04.2024, the DCF (South) Delhi had received a short representation by Adarsh Enclave Residents Welfare Association (Regd.) to which the DCF (South) Delhi directed the Adarsh Enclave

Residents Welfare Association (Regd.) to file a detailed representation, However, the same is not filed till date. DCF (South) Delhi has submitted that due to stay on Khasra no. 1978, he is unable to do anything with respect to Khasra no. 1978, Village Aya Nagar, Delhi.

33. **In the present case illegal borewell was sealed on 13.04.2023 after more than six months from passing of order dated 15.09.2022 for verification and remedial action and the violator has not been identified and penalized despite expiry of more than one and half years.**

34. The applicant has submitted in reply dated 12.04.2024 that borewell approx. 50 are unauthorizedly running in Aya Nagar, Delhi and supply the filtered RO water to the nearby residents on huge cost. The applicant submitted that it is not possible for him to provide addresses where the unauthorized bore will are running but he provided two snaps and made two complaints to the Executive Engineer DJB, Saket, New Delhi on 09.04.2024 vide Diary No.76 and and to the District Magistrate, M.B. Road, New Delhi on date 09.04.2024 vide diary no.12265.

O.A. No. 33/2022 Ganesh Prasad Vs. Govt. of NCT of Delhi & Ors.

Grievances of the applicant

35. O.A. No. 33 of 2022 was filed by Mr. Ganesh Prasad with the grievance that R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

36. Vide order dated 31.01.2022 this Tribunal constituted a Joint Committee comprising of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority to

look into the grievance and submit factual and action taken report within three months before Ld. Registrar General, NGT, Delhi who was given liberty to put the matter before the Bench for necessary directions, if considered necessary and the application was disposed of accordingly.

37. **Report dated 14.12.2022 was filed by the DPCC** that on inspection of the site on 29.07.2022 no RO Plant was found to exist at Plot no. 9, Block K, Part II, Chanakya Place but one RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar and Sh. Ashish Kumar. No NOC/permission had been obtained from DJB/ CGWA for running the RO plant/ extracting ground water and the waste water generated from the plant was being discharged directly to the drain. A letter was written by DPCC on 03.08.2022, to Delhi Jal Board, DM (South West) and CGWA for taking necessary action at their end. The response from CGWA received on 14.09.2022 indicated that the unit has to take permission from the DJB/ District Administration and that the tube well should be sealed by DM as DM is authorized officer for sealing of tube well and taking legal action. The DJB vide letter dated 22.09.2022 informed that the unit could not be sealed as no one from the office of DM (South West), Delhi was present during the joint inspection. It also enclosed a letter written by DJB to SDM (Dwarka) for taking action against the illegal bore well observed during the joint inspection on 29.07.2022. No Action Taken Report was received from DM (South West) Delhi. DPCC wrote letter dated 05.12.2022 to DM (South West) Delhi for taking necessary action. Under orders of Hon'ble Chairperson of this Tribunal, the matter was listed before the Bench for further

directions.

Proceedings on 21.07.2023

38. Vide order dated 21.07.2023, **the District Magistrate (South West) Delhi was directed to comply with the directions issued by the DPCC and submit further action taken report and the DPCC was directed to calculate environmental compensation and to realize the same in accordance with the rules and to submit report in this regard.**

Proceedings on 02.11.2023

39. **No reports were submitted by the District Magistrate (South West) Delhi and the DPCC in compliance of above mentioned order.** Mr. V.K. Mongia, SDM (Dwarka) appeared before this Tribunal through VC on 02.11.2023 and verbally submitted that **the R.O. plant had been sealed on 02.11.2023** and the report will be submitted in due course of time. The DPCC submitted that appropriate proceedings are being initiated for imposition and realization of environmental compensation from the project proponents.

40. This Tribunal observed that the case also showed insensitivity to environmental issues and inefficiency, inaction, gross negligence on the part of instrumentalities of the State, which are under Constitutional obligation to protect and improve the environment. Unauthorized R.O. plant is stated to have been sealed on 02.11.2023 despite the fact that order constituting the Joint Committee with direction to submit factual and action taken report within three months was passed on 31.01.2022 and was conveyed to the concerned authorities by email dated 07.02.2022 sent at the email IDs "Chairman, DPCC

chdpcc@nic.in, Member Secretary msdpcc@nic.in, Spl. Secretary Env. ssenv@delhi.gov.in, ceodelhi.djbceodelhi.djb@nic.in, UdaiBhan, secy.djb@nic.in, Dr. Monica Priyadarshinidcnd@nic.in, Central Ground Water Authority cgwa@nic.in, Ashok Kumar Pater mcgwa-cgwb@nic.in", yet **the Joint Committee consisting of officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site after more than five months on 29.07.2022 and submitted its report after about two months on 27.09.2022**. The DPCC wrote letters dated 03.08.2022 to DJB, District Magistrate (South West) Delhi and CGWA for taking necessary action. CGWA sent response dated 14.09.2022 to the DPCC that tubewell was to be sealed by the concerned District Magistrate. The DJB informed the DPCC vide letter dated 22.09.2022 that the unit could not be sealed as no one from the office of the District Magistrate (South West) Delhi was present during the inspection. **The DPCC wrote letter dated 05.12.022 to the District Magistrate (South West) Delhi for taking necessary action. The illegal borewell in question was sealed on 02.11.2023 after notice was issued on the miscellaneous application. The authorities allowed the illegal borewell to operate from 07.02.2022 (the date of communication of order passed by this Tribunal) till 02.11.2023 without any justification and have flouted the rule of law and illegitimately betrayed the trust of the people by neglecting to discharge the statutory duties entrusted to them.**

41. Show cause notices were issued to (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) Delhi and (iv) SDM Dwarka as to why environmental compensation be also not imposed on them. Notices were also issued to Ajit Kumar and

Ashish Kumar Plot no. 7, Block-K, Chanakya Palace II, Uttam Nagar. Personal appearance of (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) and (iv) SDM Dwarka (physically or through VC) was ordered.

Proceedings on 09.11.2023

42. **No replies/responses were filed before this Tribunal** but Mr. K. S. Jayachandran, Member Secretary, DPCC appeared through VC and Mr. Lakshay Singhal, District Magistrate (South West), Delhi and Mr. Vinay Kumar Mongia, SDM Dwarka, Delhi and Ajit Kumar and Ashish Kumar appeared physically before this Tribunal.

43. **In the course of hearing on 09.11.2023 the violators Ajit Kumar and Ashish Kumar stated that about 5 to 6 other illegal borewells were operating in the area and even Mr. Shashi Kant, Assistant Engineer stated that he had some information about 4 other illegal borewells operating in the area.**

44. Mr. Lakshay Singhal, District Magistrate (South West), Delhi and Mr. Vinay Kumar Mongia, SDM Dwarka, Delhi stated that they had joined recently. **They were directed to conduct appropriate fact finding enquiry and fix responsibility for not taking of prompt remedial action of sealing illegal borewell and delay in compliance with the orders passed by this Tribunal and take appropriate disciplinary action against defaulting officials and submit an interim/final action taken report.**

45. The Chief Secretary, GNCT of Delhi was also directed to obtain explanation of the concerned officers who were posted as District Magistrate, South West/SDM Dwarka during the relevant period for

ascertaining reasons of non-compliance with the orders passed by this Tribunal and to send the same to this Tribunal.

46. In view of cases coming up before this Tribunal showing that the concerned Statutory Authorities/Public Servants entrusted with the duties of enforcement of environmental norms were not taking prompt remedial action, this Tribunal considered their sensitization about environmental issues and constitutional obligation to protect and improve the environment by induction training at the time of recruitment and in service training by way of refresher courses to be essential and directed the Chief Secretary, GNCT of Delhi to take requisite steps within one month for sensitizing concerned administrative officers posted as District Magistrates/Sub Divisional Magistrates and officers posted in concerned statutory authorities like DJB by organising refresher courses at the weekends and inviting resource persons having expertise in the field of environmental law.

47. Despite order for appearance on 09.11.2023 CEO, DJB did not appear physically or through VC and did not make any request for exemption and appearance through any Senior Officer. On the other hand, Mr. Shashi Kant, Assistant Engineer appeared and stated that CEO, DJB had dual charge and was busy in some other work. All efforts made through DJB Officers/Officials and Registry of the Tribunal to join CEO, DJB through VC/mobile phone call remained unfruitful.

48. In the facts and circumstances of the case, considering the nature of illegalities involved, significance of the remedial measures and necessity of taking prompt action, this Tribunal considered examination of CEO, DJB with respect to the complaints filed

regarding illegal borewells, action taken regarding the same, monitoring mechanism evolved and action taken against defaulting officers/officials to be essential. Accordingly, summons were ordered to be issued against CEO, DJB to appear before this Tribunal on 04.12.2023.

Proceedings on 04.12.2023

49. In compliance of order dated 09.11.2023 Mr. A. Anbarasu, CEO, DJB appeared before this Tribunal alongwith other DJB officers and also filed reply affidavit vide email dated 02.12.2023 regarding action taken by DJB on receipt of a copy of order dated 31.01.2022.

50. In the reply affidavit it was mentioned that the concerned **JE (Civil) visited the premises in question on 26.02.2022** and it was discovered that **the illegal bore-well and unauthorised RO Plant was installed at K-7, Chanakaya Palace, Part II, New Delhi** and was owned by Mr. Ajit Singh. The concerned EE (M- 30) upon receipt of site inspection report from JE(Civil), promptly reported about the illegal extraction of water through unauthorized ground water bore-well existing at K-7, Chanakaya Place, Part II, New Delhi-59, to the Sub-Divisional Magistrate (Dwarka) **vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water.** In terms of the order dated 31.01.2022 passed in **O.A. No. 33 of 2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** , DPCC organized the inspection on 29.07.2022 of the site K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. The officials of Delhi Jal Board (DJB), CGWA & DPCC attended the inspection at site on 29.07.2022. However, the bore-well in question could not be sealed on the date of inspection **as no officer**

from the office of the concerned District Magistrate (South-West), Delhi was present during Joint Inspection. Thereafter, the concerned EE(M), DJB had issued reminder letter dated 09.09.2022 to SDM (Dwarka) alongwith the copy of order dated 31.01.2022 of this Tribunal requesting immediate action and sealing of the bore-well in question. On 21.07.2023, M.A. No. 24 of 2023 in O.A. No. 33 of 2022 was taken up for hearing by this Tribunal wherein the grievance was made regarding running of unauthorized RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi.

51. It was further submitted in the reply affidavit that in compliance of order dated 21.07.2023 DJB had been taking active steps to launch awareness programmes through various RWAs and Commercial and Industrial Associations to create awareness among the residents to encourage Rain Water Harvesting and warning the citizens not to engage in illegal activities such as erection, installation and use of borewell for residential, commercial and industrial use. Further, there is also helpline no. 1916 activated by DJB for reporting any illegal activities in respect of water and water connection including use of illegal borewells. DJB has vigilantly acted upon the three other complaints received in respect of illegal borewells installed in Chanakaya Place and its adjoining areas and has duly intimated the concerned office of SDM (Dwarka) through letters and telephonically to initiate sealing actions as per the SOP. Further, reminders have also been sent to the concerned SDM (Dwarka) and DM through letters dated 29.11.2023.

52. In the reply affidavit it was also mentioned that about 19661 illegal bore-wells were identified as on 31.08.2021 and thereafter

DJB has continued to identify illegal bore-wells and prevent ground water extraction. Order dated 21.07.2023, was not in the knowledge of DJB and its counsel or representative could not attend on 02.11.2023. In the reply affidavit CEO, DJB also mentioned that order dated 04.11.2023 was brought to his notice for the first time on 09.11.2023 and due to prescheduled engagements mentioned in the reply affidavit, he was unable to attend the hearing before this Tribunal and could not file exemption application.

53. This Tribunal noticed that in the above said case the procedure laid down in SOP was not followed by the concerned Authorities and action was not promptly taken despite detailed orders having been passed by this Tribunal.

54. The CEO, DJB was allowed to file status report giving requisite information in detail in tabular format with respect to following aspects:-

(i) District wise number of illegal borewells identified;

(ii) District wise number of illegal borewells which have been sealed/closed;

(iii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;

(iv) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;

(v) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;

(vi) District wise number of illegal borewells which are yet to be sealed/closed; and

(vii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

55. The DPCC was also directed to file status report in tabular format with respect to following aspects:-

i. District wise number of cases in which show cause notices for imposition of EDC have been issued;

ii. District wise number of cases in which orders for imposition of EDC have been issued;

iii. District wise number of cases in which orders for imposition of EDC are yet to be issued;

iv. District wise number of cases in which EDC has been recovered;

v. District wise number of cases in which EDC is yet to be recovered;

vi. District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;

vii. District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;

viii. How much of EDC amount recovered from the violators has been utilised by DPCC/DJB with requisite details; and

ix. How much of EDC amount recovered from the violators is yet to be utilised by DPCC/DJB with requisite details.

Proceedings on 04.01.2024

56. I.A. No. 02/2024 was filed on behalf of the DJB seeking extension of time of three weeks to file status report in compliance of order dated 04.12.2023. DPCC also sought time to submit its report.

Proceedings on 05.02.2024

57. DJB submitted that except for the District Magistrate, South West, the other District Magistrates had not supplied requisite information to the DJB for filing the report. Status report was filed by DJB in compliance to orders dated 04.12.2023 and 04.01.2024 on the

basis of available information disclosing the action taken for sealing the illegal bore-wells. DJB also disclosed the status of rain water harvesting systems in NCT of Delhi.

58. DJB and DPCC were granted further time of four weeks and two days respectively as prayed by their Counsels for filing of the reports.

Proceedings on 18.04.2024

59. DJB filed Supplementary status report vide email dated 13.04.2024 which will be referred to in the later part of this order.

60. Status report and additional status report were filed by DPCC vide emails dated 15.04.2024 which will be referred to in the later part of this order.

61. **In O.A. No. 33/2022 titled as Ganesh Prasad vs. Government of NCT of Delhi & Ors. despite order passed by this Tribunal on 31.01.2022 for taking of remedial action, illegal borewell was sealed on 02.11.2023** after proceedings were initiated by listing of M.A. No. 24/2023 and **environmental compensation of Rs. 1 lakh imposed on violators Shri Ajit Kumar and Shri Ashish Kumar is yet to be recovered by SDM (Dwarka), Delhi** to whom reference for recovery has been made by DPCC vide letter dated 11.01.2024.

62. None appeared for the applicant-Ganesh Prasad in M.A. No. 24/2023.

63. We heard arguments addressed by the learned Counsel for the applicant-Pritipal Sharma and learned Counsel for the respondents in both the cases and reserved orders on 18.04.2024.

64. In their respective arguments learned Counsel for the applicant-Pritipal Sharma and learned Counsel for the respondents have reiterated their respective stands taken in the original application regarding unauthorized operation of illegal borewells by tanker mafia and replies/reports filed by the authorities documenting efforts made.

65. **While going through the material on record we found that relevant information material to adjudication of the questions involved in the present case has not been placed on record and relisting of the matter for further hearing/directions was necessary on which the matter has been relisted for further hearing/directions.**

66. **On due consideration of the submissions made and perusal of the material on record we are also of the considered view that in view of serious non-compliance with the environmental laws/norms regarding regulation and management of groundwater in NCT of Delhi, the scope of the present proceedings is required to be widened and intervention by this Tribunal by issuance of remedial directions and continuous monitoring of compliance is necessitated not only by serious non-compliance in the present cases but also serious non-compliance in other cases which came up/are pending before this Tribunal. The scope of these proceedings is widened accordingly.**

The nature and magnitude of the problem of contamination and depletion of ground water

67. Groundwater is the largest source of usable fresh water all over the world and in every part of the world where surface water supplies are not available, domestic, agricultural, and industrial water needs

are met by using the groundwater.

68. Long un-restricted and un-regulated excessive abstraction of ground water in our country has led to severe depletion of ground water resources. Such long un-restricted and un-regulated excessive abstraction of ground water has serious long term environmental implications as the same can result in drying up of ground water resources and may also affect quality as well as quantity of surface water.

Directions by Hon'ble Supreme Court

69. In **Civil writ Petition No 4677 of 1985** titled as **M.C Mehta Vs. Union of India and Others** on 20.03.1996 Hon'ble Supreme Court took cognizance of the news item under the caption **"Falling Groundwater Level Threatens City"**, appearing in the Indian Express of 18.03.1996 brought to its notice by Mr. M.C. Mehta, Advocate. Hon'ble Supreme Court issued notice to the Central Groundwater Board and the Delhi Pollution Control Committee. On 03.04.1996, Hon'ble Supreme Court issued notice to the Municipal Corporation of Delhi and the Delhi Waterworks and Sewerage Disposal Undertaking. Dr P.C. Chaturvedi, Scientist 'D' (Director), Central Groundwater Board, filed an affidavit mentioning that **during the years from 1962 onwards, the water levels in the country are declining. So much so, during the years 1971-83, the fall in water level was from 4 m to 8 m in the National Capital Territory. There was a further fall of water level from 4 m to more than 8 m during the period 1983-85.** One of the reasons for the decline of water level was the enhanced pumpage. Keeping in view the facts stated by Dr. Chaturvedi, Hon'ble Supreme Court issued notice to the Union of India through the

Secretary, Ministry of Water Resources and to the Government of NCT, Delhi, through its Chief Secretary. Various authorities filed affidavits indicating the factual position regarding the fall of water levels in the country. Hon'ble Supreme Court by order dated 04.09.1996 requested Dr. P. Khanna, Director, NEERI, to have the matter examined at the Institute level by experts in the field and to file a report giving suggestions and recommendations for checking further decline of underground water level. NEERI filed the examination report dated 23.09.1996 regarding **"Water Resources Management in India, Present Status and Solution Paradigm"**. Mr. Arun Kumar, Additional Secretary, Ministry of Water Resources, filed an affidavit dated 24.10.1996, commenting on the NEERI Report and also indicating an overall picture of the declining water levels in the country and also the various schemes and activities undertaken by various Departments of Government of India to monitor the groundwater. Hon'ble Supreme Court noticed the NEERI's hololological approach to Water Resources Management and recommendations and vide **order dated 10.12.1996 reported as 1997 11 SSC 312** ordered and directed as under:-

> *"9. The Central Government in the Ministry of Environment and Forest shall constitute the Central Groundwater Board as an Authority under Section 3(3) of the Act. The Authority so constituted shall exercise all the powers under the Act necessary for the purpose of regulation and control of groundwater management and development. The Central Government shall confer on the Authority the power to give directions under Section 5 of the Act and also powers to take such measures or pass any orders in respect of all the matters referred to in sub-section (2) of Section 3 of the Act.*
>
> *10. We make it clear that the Board having been constituted an Authority under Section 3(3) of the Act, it can resort to the penal provisions contained in Sections 15 to 21 of the Act.*
>
> *11. It has been stated by Dr P.C. Chaturvedi and Mr Arun Kumar in their respective affidavits that enhanced and unregulated pumpage of the water is primarily responsible for the decline in the water levels of the country.*

12. The main object for the constitution of the Board as an Authority is the urgent need for regulating the indiscriminate boring and withdrawal of underground water in the country. We have no doubt that the Authority so constituted shall apply its mind to this urgent aspect of the matter and shall issue necessary regulatory directions with a view to preserve and protect the underground water. This aspect may be taken up by the Authority on an urgent basis.

13. The Central Government in the Ministry of Environment and Forest shall issue the necessary notification under Section 3(3) of the Act as directed by us before 15-1-1997."

Constitution of the Central Ground Water Authority

70. In compliance with order dated 10.12.1996 passed by Hon'ble Supreme Court in **Civil writ Petition No 4677 of 1985** titled as **M.C Mehta Vs Union of India & Ors.**, the Central Government constituted the Central Ground Water Authority (referred herein as CGWA) vide **notification number S.O. 38 (E), dated the 14.01.1997** to exercise powers under Section 5 of the Environment (Protection) Act, 1986 for the purposes of regulation and control of Ground Water management and development.

71. The CGWA has been conferred with the following powers vide **notification number S.O. 38 (E) dated 14.01.1997**, as amended from time to time:

i. Exercise of powers under section 5 of the Environment (Protection) Act, 1986 for issuing directions and taking such measures in respect of all the matters referred to in sub-section(2) of section 3 of the said Act.

ii. To resort to penal provisions contained in sections 15 to 21 of the said Act.

iii. To regulate and control, management and development of ground water in the country and to issue necessary regulatory directions

for the purpose.

iv. Exercise of powers under section 4 of the Environment (Protection) Act, 1986 for the appointment of officers.

States /Union Territories not regulated by CGWA

72. However, CGWA is not regulating groundwater development and management in all States and Union Territories and in the following States / Union Territories regulation of groundwater development and management is being done through constitution of State Ground Water Authority or similar authority and through special provincial enactments and/or Government orders.

S.No	States / UTs Name	S.No	States / UTs Name
1	Andhra Pradesh	9	Telangana
2	Goa	10	West Bengal
3	Himachal Pradesh	11	Chandigarh (through bye-laws)
4	Jammu & Kashmir	12	Puducherry
5	Karnataka	13	Lakshadweep
6	Kerala	14	Punjab
7	NCT Delhi (through Govt. Orders)	15	Uttar Pradesh
8	Tamil Nadu (through Govt. Orders)	16	Haryana

73. CGWA has been regulating ground water development and management in other States and Union Territories, by way of issuing public notices, orders, guidelines etc. from time to time.

Directions by this Tribunal

74. This Tribunal vide order dated 15.04.2015 in OA Nos.

204/205/206 of 2014 issued directions to CGWA to ensure that any person operating tube-well, or any means to extract ground water shall obtain permission from CGWA and shall operate the same subject to the law in force, even if such unit is existing unit or the unit is yet to be established.

75. This Tribunal **vide its order dated 09.07.2015 in OA Nos. 34 and 37 of 2014** directed all industrial units which are members of the Common Effluent Treatment Plants (CETPs) to approach CGWA through State Pollution Control Board for obtaining 'No Objection Certificate' in accordance with the law.

76. This Tribunal **vide order dated 13.07.2017 in O.A. No. 200/ 2014** directed that every industry should be directed to pay for extraction of such water, that too, subject to the conditions stated in the order permitting such extraction.

77. This Tribunal **vide order dated 28.08.2018 in O.A. Nos. 176/2015 and 59 of 2012** respectively directed the Ministry of Water Resources, River Development and Ganga Rejuvenation to forthwith review the existing mechanism so as to ensure effective steps for conserving the groundwater resources.

CGWA guidelines for grant of 'No Objection Certificate

78. With a view to protect the ground water resources CGWA had , in pursuance of the directions of this Tribunal and in exercise of powers conferred by sub-section (3) of section 3 and section 5 of the Environment (Protection) Act, 1986, circulated the draft guidelines for grant of 'No Objection Certificate' on 11.10.2017 inviting comments and suggestions from all the stakeholders and after due consideration

of all objections and suggestions received in response to the said draft guideline by the Central Government, CGWA notified the guidelines to regulate groundwater over-exploitation and to conserve the groundwater resources in the country vide **notification number S.O. 6140 (E), dated 12.12.2018.**

79. This Tribunal vide **order dated 03.01.2019 in OA No. 176 of 2015** directed that the above mentioned notification dated 12.12. 2018 may not be given effect to as it is unsustainable if tested on **'Precautionary Principle, Sustainable development as well as Inter-generational Equity Principles'** and **if implemented, will result in fast depletion of groundwater and damage to water bodies and will be destructive of the fundamental right to life under Article 21 of the Constitution of India.** This Tribunal **vide order dated 11.09.2019** constituted a committee to deliberate on steps for preventing depletion of groundwater, robust monitoring mechanism against un-authorised extractions and fulfillment of 'No Objection Certificate' conditions, environment compensation etc. with direction to submit its report. The Joint Committee submitted the report along-with draft guidelines to regulate groundwater extraction and groundwater conservation in this Tribunal on 16.03.2020. This Tribunal **vide order dated 20.07.2020** directed CGWA to comply with certain points for sustainable groundwater management while issuing 'No Objection Certificates' to commercial establishments. The Department of Water Resources, River Development & Ganga Rejuvenation, notified the guidelines to regulate and control groundwater extraction in the country vide **notification number S.O. 3289 (E) dated 24.09.2020** in supersession of **notification number S.O. 6140 (E) dated 12.12.2018.**

80. In **O.A. No. 69/2020** titled as **Sushil Bhatt Vs. Moon Beverages Ltd. & Ors.** and **O.A. No. 218/2020** converted into **Appeal No. 45/2020** titled as **Devidas Khatri Vs. Union of India & Ors** this Tribunal scrutinized the CGWA Guidelines 2020 and highlighted the deficiencies in the same.

81. CGWA notified amendments to the CGWA 2020 Guidelines vide **notification number S.O. 1509 (E) dated 29.03.2023.**

Regulation and Management of Groundwater in NCT of Delhi

82. So far as NCT of Delhi is concerned, clause (b) of sub-section (1) of section 9 of the Delhi Jal Board Act, 1998, which specifies functions of DJB, provides that DJB may **plan for regulate and manage the exploitation of ground water in Delhi in consultation with CGWA** and also give advice in this regard to the New Delhi Municipal Council, the Delhi Cantonment Board or any other local authority and clause (d) thereof provides that if so directed by the Government or the Central government, DJB may take over and carry out any functions relating to the management and regulation of sewerage **and ground water** or the drains of any area, hitherto being carried out by the Government, the Delhi Development Authority or any other agency.

83. CGWA issued **Public Notice no. 6 of 2000** on the subject **"Regulation on construction of tubewell/borewells in South and South-West Districts of NCT, Delhi"** relevant part of which reads as under:-

"PUBLIC NOTICE NO. 6 OF 2000

SUB: REGULATION ON CONSTRUCTION OF TUBEWELL/ BOREWELLS IN SOUTH & SOUTH-WEST DISTRICTS OF

NCT, DELHI

"Whereas the Central Ground Water Authority (hereinafter referred to as the "Authority"), has been constituted under sub-section (3) of the section 3 of the Environment (Protection) Act. 1986, vide notification no. S.O.38 (E) dated 14.01.97 for the purposes of regulation and control of ground water development and management.

Whereas Authority is in exercise of its powers and functions as provided in clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act. 1986, has declared ***Najafgarh block, Mehrauli block and Vasant Vihar and Vasant Kunj*** *areas of NCT Delhi as 'Notified Area' on block/area wise basis vide public notice dated 1.4.98, 24.12.99 and 25.4.99 respectively in view of depletion in Ground water resources due to its over-development/incidence of upcoming of saline ground water.*

However due to administrative exigencies, the notified areas have been re-organised on district basis. Now, there are in exercise of the aforesaid powers and in partial modification of the earlier notices, the Authority after considering the need for protecting the ground water resources and to ensure further development activities in consistent with protection and preservation of the ground water resources, hereby declares ***whole of South and South-West districts of NCT Delhi*** *as 'Notified Areas' and imposes prohibition and restriction in these districts on the construction and installation of any new structure for extraction of ground water resources, to avoid further depletion and deterioration in water quality in the said districts.*

Further, henceforth. no person/organization/agency (Govt. or Non-Govt.) shall undertake any scheme/project of ground water development and management in the above-said districts without prior permission of the Authority.

Any contravention of the above notice shall be dealt with in accordance with the provisions of Environment (Protection) Act. 1986" (emphasis added)

84. CGWA issued **Public Notice no. 2 of 2006** on the subject **"Declaration of "Over-Exploited Areas" for registration of ground water abstraction structures"** relevant part of which reads as under:-

"PUBLIC NOTICE NO. 2 OF 2006

DECLARATION OF "OVER-EXPLOITED AREAS" FOR REGISTRATION OF GROUND WATER ABSTRACTION STRUCTURES.

Whereas the Central Government constituted the Central Ground Water Board as an Authority (hereinafter to as the

Authority under sub-section (3) of the Environment (Protection) Act, 1986 (29 of 1986) (herein referred to as the said (Act) vide notification of the Government of India in the Ministry of Environment and Forests number S.O. 38 (E) dated the 14th January, 1997, as amended from time to time, for the purposes of regulation and control of ground water development and management in the whole of India;

And whereas the Central Government have authorized the Authority to issue directions under section 5 of the said Act. In writing, to any person, officer or any authority and such person, officer or authority shall be bound to comply with such direction;

And whereas, the Authority, based on ground water resources assessment undertaken by Central Ground Water Board in consultation with State Governments, have identified certain areas in the states of Andhra Pradesh, Gujarat, Haryana, Karnataka, Kerala, Madhya Pradesh, Maharashtra, National Capital Territory certain draft proposals for the purpose of Delhi, and Tamil Nadu as "Over-exploited areas" where ground water abstraction is more than the average annual replenishment of ground water resources and the ground water level in these areas have also shown continuous decline over the areas;

And whereas, certain draft proposals for the purpose of issuing directions by the Authority to the State authorities or officers, in order to regulate the ground water abstraction, and requiring registration of all such abstraction structures including open-wells, tubewells, borewells in the areas specified in the said Schedule were published vide Public Notice No. 4/2005 dated 19/20.12.2005 as required under rule 4 of the Environment (Protection) Rules, 1986, for inviting objections and suggestions from the public likely to be affected thereby, till the expiry of a period of forty five days from the date of publication of the said public notice;

And whereas, the Authority has considered all objections and suggestions received by it in this regard.

Now, therefore, the Authority, in exercise of the powers conferred by Section (5) of the Environment (Protection) Act, 1986 (29 of 1986) read with paragraph 2 of the above said notification number S.O. 38 (E), hereby issues the following directions namely:-

1. The Chief Officer-in-Charge of Revenue district (whether called as Collector, Deputy Commissioner or by any other name) for areas notified in the State of Haryana, Karnataka, Madhya Pradesh and Maharashtra; in the State of Tamil Nadu, the Chief Engineer WRO/PWD, State Ground and Surface Water Resources Data Center, for the areas notified in the State of Tamil Nadu and ***the Chief Executive Officer, Delhi Jal Board, for the areas notified in the National Capital Territory of Delhi*** *shall registered all the existing*

groundwater abstraction structures including wells, tube-wells, borewells located in the areas so specified in the Schedule in the proforma given in the Annexure to this public notice within the period of nineteen days from the date of publication of this final notice;

In the State of Andhra Pradesh, the Andhra Pradesh state Water, Land and Trees Authority, constituted under Section 3 of the Andhra Pradesh, Land, Water and Trees Act, 2002 (Andhra Pradesh Act, 10 of 2002), for the areas to the State of Andhra Pradesh; in the State of Gujarat, the Gujarat State Ground Water Authority constituted vide notification No. GWR/1095/6/I-1/J-1 dated 19.9.2001, for the areas notified for the State of Gujarat; in the State of Kerala, the Kerala State Ground Water Authority constituted under section 3 of the Kerala Ground Water (Control and Regulation Act, 2002 for the areas notified in the State of Kerala; shall registered all the existing ground water abstraction, structures including wells, tube-wells, bore-wells located in the areas as specified in the said schedule in the proforma given in the Annexure to this public notice within a period of nineteen days from the date of publication of this final notice.

2. The Chief Officer-in-Charge of Revenue District or the concerned State Ground Water Authorities as the case may be, shall submit a copy each of the performa received by it to the Authority within a period of thirty days from the date of such registration.

3. Every owner of a ground water abstraction structures including wells, tube-wells, bore-wells located in the areas as specified in the said schedule shall register such structure with the concerned Chief Officer-in-Charge of Revenue district or the State Ground Water Authority, as the case may be in the proforma given in the Annexure and in the manner specified in direction1;

4. Nothing in these directions shall apply to any owner of non-energized dug-well or bore-well fitted with hand pump used solely for drinking and domestic purpose.

SCHEDULE

Serial Number	State	District/Mandal /Block/Municipal Corporation areas	District
(1)	(2)	(3)	(4)
1.	Andhra Pradesh	1. Armur Mandal	Nizamabad
		2. Husnabad Mandal	Karimnagar
		3.Bachannnpet Mandal	Warangal
2.	Gujarat	1. Anjar	Kachchh

		2. Bhachau	Kachchh
		3. Mandui	Kachchh
		4. Mangrol	Junagarh
		5. Porbandar	Porbandar
3.	Haryana	1. Mahendergarh	Mahendergarh
		2. Farukh Nagar	Gurgaon
4.	Karnataka	1. Anekal	Bangalore (Urban)
		2. Bangalore (North)	Bangalore (Urban)
		3. Bangalore (South)	Bangalore (Urban)
5.	Kerala	1. Kasaragod	Kasaragod
		2. Kodungallur	Trissur
6.	Madhya Pradesh	1. Sanwer	Indore
		2. Malhargarh	Mandsaur
7.	Maharashtra	1. Yawal	Jalgaon
		2. Raver	Jalgaon
8.	**National Capital Territory of Delhi**	**1. East District**	**East District**
		2.North Delhi District	**North Delhi District**
		3.North East District	**North East District**
		4.North West District	**North West District**
		5. West Delhi District	**West Delhi District**
9.	Tamil Nadu	1. Chengam	Tiruvannamalai
		2. Thuraiyur	Tiruchirappalli
		3. Thalaivasal	Salem
		4. Gangavalli	Salem

(emphasis added)

Report Dynamic Ground Water Resources of NCT, Delhi as on March 2023

85. Central ground Water Board and Department of Urban Development, Government of NCT, Delhi took up the task of estimating the dynamic ground water resources of NCT, Delhi annually based on GEC 2015 methodology. The re-estimation of ground water resources as on 2023 was carried out using the methodology recommended by

Ground Water Estimation Committee (GEC-2015) and the updated data which was provided by various State and Central Government agencies. The estimation was done considering each Tehsil (Revenue) Sub-division as assessment unit. The current status of ground water development is reflected in the category of various Tehsils, which are assigned taking into consideration both the stage of ground water development and the trend of ground water levels. In the "Report **Dynamic Ground Water Resources of NCT, Delhi as on March 2023**" published by Central Ground Water Board State Unit Office, Delhi Department of Water Resources, River Development & Ganga Rejuvenation, Ministry of Jal Shakti in October 2023 the information has been tabulated in the beginning as under:-

"DYNAMIC GROUND WATER RESOURCES OF NCT OF DELHI
As on March, 2023

AT A GLANCE

1	Total Annual Ground Water Recharge	38,152.55 (ham)
2	Annual Extractable Ground Water Resources	34,449.23 (ham
3	Annual Ground Water Extraction	34,150.55 (ham)
4	Stage of Ground Water Extraction	99.13 %

CATEGORISATION OF ASSESSMENT UNITS (TEHSILS)

S. No.	Category	Assessment Units
1.	Safe	5 (14.7%)
2.	Semi Critical	4 (11.8%)
3.	Critical	12 (35.3%)
4.	Over Exploited	13 (38.2%)
	Total	34

86. In the above said report results of groundwater resources estimation 2023 are given as under:-

"7.4. Results of Groundwater Resources Estimation 2023

7.4.1. Annual Groundwater Recharge

The annual groundwater recharge includes the components of rainfall recharge and recharge from other sources like canal/drain seepage, return flow from irrigation, seepage from domestic water supply and recharge from water conservation structure. The Annual Groundwater Recharge for NCT Delhi 2022 is estimated as 38152.55 ham. Assessment unit wise details of estimation are presented in Table 19 (column 4 to 8).

7.4.2. Annual Extractable Groundwater Recharge

The annual extractable groundwater recharge as defined in GEC 2015 methodology, involving component of monsoon & non-monsoon recharge and excluding component for natural discharge for the environment, following GEC 2015 norms has been estimated for NCT Delhi is 34449.23 ham. Assessment unit wise details of estimation are presented in Table 19 (column 10).

7.4.2. Annual Groundwater Extraction

During the year under report, almost all departments & Institutions of NCT Delhi have provided geo-referenced extraction data which has been further distributed over Tehsil layer by CGWB to find out tehsil wise extraction. The running hour and discharge have been averaging out as demand of Software. Industrial extraction data was not provided and have been considered on pro rata basis.

The total ground water extraction as defined in GEC 2015 methodology, involving component of domestic ground water extraction, irrigation extraction and industrial extraction has been estimated for NCT Delhi is 34 ham. Assessment unit wise details of ground water extraction is presented in Table 19 (Column 11 to 14).

7.5. Stage of Groundwater Extraction and Categorization of Assessment Units

The Stage of Ground Water Extraction as on 2023 in NCT Delhi varies from 61% in Rohini Tehshil in North West District to 153% in Vasant Vihar tehshil of New Delhi Distrct. The overall Stage of Groundwater Extraction in NCT Delhi as on 2023 is 99%. The information on Stage of Ground Water Extraction is given in table 19 (column 17).

As per recommendation of GEC 2015 methodology, the Dynamic Groundwater Resources (fresh quality) be planned for future ground water management. Out of 34 new assessment units of NCT Delhi, 5 are categorized as 'Safe', 4 as 'Semi Critical', 12 as 'Critical' and rest 13 as 'Over Exploited'. A summarized data on categorization all 34 assessment units of NCT Delhi is presented in Table 19 (column 18). A map showing categorization of assessment units (Tehsils of NCT Delhi) is presented in Figure 39.

7.6. Annual Allocation for Domestic use and Net Ground Water Availability for future use

Annual Allocation for Domestic use for 2025 has been estimated as 27570.3 ham, for entire NCT Delhi. The Assessment unit wise Annual Allocation for Domestic Use as on 2025 is presented in Table 19, column 15. The Net Ground Water Availability for future use in NCT Delhi is 2870 ham (Table 19, column 16)."

87. The categorization of assessment units in NCT of Delhi given in **National Compilation on Dynamic Ground Water Resources of India, 2023** published by **Central Ground Water Board** is reproduced as under:-

DYNAMIC GROUND WATER RESOURCES OF INDIA, 2023												
DELHI												
S. No	Name of District	Total No. of Assessed Units	Safe		Semi Critical		Critical		Over Exploited		Saline	
			No.	%	No.	%	No.	%	No.	%	No.	%
1	North	3	-	-	1	33.33	1	33.33	1	33.33	-	-
2	South East	3	-	-	-	-	3	100	-	-	-	-
3	South West	3	1	33.33	-	-	1	33.33	1	33.33	-	-
4	East	3	-	-	-	-	3	100	-	-	-	-
5	Nazul Land	1	1	100	-	-	-	-	-	-	-	-
6	South	3	-	-	-	-	1	33.33	2	66.67	-	-
7	Central	3	1	33.33	-	-	1	33.33	1	33.33	-	-
8	New Delhi	3	-	-	-	-	-	-	3	100	-	-
9	North West	3	2	66.67	1	33.33	-	-	-	-	-	-
10	West	3	-	-	1	33.33	1	33.33	1	33.33	-	-
11	North East	3	-	-	1	33.33	-	-	2	66.67	-	-
12	Shahdara	3	-	-	-	-	1	33.33	2	66.67	-	-

	Total	34	5	14.71	4	11.76	12	35.29	13	38.24	-	-

Delegation of power under 5 of the Environment (Protection) Act, 1986 to Lieutenant Governor, NCT of Delhi vide notification number S.O. 667 (E) dated 10.09.1992

88. The Central Government authorized the Lieutenant Governor, NCT of Delhi vide **notification number S.O. 667 (E) dated 10.09.1992** to exercise powers under section 5 of the Environment (Protection) Act, 1986 for NCT 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.

Directions issued vide notification no. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010

89. In exercise of power conferred by section 5 of the Environment (Protection) Act. 1986 read with the Ministry of Home Affairs, Government of India Notification number S.O. 667 (E) bearing F.No. U-11030/J/ 91- UTL dated 10.09.1992 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 30.03.2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated 30.04.2009, the Lt. Governor of NCT of Delhi vide **notification number. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010** issued the following directions:-

> *"(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.

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), of concerned revenue area : Chairman;*
2. *Director (Panchayat): Member;*
3. *Chief Engineer nominated by Delhi Jal Board: Member;*
4. *Representative of Central Ground Water Board, New Delhi : Member;*
5. *Representatives of local bodies having jurisdiction over the area: Member;*
6. *Representative of Department of Environment, GNCTD/DPCC : Member*
7. *Representative of reputed NGO in the field of Groundwater Management nominated by the Deputy Commissioner concerned: Member;*

(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, associftion 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 & Flood Control Department, Govt of NCT 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)."

90. We have gone through notification no. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010 and we find that the issue of grant of permission for borewell/tubewell is to be dealt with by Competent Authority through the Deputy Commissioner (Revenue) of each revenue area in GNCTD. It may also be added here that as per the above said notification application for grant of permission for borewell/tubewell is to be submitted in the Zonal Offices of the Competent Authority in the form specified by the Competent Authority. It may also be added here that the Executive Engineer of the Competent Authority in-charge of the concerned area is required to recommend the case based on the facts to the concerned Deputy Commissioner (Revenue) of each revenue area, GNCTD who is to issue the orders in the light of the recommendation of the Executive Engineer of the Competent Authority and the Advisory Committee.

91. Even though, in the above said notification the term Competent Authority is not defined but in view of Section 9 (1) (b) of the Delhi Jal Board Act, 1998, DJB is and has to be considered to be the Competent Authority for the purpose of regulation and management of the groundwater in the NCT of Delhi. In SoP titled as **"Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells"** also DJB is mentioned to be

the Competent Authority in the entire NCT of Delhi except areas under New Delhi Municipal Committee and Delhi Cantonment Board. However, we are of the considered view that it will be appropriate, if the above said notification is appropriately amended to define the expression Competent Authority to remove any confusion in this regard.

92. Further on a reading of para 3 and 6 of the above said notification there appears to be some confusion as by para 3 the Deputy Commissioner (Revenue) of each revenue area, GNCTD is delegated with the power of *inter alia* sealing illegal wells based on the recommendations of the Advisory Committee but as per para 6 in emergent violation cases the Deputy Commissioner (Revenue) of each revenue area in GNCTD is required to ensure discontinuation of the illegal ground water drawl by seizure of drilling rig, sealing of tubewell/borewell if so constructed and discontinuation of electricity supply to the energized tubewell even if it is through DG sets, without waiting for recommendation of Advisory Committee. In our considered view illegal drawl of ground water requires immediate action of sealing of the borewell by the Deputy Commissioner (Revenue) of revenue area in question without waiting for recommendation of the Advisory Committee in this regard and the desirability of making appropriate amendment in para 3 of the above said notification is also required to be considered.

93. We, accordingly, request Hon'ble Lieutenant Governor of Delhi to look into the matter for such action as may be considered appropriate.

Directions in OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.

94. In **OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.** this Tribunal took suo-moto cognizance on a letter petition complaining that certain persons are running water plants by illegally extracting the same in different places namely Kashmiri Gate, Tilak Bazar, Sadar Bazar, Azad market, Chandni chowk etc. This Tribunal constituted a Joint Committee comprising DJB and NDMC which submitted action taken report that out of 12 addresses given in the said report, 9 were found extracting ground water illegally, one premises was found locked, and in 3 premises no bore well was found. Another report dated 03.04.2020 was submitted by DJB about 11 locations out of which at 4 places no bore-well was found and in 7 locations, bore-wells were either sealed or running illegally. Both the reports were considered by this Tribunal on 15.05.2020 and noticing that bore-wells were illegally existing and operating and no remedial action was taken by Statutory Regulators, this Tribunal deprecated the inaction on the part of Statutory Regulators and passed a detailed order referring to directions issued in earlier matters dealing with similar violations. Operative part of the order in para 8 reads as under:

> *"8. In view of the above, we retterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tube - ells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter.*
>
> *A copy of the order be forwarded to the Chief Secretary, Delhi, Secretary, Ministry of Jal Shakti, Govt. of India, DJB, CPCB, DPCC, Commissioners of all Municipal Corporation of Delhi, all the District Magistrates in Delhi and Justice S.P. Garg, former Judge of Delhi High Court."*

95. Pursuant to above referred order status report dated 11.07.2020 was filed by DPCC. In status report dated 11.07.2020 DPCC submitted that in compliance of order of Tribunal, a meeting was taken by the Chief Secretary, Delhi on 12.06.2020 through video conferencing; the meeting was attended by Municipal authorities, DJB, DPCC and District Magistrates of Delhi; SOP has since been finalized and has been brought into effect; in SOP clear responsibilities have been assigned to various agencies as DJB/local bodies and block development officers for identification of illegal borewells depending on the nature of use; Deputy Commissioners (Revenue) of the districts have been assigned role of supervision of checking the violation and closure of illegal borewells and inter departmental advisory committee was constituted for each district to assist Deputy Commissioners. It has been observed that often drilling machines/rigs are used to dig illegal borewells, the mechanism for their regulation including registration and prior permission for movement and deployment has also been incorporated in the SOP.

SOP titled as "Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells"

96. The relevant part of the SOP titled as **"Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells"**, which was also reproduced by this Tribunal in its order dated 13.07.2020 passed in above mentioned case, reads as under:-

> *"1. Standard Operating Procedure (SOP): 1. Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. **The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the***

New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.

2. The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

3. An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

*4. **The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring.** The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.*

5. In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

6. For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

*7. **The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.***

8. The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.

9. All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10. The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11. As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12. The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district."

97. In status report dated 11.07.2020 filed by DPCC it was also mentioned that during meeting held on 12.06.2020 by Chief Secretary, Government of NCT of Delhi, it was informed that **DJB has already identified 19661 illegal borewells against whom action is being taken and 7248 units were already closed by the district authorities. Report said that remaining units would be closed down on priority as they were already identified and process would be completed within a period of three months.**

98. This Tribunal considered the report on 13.07.2020 and found that action was not taken as per the provisions of SOP. This Tribunal directed that further action be taken which may be overseen by the

DPCC and compliance status as on 31.12.2020 be brought on record by 15.01.2021. In pursuance of order dated 13.07.2020, an action taken report dated 03.09.2021 was filed by DPCC relevant part of which reads as under:

"2. the Chief Secretary, Delhi decided that Delhi Jal Board will prepare the list of illegal borewells, Revenue Department will supervise the closure action of the illegal borewell and DPCC was assigned the task to impose EDC on the violators as per the list provided by DJB.
3. That Revenue Authorities provided the details of action taken by them, which is as follows:

District	ATR (Borewell sealed till 31.08.2021)		
	No. of illegal borewells identified in the district	Action taken on illegal borewells till 31.08.2021	No. of illegal borewells to be sealed
North	761	748	13
East	116	116	0
South West	6681	1410	5271
South East	297	231	66
North West	8299	5814	2485
Shahdara	552	552	0
New Delhi	75	75	0
Central	611	412	199
West	2185	1793	392
North East	0	0	0
South	84	84	0
Total	19661	11235	8426

4. DPCC on its part has taken following action to assess the Environmental Compensation to be imposed on the basis of information received from DJB and Revenue Authorities:

(i) Show cause notices for imposition of EDC issued : 18315
(ii) EDC amount proposed in above mentioned SCNs: 70,65,80,000/-
(iii) EDC amount imposed: 70,65,80,000/-
(iv) EDC amount received: Rs. 23,80,000/-
(v) EDC amount yet to be recovered: 70,42,00,000/-

Due to continuing pandemic, the process of recovery is very slow and Revenue authorities are not able to spare their manpower for taking action.

5. That many units had mentioned their inability or delay

in depositing the EDC due to Covid-19 Pandemic and low economic activity during last few months since March 2020. They have also mentioned that unprecedented health crises and emergency coupled with steep downfall in the revenue earning due to lockdown which has brought down the economic activities to the lowest level. In case of remaining units, recovery certificates was issued to the concerned District Magistrate/SDMs, to recover the amount as arrears of land revenue from the remaining units which have not deposited Environmental Damages Compensation (EDC)."

99. In the above mentioned OA this Tribunal considered the report on 25.02.2022 and observed that **huge environmental compensation of more than Rs. 70 Crores was computed but a negligible amount of Rs. 23.8 lakhs was recovered. No action for prosecution was taken against violators. Further, out of 19661 illegal bore wells, identified in various Districts of Delhi, only 11235 were sealed and 8420 remained to be sealed.** No reason was given as to why all illegally running bore wells were not sealed. An additional action taken report dated 02.11.2021 was filed without much improvement as out of 19661 illegal bore wells identified by DJB, action was taken by Revenue Authorities against 11364 bore wells only till that date. This **Tribunal considered the situation to be disgusting/disappointing due to snail pace level of activities on the part of statutory regulators which clearly indicated dereliction of duties.** Vide order dated 25.02.2022 this Tribunal disposed of above mentioned OA **while directing the authorities to take appropriate remedial action against all the illegally running bore wells identified by DJB and submit a complete compliance report after six months and a copy of the order was ordered to be forwarded to DJB, DPCC and NDMC by e-mail for compliance.**

100. **As per written report submitted by the Registry no such**

report was filed by DJB, DPCC and NDMC in compliance of order dated 25.02.2022 passed in O.A. No. 685/2019 titled as Rakesh Kumar Vs. Government of NCT of Delhi & Ors.

Non Implementation of legal regime/environmental laws/norms.

101. This Tribunal noticed non-compliance and non-implementation of the legal regime and in view thereof vide order dated 04.12.2023 required the CEO, DJB to file status report giving requisite information in detail in tabular format with respect to the following aspects:-

i. District wise number of illegal borewells identified;
ii. District wise number of illegal borewells which have been sealed/closed;
iii. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
iv. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
v. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
vi. District wise number of illegal borewells which are yet to be sealed/closed; and
vii. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

102. DJB filed Supplementary status report in **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** vide email dated 13.04.2024 which reads as under:-

> *"SUPPLEMENTARY STATUS REPORT ON BEHALF OF DJB IN FURTHERANCE TO REPORT DATED 03.02.2023 AND IN COMPLIANCE OF ORDER DATED 05.02.2024*
>
> *X X X*
>
> *10. In continuation to the earlier status report dated 03.02.2024 and in compliance of the order dated 05.02.2024, DJB is submitting the requisite information of the illegal borewells as received from the Concerned DMs for facility of reference in the tabular form below :-*

DMs	District Wise Number of Illegal Borewells Identified (As per previous data submitted, referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of illegal borewells which have been Sealed /closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise / Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
COL1.	COL2	COL3	COL4	COL5	COL6	COL7	COL8	COL9
North	728	233	NIL	NIL	NIL	119	15	As per report submitted, a total of 375 borewells contains duplicate entries, non-traceable.
East	116	110	110	67	23	6	6	
South West	6681	2434	NIL	NIL	NIL	4247	NIL	
South East	297	163	NIL	NIL	NIL	67 (63 nos. of borewells allow DJB permission)	130	30 Borewells not identified physically
North West	9128	5901	Information not available	Information not available	Information not available	3227	Information not available	Report is compiled on the basis of reports received from Kanjhawala, Rohini and Saraswati Vihar sub divisions, after reconciliation with concerned Executive Engineer of DJB. Details of penalty/ EDC regarding illegal borewells already sealed by DJB is not available
Shahdara	552	358	NIL	NIL	NIL	NIL	NIL	SDM(Vivek Vihar)Total Borewell = 178 Borewell Sealed = 117 Blank = 2 Water Tank Supply = 3 Permission CGWA = 5 Not visited =1 Not operational = 1 No Borewell = 29 Locked = 4 Already cut off = 16 SDM(Seemapuri) Total Borewell = 374 Borewell Sealed = 241 Duplicated Entries = 22 Incomplete Address/Non traceable =20 DJB connection found in place of borewell = 61 Borewell not found = 30 SDM(Shahdara) No Address pertains to Sub- list Division (Shahdara) as per the list of addresses provided by the Delhi Jal Board. Hence, report may be treated as Nil.
New Delhi	75	75	Report not Received from DM	Report not Received from DM	Report not Received from DM	NIL	Report not Received from DM	Report not received from DM (earlier data)

Central	676	246	Not pertains to DM	Not pertains to DM	Not pertains to DM	181	Not pertains to DM	Civil line- Nil Kotwali- 1)Court stay on 160 borewells 2) 86 borewells not identified/ found removed physically 3)02 properties were found sealed 4)01 matter has been sent to DJB for clarification Karol Bagh- 1)21 borewells not identified/ found removed physically 2)46 borewells balanced to be seal 02 no of borewells does not fall under the jurisdiction District Central Hence total comes to 676+2=678
West	2186	1673	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	381	Data to be provided by DPCC to DJB	SDM(Punjabi Bagh) 65 Duplicate + 18 not found =83 SDM(Rajouri Garden) 119 Not found SDM(Patel Nagar) -33 Not found + 16 Not pertain to Patel Nagar sub division=49 Total-251
North East	Nil	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	There are no illegal borewells in identified list of DJB for sealing in District North East.
South	84	84	EDC report pertains to DPCC	EDC report pertains to DPCC	EDC report pertains to DPCC	NIL	EDC report pertains to DPCC	In addition to original survey of 84 borewells, 16 additional borewells have been sealed. Out of 15, EDC has been imposed on 14 borewells and for 02, DPCC has informed that imposing of EDC is under process.
Total	20522	11197				8178		

103. Vide order dated 04.12.2023 this Tribunal directed the DPCC to file status report in tabular format with respect to the following aspects:-

i. District wise number of cases in which show cause notices for imposition of EDC have been issued;

ii. District wise number of cases in which orders for imposition of EDC have been issued;

iii. District wise number of cases in which orders for imposition of EDC are yet to be issued;

iv. District wise number of cases in which EDC has been recovered;

v. District wise number of cases in which EDC is yet to be recovered;

vi. District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;

vii. District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;

viii. How much of EDC amount recovered from the violators has been utilised by DPCC/DJB with requisite details; and

ix. How much of EDC amount recovered from the violators is yet to be utilised by DPCC/DJB with requisite details.

104. Status report was filed by DPCC in **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** vide email dated 15.04.2024 which reads as under:-

"STATUS REPORT ON BEHALF OF DELHI POLLUTON CONTROL COMMITTEE WITH RESPECT TO THE ORDER DATED 09.11.2023 , 04.12.2023 and 04.01.2024.

X X X X

5. That, DPCC has no specific account for Environmental Damage Compensation received for illegal ground water extraction from borewells and DPCC is maintaining Environmental Compensation (EC) fund in a common dedicated account meant for use in the following 10 sub-heads , namely:

1. Installation and running of (O&M) CA.AQM Monitoring Stations,
2. Research & study projects
3. Procurement of instruments & Rent for air Lab €. Installation of paper recycling unit in govt. School
5. Monitoring of air pollution at various locations of Delhi
6. Honorariums for oversight cotninittee/Technical consultants
7. Installation of Noise Monitoring station at Delhi
8. Seminars and Conferences
9. IT Expenses (Purchase and Salary IT Resources)
10, Advertising charges.

6. That, status report with respect to order dated 04.12.2023 in tabular format is enclosed herewith as Annexure-1. A statement showing the utilisation by DPCC from the amount received as Environmental Compensation (EC) in tabular format is attached herewith as ANNEXURE72. ***DPCC spent Rs. 145.23 Lakhs out of the fund recovered as Environmental Compensation.***

7. *That with the prior approval of Chief Secretary, Delhi a* ***letter was issued to Divisional Commissioner-Delhi on 08.12.2023 to obtain explanation of the concerned officers who were posted as District Magistrate -(South West) / SDM Dwarka during the relevant period. Copy of the letter dated 08.12.2023 is enclosed herewith as Annexure-3.***

8. *That further, with the prior approval of Chief Secretary,* ***Delhi a letter was issued to Director, Directorate of Training (UTCS).on 08.12.2023 with a request to develop a training module for 2/3 days period to the officers posted as District Magistrate/ SDM urgently. Copy of the letter dated 08.12.2023 is enclosed herewith as Annexure-4.***

9. *That, for calculating Environmental Compensation, DPCC asked the details of borwell from- Delhi jai Board with a copy to CO WA .on 25:09.2023 to calculate the- EC as per CPCB formula. In absence of requisite details, a show cause notice.for imposing interim EC in terms of the. office order dated 09.07.2020 was issued on 16.11.2023, whereby granting 07 days time to submit the reply. Show cause notice was also pasted on the gate of property in addition to sent via speed post. No reply was received with respect :to show cause- notice: therefore, direction for imposition of interim EC. was issued on 08.12.2023. As interim EC wasnot deposited, so recovery certificate was issued to SDM (Dwarka) on 11.01.2024. SDM (Dwarka) issued a letter to Sh. Anil Kumar and Sh. Ashish Kumar for depositing EC on 30.01.2024. Copies of the letter dated 11.01.2024 issued by DPCC and 30.01.2024 issued by SDM are collectively enclosed herewith as Annexure-5(Colly)*

Status Report w.r.t. Illegal Borewells											
	Information										
S. No.	District	District wise number of cases in which show cause notices for imposition of EDC have been issued;	District wise number of cases in which orders for imposition of EDC have been issued;	District wise number of cases in which orders for imposition of EDC are yet to be issued;	District wise number of cases in which EDC is yet to be recovered;	District wise number of cases in which recovery has been made to Deputy Commissioner (Revenue) for recovery of the EDC;	District wise number of cases in which references has been made to Deputy Commissioner (Revenue) for recovery of the EDC;	District wise number of cases in which references is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;	How much of EDC amount is recovered from the violators has been utilized by DPCC with requisite details and	How much of EDC amount recovered from the violators is yet to be utilized by DPCC with requisite details?	Remarks
1	North	768	768	Nil	4	764	764	0		1,00,00,000	

2	North - east	4015	4005	Nil	56	3952	3756	0	-	2176 000	In respect to Sh. Mukesh EC case has been deposited by 10 hotels
3	Central	616	616	Nil	1	615	615	0	-	1000 00	
4	West	768	768	Nil	6	762	762	0	-	1900 00	
5	North - west	2395	2393	Nil	19	2376	2376	0	-	1275 000	In respect to Sh. Mukesh EC case has been deposited by 2 hotels
6	South - East	0	0	Nil	0	0	0	0	-	0	
7	South	0	0	Nil	0	0	0	0	-	0	
8	New Delhi	179	179	Nil	34	145	145	0	-	1500 000	
9	East	161	161	Nil	0	161	161	0	-	0	
10	North East	0	0	Nil	0	0	0	0	-	0	
11	Shahdara	391	391	Nil	1	390	390	0	-	3000 0	
Total		18493	18481	Nil	123	16372	16372	0	-	537900 0	

[*] Delhi Pollution Control Committee has no specific account of Environment Damage Compensation received for illegal ground water from Bulwells and DPCC is maintaining Environment Compensation [EC] fund as a common dedicated account meant for use in the following 10 sub-heads and an amount of Rs 145.23 lakhs have been utilized during 2022-23:-

(i) Installation and Running Expenses and Maintenance of CAAQMS,
(ii) Procurement and Daily Report,
(iii) Procurement of Software and Root for Air Data,
(iv) Installation of Receptor unit at Govt. School,
(v) Monitoring of Air Pollution at various Hotspots of Delhi,
(vi) Constitution of Oversight Committee of Technical Consultants,
(vii) Installation of Noise Monitoring Station at Delhi,
(viii) Seminar and conference,
(ix) IT Expenses Purchase and Safety IT Equipments and
(x) Advertising Charges/Training Charges/Others.

105. Additional status report has been filed by DPCC vide email dated

15.04.2024. The relevant part of the Additional status report is reproduced below:-

"ADDITIONAL STATUS REPORT ON BEHALF OF DELHI POLLUTON CONTROL COMMITTEE WITH RESPECT.

X X X X

5. That, in addition to the report dated 07.02.2024, it is most respectfully submitted that, DPCC issued recovery letter dated 11.01.2024 to SDM (Dwarka) for recovery of Environmental Compensation (EC) of Rs. 1,00,000/- (One Lakh only) from Sh. Ajit Kumar & Sh. Ashish Kumar, which was levied by DPCC. SDM (Dwarka) issued notice to Sh. Ajit Kumar & Sh. Ashish Kumar to deposit the same to DPCC account. DPCC has not received EC amount so far. DPCC has sent an email on 12.04.2024 to SDM(Dwarka) requesting the present status of recovery of Environmental Compensation (EC). Reply is awaited from the SDM(Dwarka).

6. That, on the issue of training, a letter was sent to UTCS regarding training to the administrative officers of Revenue Dept & officers of statutory authorities like DJB etc. on 08.12.2023. Email was also sent to UTCS regarding this on 04.04.2024. UTCS vide email dated 05.04.2024 informed that they are planning to conduct a Training on the given topic i.e. "Environmental issues"."

106. A perusal of Annexure 1 showed that show cause notices for imposition of EDC were issued in 18493 cases but orders for imposition of EDC were passed in 18481 cases. EDC has been recovered only in 121 cases and recovery of EDC is pending in 18372 cases. The DPCC has not mentioned the total amount of EDC imposed and the total amount of EDC which has been recovered. In Annexure A it has been mentioned that amount of Rs. 53,70,000/- is yet to be utilized by DPCC.

107. In Annexure 2 DPCC has given information regarding expenditure incurred from Environmental Damage Charge w.e.f. 2015-16 to 2023-24 (up to 29.02.2024) and total expenditure incurred up to 29.02.2024 is mentioned to be Rs.19,04,96,464/-. However, the statement shows that

amount of EDC has been spent only on the following:

1. **Installation and Running (Operational and Maintenance) CAAQMS,**
2. **Research and Study Project,**
3. **Procurement of Instrument and Rent for Air Lab,**
4. **Installation of Recycle unit in Govt. School,**
5. **Monitoring of Air Pollution at various locations of Delhi,**
6. **Honorarium of Oversight Committee/Technical Consultants,**
7. **Installation of Noise Monitoring Station at Delhi,**
8. **Seminar and conference,**
9. **IT Expenses (Purchase and Salary IT Resources) and**
10. **Advertising Charge/Printing Charges/Others.**

108. It is evident therefrom that no amount has been spent on conservation/recharge of ground water and creation/rejuvenation of any water body or rain water harvesting facility.

109. This Tribunal observed in order dated 18.03.2024 that not only the report of DPCC is materially deficient but also the remedial measures taken by DPCC by utilization of EDC are grossly inadequate; definitely, something more is required to be done by DPCC for remediation of environmental damage caused and appropriate remedial measures need to be catalogued and implemented. Amount of environmental compensation recovered for illegal abstraction of groundwater ought to be spent on conservation/recharge of ground water and/or creation/rejuvenation of water bodies/rain water harvesting facilities.

110. In compliance with order dated 18.03.2024 passed by this Tribunal, the Chief Secretary, Government of NCT of Delhi convened a meeting of the officers from Delhi Jal Board (DJB), Municipal

Corporation of Delhi (MCD), Delhi Pollution Control Committee (DPCC), Delhi Police, Urban Development Department, Revenue department and other concerned departments on 12.04.2024. **It was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by Hon'ble High Court of Delhi vide order dated 08.04.2024 passed in WP (C) No. 7594/2018 and the EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies.**

Duty of the Government Officers to comply with the orders of this Tribunal and directions for Prosecution of the defaulting officers

111. The Central Zonal Bench of this Tribunal disposed of **Miscellaneous Application No. 04 of 2023 (CZ) in Original Application No. 72 of 2021 (CZ), vide order dated 21.08.2023,** holding that the officers of the Chhattisgarh Environment Conservation Board (CECB) had failed to comply with its order dated 03.02.2023 and had, thereby, committed an offence under Section 26 of the National Green Tribunal Act, 2010. The Central Zonal Bench of this Tribunal accordingly directed the Secretary, MOEF&CC to lodge a criminal complaint before the competent Magistrate's Court against Subrat Sahoo, Chairman, CECB, and P. Arun Prasad, Member Secretary, CECB. Aggrieved thereby, both the officers filed Civil Appeal No. 6707 of 2023 and Civil Appeal No. 6920 of 2023 before Hon'ble Supreme Court which were allowed vide order dated 12.08.2024. **Hon'ble Supreme Court observed in its order dated 12.08.2024 that Section 26 rightly provides for penal action being taken against anyone who fails to comply with an order, award and decision of the NGT but this power has to be exercised with care and caution.** In the case on

hand, the delay on the part of the CECB in the given facts does not amount to willful negligence or an abject dereliction of duty on its part in abiding by such directions Substantial compliance having been achieved, the CECB only sought some more time to make its website more user friendly. As the CECB had achieved full compliance with the directions of the National Green Tribunal, Central Zonal Bench, Bhopal, in its order dated 03.02.2023 in Original Application No. 72 of 2021 (CZ), impugned order dated 21.08.2023 was accordingly set aside. While disposing of the above said appeals Hon'ble Supreme Court observed as under:

> *"...we hasten to make it abundantly clear that every State organ and, in particular, the wings of the Government associated with environment protection, such as the CECB, must be all the more diligent in ensuring timely compliance with the directions of the NGT. Needless to state, such directions are aimed at protection and preservation of the ecology and environment and must take highest priority."*

Serious violations of orders passed by this Tribunal

112. It may be observed here that the material on record shows serious violations by the concerned Authorities themselves. In status report dated 11.07.2020 filed by DPCC in **OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.** it was submitted that in compliance of order of Tribunal, a meeting was taken by the Chief Secretary, Delhi on 12.06.2020 through video conferencing and during meeting, it was informed that DJB has already identified 19661 illegal borewells against whom action is being taken and 7248 units were already closed by the district authorities and that the remaining units would be closed down on priority as they were already identified and process would be completed within a period of three months. This Tribunal considered the situation to be disgusting/disappointing due to

snail pace level of activities on the part of statutory regulators which clearly indicated dereliction of duties. Vide order dated 25.02.2022 this Tribunal directed the authorities to take appropriate remedial action against all the illegally running bore wells identified by DJB and submit a complete compliance report after six months and a copy of the order was ordered to be forwarded to DJB, DPCC and NDMC by e-mail for compliance. As per written report submitted by the Registry no such report was filed by DJB, DPCC and NDMC in compliance of order dated 25.02.2022. As per Supplementary Status Report filed by DJB vide email dated 13.04.2024 out of 20522 illegal borewells identified only 11197 have been closed/sealed and 8178 illegal bore wells are still operating in violation of notifications, SOP and orders passed by this Tribunal. As per annexure 1 enclosed with status report dated 07.02.2024 filed by DPCC vide email dated 15.04.2024 environmental compensation imposed on 18372 violators is yet to be recovered. In **O.A. No. 639/2022 titled as Pritipal Sharma Vs. Government of NCT of Delhi & Ors. illegal borewell was sealed on 13.04.2023 in compliance of order passed by this Tribunal on 15.09.2022 and 06.12.2022** for factual verification and taking of remedial action. **However, the violator has not been yet identified and environmental compensation is yet to be imposed on and recovered from the violator.** In O.A. No. 33/2022 titled as Ganesh Prasad vs. Government of NCT of Delhi & Ors. **despite order passed by this Tribunal on 31.01.2022 for taking of remedial action, illegal borewell was sealed on 02.11.2023** after proceedings were initiated by listing of M.A. No. 24/2023 **and environmental compensation of Rs. 1 lakh imposed on violators Shri Ajit Kumar and Shri Ashish Kumar is yet to be recovered by SDM (Dwarka), Delhi** to whom reference for

recovery has been made by DPCC vide letter dated 11.01.2024.

113. In view of the violations the Chairman and Members of DPCC, Chief Executive Officer of DJB and concerned Officers and concerned Deputy Commissioner (Revenue)/DM, SDM and other officers/officials are also liable (i) to pay appropriate environmental compensation as abettors of environmental damage caused by the violators due to negligence/inaction on their part in taking of prompt action against the violators (ii) to prosecution under Section 26 of the NGT Act 2010 and (iii) to arrest and detention in Civil Prison under Section 25 of the NGT Act 2010 for execution of orders passed by this Tribunal yet in view of observations made by Hon'ble Supreme Court in its **order dated 12.08.2024 passed in Civil Appeal No. 6787 of 2023 titled as P. Arun Prasad & Anr. Vs. Union of India & Ors.**, we consider it appropriate to give them opportunity to make requisite compliance and the matter will be considered further and decided in the context of compliance by them with the environmental laws/norms and orders of this Tribunal.

114. It may be observed here that this Tribunal had vide para no. 21 of its **order dated 18.03.2024 passed in O.A. No. 639/2022** titled as **Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** given the following directions to all the District Magistrates in NCT of Delhi:-

> *"21. In view of such deficiencies and for ensuring proper transparency and accountability all the District Magistrates in NCT of Delhi are directed to upload on the respective website of the District Administration latest by 15.04.2024 the information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused."*

115. After the orders were reserved we made an effort to obtain the relevant information from the web-site of the District Magistrates in NCT of Delhi and observed that the information so uploaded in compliance with above quoted order dated 18.03.2024 was not accessible as the access links were not prominently displayed on the web-site.

116. In the course of hearing today learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi has submitted that as per information available with her some of the District Magistrates have uploaded the relevant information on their websites and referred to the links of the information uploaded by some of the District Magistrates. However, learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi has submitted that some of the District Magistrates have not provided any information regarding uploading of the information as directed by this Tribunal on their websites.

117. On referring to the links provided by learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi we find that even in some of the website, on which information has been uploaded by the District Magistrates, the link for accessing the same has not been prominently displayed on main page of the websites. Uploading the information on the websites without prominently displaying the links for accessing the same on the main page of the websites does not serve any useful purpose and any such compliance made in clandestine manner cannot be said to be proper compliance with the order passed by this Tribunal.

118. Further, it may also be observed that no information is provided on the website of the DJB and all the District Magistrates/Deputy Commissioners (Revenue) in the NCT of Delhi about the number of registered users, number of NoCs granted, application for new registration and NoCs pending, complaints made regarding illegal abstraction of ground water and action taken on the same (although in compliance to order dated 18.03.2024 some of the District Magistrates have uploaded the information as thereby directed.

119. On its website CGWA has made provision for submission of online application for NoC; track your application; know your groundwater charges; know your penalty and other charges; know your environmental compensation; how to apply with advance charges and also for user assistance. Guidelines and steps for filling application form for NoC have also been uploaded on the website. The application form has provision for new user registration and submission for application for NoC for industry, infrastructure and mining purposes. CGWA has also made provision enabling users to lodge a complaint for illegal abstraction of groundwater to concerned authorised officer (DC/DM/Revenue officer) of the state directly through the link given https://cgwa.mowr.gov.in and has also made provision for tracking of the complaint. CGWA has also mentioned the helpline number 011-23383561 on its website. However, it may be observed that the helpline is not working properly and even calls made on the number go un-responded. No information is provided by CGWA on its website about the number of registered users, number of NoCs granted, application for new registration and NoCs pending, complaints made regarding illegal abstraction of ground water and action taken on the same. CGWA is

directed to look into the aspect of functionality of the complaint making and tracking portal and helpline and take all requisite steps to make the same fully functional and provide the requisite information on its website as observed in this order.

Duties of CGWA for regulation and management of groundwater in NCT of Delhi and of DJB, DPCC and all the District Magistrates to act in coordination and in consultation with CGWA.

120. The Central Government authorized the Lieutenant Governor, NCT of Delhi vide **notification number S.O. 667 (E) dated 10.09.1992** to exercise powers under section 5 of the Environment (Protection) Act, 1986 for NCT 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. In exercise of power conferred by section 5 of the Environment (Protection) Act. 1986 read with the Ministry of Home Affairs, Government of India Notification number S.O. 667 (E) bearing F.No. U-11030/J/ 91- UTL dated 10.09.1992 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 30.03.2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated 30.04.2009, the Lt. Governor of NCT of Delhi issued directions vide **notification number. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010**. However, we are of the considered view that both these notifications are not inconsistent with and do not in any manner conflict with, obstruct, curtail or restrict **Notification number S.O. 38 (E) dated 14.01.1997** constituting CGWA and conferring powers on CGWA empowering it to exercise powers under section 5 of the Environment (Protection) Act, 1986 for

issuing directions and taking such measures in respect of all the matters referred to in sub-section(2) of section 3 of the said Act; to resort to penal provisions contained in sections 15 to 21 of the said Act and to regulate and control, management and development of ground water in the Country and also NCT of Delhi and to issue necessary regulatory directions for the purpose. Section 9 of the Delhi Jal Board Act, 1998 which empowers DJB to **plan for regulate and manage the exploitation of ground water in Delhi mandates it to do so in consultation with CGWA.**

121. This Tribunal in its Judgment dated 25.02.2022 passed in **O.A. No. 69/2022 titled as Sushil Bhatt Vs. Moon Beverages Ltd. & Ors.** observed as under:-

"X X X X
117. Thus, we are clearly of the view that on the subject of regulation of ground water, provisions of EP Act 1986, the orders issued by Central Government under Section 3(3), and by CGWA under section 5 and/or section 3(2) of EP Act 1986 shall hold field and on this subject Provincial legislation cannot be brought in to impede, obstruct or deny or deprive CGWA, in its function for protection, perseveration and sustenance of ground water in the country....
X X X X
237. CGWA is a Statutory Authority and has statutory powers to issue directions or take such measures as are necessary for protecting environment. These directions are referable to EP Act 1986, enacted vide Entry 13 List 1 of Constitution and therefore even Provincial legislations would have no competence to touch on this subject. Undoubtedly water is in List II Entry 17 but to the extent, the subject of ground water is part of pollution and governed by EP Act, 1986, for the reasons already discussed above, Provincial legislature would lack competence and it cannot make laws in respect of subject of water, covered by EP Act 1986 or orders, directions, rules, etc. made thereunder.

X X X X
244. CGWA, while giving directions or laying down guidelines, had to take into consideration, and is under an obligation, to appreciate the mandate of Supreme Court and cannot abrogate or surrender to Provincial legislations on the ground that in some States there are Provincial legislations with regard to ground water and, therefore, Authorities under those enactments will deal with the issues relating to ground water

and CGWA has no concern particularly when on some aspects Provincial legislations are not consistent with directions of CGWA. It also cannot stay satisfied by issuing guidelines giving easy access to extract ground water in OCS areas to almost all commercial proponents. This is a failure on the part of CGWA in discharge of its statutory duties which neither can be justified nor appreciated."

122. In that case this Tribunal observed in unambiguous terms that CGWA is bound to comply with and cannot override the orders passed by this Tribunal. The relevant para of the order is reproduced as under:-

"238. CGWA, however, even if prevails over Provincial legislations, cannot confer upon itself a jurisdiction so as to sit over the orders of Tribunal. In fact, power of CGWA, which it can exercise under Section 5 and Section 3(2), is subject to the mandate and scheme of EP Act 1986 and if it travels beyond it or infringes the mandate of law contained in EP Act 1986, such direction or order of CGWA would not be valid. NGT Act 2010 is a subsequent enactment and has jurisdiction in respect of environmental matters and its orders have over-riding effect over any other law. Its orders are also binding on the Authorities. Therefore, CGWA is bound by the directions and orders of Tribunal. When exercising powers of issuing directions etc., under Section 3(2) and 5 of EP Act, 1986. CGWA cannot issue orders and direction contrary to the orders of Tribunal."

123. It may be observed here that vide Public Notice no. 6 of 2000 CGWA declared South and South West Districts of NCT of Delhi as "Notified Areas" and vide Public Notice no. 2 of 2006 CGWA notified East, New Delhi, North-East, North-West and West Districts of Delhi as 'over-exploited' areas needing regulation. Even through, vide Public Notice no. 6/2000 CGWA prohibited and restricted abstraction of groundwater without prior permission from CGWA no such prohibition and restriction was imposed vide Public Notice no. 2 of 2006 whereby registration of groundwater structures in the notified Districts was made compulsory. However, in view of the orders passed by this Tribunal the prohibition and restriction on abstraction of groundwater

without prior permission from CGWA/DJB will apply to all the Districts in NCT of Delhi and CGWA/DJB have to regulate drawal of groundwater on that basis.

Directions by the Tribunal

124. In the facts and circumstances of the case following directions are issued:-

(i) CGWA is directed to own the responsibility of assessing status of groundwater in terms of quality, quantity, availability for abstraction and recharge and aid and advise DJB in regulating drawal of ground water assessment unit wise in NCT of Delhi by carrying out requisite scientific studies and issuing appropriate directions/making appropriate recommendations to DJB and the concerned **Deputy Commissioner (Revenue), who also has the designation and powers of District Magistrate in NCT of Delhi and is referred to in this order at some places as District Magistrate and hereafter as Deputy Commissioner (Revenue)**, of each revenue area in GNCTD and submit action taken report within three months.

(ii) All functional borewells in NCT of Delhi, which do not have NOC from CGWA/DJB (issued by concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD) being illegal, are ordered to be closed/sealed with immediate effect.

(iii) Concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to take action for closing/sealing of illegal borewells already identified and also initiate proceedings for the prosecution of the violators within three months.

(iv) The concerned Project Proponents of new or existing borewells sealed by the Deputy Commissioner (Revenue) of each revenue area in GNCTD may submit application for grant of NOC to DJB and such applications for grant of NOC be decided expeditiously preferably within three months from the date of submission.

(v) DJB through Deputy Commissioner (Revenue) of the revenue area in question is directed to take requisite action for grant of permission for borewells in accordance with recommendations of the concerned Executive Engineer and Advisory Committee in accordance with groundwater level notifications, environmental norms/guidelines and directions issued by Hon'ble Supreme Court and this Tribunal, recover appropriate charges for drawal of ground water and impose appropriate conditions for recharge of ground water and ensure actual implementation thereof on the ground with geo-tagging for monitoring purpose.

(vi) DJB is directed to conduct survey from time to time for further identification of illegal borewells and take requisite action in respect of illegal borewells identified by further survey in accordance with environmental laws/SOP/directions issued by Hon'ble Supreme Court/this Tribunal.

(vii) DPCC is directed to finalize the proceedings already initiated for imposition of environmental compensation by issuance of show cause notices or initiate proceedings for imposition of environmental compensation on all the violators already identified and pass appropriate orders for imposition of

environmental compensation on them and make references for recovery of environmental compensation from all the violators on whom environmental compensation has already been imposed in accordance with law within three months.

(viii) Government of NCT of Delhi is directed to transfer to DPCC within three months amount of Rs. 70 crores (equal to the amount of environmental compensation imposed by DPCC for which recovery proceedings are pending with the officers of the Government of NCT of Delhi for more than three years) for utilization by DPCC for revival/restoration/rejuvenation /creation of water bodies, rain water harvesting pits etc. and for conservation and recharge of ground water as remediation of environmental damage caused by illegal drawal of ground water cannot be deferred for long periods of time to be taken by the authorities in effecting the recovery and Government of NCT of Delhi may thereafter recover the amount from the violators in accordance with law or waive the recovery as considered appropriate.

(ix) DPCC is directed to prepare and implement Action Plan, in consultation with DJB, concerned Deputy Commissioner (Revenue)/DM and District Advisory Committee for utilization of (i) amount equal to the amount of Environment Compensation imposed on and to be recovered from the violators by drawing the same from the amount of environment compensation lying deposited with it and (ii) amount transferred by Government of NCT of Delhi in lieu of the amount of environmental compensation to be recovered by its

officers from the violators, for remediation of environmental damage caused immediately as such remediation ought not to be deferred for long periods of time likely to be taken in recovering the amount of environmental compensation from the violators and the amount so drawn or transferred may be reimbursed on recovery of the amount from the violators.

(x) DJB is directed to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding number of applications for grant of NoC, number of such applications filed/pending for decision, number of such applications allowed and NoCs granted, number of applications rejected, number of borewells which have been granted NOC, illegal borewells which have been closed/sealed and illegal borewells which are yet to be closed/sealed, procedure for processing of the application for grant of NoC for abstraction of ground water, the charges to be levied for abstraction of ground water, the penal provisions for punishing illegal abstraction of groundwater and liability to pay environmental compensation for illegal abstraction of ground water on its web site by 30.09.2024 and to update the same within 7 days at the end of each month.

(xi) DPCC is directed to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding (i) proceedings initiated for imposition of environmental compensation on the violators (ii) proceedings finalized for imposition of environmental compensation on the violators; (iii) references made for

recovery of environmental compensation from the violators; (iv) amount of environmental compensation recovered; (v) amount of environmental compensation to be recovered; (vi) amount of environmental compensation utilized; (vii) amount of environmental compensation to be utilized; (viii) activities carried out for utilization of the amount of environmental compensation and (ix) activities proposed to be carried out for utilization of the amount of environmental compensation on its web site by 30.09.2024 and to update the same within 7 days at the end of each month thereafter.

(xii) All the Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to upload with link on the main page of their respective websites under heading 'Groundwater Management' complete information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused on the respective website of the District Administration by 30.09.2024 and to update the same within 7 days at the end of each quarter thereafter.

(xiii) CGWA is directed to upload with link on the main page of its website the information regarding the status of groundwater, the necessity for regulation and management of groundwater abstraction, the copies of public notices issued by CGWA and

measures taken for regulation, management, conservation and recharge of groundwater.

(xiv) In **O.A. No. 639/2022 Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** DCF (South), Delhi is directed to file report as to the person who is alleged to have encroached upon the forest land on which the borewell in question was found by the Joint Committee to be operational.

(xv) In **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** SDM (Dwarka), Delhi is directed to file status report regarding recovery of environmental compensation from the violators.

125. Our answer to the question posed in the beginning of this order is that hands of law, as is proverbial, are very strong and no violator whether a person or authority, can escape its hold and fold and survive and thrive without compliance with it.

126. It is, accordingly, clarified (i) that in case of failure to take requisite action as mandated by the Environmental Laws/Norms/Notification/SOP, the Chairman and Members of DPCC, Chief Executive Officer of DJB and concerned Officers and concerned Deputy Commissioner (Revenue)/DM, SDM and officers/officials will be liable (i) to pay appropriate environmental compensation as abettors of environmental damage caused by the violators due to negligence/inaction on their part in taking of prompt action against the violators; (ii) to prosecution under Section 26 of the NGT Act 2010 and (iii) arrest and detention in Civil Prison under Section 25 of the NGT Act 2010 for execution of the orders passed by this Tribunal.

127. It may be observed here that in **O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** this Tribunal while disposing of the application vide order dated 08.04.2021 observed as under:-

> *"1. This application seeks injunction against illegal withdrawal of ground water by 536 hotels operating in Paharganj area of Delhi of which list has been filed. The applicant has relied upon judgment of this Tribunal dated 20.07.2020 in O.A. No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors. to the effect that ground water extraction has to be regulated as per orders of the Hon'ble Supreme Court in MC Mehta vs UOI, 1997 11 SCC 312. Regulation requires that such extraction is allowed ensuring replenishment and that ground water table does not get depleted. The Tribunal having already adjudicated upon the question of law, the matter is only of execution which issue needs to be looked into by the concerned statutory authorities, in accordance with law.*
> *2. Since the present application on multiple causes of action is not permissible as per statutory procedural rules, we permit the applicant to move the concerned SDMs or other authorities and the Chief Secretary, Delhi, who have to enforce/oversee the compliance of norms on the subject.*
>
> *The application is disposed of."*

128. **E.A. No. 11/2023** has been filed in **O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** for execution of order dated 08.04.2021 in respect of illegal withdrawal of groundwater by 536 hotels operating in Paharganj area of Delhi. In the above mentioned EA, this Tribunal is considering the questions as to the authority responsible for regulating the ground water extraction in Delhi and validity of voluntary disclosure scheme and permissibility of extraction of groundwater under the same. The above said case is now fixed for hearing on 03.09.2024.

129. It may be added here that by this order we do not purport to consider and determine the issues involved in above mentioned case and we are considering issuance of the directions on the basis of

statutory provisions and directions under Section 5 of the Environment (Protection) Act, 1986 having statutory force, SOP prepared, directions already issued by the Chief Secretary, Government of NCT of Delhi and directions issued by this Tribunal.

130. However, it is clarified that the directions issued by this Tribunal by this order passed in both the cases **O.A. No. 639/2022** titled as **Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** and **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. GNCTD & Ors.**, regarding closing of the borewells, prosecution of the concerned Project Proponents and imposition of the environment compensation will not apply to 536 hotels regarding which **E.A. No. 11/2023 in O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** is pending before this Tribunal and is fixed for hearing on 03.09.2024.

131. Action taken reports with respect to other illegal borewells be filed by the the Member Secretary CGWA; the Chief Executive Officer DJB; the Member Secretary, DPCC, all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi, DCF (South), Delhi and SDM (Dwarka), Delhi as directed above at least one week before the date of hearing hereby fixed.

132. I.A. No. 293/2023 in O.A. 639/2022 was filed for exemption of personal appearance of Chief Executive Officer, DJB which was allowed vide order dated 19.04.2023. I.A. No. 02/2023 in O.A. No. 33/2022 was filed by DJB for extension of three weeks time for submission of the report which was allowed vide order dated 04.01.2024 but pendency of the same has been shown in the cause list and disposal of the same be recorded/uploaded as per the orders already passed.

133. List on 06.01.2025 for further consideration.

134. A copy of this order be sent by email to the Chief Secretary, Government of NCT of Delhi; the Member Secretary CGWA; the Chief Executive Officer DJB; the Member Secretary, DPCC and all the Deputy Commissioner (Revenue)/District Magistrates in NCT of Delhi, DCF (South), Delhi and SDM (Dwarka), Delhi for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 28th, 2024
AG

583

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER (RWH)-I
ROOM NO. 208, VARUNALAYA PHASE-I
KAROL BAGH, NEW DELHI-110005

584

No.DJB/EE(RWH)-I/2024/1495 to 1504 Date: 19.12.2024

Subject: Directions/recommendations in compliance with the order dated 18.04.2024 passes by the Hon'ble NGT, Principal Bench, New Delhi in O.A. No. 639 of 2022 titled 'Pritpal Sharma versus Government of NCT of Delhi &Ors.'

May please refer letter on the above subject from Member Secretary, CGWA, New Delhi (copy enclosed) wherein CGWA considering the order passed by Hon'ble NGT in O.A. No. 639 of 2022 titled 'Pritpal Sharma versus Government of NCT of Delhi & Ors.' dated 18.04.2024, CGWA has given its final recommendations to make policies following the scientific data provided by Central Ground Water Authority for sustainable development of ground water in NCT of Delhi (copy enclosed) which have been approved by CEO, DJB vide its order dated 12.12.2024 for adoption by CE (Maintenance) while recommending the case for grant of NOC to concerned District Magistrate.

You are also requested to take immediate action against illegal bore wells or tube wells functioning with out valid NOC from Delhi Jal Board and also monthly list of closed /sealed illegal bore wells / tube wells be submitted by 25th of every month to the office of undersigned at rainwaterharvesting2013@gmail.com

This may be treated as MOST URGENT.

With regards

Encl: As above (10 Pages)

CE (East), CE (West), CE (South), CE (C&N)

EE(RWH)-I

Copy to:

1. PS to CEO : for kind information.
2. CE N(W) : -do-
3. CE (GW) : -do-
4. SE(C)-8 : -do-
5. AE (RWH)-I/II : to pursue
6. O/c

EE(RWH)-I

CE OF CE (South)
Diary No. 47-93
Date 9/12/24

भारत सरकार
जल शक्ति मंत्रालय
जल संसाधन, नदी विकास और गंगा संरक्षण विभाग
केंद्रीय भूजल प्राधिकरण
CSMRS कैंपस, ओलफ पाल्मे मार्ग,
सै.-3, हौज़ खास, आर. के . पुरम,
नई दिल्ली-110016
ई- मेल: cgwa@nic.in

Government of India
Ministry of Jal Shakti
Department of Water Resources, RD & GR
Central Ground Water Authority
CSMRS Campus, Olaf Palme Road,
Sec.-3,Hauz Khas, R.K.Puram,
New Delhi – 110016
E-mail: cgwa@nic.in

(Urgent)

No. NGT(PB)/020/OA-639/2022 – 524

Dated: 22 NOV 2024

To,

The Chief Executive Officer,
Delhi Jal Board,
Varunalaya Complex, Staff Colony,
Jhandewalan, New Delhi, Delhi-110005.

Chief Executive Officer Delhi Jal Board 28-11-24

Office of the Member (WS) 13668 Dated 03/12/24 DELHI JAL BOARD

Subject- Directions/ recommendations in compliance with the order dated 18.04.2024 passed by the Hon'ble NGT, Principal Bench, New Delhi in O.A No. 639 of 2022 titled 'Pritipal Sharma versus Government of NCT of Delhi & Ors'.

Sir,

In reference to the subject cited above, it is to state that the Hon'ble NGT, Principal Bench, New Delhi vide para 124 (i) & (ii) of the order dated 18.04.2024 passed in O.A No. 639 of 2022 titled as 'Pritpal Sharma versus Government of NCT of Delhi & Ors' issued following directions:

i. *"CGWA is directed to own the responsibility of assessing the status of groundwater in terms of quality, quantity, availability for abstraction and recharge and aid and advise DJB in regulating drawl of ground water assessment unit wise in NCT of Delhi by carrying out requisite scientific studies and issuing appropriate directions/making appropriate recommendations to DJB and the concerned Deputy Commissioner (Revenue), who also has the designation and powers of District Magistrate in NCT of Delhi and is referred to in this order at some places as District Magistrate and hereafter as Deputy Commissioner (Revenue), of each revenue area in GNCTD and submit action taken report within three months".*

ii. *"All functional bore wells in NCT of Delhi, which do not have NOC from CGWA/DJB (issued by concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD) being illegal, are ordered to be closed/sealed with immediate effect".*

On the basis of scientific techniques/ study and the methodology recommended by Inter-departmental Groundwater Resource Estimation Committee (GEC), CGWB is carrying out Ground Water Resource Assessment annually. The report published during 2022 & 2023 has already been shared with DJB and DC of the respective districts of the NCT of Delhi.

Contd. Page No.2

Form a water time line.
All CE (Maintenance)
Copy to AE(W) R.K.Puram
CE(GW) CE(South)
03/12/2024

Accordingly, Groundwater, in terms of Quantity, Quality, availability for abstraction, recharge and recommendations/directions thereto as per GWRE 2023 are enclosed as Annexure-1.

Further, in exercise of the powers conferred under Section 5 of the Environment (Protection) Act, 1986, CGWA hereby directs the Delhi Jal Board to

1. comply with the recommendations given in Annexure-I and to make policies following the scientific data provided by Central Ground Water Authority for sustainable development of groundwater in NCT of Delhi.
2. take immediate action aganist illegal bore wells/tube wells functioning without valid NOC from Delhi Jal Board and also provide a list of closed/sealed illegal bore wells/tube wells to CGWA.
3. submit an Action Taken Report to Central Groundwater Authority within one month the date of issue of the letter.

Non-submission of report within aforesaid period will be construed as contravention of Section 5 of Environment (Protection) Act, 1986.

Yours Faithfully

22/11/2024

Member Secretary
CGWA, New Delhi

Copy to :

1. The Office of Deputy Commissioner (North), Kripanarayan Marg, Sham Nath Marg, Delhi-110054, for information and necessary action.
2. The Office of Deputy Commissioner (South), B.D.O Office, M.B Road, Saket, New Delhi-110017, for information and necessary action.
3. The Office of Deputy Commissioner (Central), Old Employment Exchange, Bldg., Darya Ganj-110002, Delhi, for information and necessary action.
4. The Office of Deputy Commissioner (East), L.M Bandh Complex, Shastri Nagar, Delhi-110031, for information and necessary action.

Cont. Page No.3

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-3-

5. The Office of Deputy Commissioner (West), Govt. Middle School Building Complex, Ram Pura, Delhi-110035, for information and necessary action.
6. The Office of Deputy Commissioner (South-West), Admn. Block Old Terminal Tax Building, Kapashera, Delhi-110097, for information and necessary action.
7. The Office of Deputy Commissioner (New Delhi), 12/1, Jam Nagar House, New Delhi-110069, for information and necessary action.
8. The Office of Deputy Commissioner (North-East), Weaver Complex, Nand Nagri, Delhi-110093, for information and necessary action.
9. The Office of Deputy Commissioner (North-West), Village Kanjhawala, Delhi-110081, for information and necessary action.

Encl: As Above

Sd

Member Secretary
CGWA, New Delhi

588 7/c

Annexure-I

Reply of Para 124 for NGT Case number 639/2022(IA No. 293/2023) Titled Pritpal Sharma vs Govt. of NCT of Delhi & ors

(A) Status of Ground Water in terms of Quantity-

Central Ground Water Board is carrying out Ground Water Resource assessment annually. The report published during 2022 & 2023 are already shared with Delhi Jal board & DC of the respective districts of NCT, Delhi. The gist of GWRA 2023 is as follows:

As per the GWRE - 2023, the total groundwater recharge is 38,152.55 Ham and the annual extractable groundwater resource is 34,449.23 Ham. The groundwater extraction for all purposes is 34,150.55 Ham. The Stage of groundwater extraction is 99.13 %.The district - wise GWRE - 2023 is as follows:

Table 1 District wise status of Ground Water Resource 2023 for NCT, Delhi

District	Total Recharge (ham)	Annual Extractable Ground Water Resource (ham)	Annual Ground Water Extraction (ham)				Stage of GW Development (%)
			Domestic	Industrial	Irrigation	Total	
CENTRAL	2451.5	2206.35	1496.18	0	244.77	1740.96	78.91
EAST	1636.03	1472.41	1282.16	0.2	110.55	1392.81	94.60
NEW DELHI	2913.04	2621.74	2923.44	2.2	686.87	3612.52	137.79
NORTH	4675.71	4208.14	4052.92	50.308	489.77	4592.99	109.15
NORTH EAST	1775.23	1597.71	1513.62	0	176.76	1690.38	105.80
NORTH WEST	3713.58	3454.16	1778.741	0.56	499.01	2278.3	65.96
SHAHDARA	1608.11	1447.3	1329.10	0.5	338.81	1669.1	115.33
SOUTH	4474.46	4027.02	3807.97	0	733.13	4541.1	112.77
SOUTH EAST	2625.98	2363.38	2075.35	12.74	220.17	2308.26	97.67
SOUTH WEST	7716.09	6944.48	2496.6	0	4002.81	6499.41	93.58
WEST	4052.93	3647.64	2778.00	0.6	731.98	3510.58	96.24
NAZUL LAND	509.89	458.9	86.04	0	228	314.04	68.43
Total	38152.55	34449.23	25621.01	67.11	8462.44	34150.6	99.13

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2 District wise status of Ground Water Resource 2023 for NCT, Delhi

1	Central	Civil Lines Tehsil	24.51	234.75	15.01	15.71	15.71	3.42	19.13	0	183.37	202.51	7.61	4.92	12.53		
2	Central	Karol Bagh Tehsil	5.33	21.82	1.40	1.60	1.60	1.50	3.10	0	15.91	19.01	1.75	0	1.75		
3	Central	Kasturba Tehsil	13.45	57.85	4.61	4.85	4.85	2.05	6.90	0	47.58	54.48	1.21	0.65	1.86		
4	East	Gandhi Nagar Tehsil	5.39	5.4	0.35	0.36	0.36	0.29	0.65	0	7.03	7.68	0.31	0.19	0.50		
5	East	Shahdara Tehsil	31.77	68.84	2.92	3.01	3.01	2.19	5.20	0	62.57	67.77	1.81	0.93	2.74		
6	New Delhi	Lutyens Zone Tehsil	11.45	53.02	3.65	3.76	3.76	1.44	5.20	0	43.85	49.05	1.81	0.93	2.74		
7	New Delhi	Chanakyapuri Tehsil	15.03	185.53	12.75	13.14	13.14	0.44	13.58	0	164.26	177.84	1.81	0.93	2.74		
8	New Delhi	Delhi Cantonment Tehsil	65.33	139.7	9.61	9.9	9.9	3.48	13.38	0	119.81	133.19	1.81	0.93	2.74		
9	New Delhi	Karol Bagh Tehsil	37.21	317.82	21.86	22.53	22.53	10.62	33.15	0	284.67	317.82	1.81	0.93	2.74		
10	North	Civil Lines Tehsil	106.19	913.53	62.82	64.75	64.75	30.38	95.13	0	818.4	913.53	1.81	0.93	2.74		
11	North	Model Town Tehsil	26.09	183.17	12.6	12.99	12.99	5.34	18.33	0	164.84	183.17	1.81	0.93	2.74		
12	North	Narela Tehsil	348.08	1208.04	83.09	85.65	85.65	20.32	105.97	0	1102.07	1208.04	1.81	0.93	2.74		
13	North East	Seelampur Tehsil	28.23	61.88	4.26	4.39	4.39	1.89	6.28	0	55.6	61.88	1.81	0.93	2.74		
14	North East	Karawal Nagar Tehsil	9.86	36.55	2.51	2.59	2.59	1.11	3.7	0	32.85	36.55	1.81	0.93	2.74		
15	North East	Yamuna Vihar Tehsil	3.57	19.25	1.32	1.36	1.36	0.58	1.94	0	17.31	19.25	1.81	0.93	2.74		
16	North West	Alipur Tehsil	80.4	76.24	5.25	5.41	5.41	2.31	7.72	0	68.52	76.24	1.81	0.93	2.74		
17	North West	Kanjhawala Tehsil	48.56	165.29	11.38	11.72	11.72	5.02	16.74	0	148.55	165.29	1.81	0.93	2.74		
18	North West	Narela Tehsil	82.59	488.39	33.63	34.66	34.66	14.85	49.51	0	437.12	486.63	1.81	0.93	2.74		
19	North West	Saraswati Vihar Tehsil	7.24	27.83	1.92	1.97	1.97	0.84	2.81	0	25.02	27.83	1.81	0.93	2.74		
20	North West	Shakurpur Tehsil	8.3	15.88	1.09	1.13	1.13	0.48	1.61	0	14.27	15.88	1.81	0.93	2.74		
21	North West	Rohini Vihar Tehsil	22.44	79.42	5.47	5.63	5.63	2.41	8.04	0	71.38	79.42	1.81	0.93	2.74		
22	South	Dhaula Kuan Tehsil	24.27	132.52	9.13	9.4	9.4	4.03	13.43	0	119.09	132.52	1.81	0.93	2.74		
23	South	Hauz Khas Tehsil	81.36	405.36	27.95	28.79	28.79	12.34	41.13	0	364.23	405.36	1.81	0.93	2.74		
24	South	Lahori Tehsil	75.98	357.61	24.65	25.39	25.39	10.88	36.27	0	321.34	357.61	1.81	0.93	2.74		
25	South East	Defence Colony Tehsil	38.89	180.7	12.45	12.83	12.83	5.5	18.33	0	162.37	180.7	1.81	0.93	2.74		
26	South East	Kalkaji Tehsil	30.35	154.64	10.66	10.98	10.98	4.71	15.69	0	138.95	154.64	1.81	0.93	2.74		
27	South East	Sarita Vihar Tehsil	30.2	140.39	9.68	9.97	9.97	4.27	14.24	0	126.15	140.39	1.81	0.93	2.74		
28	South West	Dwarka Tehsil	83.84	524.3	36.14	37.24	37.24	15.96	53.2	0	471.1	524.3	1.81	0.93	2.74		
29	South West	Kapashera Tehsil	19.63	123.05	8.48	8.74	8.74	3.74	12.48	0	110.57	123.05	1.81	0.93	2.74		
30	South West	Najafgarh Tehsil	123.54	1404.38	96.8	99.71	99.71	42.73	142.44	0	1261.94	1404.38	1.81	0.93	2.74		
31	West	Patel Nagar Tehsil	26.46	127.64	8.8	9.07	9.07	3.89	12.96	0	114.68	127.64	1.81	0.93	2.74		
32	West	Punjabi Bagh Tehsil	71.06	1047.87	72.23	74.45	74.45	31.91	106.36	0	941.51	1047.87	1.81	0.93	2.74		
33	West	Rajouri Garden Tehsil	38.49	58.86	4.06	4.18	4.18	1.79	5.97	0	52.89	58.86	1.81	0.93	2.74		
34	West	Hazoi Land Tehsil	25.79	313.57	21.62	22.27	22.27	9.54	31.81	0	281.76	313.57	1.81	0.93	2.74		
		Total	1487.71	12004.76	827.33	852.35	852.35	365.29	1217.64	0	10787.12	12004.76	69.31	35.65	104.96		

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Total no. Of Assessment Units: 34

No. of OE Assessment Units: 13 (Karol Bagh, Chanakyapuri, Delhi Cantonment, Vasant Vihar, Narela, Yamuna Vihar, Karawal Nagar, Shahdara, Vivek Vihar, Mehrauli, Saket, Kapashera, Rajouri Garden)

No. of Critical Assessment Units: 12 (Kotwali, Gandhi Nagar, Preet Vihar, Mayur Vihar, Model Town, Seemapuri, Hauz Khas, Defence Colony, Kalkaji, Sarita Vihar, Dwarka, Patel Nagar)

No. of Semi-Critical Assessment Units: 4 (Alipur, Seelampur, Saraswati Vihar, Punjabi Bagh)

No. of Safe Assessment Units: 5 (Civil Lines, Kanjhawala, Rohini, Najafgarh, Nazul land)

The detailed report is shared with DJB and Deputy commissioners of respective districts on 08.11.2024.

Table 3 CATEGORIZATION of ASSESSMENT UNITS, 2023, NCT DELHI

S. No	Name of District	Safe	Semi-Critical	Critical	Over-Exploited
1	Central	Civil Lines	----	Kotwali	Karol Bagh
2	East	-------	------	Gandhi Nagar	------
				Preet Vihar	
				Mayur Vihar	
3	New Delhi	------	------	-------	Chanakyapuri
					Delhi Cantonment
					Vasant Vihar
4	North		Alipur	Model Town	Narela
5	North East	------	Seelampur	--------	Yamuna Vihar Karawal Nagar
6	North West	Kanjhawala	Saraswati Vihar	-----	----
		Rohini			
7	Shahdara	-----	------	Seemapuri	Shahdara
					Vivek Vihar
8	South	-----	-----	Hauz Khas	Mehrauli
					Saket
9	South East	-----	---	Defence Colony	------
				Kalkaji	
				Sarita Vihar	
10	South West	Najafgarh		Dwarka	Kapashera
11	West		Punjabi Bagh	Patel Nagar	Rajouri Garden
12	Nazul land	Nazul land	-----	----	---
	Total	5	4	12	13

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(B) Status of Ground Water in terms of Quality-

The quality of groundwater in NCT of Delhi has been evaluated by sampling and analysis of water samples collected from Groundwater Monitoring wells of CGWB, SUO, Delhi. About 103 Groundwater Monitoring wells were monitored for water quality during May 2023 representing pre-monsoon water quality.

The groundwater samples collected from submersible pumps and hand pumps tapping phreatic aquifers are analyzed for all the major inorganic parameters. Based on the results, it is found that ground water in the NCT of Delhi is mostly of calcium bicarbonate (Ca-Mg-HCO3) type when the total dissolved solids of water is below 500 mg/L (corresponding to electrical conductance of 750 mS/cm at 25°C). They are of mixed cations and mixed anion type when the electrical conductance is between 750 and 3000 mS/cm and waters with electrical conductance above 3000 mS/cm are of sodium chloride (Na-Cl) type. However, other types of water are also found among these general classifications, which may be due to the local variations in hydro-chemical environments due to anthropogenic activities. Nevertheless, occurrence of high concentrations of some water quality parameters such as salinity, chloride, fluoride, iron, arsenic and nitrate have been observed in some pockets in few districts of Delhi.

Unconfined aquifers are extensively tapped for water supply and irrigation across the state therefore; its quality is of paramount importance. The chemical parameters like TDS, Fluoride, Nitrate, Iron, Arsenic and Uranium etc. are main constituents defining the quality of ground water in unconfined aquifers. Therefore, presence of these parameters in ground water in samples collected during NHS monitoring along with block wise hot spot locations are mentioned below.

1. **Electrical Conductivity (> 3000 µS/cm)- Block wise of Location of hot spot for EC above permissible limit -**
   a) **Alipur Block of North district-** Bakoli, Singhola, Singhu
   b) **Dwarka Block of South West district-** Dwarka Sec-5
   c) **Kanjhawala Block of North West district -** Nizampur

2. Fluoride (>1.5 mg/liter) - Block wise of Location of hot spot for Fluoride above permissible limit -

a) Alipur Block of North Delhi district- Alipur Garhi, Khera Kalan, Rohini Sector 28
b) Chanakyapuri Block of South West district- Sunder Nursery
c) Dwarka Block of South West district- Dwarka Sec-23
d) Kanjhawala Block of North West district - Nizampur
e) Mehrauli Block of South Delhi district - Jamali Kamal
f) Najafgarh Block of South West district – Jhuljhuli, Surheda
g) Narela Block of North Delhi district - Barwala, Bawana
h) Rohini Block of North West district - Rani Khera, Rithala Sector 5 Rohini
i) Saraswati Vihar of North West district - Sanjay Van
j) Vivek Vihar of Shahdara district - Vivek Vihar

3. Nitrate (>45 mg/liter) - Block wise of Location of hot spot for Nitrate -

a) Chanakyapuri Block of South West district- Sunder Nursery
b) Hauz Khas Block of South West district- Hauz Khas, Pusp Vihar Pz
c) Kalkaji Block of South West district- Okhla, R-Block, GK-1
d) Kanjhawala Block of North West district- Nizampur
e) Mehrauli Block of South district - Jamali Kamali, Gadaipur, Jaunapur, Jheel Khoh
f) Najafgarh Block of South West district - Surheda, Daryapur Khurd, Dichaon Kalan, Najafgarh Town
g) Narela Block of North Delhi district – Narela
h) Patel Nagar Block of Central Delhi district – Pusa
i) Punjabi Bagh Block of West Delhi district – Baprola, Hiran Kudna
j) Rajouri Garden Block of West Delhi district - Tagore Garden
k) Rohini Block of North West Delhi district - Rani Khera

3. Iron (>1.0 mg/liter) - Block wise of Location of hot spot for Iron above permissible limit -

a) Mayur Vihar Block of East Delhi district - Chilla Saroda

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b) Sarita Vihar Block of South East Delhi district - Jaitpur Khadar

c) Nazul Land Block of South East Delhi district - Nazul Land

d) Defence Colony Block of South East Delhi district - Nangli Rajapur

4. Arsenic (>0.01 mg/liter) - Block wise of Location of hot spot for Arsenic

a) Mayur Vihar Block of East Delhi district - Chilla Saroda

b) Defence Colony Block of South East Delhi district - Nangli Rajapur

c) Preet Vihar Block of East Delhi district - Bank Enclave

5. 6. Uranium (>30 ppb)- Block wise of Location of hot spot for Uranium above permissible limit -

a) Kanjhawala Block of North West district - Kanjhawala, Nizampur

b) Mehrauli Block of South district - Jaunapur

c) Najafgarh Block of South West district - Jharoda Kalan, Surheda

d) Narela Block of North Delhi district - Auchandi, Bawana, Hareoli

e) Punjabi Bagh Block of West Delhi district – Baprola

The analytical results show a concerning trend: compared to 2020, more districts in NCT of Delhi had groundwater samples exceeding permissible limits for Fluoride, Arsenic, Uranium and Iron by 2023. This decline in water quality may stem from geo-genic or anthropogenic sources. However, there is an improvement in case of EC and Nitrate. This may be attributed to dilution owing to recharge. While most samples from Central Ground Water Board observation wells meet drinking water standards for basic parameters.

(C) Final Recommendations-

i. As per discussion held in the final meeting of Permanent State Level Committee (PSLC) on 03.10.2024, during the finalized of Ground Water Resource Estimation it was decided that areas, where extraction is more, NOC for groundwater extraction is only issued when they have to maintain the balance of the quantity of extraction water and the same or more than extraction, water has to recharge. Otherwise, no NOC will be issued.

ii. During the meeting it was decided in Over Exploited Tehsils (OE), RTRWHS is compulsory in all Government and private buildings to increase Groundwater recharge. Also, an implementable notification must be issued for buildings having more than 100 m^2 area.

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iii. It was decide that the Stage of Ground Water Extraction (SOE) should not go beyond 99 %, for that proper regulations have to be issued

iv. In hot spot area, piped water supply will be must and also closing of hot spot tube wells is recommended.

v. Recharge measures need to be taken in large scale for augmentation of Ground Water resources.

vi. Ground water is highly polluted and is not fit for drinking and irrigation purposes along the Najafgarh drain, landfill sites and industrial belts. It is recommended that ground water should be used only after proper treatment.

vii. In Delhi, fresh ground water is underlain by saline/ brackish water. Over-exploitation of ground water in certain areas has not only resulted in depletion of fresh ground water resources but has also led to gradual upconing of saline water. It is recommended to withdraw poor quality water, which can be used for growing salt tolerant crops like cotton, wheat, guar, chickpea, soyabean, sugarcane, sunflower etc. in agricultural belts. In rest of the areas, saline water can be used after blending for uses other than drinking. Withdrawal of saline water will lead to void space in the aquifer, which when recharged during subsequent monsoon, will help in improving the water quality.

viii. Water use efficiency measures are recommended to reduce water demand. Water conservation will require changing habits and rethinking the way we use water.

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DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF SE (C)-8
'A' BUILDING, STAFF QUARTERS
KAROL BAGH, NEW DELHI-110005
E-mail: acegwc8@gmail.com

No.DJB/ SE(C)-8/2024/ 391 to 396 **Date:26.12.2024**

To,

Member Secretary
Central Ground Water Authority
CSMRS Campus, Olaf Palme Road
Sector-3, Hauz Khas, R.K. Puram
New Delhi-110016
E-mail: cgwa@nic.in

Subject: Directions/recommendations in compliance with the order dated 18.04.2024 passes by the Hon'ble NGT, Principal Bench, New Delhi in O.A. No. 639 of 2022 titled 'Pritpal Sharma versus Government of NCT of Delhi &Ors.'

Reference: Letter No. NGT (PB)/020/OA-639/2022-524 dated 22.11.2024 from Member Secretary, CGWA, New Delhi

Respected Sir,

With reference to the above mentioned letter, Action Taken Report of Delhi Jal Board for Directions No. 1 and 2 is as under:

1. Recommendation under Annexure-I of the above letter have been circulated in Delhi Jal Board for strict compliance regarding amendment in Ground Water Resolution and Management Notification dated 12.02.2010 of Delhi Govt. in light of the Notification dated 24.09.2020 issued by Central Ground Water Authority, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Govt. of India, the same is under approval with Department of Environment, Forest & Wild Life, GNCTD. The DJB is pursuing the same to expedite with the Department of Environment, Forest & Wild Life, and GNCTD.

2. DJB has created a link on DJB website i.e. www.delhijalboard.delhi.gov.in under the heading "Ground water management". The list of illegal bore-wells has been uploaded in the link. All the DMs have been given access to the link to upload status of sealed illegal bore wells and other details.

With regards

SE (C)-8

Copy to:

1. PS to CEO : For kind information Please.
2. All DMs : for kind information & n.a. please.
3. CE N(W) : -do-
4. CE (GW) : -do-
5. EE (RWH)-I
6. O/c

26/12/2024

SE (C)-8

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DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI

OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com

Annexure-C

NO. DJB/CE (GW)/2024/ 1323 to 1325 Dated: - 31.12.2024

To,

Member Secretary,
Delhi Pollution Control Board,
Building, 4th & 5th Floor
ISBT, GT Kamal Rd,
Kashmere Gate,
New Delhi, Delhi 110006

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs and DPCC for uploading the relevant data on illegal borewells.

In compliance to above, the DJB has created a link on DJB website under the head of **"Ground Water Management" and it is** accessible all DMs and DPCC.

You are humbly requested to upload the information on **"Ground Water Management"** in DJB website.

In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

S98

Office of CE (Ground Water)
Diary No. 1222
Date 12/12/2024

Office of the Engineer (W.S.) Diary No. 4477/S Dt. 11/12/24 DELHI JAL BOARD

DRAFT

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF EXECUTIVE OFFICER
VARUNALAYA PHASE-II
KAROL BAGH, NEW DELHI – 110005

आज़ादी का अमृत महोत्सव

D.O. No./DJB/CEO/2024/ D-212 **Dated:** 11.12.2024

To,

The Pr. Secretary
Environment, Forest & Wild Life, GNCTD
Delhi Secretariat, Level-6, Wing-C, I.P. Estate
New Delhi-110005

Subject:- Amendment in Ground Water Resolution and Management Notification dated 12.02.2010 of Delhi Govt. in light of the Notification dated 24.09.2020 issued by Central Ground Water Authority, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Govt. of India.

Sir,

With reference to above subject, the Delhi Jal Board has given their comments vide CEO letter No. DJB/CEO/2022/D-995 dated 17.02.2022, vide CE (GW) letter no. DJB/CE(GW)/2022/508 dated 09.12.2022 and letter no. DJB/CE(GW)/2023/60 dated 27.04.2023 & vide SE(C)-8 letter no. DJB/SE(C)-8/2024/21 dated 19.03.2024 (Copy of all comments attached for reference as Annexure-A).

The Hon'ble NGT in O.A. No. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors" and O.A. No.33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi & Ors." in its order dated 28.08.2024 has ordered to recover appropriate charges for drawal of ground water and impose appropriate conditions for recharge of ground water and ensure actual implementation thereof on the ground with geo-tagging for monitoring purpose (The copy of the order is attached as Annexure-B).

Sh. Bhasin AE / CE(GW)

11/12

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As per notification dated 24.09.2020, above provisions are recommended by DJB and same is yet to be notified. The next date of hearing of the above NGT Court cases is 06.01.2025.

You are therefore requested to kindly notify the notification dated 24.09.2020 issued by Central Ground Water Authority, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Govt. of India.

This may be treated MOST URGENT.

With Regards

Encl:- As above.

Chief Executive Officer
Delhi Jal Board

Copy to:

1) Chief Secretary, GNCTD
2) CE N (W) : for necessary action please.
3) O/c

Chief Executive Officer
Delhi Jal Board

899

DELHI JAL BOARD
OFFICE OF THE CHIEF EXECUTIVE OFFICER
YAMUNALAYA PHASE-II, BARU, NEW DELHI

No. DJB/CEO/2022/ D-[illegible]

Date: 17.02.2022

To

The Special Secretary (Environment),
Govt of NCT of Delhi,
Delhi Secretariat,
New Delhi.

Sub: Comments w.r.t. Amendment in Ground Water Resolution and Management Notification dt. 12.02.2010 of Delhi Govt in light of the Notification dt. 24.09.2020 issued by Central Ground Water Authority, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Govt of India.

Sir,

May kindly refer to letter no. F.8(348)/EA/Env/09/Vol.IV/7348-7355 dt. 11.02.2022 with a request to comments on the approved Amendment in the Ground Water Regulation and Management Notification.

With regards to DJB, the following is submitted as revised proposal and should be amended accordingly:-

Para	As per the Draft	Revision Proposed
2.2	In order to further decentralise the monitoring and compliance mechanism as per the guidelines issued by Central Government, officials of Department of Industries, GNCTD shall be appointed as Authorized Officers. And to further strengthen the monitoring and compliance mechanism, Chief Engineer (concerned area), Delhi Jal Board are appointed as Authorized Officers.	In order to further decentralise the monitoring and compliance mechanism as per the guidelines issued by Central Government, officials of Department of Industries, GNCTD are appointed as Authorized Officers. And to Further strengthen the monitoring and compliance mechanism, Chief Engineer (concerned area), Delhi Jal Board are appointed as Authorized Officers
14.0 (b)	District Collectors/Deputy Commissioners (DCs) / District Magistrates (DMs) are authorized to take enforcement measures like sealing of unauthorized ground water abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.	District Collectors/Deputy Commissioners (DCs) / District Magistrates (DMs), CE/SE, Civil of the DJB are authorized to take of enforcement measures like sealing of unauthorized ground water abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

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In order to further decentralise the monitoring and compliance mechanism per the guidelines issued by Central Government, officials of Department of Industries, GNCTD Shall be appointed as Authorized Officers. And to further strengthen the monitoring and compliance mechanism, Chief Engineer (concerned area), Delhi Jal Board shall beappointed as Authoriz Officer.	In order to further decentralise the monitoring and compliance mechanism as per the guidelines issued by Central Government, officials of Department Industries, GNCTD are appointed Authorized Officers. And to further strengthen the monitoring and compliance mechanism, Chief Engineer (concerned area), Delhi Jal Board are appointed as Authorized Officer

(Udit Prakash Rai)
Chief Executive Officer, DJB

601

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
412, VARUNALAYA PH-I KAROL BAGH,
NEW DELHI-110005

No.DJBCE(GW)/2022/ [illegible]

Dated: 09.12.2022

To

Special Secretary (Environment),
Department of Environment, GNCTD,
6th Level, C-Wing, Delhi Secretariat,
IP Estate, New Delhi-110001.

Sub:- Comments w.r.t. amendment in Ground Water Regulation and Management Notification dt. 12.07.2010 of Delhi Govt. in light of the Notification dt. 24.09.2020 issued by Central Ground Water Authority, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Govt. of India and Thereafter as per meeting on 30.09.2022 under Chairmanship of Principal Secretary, Environment & Forest, GNCTD

Sir,

Kindly find attached the suggestions parawise for incorporation in the Amended Draft Notification of 12.07.2010 of GNCTD in light of the the Notification dt. 24.09.2020 issued by Central Ground Water Authority, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti, Govt of India and subsequently as per deliberations held in meeting on 30.09.2022 under Chairmanship of Principal Secretary, Environment & Forest, GNCTD.

This is issued with the approval of Competent Authority.

Thanking you,

Encl: As above.

Yours faithfully,

(R.P.SINGH)
Chief Engineer(GW)

Copy to:-

1. C.E.O. for kind information pl.
2. Member(WS)
3. ACE(C)-8
4. Office copy

602

		'It may be mentioned that as per CGWA Public Notice dated 17.06.2021, instead of one-time advance payment of Ground Water Abstraction/Restoration Charges for entire NOC' period, the project proponents are required to make annual advance payment of the Ground Water Abstraction/ Restoration Charges, which is be adjusted in succeeding years based on actual ground water withdrawal.'	
13	Para 17	A copy of the No Objection Certificate issued by the Competent Authority in the No Objection Certificate Application Portal (NOCAP) and also will be forwarded to the respective District Magistrate/ District Collector. Will the name of portal be same as CGWA, i.e. NOCAP?	A copy of the No Objection Certificate issued by the Competent Authority in the No Objection Certificate Application Portal (NOCAP) and also will be forwarded to the respective District Magistrate/ District Collector. The name of portal suggested to be DJBNOCAP

Additional Suggestions:-

I	II	III
1.	An online portal for processing of NOC applications and billing/payment of abstraction charges may be prepared.	Online portal for processing of NOC applications and billing/payment of abstraction charges is in process.
2.	Provision regarding application for renewal of NOC Para 15 (i) may be suitably modified to remove any ambiguity. The provision of 'at least ninety days prior to expiry' may lead to confusion as CGWA has also been facing issues on the same. The period may be decided according to the time when NOC Portal will permit the application for renewal of a particular NOC (e.g. the portal may open 120 day before expiry; in such case the period may be within 120-90 prior to expiry), Similarly, in Para 15 (vii), imposition of EC if when PP fails to apply for renewal within 3 months from date of expiry needs further elaboration to avoid interpretation issues (i.e. 3 months before expiry or after?)	Provision regarding application for renewal of NOC Para 15 (i) may be modified to remove any ambiguity. That the period may be according to the time when NOC Portal will permit the application for renewal of a particular NOC i.e. the portal may open 120 day before expiry; in such case the period may be within 120-90 prior to expiry. Similarly, in Para 15 (vii), imposition of EC may be modified that if when PP fails to apply for renewal within 3 months after date of expiry. The PP shall be liable to pay environmental compensation for the period starting from the date of expiry of No Objection Certificate till No Objection Certificate is renewed by the competent authority.

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4.	Water auditors certified by Rajiv Gandhi National Ground Water Training and Research Institute (RGNGWTRI) may be added to undertake water audits.	Water auditors certified by Rajiv Gandhi National Ground Water Training and Research Institute (RGNGWTRI) may be added to undertake water audits.
6.	In respect of Environmental Compensation, permissible excess withdrawal (more than permitted in NOC) beyond which EC shall be imposed may be decided Also, Hon'ble NGT in O.A. No. 176/2015 vide Order dated 25.02.2022 has held that in case of repeated violations, environmental compensation shall be computed at 1.25 times of the previous environmental compensation;	Excess withdrawal should be 5% of the permissible withdrawal in the NOC beyond which environmental Compensation (EC) shall be imposed. Such excess withdrawal should not be repeated failing which EC shall be 1.25 times of the previous EC
8.	Late fee on late submission of NOC application may be considered.	After due date, late fee on late submission of NOC application may be considered.
9.	Charges for revival of rejected applications may be considered.	Charges for revival of rejected applications may be considered.

This is issued with the approval of Competent Authority

CE (GW)

Copy to:

1. CEO, DJB : for kind information.
2. Member(WS) : -do-
3. ACE(C-K)
4. Dy Secretary (Water), Department of Urban Development, GNCTD, 10th level, C-Wing, Delhi Sachivalaya, I.P. Estate, New Delhi
5. Dy.SE(RWH)
6. O/c

CE(GW)

29/4/23

Subject: - Comments w.r.t. amendment in Ground Water Regulation and Management Notification dt. 12.07.2010 of Delhi Govt. in light of the Notification dt. 24.09.2020 issued by Central Ground Water Authority, Department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakti Govt. of India and thereafter as per meeting on 30.09.2022 under Chairmanship of Principal Secretary, Environment & Forest, GNCTD.

In the draft notification regarding Ground Water Regulation and Management received through email from Department of Environment Govt. of NCT of Delhi, comments from Delhi Jal Board are as under and following modifications are suggested

The matter discussed with Hon'ble CEO and in the light of discussion the following modifications are suggested

Para 2.5

The Maintenance Units of the Delhi Jal Board has been divided into 11 Zones which are headed by an Additional Chief Enginee(M), hence Chief Engineer needs to be substituted with Additional Chief Engineer Maintenance Zone of concerned area, Delhi Jal Board.

Para 2.6

For Delhi Jal Board in Advisory Committee the Member Secretary needs to be substituted with Additional Chief Engineer Maintenance Zone of concerned area, Delhi Jal Board.

Para 3.0

Registration of Drilling Rigs:

Para 3.2

It is suggested:

The registration of drilling rigs shall have following information:

(a) size of the rig.

(b) Name of the Vehicle on which drilling machine is installed

605

(c) Validity of Registration

Para 14.0

Chief Engineer/SE(Civil) is to be substituted with Additional Chief Engineer(M) of concerned area.

Para 17.0

In Para 2 Chief Engineer/SE(Civil) is to be substituted with Additional Chief Engineer(M) of concerned area.

The suggestions have been made and draft of the same is for sending to Special Secretary (Environment), Department of Environment, GNCTD is placed opposite for approval for forwarding please.

Chief Engineer (GW)

1888 606

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SE (C)-8
A-BUILDING, STAFF QUARTERS
VARUNALAYA PHASE-II, KAROL BAGH,
NEW DELHI-110005
Email:-acegwell@gmail.com

No.DJB/SE (C)-8/2024/ 21 to 26 Date: 19/03/2024

To,

The Pr. Secretary,
Environment, Forest & Wild Life, GNCTD,
Delhi Secretariat, Level-6, Wing-C, I.P. Estate,
New Delhi-110002

Subject: **The comments / modification of DJB on "Department Of Environment, GNCTD draft notification dated 31.01.2022 on Guidelines to regulate and control ground water extraction in NCT of Delhi".**

R/Sir,

The comments of DJB were sent earlier vide CEO, DJB letter no. D-995 dated 17.02.2022 and CE (GW) letter no. 508 & 60 dated 09.12.2022 and 27.04.2023 respectively.

The final comments /inputs of DJB are enclosed herewith for incorporating the same in the GNCTD draft notification dated 31.01.2022 annexed as **Annexure-I.**

This is issued with the approval of Competent Authority.

— Sd —
SE (C)-8

Copy to:

1. CEO, DJB : for kind information.
2. CE N(W) : -do-
3. CE(GW) : -do-
4. Dy. Secretary (Water), Department of Urban Development, GNCTD, 10th level, C-Wing, Delhi Sachivalaya, I.P. Estate, New Delhi
5. EE(RWH)-I
6. O/c

19-03-2024
SE (C)-8

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Annexure-I

The comments / modification of DJB on "Department Of Environment, GNCTD draft notification dated 31.01.2022 on Guidelines to regulate and control ground water extraction in NCT of Delhi" were sent vide CEO, DJB letter no. D-995 dated 17.02.2022 and CE(GW) letter no. 508 & 60 dated 09.12.2022 and 27.04.2023 respectively . Further, modifications/ comments on some points are as under;

Para	Provision in Draft Notification	Comments / Proposal of DJB
2.5 (8)	Chief Engineer/. Superintending Engineer (Civil), Maintenance Zones of the concerned area nominated by Delhi Jal Board	The comments sent vide CE (GW) letter No. 508 dated 09.12.2022 are supersided and the provision taken in the Draft notification is ok.
2.6	The issue of grant of permission for borewell/ tubewell in all 11 districts shall be dealt by Competent Authority through the Deputy Commissioner (Revenue) /DM/Collector 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.	—do—
14 (c)	*Technical officers* of Competent Authority/ SGWA are authorized to take actions with respect to monitoring and periodic inspections with the approval of competent authority.	The Technical Officer of Competent Authority/ SGWA shall be substituted with **Chief Engineer/SE (Civil) Maintenance.**
17.	In order to further decentralise the monitoring and compliance mechanism as per the guidelines issued by Central Government, officials of Department of Industries, GNCTD shall be appointed as Authorized Officers. And to further strengthen the monitoring and compliance mechanism, *Chief Engineer (concerned area)*, Delhi Jal Board shall be appointed as Authorized Officer.	The comments sent vide CE (GW) letter No. 508 dated 09.12.2022 are supersided and it is suggested that the **Chief Engineer (Concerned area) may be substituted with Chief Engineer/Superintending Engineer (concerned area).**
9.1	Table 9.1 Ground Water Abstraction charges for Drinking & Domestic use.	**Table 9.1** Ground Water **Abstraction charges for Drinking & Domestic use.** ❖ **The prevailing rates of DJB for drinking water w.e.f. February 2018 up to 20 KL are Rs. 5.27/KL, for 25-30 KL are Rs. 26.36/KL &>30 KL are Rs. 43.93/KL which are likely to be enhanced.**

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Quantum of Ground water withdrawal (m^3/day)	Rate of ground water abstraction charges(Rs. per m^3)
0-25	No charge
26-50	1.00
>50	2.00

Quantum of Groundwater withdrawal (KL/day)	Rate of ground water abstraction charges (Rs. per KL)
0-25	3.00
26-50	6.00
>50	12.00

9.2 A

Table 9.2 A: Rates of ground water abstraction charges for packaged drinking water units (Rs.perm^3)

S.No	Category of area ↓ Ground water use	Quantum of ground water withdrawal				
		Up to 50m^3/day	51 to <200 m^3/day	200 to <1000 m^3/day	1000 to <5000 m^3/day	5000 m^3/day and above
1.	Safe	1.00	5.00	5.00	8.00	10.00
2.	Semi-critical	2.00	5.00	10.00	15.00	20.00
3.	Critical	4.00	10.00	20.00	40.00	60.00

Table 9.2 A: Rates of ground water abstraction charges fc packaged drinking water units (Rs. Per KL)

S.No.	Category of area Ground water use	Quantum of ground water withdrawal				
		Up to 50KL/day	51 to <200 KL/day	200 to < 1000 KL/day	1000 to < 5000 KL/day	5000 KL/day and above
1.	Safe	10.00	20.00	30.00	45.00	60.00
2.	Semi-critical	15.00	30.00	40.00	60.00	90.00
3.	Critical	20.00	40.00	60.00	90.00	120.00

9.2 B

Table 9.2 B: Rates of ground water restoration charges for packaged drinking water units (Rs. perm^3)

S.No.	Category of area ↓ Ground water use	Quantum of ground water withdrawal				
		Up to 50 m^3/day	51 to <200 m^3/day	200 to <1000 m^3/day	1000 to <5000 m^3/day	5000 m^3/day and above
1.	Over-exploited (existing industries only)	8.00	20.00	40.00	80.00	120.00

Table 9.2 B: Rates of ground water restoration charges fc packaged drinking water units (Rs. Per KL)

S. No.	Category of area Ground water use	Quantum of ground water withdrawal				
		Up to 50KL/day	51 to <200 KL/day	200 to < 1000 KL/day	1000 to < 5000 KL/day	5000 KL/day and above
1.	Over-exploited (existing industries only)	45.00	60.00	100.00	200.00	300.00

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9.3 A

Table 9.3 A: Rates of Ground Water abstraction charges for other industries & infrastructure projects (Rs. per m^3)

S.No.	Category of area Ground water use †	Quantum of ground water withdrawal			
		< 200 m^3/day	200 <1000 m^3/day	to 1000 to <5000 m^3/day	5000m^3/day and above
1.	Safe	1.00	2.00	3.00	5.00
2.	Semi-critical	2.00	3.00	5.00	8.00
3.	Critical	4.00	6.00	8.00	10.00

Table 9.3 A: Rates of Ground Water abstraction charges for other industries & Infrastructure projects (Rs. per KL)

S. No.	Category of area Ground water use	Quantum of ground water withdrawal			
		<200 KL/ day	200 to < 1000 KL/day	1000 to < 5000 KL/day	5000 KL/day and above
1.	Safe	12.00	20.00	30.00	45.00
2.	Semi-critical	20.00	30.00	45.00	60.00
3.	Critical	30.00	40.00	60.00	90.00

9.3 B

Table 9.3 B: Rates of ground water restoration charges for other industries & infrastructure projects (Rs per m^3)

S.No.	Category of area Ground water use	Quantum of ground water withdrawal			
		< 200 m^3/day	200 to <1000 m^3/day	1000 to <5000 m^3/day	5000 m^3/day and above
1.	Over-exploited (existing industries / new Industries as per the present Guidelines)	6.00	10.00	16.00	20.00

Table 9.3 B: Rates of Ground Water restoration charges for other industries & Infrastructure projects (Rs. per KL)

S. No	Category of area Ground water use	Quantum of ground water withdrawa)			
		<200 KL/ day	200 to <1000 KL/day	1000 to <5000 KL/day	5000 KL/day and above
1.	Over-exploited (existing industries /new Industries as per the present Guidelines)	40.00	60.00	90.00	120.00

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10.1 A	**Table-10.1A: Groundwater abstraction charges for Bulk/Tanker water supplies** Category: Rate per m3 (in Rs.) Safe: 10 Semi Critical: 20 Critical: 25	**Table 10.1A : Ground water abstraction charges for Bulk/Tanker water supplies** Category: Rate per KL (in Rs.) Safe: 45 Semi Critical: 60 Critical: 90
10.1 B	**Table-10.1B: Groundwater restoration charges for Bulk/Tanker water supplies** Category: Rate per m3 (in Rs.) Over Exploited: 35	**Table 10.1B : Ground water abstraction charges for Bulk/Tanker water supplies** Category: Rate per KL (in Rs.) Over Exploited: 150
9 (v)	The revenue generated from the proposed water abstraction/ restoration charges shall be kept in a separate fund for implementation of site specific suitable demand/ supply side interventions by Competent Authority.	➢ Para 5 of 9- It is suggested that the revenue generated from the proposed water abstraction/ restoration charges shall be kept in a separate fund and competent authorityof concerned area of jurisdiction i.e. DJB/DCB/NDMC can use it for implementation of site-specific suitable demand/ supply side interventions.

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Table 18.1 No. of Piezometers to be constructed & Type of Water Level Monitoring Mechanism

S.No.	Quantum of Ground water withdrawal (cum/d)	No. of piezometer required	Monitoring mechanism		
			Manual	DWLR	DWLR with Telemetry
1	<1 0	0	0	0	0
2	11-50	1	1	0	0
3	51-500	1	0	1	0
4	>500	2	0	1	1

Table 18.1 No. of Piezometers to be constructed & Type of Water Level Monitoring Mechanism

S.No.	Quantum of Ground water withdrawal (KL/d)	No. of piezo meter required	Monitoring mechanism		
			Manual	DWLR	DWLR with Telemetry
1	<10	0	0	0	0
2	11-50	1	0	0	1
3	51-500	1	0	0	1
4	>500	2	0	1	1

Additional Suggestions of DJB beyond provision in draft notification:

- The abstraction rate will be reviewed yearly and should be revised as per govt policy.
- It is mandatory to get the extracted water tested in the month of January every year from DJB / Govt. approved laboratory/ NABL accerdiated and upload the same on portal.
- The I.O.T. based flow meter shall be installed on each installation within 30 days of getting NOC.
- The unit of water abstraction should be in KL instead of cum.
- The Competent Authority shall have power to withdraw NOC at any time after impact assessment evaluation/ adverse report of expert Appraisal Committee etc.

Submitted please.

19-03-24

SE (C)-8

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DELHI JAL BOARD: GOVT. OF NCT DELHI
OFFICE OF CHIEF ENGINEER (GW)
ROOM NO-102, VARUNALAYA PHASE-I,
KAROL BAGH, NEW DELHI-110005

No.DJB/CE(GW)2023/ Gen. 65 Date: 27/01/2023

To,

The Pr. Secretary,
Environment, Forest & Wild Life, GNCTD,
Delhi Secretariat, Level-6, Wing-C, I.P. Estate,
New Delhi-110002

Subject: Request for comments / reply w.r.t. Amended Ground Water regulation and light of the management dt. 12.07.2010 of Delhi Govt. in notification dt. 24.09.2020 issued by Central ground water authority, department of Water Resources, River Development and Ganga Rejuvenation, Ministry of Jal Shakyti, Govt. of India.

R/Sir,

May please refer the e-mail dated 16.01.2023 on above subject received from Dr. Chetna Anand, Senior Scientific Officer, Department of Environment, GNCTD (Copy placed opposite) wherein necessary comments / inputs have been sought from the stake holders on the comments / suggestion of CGWA on the purposed GNCTD notification on Guidelines to regulate and control groundwater extraction in NCT of Delhi.

Necessary inputs / comments have been made by DJB in para IV in the table below;

I	II	III	IV
S. No.	Section	Comments of CGWA	Submission: Action Taken /proposed to be taken
6	Para 7.2	Frequency of Water Audit may be revisited it may be done biennially instead of annually	It may be done biennially instead of annually.
9	Para 9.1	Frequency of payment of ground water abstraction charges (Monthly/Annual etc) may be decided and included in the guidelines charging on the basis of actual consumption; to be adjusted in succeeding year/month bill may be considered.	The frequency of water abstraction charges should be monthly basis. The project proponents may required to make annual advance payment of the Ground Water Abstraction/ Restoration Charges, which is be adjusted in succeeding years based on actual ground water withdrawal.

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Item No. 01 & 02 (Court No. 2)

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(Through Physical Hearing with Hybrid VC Option)

Original Application No.639/2022
(I.A. No. 293/2023)

Pritpal Sharma ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

With

M.A. No. 24/2023
In
O.A. No. 33/2022
(I.A. No. 02/2024)

Ganesh Prasad ...Applicant

Versus

Government of NCT of Delhi & Ors. ...Respondents

Date of last hearing:- 18.04.2024.

Date of order:- 28.08.2024.

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.

Applicants: None for the applicants.

Respondents: Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD and DM (South West), Delhi.
Ms.Atika Singh and Ms. Udipti Chopra, Proxy Counsel

for Ms. Richa Kapoor, Advocate for DJB.
Ms. Sakshi Popli, Advocate for DPCC (through VC).
Ms. Srishti Dabas, Project Associate (Legal), Forest Department.

Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010.

Order

1. We all know that 'Water', one of the five elements, is creator and saviour of life and life wholly depends on it yet unmindful of the consequences we are indulging in questionable acts due to which surface water bodies, lakes, etc. are drying up, ground water is contaminated and fast depleting and rivers are not only highly polluted but also shrinking and dying in our Country.

2. No doubt, treated sewage/industrial effluent may be reused for industrial, horticultural and agricultural purposes but prospect of recycling sewage/industrial effluent for use as drinking water seems to be wholly unacceptable to all of us and we have to save quality and quantity of water to save our own existence and have to urgently take all remedial steps before any irreversible damage is caused to the environment.

3. Both these cases-**O.A. No. 639/2022 Pritipal Sharma Vs. GNCTD & Ors.** and **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. GNCTD & Ors.**, which required taking of prompt remedial action by the concerned Statutory and Administrative Authorities, are illustrative of the numerous fact situations where the concerned Statutory and Administrative Authorities are miserably failing in prompt discharge of their statutory duties to protect and improve the environment.

4. Both these cases also raise a difficult question for this Tribunal to answer as to how to enforce environmental laws/norms if the Statutory and Administrative Authorities, which are not only statutorily empowered but also mandated by the constitution to protect and improve environment, culpably neglect to discharge the duties assigned to them and fail to take requisite action due to some vested interests, for extraneous considerations and with ulterior motives.

5. We also find it extremely difficult to answer this question in the complex factual matrix woven by case after case coming up before this Tribunal showing complete insensitivity and inaction on the part of the concerned Statutory and Administrative Authorities which also endlessly indulge in blaming and shifting accountability to others.

6. Since the question raised is common, both these cases have been taken up together and this common order is passed in both the cases.

7. A brief resume of the facts of both these cases, which speak for countless fact situations, is spelled out hereunder to unfold the dilemma and search for solution animating this Tribunal.

OA No. 639/2022 Pritpal Sharma Vs. Government of NCT of Delhi & Ors.

The grievance of the applicant

8. The applicant, claiming respondent no. 5 to be owner of the plot adjoining House No. GI-2035, Aya Nagar, Delhi and the plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, Delhi filed the subject original application complaining that respondent no.5 has installed borewells in the above said plots without

permission from DJB and he is extracting groundwater for commercial purposes without obtaining No Objection Certificate from CGWA and is supplying the same to residents of Aya Nagar and beyond through water tankers in violation of environmental laws/norms.

Proceedings on 15.09.2022

extraction of groundwater by unauthorized operators and tanker mafias and take prompt coercive measures and file action taken report within three weeks.

Proceedings on 19.10.2023

18. In compliance of order dated 24.07.2023 reports were filed by SDM, Mehrauli vide emails dated 25.08.2023 and 07.09.2023, by the District Magistrate (South) Delhi vide email dated 14.09.2023 and by the DPCC vide email dated 17.10.2023.

19. Reports filed by the concerned authorities showed complete lack of coordination between them. In his report District Magistrate, (South) Delhi mentioned that the matter of assessment of environmental damage compensation is pending with DPCC for very long period mentioned therein. In its report DPCC referred to proceedings taken for imposition of environmental compensation for illegal borewell in the present case but stated that it did not have the information regarding owner of the plot and it issued notice to alleged project proponent **Mr. Rinku, who said that he is neither the owner nor tenant in the premises in question. Information regarding ownership of the plot was not available even with the SDM, Vivek Vihar who was present before this Tribunal.** This Tribunal observed that the concerned authorities, which are under statutory and constitutional obligation to protect and improve the environment, could not be allowed to neglect

from the concerned authorities and also avoiding unnecessary delay in taking of such action. Action taken reports were ordered to be filed by email within three months.

Proceedings on 07.02.2024

20. Report was filed by the DPCC vide email dated 06.02.2024. **This Tribunal observed that status report filed by DPCC has been prepared casually without taking into consideration the observations made by this Tribunal in its orders passed in the case.** In the status report there is no mention regarding 15 cases referred to in the report filed vide email dated 14.09.2023 by the District Magistrate (South), Delhi where in orders regarding imposition of environmental compensation are awaited from the DPCC. The DPCC was directed to file additional status report within one month giving information, as on 31.01.2024, in tabular format with respect to the following aspects **(i) particulars of cases in which environmental compensation has been imposed; (ii) particulars of cases in which environmental compensation has been realized; (iii) particulars of cases (including 15 cases mentioned above) in which matter of imposition of environmental compensation is pending; (iv) particulars of cases in which environmental compensation realized has been utilized; and (v) particulars regarding activities carried out by utilization of amount of environmental compensation.**

21. **No report was filed by DJB and SDM, Mehrauli** and they were given one more opportunity to file additional action taken reports within one month. **SDM, Mehrauli was directed to mention in his affidavit as to who is the owner of the plot in question where the illegal borewell was being operated and in case the information is**

not available with his office, what steps have been taken to procure the same. In view of the facts and circumstances conditional attachment of the plot in question for realization of the amount of environmental compensation imposed was ordered. Warrant of attachment of the plot in question was ordered to be issued and to be sent to the District Magistrate (South), Delhi for execution and submission of report regarding compliance of the order by way of his affidavit within one month. Personal appearance of concerned Chief Engineer, DJB, DM (South), Delhi and SDM, Mehrauli was ordered.

Proceedings on 18.03.2024

22. In compliance of order dated 07.02.2024 reports were filed by DJB vide email dated 07.03.2024; by SDM, Mehrauli vide email dated 16.03.2024 and by DPCC vide email dated 16.03.2024 and Mr. Mekala Chaitanya, DM (South), Delhi, Ms. Mahima Madan, SDM (Mehrauli) and Mr. Gajender Tomar, Chief Engineer (South), DJB appeared physically before this Tribunal.

23. In its report DJB mentioned that DJB had provided requisite details in respect of the 15 borewells in question. **In her report Ms. Mahima Madan, SDM, Mehrauli submitted that the land where borewell was sealed falls in Khasra No. 1978, Village Aya Nagar and ownership of the land is in the name of Forest Department. However, SDM, Mehrauli had not given any information to the DPCC and DCF (South), Delhi and did not obtain any response from DCF (South), Delhi.**

24. In view of said report this Tribunal impleaded DCF (South), Delhi as respondent no. 10 and issued notice requiring him to file his

response. It was clarified that in case of failure to appear or file response heavy costs may be imposed on DCP (South), Delhi.

25. This Tribunal observed serious deficiencies in the working of the governmental agencies who have been assigned the task of taking remedial action on complaints received regarding operation of illegal borewells in NCT of Delhi. This Tribunal referred to order **dated 15.05.2020** passed in **O.A. No. 685/2019** titled as **Rakesh Kumar vs. Govt. of NCT of Delhi & Ors.** whereby the Chief Secretary, Delhi was directed to take a meeting within one month and oversee preparation of an appropriate SOP for preventing extraction of ground water by way of unauthorized borewells with further direction that wherever such illegality was found, prompt coercive measures be taken. In compliance thereof meeting was taken by the Chief Secretary, Delhi on 12.06.2020 and SOP was finalized and brought into effect. During hearing of the above said O.A. it was brought to the notice of the Tribunal that **DJB had identified 19661 illegal borewells on which action was being taken and 7248 units had already been closed by the district authorities and the remaining units were to be closed.**

26. In view thereof this Tribunal directed DJB to file status report with reference to all illegal borewells identified by it in the NCT of Delhi including illegal borewells remaining to be closed out of above mentioned 19661 illegal borewells on or before 15.04.2024 giving the complete information regarding the same.

27. This Tribunal noticed that in compliance of order dated 07.02.2024 DPCC had filed additional status report vide email dated 16.03.2024 and had enclosed therewith requisite information in

tabular format regarding environmental compensation as Annexure 1 and utilization by DPCC of the amount received as environmental compensation as Annexure 2. DPCC also mentioned therein that with reference to 15 sites regarding which information was received from SDMs of Hauz Khas, Saket and Mehrauli, DPCC issued show cause notices dated 08.03.2024 to all 15 units for levying Environmental Compensation of Rs. 30,000/- (each unit) on account of illegal/ unauthorized extraction of ground for domestic purpose and enclosed copies of the show cause notices dated 08.03.2024 as Annexure 3. In additional status report DPCC also mentioned that, DPCC sent letters dated 06.10.2023 and 08.11.2023 to SDM (Mehrauli) to know the real owner of the illegal borewell so that EC may be levied on the right person but no response was received from SDM (Mehrauli) and notice addressed to "The Proprietor" of the unit was got pasted on the door of the unit's premises.

28. Vide order dated 18.03.2024 remedial directions were given by this Tribunal which may be summarized as under:

(i) The Chief Secretary, GNCT of Delhi was directed to convene a meeting with the CEO, DJB, the Member Secretary, DPCC and all concerned officers of GNCTD (including the District Magistrates in Delhi), DJB and MCD for taking remedial measures for proper implementation of the directions issued by Hon'ble Supreme Court, this Tribunal, provisions contained in Delhi Jal Board Act, 1998, directions issued with the approval of Lt. Governor, Delhi on 18.05.2010 and 10.01.2014, Minutes of Meeting held by the Chief Secretary, Delhi on 12.06.2020 and SOP finalized regarding the same.

(ii) DPCC was directed to file additional status report giving the complete information with respect to all relevant aspects including the total amount of EDC imposed and the total amount of EDC which has been recovered.

(iii) Respondent no. 1-GNCTD was directed to file its response as to why in view of the delay on the part of its officers in realization of amount of environmental compensation imposed on the violators, GNCTD be not directed to pay the amount of environmental compensation for remediation of the environmental damage caused with liberty to recover the same from the violators through the proceedings initiated on references received from DPCC as remediation of environment cannot be deferred.

(iv) All the District Magistrates in NCT of Delhi were directed to upload on the respective website of the District Administration latest by 15.04.2024 the information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused.

(v) The Chief Secretary, NCT of Delhi was directed to issue appropriate instructions for requisite compliance while specifically mentioning that in case of inaction/negligence on the part of the concerned administrative officers strict disciplinary

action will be taken against them.

(vi) The Chief Secretary, NCT of Delhi was also directed to look into the matter of recovery of Environmental Damage Compensation (EDC) in the remaining cases and issue appropriate instructions for expediting the recovery thereof.

(vii) Personal appearance of the officers duly authorised by the Chief Secretary, NCT of Delhi, CEO, Delhi Jal Board and the Member Secretary, DPCC **(physically)** before this Tribunal was ordered.

Proceedings on 18.04.2024

29. Supplementary report was filed by the Chief Engineer South DJB vide email dated 15.04.2024 and the same will be referred to in later part of this order.

30. Status report was filed by DPCC vide email dated 16.04.2024. The relevant part of the Status report is reproduced below:-

> ***"Status Report on behalf of Delhi Pollution Control Committee in compliance to the order dated 18.03.2024.***
> ***X X X X***
>
> *5. That in the instant case, in addition to Sh. Rinku, DPCC has imposed interim environmental compensation @ Rs. 30000/- each on 11 more violators and Rs. 60,000/- on two borewells of a violator as he/she had two borewells in the premises vide letters dated 09.4.2024. Further letter for confirmation of EDC for remaining two borewells is being issued.*
>
> ***6. That, out of total imposed EDC amount of Rs 70.65 crore, EDC recovered to date stands at ₹53,70,000/- (Rupees Fifty-Three Lakhs Seventy Thousand Only) from 121 violators.***
>
> ***7. Out of 53 lakhs EDC recovered on the issue of ground water, DPCC has utilized the same as***

development of infrastructure for water quality surveillance in line with CPCB guidelines.

8. That, in the meeting taken by Chief Secretary, Delhi on 12.04.2024, it was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by ***Hon'ble High Court in WPC No. 7594/2018 in order dated 08.04.2024. The EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies."***

31. Status report was filed by Govt. of NCT of Delhi vide email dated 16.04.2024. The relevant part of the Status report is reproduced below:-

"Status Report on behalf of Government of NCT of Delhi in compliance to the order dated 18.03.2024.

X X X X

2. That, in compliance with the aforesaid order of this Hon'ble Tribunal, the Chief Secretary, Government of NCT of Delhi convened a meeting of the officers from Delhi Jal Board (DJB), Municipal Corporation of Delhi (MCD), Delhi Pollution Control Committee (DPCC), Delhi Police, Urban Development Department, Revenue department and other concerned departments on 12.04.2024. Minutes of the meeting is enclosed herewith as Annexure-1.

3. That, DJB, District Magistrates and DPCC was directed to enforce the rules issued under Environment Protection Act, 1986 with respect to regulation of bore wells.

4. That, the DJB/Revenue Department shall initiate action for taking actions on illegal bore wells particularly focusing in areas that are over exploited or where extraction of water is being used for profiteering. Further, they would accord permissions where water table is satisfactory and water is potable.

5. ***That, DPCC has been directed to effect recovery of EDC imposed, by following due process. Its engineers may be authorized for effecting recovery for proper accountability. DPCC along with DMs have been directed to focus their efforts where ground water is under stress.***

6. That, DJB was advised to improve the efficiency in water supply by preventing leakages in water/revenue.

7. That, the utilization of EDC needs to be targeted at full scale remediation of environmental

damage caused by the illegal extraction of ground water; and hence it was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by Hon'ble High Court in WP (C) No. 7594/2018 in order dated 08.04.2024. The EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies.

8. That, DPCC will develop an online portal for logging in the process of giving permission to bore wells, identification and action against bore wells and imposition and recovery of EC, which will be used by stakeholders as above."

32. Short Affidavit was filed by DCF (South) Delhi vide email dated 25.07.2024. In the affidavit it has been submitted that the **land where the illegal bore well was sealed on 13.04.2023 falls in Khasra No. 1978, Village Aya Nagar and ownership of the land falls in the name of Forest Department regarding which information regarding the illegal bore well was given to DCF (South) Delhi in 2024. DCF (South) Delhi has taken steps for removal of the encroachment on forest land of Khasra no. 1978 in** Village Aya Nagar vide notices dated 09.02.2024 and 16.04.2024. The Hon'ble High Court of Delhi vide order dated 29.02.2024 disposed of two matters titled as **"Adarsh Enclave Residents Welfare Association (Regd.) versus GNCTD, W.P.(C) no. 3086/2024 and Devki Devi versus GNCTD & Ors., W.P (C) No. 3088/2024"** with a direction to the DCF (South) Delhi to decide the representation of the petitioners therein with respect to the petitioners' property within 6 weeks after receiving the said representation and not to take any coercive actions against the property in question until the representation of the petitioners therein is decided. On 05.04.2024, the DCF (South) Delhi had received a short representation by Adarsh Enclave Residents Welfare Association (Regd.) to which the DCF (South) Delhi directed the Adarsh Enclave

Residents Welfare Association (Regd.) to file a detailed representation, However, the same is not filed till date. DCF (South) Delhi has submitted that due to stay on Khasra no. 1978, he is unable to do anything with respect to Khasra no. 1978, Village Aya Nagar, Delhi.

33. **In the present case illegal borewell was sealed on 13.04.2023 after more than six months from passing of order dated 15.09.2022 for verification and remedial action and the violator has not been identified and penalized despite expiry of more than one and half years.**

34. The applicant has submitted in reply dated 12.04.2024 that borewell approx. 50 are unauthorizedly running in Aya Nagar, Delhi and supply the filtered RO water to the nearby residents on huge cost. The applicant submitted that it is not possible for him to provide addresses where the unauthorized bore will are running but he provided two snaps and made two complaints to the Executive Engineer DJB, Saket, New Delhi on 09.04.2024 vide Diary No.76 and and to the District Magistrate, M.B. Road, New Delhi on date 09.04.2024 vide diary no.12265.

O.A. No. 33/2022 Ganesh Prasad Vs. Govt. of NCT of Delhi & Ors.

Grievances of the applicant

35. O.A. No. 33 of 2022 was filed by Mr. Ganesh Prasad with the grievance that R.O. plant was being run unauthorizedly at Plot no. K-9, 25 Feet Road, Part II, Chankya Palace, New Delhi by Mr. Ashish.

36. Vide order dated 31.01.2022 this Tribunal constituted a Joint Committee comprising of Chairman, Delhi Jal Board, DPCC, District Magistrate, New Delhi and Chairman, State Ground Water Authority to

look into the grievance and submit factual and action taken report within three months before Ld. Registrar General, NGT, Delhi who was given liberty to put the matter before the Bench for necessary directions, if considered necessary and the application was disposed of accordingly.

37. **Report dated 14.12.2022 was filed by the DPCC** that **on inspection of the site on 29.07.2022 no RO Plant was found to exist at Plot no. 9, Block K, Part II, Chanakya Place but one RO plant was found working on nearby location i.e. Plot No. 7, Block K, Part II, Chanakya Place, Uttam Nagar in the name of Sh. Ajit Kumar and Sh. Ashish Kumar**. No NOC/permission had been obtained from DJB/ CGWA for running the RO plant/ extracting ground water and the waste water generated from the plant was being discharged directly to the drain. **A letter was written by DPCC on 03.08.2022, to Delhi Jal Board, DM (South West) and CGWA for taking necessary action at their end**. The response from CGWA received on 14.09.2022 indicated that the unit has to take permission from the DJB/ District Administration and that the tube well should be sealed by DM as DM is authorized officer for sealing of tube well and taking legal action. **The DJB vide letter dated 22.09.2022 informed that the unit could not be sealed as no one from the office of DM (South West), Delhi was present during the joint inspection. It also enclosed a letter written by DJB to SDM (Dwarka) for taking action against the illegal bore well observed during the joint inspection on 29.07.2022**. No Action Taken Report was received from DM (South West) Delhi. DPCC wrote letter dated 05.12.2022 to DM (South West) Delhi for taking necessary action. Under orders of Hon'ble Chairperson of this Tribunal, the matter was listed before the Bench for further

directions.

Proceedings on 21.07.2023

38. Vide order dated 21.07.2023, **the District Magistrate (South West) Delhi was directed to comply with the directions issued by the DPCC and submit further action taken report and the DPCC was directed to calculate environmental compensation and to realize the same in accordance with the rules and to submit report in this regard.**

Proceedings on 02.11.2023

39. **No reports were submitted by the District Magistrate (South West) Delhi and the DPCC in compliance of above mentioned order.** Mr. V.K. Mongia, SDM (Dwarka) appeared before this Tribunal through VC on 02.11.2023 and verbally submitted that **the R.O. plant had been sealed on 02.11.2023** and the report will be submitted in due course of time. The DPCC submitted that appropriate proceedings are being initiated for imposition and realization of environmental compensation from the project proponents.

40. This Tribunal observed that the case also showed insensitivity to environmental issues and inefficiency, inaction, gross negligence on the part of instrumentalities of the State, which are under Constitutional obligation to protect and improve the environment. Unauthorized R.O. plant is stated to have been sealed on 02.11.2023 despite the fact that order constituting the Joint Committee with direction to submit factual and action taken report within three months was passed on 31.01.2022 and was conveyed to the concerned authorities by email dated 07.02.2022 sent at the email IDs "Chairman, DPCC

chdpcc@nic.in, Member Secretary msdpcc@nic.in, Spl. Secretary Env. ssenv@delhi.gov.in, ceodelhi.djbceodelhi.djb@nic.in, UdaiBhan, secy.djb@nic.in, Dr. Monica Priyadarshinidcnd@nic.in, Central Ground Water Authority cgwa@nic.in, Ashok Kumar Pater mcgwa-cgwb@nic.in", yet **the Joint Committee consisting of officials from Central Ground Water Authority, Delhi Jal Board and DPCC carried out an inspection of the site after more than five months on 29.07.2022 and submitted its report after about two months on 27.09.2022.** The DPCC wrote letters dated 03.08.2022 to DJB, District Magistrate (South West) Delhi and CGWA for taking necessary action. CGWA sent response dated 14.09.2022 to the DPCC that tubewell was to be sealed by the concerned District Magistrate. The DJB informed the DPCC vide letter dated 22.09.2022 that the unit could not be sealed as no one from the office of the District Magistrate (South West) Delhi was present during the inspection. **The DPCC wrote letter dated 05.12.022 to the District Magistrate (South West) Delhi for taking necessary action. The illegal borewell in question was sealed on 02.11.2023 after notice was issued on the miscellaneous application. The authorities allowed the illegal borewell to operate from 07.02.2022 (the date of communication of order passed by this Tribunal) till 02.11.2023 without any justification and have flouted the rule of law and illegitimately betrayed the trust of the people by neglecting to discharge the statutory duties entrusted to them.**

41. Show cause notices were issued to (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) Delhi and (iv) SDM Dwarka as to why environmental compensation be also not imposed on them. Notices were also issued to Ajit Kumar and

Ashish Kumar Plot no. 7, Block-K, Chanakya Palace II, Uttam Nagar. Personal appearance of (i) the Member Secretary, DPCC, (ii) CEO, DJB, (iii) the District Magistrate (South West) and (iv) SDM Dwarka (physically or through VC) was ordered.

Proceedings on 09.11.2023

42. **No replies/responses were filed before this Tribunal** but Mr. K. S. Jayachandran, Member Secretary, DPCC appeared through VC and Mr. Lakshay Singhal, District Magistrate (South West), Delhi and Mr. Vinay Kumar Mongia, SDM Dwarka, Delhi and Ajit Kumar and Ashish Kumar appeared physically before this Tribunal.

43. **In the course of hearing on 09.11.2023 the violators Ajit Kumar and Ashish Kumar stated that about 5 to 6 other illegal borewells were operating in the area and even Mr. Shashi Kant, Assistant Engineer stated that he had some information about 4 other illegal borewells operating in the area.**

44. Mr. Lakshay Singhal, District Magistrate (South West), Delhi and Mr. Vinay Kumar Mongia, SDM Dwarka, Delhi stated that they had joined recently. **They were directed to conduct appropriate fact finding enquiry and fix responsibility for not taking of prompt remedial action of sealing illegal borewell and delay in compliance with the orders passed by this Tribunal and take appropriate disciplinary action against defaulting officials and submit an interim/final action taken report.**

45. The Chief Secretary, GNCT of Delhi was also directed to obtain explanation of the concerned officers who were posted as District Magistrate, South West/SDM Dwarka during the relevant period for

ascertaining reasons of non-compliance with the orders passed by this Tribunal and to send the same to this Tribunal.

46. In view of cases coming up before this Tribunal showing that the concerned Statutory Authorities/Public Servants entrusted with the duties of enforcement of environmental norms were not taking prompt remedial action, this Tribunal considered their sensitization about environmental issues and constitutional obligation to protect and improve the environment by induction training at the time of recruitment and in service training by way of refresher courses to be essential and directed the Chief Secretary, GNCT of Delhi to take requisite steps within one month for sensitizing concerned administrative officers posted as District Magistrates/Sub Divisional Magistrates and officers posted in concerned statutory authorities like DJB by organising refresher courses at the weekends and inviting resource persons having expertise in the field of environmental law.

47. Despite order for appearance on 09.11.2023 CEO, DJB did not appear physically or through VC and did not make any request for exemption and appearance through any Senior Officer. On the other hand, Mr. Shashi Kant, Assistant Engineer appeared and stated that CEO, DJB had dual charge and was busy in some other work. All efforts made through DJB Officers/Officials and Registry of the Tribunal to join CEO, DJB through VC/mobile phone call remained unfruitful.

48. In the facts and circumstances of the case, considering the nature of illegalities involved, significance of the remedial measures and necessity of taking prompt action, this Tribunal considered examination of CEO, DJB with respect to the complaints filed

regarding illegal borewells, action taken regarding the same, monitoring mechanism evolved and action taken against defaulting officers/officials to be essential. Accordingly, summons were ordered to be issued against CEO, DJB to appear before this Tribunal on 04.12.2023.

Proceedings on 04.12.2023

49. In compliance of order dated 09.11.2023 Mr. A. Anbarasu, CEO, DJB appeared before this Tribunal alongwith other DJB officers and also filed reply affidavit vide email dated 02.12.2023 regarding action taken by DJB on receipt of a copy of order dated 31.01.2022.

50. In the reply affidavit it was mentioned that the concerned **JE (Civil) visited the premises in question on 26.02.2022** and it was discovered that **the illegal bore-well and unauthorised RO Plant was installed at K-7, Chanakaya Palace, Part II, New Delhi** and was owned by Mr. Ajit Singh. The concerned EE (M- 30) upon receipt of site inspection report from JE(Civil), promptly reported about the illegal extraction of water through unauthorized ground water bore-well existing at K-7, Chanakaya Place, Part II, New Delhi-59, to the Sub-Divisional Magistrate (Dwarka) **vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water.** In terms of the order dated 31.01.2022 passed in **O.A. No. 33 of 2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** , DPCC organized the inspection on 29.07.2022 of the site K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi. The officials of Delhi Jal Board (DJB), CGWA & DPCC attended the inspection at site on 29.07.2022. However, the bore-well in question could not be sealed on the date of inspection **as no officer**

from the office of the concerned District Magistrate (South-West), Delhi was present during Joint Inspection. Thereafter, the concerned EE(M), DJB had issued reminder letter dated 09.09.2022 to SDM (Dwarka) alongwith the copy of order dated 31.01.2022 of this Tribunal requesting immediate action and sealing of the bore-well in question. On 21.07.2023, M.A. No. 24 of 2023 in O.A. No. 33 of 2022 was taken up for hearing by this Tribunal wherein the grievance was made regarding running of unauthorized RO Plant at K-9, 25 feet Road, Part II, Chanakaya Palace, New Delhi.

51. It was further submitted in the reply affidavit that in compliance of order dated 21.07.2023 DJB had been taking active steps to launch awareness programmes through various RWAs and Commercial and Industrial Associations to create awareness among the residents to encourage Rain Water Harvesting and warning the citizens not to engage in illegal activities such as erection, installation and use of borewell for residential, commercial and industrial use. Further, there **is also helpline no. 1916 activated by DJB for reporting any illegal** activities in respect of water and water connection including use of illegal borewells. DJB has vigilantly acted upon the three other complaints received in respect of illegal borewells installed in Chanakaya Place and its adjoining areas and has duly intimated the concerned office of SDM (Dwarka) through letters and telephonically to initiate sealing actions as per the SOP. Further, reminders have also been sent to the concerned SDM (Dwarka) and DM through letters dated 29.11.2023.

52. In the reply affidavit it was also mentioned that **about 19661 illegal bore-wells were identified as on 31.08.2021 and thereafter**

DJB has continued to identify illegal bore-wells and prevent ground water extraction. Order dated 21.07.2023, was not in the knowledge of DJB and its counsel or representative could not attend on 02.11.2023. In the reply affidavit CEO, DJB also mentioned that order dated 04.11.2023 was brought to his notice for the first time on 09.11.2023 and due to prescheduled engagements mentioned in the reply affidavit, he was unable to attend the hearing before this Tribunal and could not file exemption application.

53. This Tribunal noticed that in the above said case the procedure laid down in SOP was not followed by the concerned Authorities and action was not promptly taken despite detailed orders having been passed by this Tribunal.

54. The CEO, DJB was allowed to file status report giving requisite information in detail in tabular format with respect to following aspects:-

(i) District wise number of illegal borewells identified;

(ii) District wise number of illegal borewells which have been sealed/closed;

(iii) Districtwise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;

(iv) Districtwise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;

(v) Districtwise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;

(vi) District wise number of illegal borewells which are yet to be sealed/closed; and

(vii) Districtwise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

55. The DPCC was also directed to file status report in tabular format with respect to following aspects:-

i. District wise number of cases in which show cause notices for imposition of EDC have been issued;

ii. District wise number of cases in which orders for imposition of EDC have been issued;

iii. District wise number of cases in which orders for imposition of EDC are yet to be issued;

iv. District wise number of cases in which EDC has been recovered;

v. District wise number of cases in which EDC is yet to be recovered;

vi. District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;

vii. District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;

viii. How much of EDC amount recovered from the violators has been utilised by DPCC/DJB with requisite details; and

ix. How much of EDC amount recovered from the violators is yet to be utilised by DPCC/DJB with requisite details.

Proceedings on 04.01.2024

56. I.A. No. 02/2024 was filed on behalf of the DJB seeking extension of time of three weeks to file status report in compliance of order dated 04.12.2023. DPCC also sought time to submit its report.

Proceedings on 05.02.2024

57. DJB submitted that except for the District Magistrate, South West, the other District Magistrates had not supplied requisite information to the DJB for filing the report. Status report was filed by DJB in compliance to orders dated 04.12.2023 and 04.01.2024 on the

basis of available information disclosing the action taken for sealing the illegal bore-wells. DJB also disclosed the status of rain water harvesting systems in NCT of Delhi.

58. DJB and DPCC were granted further time of four weeks and two days respectively as prayed by their Counsels for filing of the reports.

Proceedings on 18.04.2024

59. DJB filed Supplementary status report vide email dated 13.04.2024 which will be referred to in the later part of this order.

60. Status report and additional status report were filed by DPCC vide emails dated 15.04.2024 which will be referred to in the later part of this order.

61. In **O.A. No. 33/2022** titled as **Ganesh Prasad vs. Government of NCT of Delhi & Ors. despite order passed by this Tribunal on 31.01.2022 for taking of remedial action, illegal borewell was sealed on 02.11.2023** after proceedings were initiated by listing of M.A. No. 24/2023 and **environmental compensation of Rs. 1 lakh imposed on violators Shri Ajit Kumar and Shri Ashish Kumar is yet to be recovered by SDM (Dwarka), Delhi** to whom reference for recovery has been made by DPCC vide letter dated 11.01.2024.

62. None appeared for the applicant-Ganesh Prasad in M.A. No. 24/2023.

63. We heard arguments addressed by the learned Counsel for the applicant-Pritipal Sharma and learned Counsel for the respondents in both the cases and reserved orders on 18.04.2024.

64. In their respective arguments learned Counsel for the applicant-Pritipal Sharma and learned Counsel for the respondents have reiterated their respective stands taken in the original application regarding unauthorized operation of illegal borewells by tanker mafia and replies/reports filed by the authorities documenting efforts made.

65. While going through the material on record we found that relevant information material to adjudication of the questions involved in the present case has not been placed on record and relisting of the matter for further hearing/directions was necessary on which the matter has been relisted for further hearing/directions.

66. On due consideration of the submissions made and perusal of the material on record we are also of the considered view that in view of serious non-compliance with the environmental laws/norms regarding regulation and management of groundwater in NCT of Delhi, the scope of the present proceedings is required to be widened and intervention by this Tribunal by issuance of remedial directions and continuous monitoring of compliance is necessitated not only by serious non-compliance in the present cases but also serious non-compliance in other cases which came up/are pending before this Tribunal. The scope of these proceedings is widened accordingly.

The nature and magnitude of the problem of contamination and depletion of ground water

67. Groundwater is the largest source of usable fresh water all over the world and in every part of the world where surface water supplies are not available, domestic, agricultural, and industrial water needs

are met by using the groundwater.

68. Long un-restricted and un-regulated excessive abstraction of ground water in our country has led to severe depletion of ground water resources. Such long un-restricted and un-regulated excessive abstraction of ground water has serious long term environmental implications as the same can result in drying up of ground water resources and may also affect quality as well as quantity of surface water.

Directions by Hon'ble Supreme Court

69. In **Civil writ Petition No 4677 of 1985 titled as M.C Mehta Vs. Union of India and Others** on 20.03.1996 Hon'ble Supreme Court took cognizance of the news item under the caption **"Falling Groundwater Level Threatens City"**, appearing in the Indian Express of 18.03.1996 brought to its notice by Mr. M.C. Mehta, Advocate. Hon'ble Supreme Court issued notice to the Central Groundwater Board and the Delhi Pollution Control Committee. On 03.04.1996, Hon'ble Supreme Court issued notice to the Municipal Corporation of Delhi and the Delhi Waterworks and Sewerage Disposal Undertaking. Dr P.C. Chaturvedi, Scientist 'D' (Director), Central Groundwater Board, filed an affidavit mentioning that **during the years from 1962 onwards, the water levels in the country are declining. So much so, during the years 1971-83, the fall in water level was from 4 m to 8 m in the National Capital Territory. There was a further fall of water level from 4 m to more than 8 m during the period 1983-85.** One of the reasons for the decline of water level was the enhanced pumpage. Keeping in view the facts stated by Dr. Chaturvedi, Hon'ble Supreme Court issued notice to the Union of India through the

Secretary, Ministry of Water Resources and to the Government of NCT, Delhi, through its Chief Secretary. Various authorities filed affidavits indicating the factual position regarding the fall of water levels in the country. Hon'ble Supreme Court by order dated 04.09.1996 requested Dr. P. Khanna, Director, NEERI, to have the matter examined at the Institute level by experts in the field and to file a report giving suggestions and recommendations for checking further decline of underground water level. NEERI filed the examination report dated 23.09.1996 regarding **"Water Resources Management in India, Present Status and Solution Paradigm"**. Mr. Arun Kumar, Additional Secretary, Ministry of Water Resources, filed an affidavit dated 24.10.1996, commenting on the NEERI Report and also indicating an overall picture of the declining water levels in the country and also the various schemes and activities undertaken by various Departments of Government of India to monitor the groundwater. Hon'ble Supreme Court noticed the NEERI's holological approach to Water Resources Management and recommendations and vide **order dated 10.12.1996 reported as 1997 11 SSC 312** ordered and directed as under:-

> *"9. The Central Government in the Ministry of Environment and Forest shall constitute the Central Groundwater Board as an Authority under Section 3(3) of the Act. The Authority so constituted shall exercise all the powers under the Act necessary for the purpose of regulation and control of groundwater management and development. The Central Government shall confer on the Authority the power to give directions under Section 5 of the Act and also powers to take such measures or pass any orders in respect of all the matters referred to in sub-section (2) of Section 3 of the Act.*
>
> *10. We make it clear that the Board having been constituted an Authority under Section 3(3) of the Act, it can resort to the penal provisions contained in Sections 15 to 21 of the Act.*
>
> *11. It has been stated by Dr P.C. Chaturvedi and Mr Arun Kumar in their respective affidavits that enhanced and unregulated pumpage of the water is primarily responsible for the decline in the water levels of the country.*

12. The main object for the constitution of the Board as an Authority is the urgent need for regulating the indiscriminate boring and withdrawal of underground water in the country. We have no doubt that the Authority so constituted shall apply its mind to this urgent aspect of the matter and shall issue necessary regulatory directions with a view to preserve and protect the underground water. This aspect may be taken up by the Authority on an urgent basis.

13. The Central Government in the Ministry of Environment and Forest shall issue the necessary notification under Section 3(3) of the Act as directed by us before 15-1-1997."

Constitution of the Central Ground Water Authority

70. In compliance with order dated 10.12.1996 passed by Hon'ble Supreme Court in **Civil writ Petition No 4677 of 1985** titled as **M.C Mehta Vs Union of India & Ors.**, the Central Government constituted the Central Ground Water Authority (referred herein as CGWA) vide **notification number S.O. 38 (E), dated the 14.01.1997** to exercise powers under Section 5 of the Environment (Protection) Act, 1986 for the purposes of regulation and control of Ground Water management and development.

71. The CGWA has been conferred with the following powers vide **notification number S.O. 38 (E) dated 14.01.1997**, as amended from time to time:

i. Exercise of powers under section 5 of the Environment (Protection) Act, 1986 for issuing directions and taking such measures in respect of all the matters referred to in sub-section(2) of section 3 of the said Act.

ii. To resort to penal provisions contained in sections 15 to 21 of the said Act.

iii. To regulate and control, management and development of ground water in the country and to issue necessary regulatory directions

for the purpose.

iv. Exercise of powers under section 4 of the Environment (Protection) Act, 1986 for the appointment of officers.

States /Union Territories not regulated by CGWA

72. However, CGWA is not regulating groundwater development and management in all States and Union Territories and in the following States / Union Territories regulation of groundwater development and management is being done through constitution of State Ground Water Authority or similar authority and through special provincial enactments and/or Government orders.

S.No	States / UTs Name	S.No	States / UTs Name
1	Andhra Pradesh	9	Telangana
2	Goa	10	West Bengal
3	Himachal Pradesh	11	Chandigarh (through bye-laws)
4	Jammu & Kashmir	12	Puducherry
5	Karnataka	13	Lakshadweep
6	Kerala	14	Punjab
7	NCT Delhi (through Govt. Orders)	15	Uttar Pradesh
8	Tamil Nadu (through Govt. Orders)	16	Haryana

73. CGWA has been regulating ground water development and management in other States and Union Territories, by way of issuing public notices, orders, guidelines etc. from time to time.

Directions by this Tribunal

74. **This Tribunal vide order dated 15.04.2015 in OA Nos.**

204/205/206 of 2014 issued directions to CGWA to ensure that any person operating tube-well, or any means to extract ground water shall obtain permission from CGWA and shall operate the same subject to the law in force, even if such unit is existing unit or the unit is yet to be established.

75. This Tribunal **vide its order dated 09.07.2015 in OA Nos. 34 and 37 of 2014** directed all industrial units which are members of the Common Effluent Treatment Plants (CETPs) to approach CGWA through State Pollution Control Board for obtaining 'No Objection Certificate' in accordance with the law.

76. This Tribunal **vide order dated 13.07.2017 in O.A. No. 200/ 2014** directed that every industry should be directed to pay for extraction of such water, that too, subject to the conditions stated in the order permitting such extraction.

77. This Tribunal **vide order dated 28.08.2018 in O.A. Nos. 176/2015 and 59 of 2012** respectively directed the Ministry of Water Resources, River Development and Ganga Rejuvenation to forthwith review the existing mechanism so as to ensure effective steps for conserving the groundwater resources.

CGWA guidelines for grant of 'No Objection Certificate

78. With a view to protect the ground water resources CGWA had , in pursuance of the directions of this Tribunal and in exercise of powers conferred by sub-section (3) of section 3 and section 5 of the Environment (Protection) Act, 1986, circulated the draft guidelines for grant of 'No Objection Certificate' on 11.10.2017 inviting comments and suggestions from all the stakeholders and after due consideration

of all objections and suggestions received in response to the said draft guideline by the Central Government, CGWA notified the guidelines to regulate groundwater over-exploitation and to conserve the groundwater resources in the country vide **notification number S.O. 6140 (E), dated 12.12.2018**.

79. This Tribunal vide **order dated 03.01.2019 in OA No. 176 of 2015** directed that the above mentioned notification dated 12.12. 2018 may not be given effect to as it is unsustainable if tested on **'Precautionary Principle, Sustainable development as well as Inter-generational Equity Principles' and if implemented, will result in fast depletion of groundwater and damage to water bodies and will be destructive of the fundamental right to life under Article 21 of the Constitution of India.** This Tribunal **vide order dated 11.09.2019** constituted a committee to deliberate on steps for preventing depletion of groundwater, robust monitoring mechanism against un-authorised extractions and fulfillment of 'No Objection Certificate' conditions, environment compensation etc. with direction to submit its report. The Joint Committee submitted the report along-with draft guidelines to regulate groundwater extraction and groundwater conservation in this Tribunal on 16.03.2020. This Tribunal **vide order dated 20.07.2020** directed CGWA to comply with certain points for sustainable groundwater management while issuing 'No Objection Certificates' to commercial establishments. The Department of Water Resources, River Development & Ganga Rejuvenation, notified the guidelines to regulate and control groundwater extraction in the country vide **notification number S.O. 3289 (E) dated 24.09.2020** in supersession of **notification number S.O. 6140 (E) dated 12.12.2018**.

80. In **O.A. No. 69/2020** titled as **Sushil Bhatt Vs. Moon Beverages Ltd. & Ors.** and **O.A. No. 218/2020** converted into **Appeal No. 45/2020** titled as **Devidas Khatri Vs. Union of India & Ors** this Tribunal scrutinized the CGWA Guidelines 2020 and highlighted the deficiencies in the same.

81. CGWA notified amendments to the CGWA 2020 Guidelines vide **notification number S.O. 1509 (E) dated 29.03.2023.**

Regulation and Management of Groundwater in NCT of Delhi

82. So far as NCT of Delhi is concerned, clause (b) of sub-section (1) of section 9 of the Delhi Jal Board Act, 1998, which specifies functions of DJB, provides that DJB may **plan for regulate and manage the exploitation of ground water in Delhi in consultation with CGWA** and also give advice in this regard to the New Delhi Municipal Council, the Delhi Cantonment Board or any other local authority and clause (d) thereof provides that if so directed by the Government or the Central government, DJB may take over and carry out any functions relating to the management and regulation of sewerage **and ground water** or the drains of any area, hitherto being carried out by the Government, the Delhi Development Authority or any other agency.

83. CGWA issued **Public Notice no. 6 of 2000** on the subject **"Regulation on construction of tubewell/borewells in South and South-West Districts of NCT, Delhi"** relevant part of which reads as under:-

"PUBLIC NOTICE NO. 6 OF 2000

SUB: REGULATION ON CONSTRUCTION OF TUBEWELL/ BOREWELLS IN SOUTH & SOUTH-WEST DISTRICTS OF

NCT, DELHI

"Whereas the Central Ground Water Authority (hereinafter referred to as the "Authority"), has been constituted under sub-section (3) of the section 3 of the Environment (Protection) Act. 1986, vide notification no. S.O.38 (E) dated 14.01.97 for the purposes of regulation and control of ground water development and management.

Whereas Authority is in exercise of its powers and functions as provided in clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act. 1986, has declared ***Najafgarh block, Mehrauli block and Vasant Vihar and Vasant Kunj*** *areas of NCT Delhi as 'Notified Area' on block/area wise basis vide public notice dated 1.4.98, 24.12.99 and 25.4.99 respectively in view of depletion in Ground water resources due to its over-development/incidence of upcoming of saline ground water.*

However due to administrative exigencies, the notified areas have been re-organised on district basis. Now, there are in exercise of the aforesaid powers and in partial modification of the earlier notices, the Authority after considering the need for protecting the ground water resources and to ensure further development activities in consistent with protection and preservation of the ground water resources, hereby declares ***whole of South and South-West districts of NCT Delhi*** *as 'Notified Areas' and imposes prohibition and restriction in these districts on the construction and installation of any new structure for extraction of ground water resources, to avoid further depletion and deterioration in water quality in the said districts.*

Further, henceforth. no person/organization/agency (Govt. or Non-Govt.) shall undertake any scheme/project of ground water development and management in the above-said districts without prior permission of the Authority. *Any contravention of the above notice shall be dealt with in accordance with the provisions of Environment (Protection) Act. 1986" (emphasis added)*

84. CGWA issued **Public Notice no. 2 of 2006** on the **subject "Declaration of "Over-Exploited Areas" for registration of ground water abstraction structures"** relevant part of which reads as under:-

"PUBLIC NOTICE NO. 2 OF 2006

DECLARATION OF "OVER-EXPLOITED AREAS" FOR REGISTRATION OF GROUND WATER ABSTRACTION STRUCTURES.

Whereas the Central Government constituted the Central Ground Water Board as an Authority (hereinafter to as the

Authority under sub-section (3) of the Environment (Protection) Act, 1986 (29 of 1986) (herein referred to as the said (Act) vide notification of the Government of India in the Ministry of Environment and Forests number S.O. 38 (E) dated the 14th January, 1997, as amended from time to time, for the purposes of regulation and control of ground water development and management in the whole of India;

And whereas the Central Government have authorized the Authority to issue directions under section 5 of the said Act. In writing, to any person, officer or any authority and such person, officer or authority shall be bound to comply with such direction;

And whereas, the Authority, based on ground water resources assessment undertaken by Central Ground Water Board in consultation with State Governments, have identified certain areas in the states of Andhra Pradesh, Gujarat, Haryana, Karnataka, Kerala, Madhya Pradesh, Maharashtra, National Capital Territory certain draft proposals for the purpose of Delhi, and Tamil Nadu as "Over-exploited areas" where ground water abstraction is more than the average annual replenishment of ground water resources and the ground water level in these areas have also shown continuous decline over the areas;

And whereas, certain draft proposals for the purpose of issuing directions by the Authority to the State authorities or officers, in order to regulate the ground water abstraction, and requiring registration of all such abstraction structures including open-wells, tubewells, borewells in the areas specified in the said Schedule were published vide Public Notice No. 4/2005 dated 19/20.12.2005 as required under rule 4 of the Environment (Protection) Rules, 1986, for inviting objections and suggestions from the public likely to be affected thereby, till the expiry of a period of forty five days from the date of publication of the said public notice;

And whereas, the Authority has considered all objections and suggestions received by it in this regard.

Now, therefore, the Authority, in exercise of the powers conferred by Section (5) of the Environment (Protection) Act, 1986 (29 of 1986) read with paragraph 2 of the above said notification number S.O. 38 (E), hereby issues the following directions namely:-

*1. The Chief Officer-in-Charge of Revenue district (whether called as Collector, Deputy Commissioner or by any other name) for areas notified in the State of Haryana, Karnataka, Madhya Pradesh and Maharashtra; in the State of Tamil Nadu, the Chief Engineer WRO/PWD, State Ground and Surface Water Resources Data Center, for the areas notified in the State of Tamil Nadu and **the Chief Executive Officer, Delhi Jal Board, for the areas notified in the National Capital Territory of Delhi** shall registered all the existing*

groundwater abstraction structures including wells, tube-wells, borewells located in the areas so specified in the Schedule in the proforma given in the Annexure to this public notice within the period of nineteen days from the date of publication of this final notice;

In the State of Andhra Pradesh, the Andhra Pradesh state Water, Land and Trees Authority, constituted under Section 3 of the Andhra Pradesh, Land, Water and Trees Act, 2002 (Andhra Pradesh Act, 10 of 2002), for the areas to the State of Andhra Pradesh; in the State of Gujarat, the Gujarat State Ground Water Authority constituted vide notification No. GWR/1095/6/I-1/J-1 dated 19.9.2001, for the areas notified for the State of Gujarat; in the State of Kerala, the Kerala State Ground Water Authority constituted under section 3 of the Kerala Ground Water (Control and Regulation Act, 2002 for the areas notified in the State of Kerala; shall registered all the existing ground water abstraction, structures including wells, tube-wells, bore-wells located in the areas as specified in the said schedule in the proforma given in the Annexure to this public notice within a period of nineteen days from the date of publication of this final notice.

2. The Chief Officer-in-Charge of Revenue District or the concerned State Ground Water Authorities as the case may be, shall submit a copy each of the performa received by it to the Authority within a period of thirty days from the date of such registration.

3. Every owner of a ground water abstraction structures including wells, tube-wells, bore-wells located in the areas as specified in the said schedule shall register such structure with the concerned Chief Officer-in-Charge of Revenue district or the State Ground Water Authority, as the case may be in the proforma given in the Annexure and in the manner specified in direction1;

4. Nothing in these directions shall apply to any owner of non-energized dug-well or bore-well fitted with hand pump used solely for drinking and domestic purpose.

SCHEDULE

Serial Number	***State***	***District/Mandal /Block/Municipal Corporation areas***	***District***
(1)	*(2)*	*(3)*	*(4)*
1.	*Andhra Pradesh*	*1. Armur Mandal*	*Nizamabad*
		2. Husnabad Mandal	*Karimnagar*
		3.Bachannapet Mandal	*Warangal*
2.	*Gujarat*	*1. Anjar*	*Kachchh*

		2. Bhachau	Kachchh
		3. Mandvi	Kachchh
		4. Mangrol	Junagarh
		5. Porbandar	Porbandar
3.	Haryana	1. Mahendergarh	Mahendergarh
		2. Farukh Nagar	Gurgaon
4.	Karnataka	1. Anekal	Bangalore (Urban)
		2. Bangalore (North)	Bangalore (Urban)
		3. Bangalore (South)	Bangalore (Urban)
5.	Kerala	1. Kasaragod	Kasaragod
		2. Kodungallur	Trissur
6.	Madhya Pradesh	1. Sanwer	Indore
		2. Malhargarh	Mandsaur
7.	Maharashtra	1. Yawal	Jalgaon
		2. Raver	Jalgaon
8.	**National Capital Territory of Delhi**	**1. East District**	**East District**
		2.North Delhi District	**North** Delhi District
		3.North East District	**North East District**
		4.North **West** District	**North West District**
		5. West Delhi District	West **Delhi** District
9.	Tamil Nadu	1. Chengam	Tiruvannamalai
		2. Thuraiyur	Tiruchirappalli
		3. Thalaivasal	Salem
		4. Gangavalli	Salem

(emphasis added)

Report Dynamic Ground Water Resources of NCT, Delhi as on March 2023

85. Central ground Water Board and Department of Urban Development, Government of NCT, Delhi took up the task of estimating the dynamic ground water resources of NCT, Delhi annually based on GEC 2015 methodology. The re-estimation of ground water resources as on 2023 was carried out using the methodology recommended by

Ground Water Estimation Committee (GEC-2015) and the updated data which was provided by various State and Central Government agencies. The estimation was done considering each Tehsil (Revenue) Sub-division as assessment unit. The current status of ground water development is reflected in the category of various Tehsils, which are assigned taking into consideration both the stage of ground water development and the trend of ground water levels. In the **"Report Dynamic Ground Water Resources of NCT, Delhi as on March 2023"** published by Central Ground Water Board State Unit Office, Delhi Department of Water Resources, River Development & Ganga Rejuvenation, Ministry of Jal Shakti in October 2023 the information has been tabulated in the beginning as under:-

"DYNAMIC GROUND WATER RESOURCES OF NCT OF DELHI
As on March, 2023

AT A GLANCE

1	*Total Annual Ground Water Recharge*	*38,152.55 (ham)*
2	*Annual Extractable Ground Water Resources*	*34,449.23 (ham*
3	*Annual Ground Water Extraction*	*34,150.55 (ham)*
4	*Stage of Ground Water Extraction*	*99.13 %*

CATEGORISATION OF ASSESSMENT UNITS (TEHSILS)

S. No.	*Category*	*Assessment Units*
1.	*Safe*	*5 (14.7%)*
2.	*Semi Critical*	*4 (11.8%)*
3.	*Critical*	*12 (35.3%)*
4.	*Over Exploited*	*13 (38.2%)*
	Total	***34***

86. In the above said report results of groundwater resources estimation 2023 are given as under:-

"7.4. Results of Groundwater Resources Estimation 2023

7.4.1. Annual Groundwater Recharge

The annual groundwater recharge includes the components of rainfall recharge and recharge from other sources like canal/drain seepage, return flow from irrigation, seepage from domestic water supply and recharge from water conservation structure. The Annual Groundwater Recharge for NCT Delhi 2022 is estimated as 38152.55 ham. Assessment unit wise details of estimation are presented in Table 19 (column 4 to 8).

7.4.2. Annual Extractable Groundwater Recharge

The annual extractable groundwater recharge as defined in GEC 2015 methodology, involving component of monsoon & non-monsoon recharge and excluding component for natural discharge for the environment, following GEC 2015 norms has been estimated for NCT Delhi is 34449.23 ham. Assessment unit wise details of estimation are presented in Table 19 (column 10).

7.4.2. Annual Groundwater Extraction

During the year under report, almost all departments & Institutions of NCT Delhi have provided geo-referenced extraction data which has been further distributed over Tehsil layer by CGWB to find out tehsil wise extraction. The running hour and discharge have been averaging out as demand of Software. Industrial extraction data was not provided and have been considered on pro rata basis.

The total ground water extraction as defined in GEC 2015 methodology, involving component of domestic ground water extraction, irrigation extraction and industrial extraction has been estimated for NCT Delhi is 34 ham. Assessment unit wise details of ground water extraction is presented in Table 19 (Column 11 to 14).

7.5. Stage of Groundwater Extraction and Categorization of Assessment Units

The Stage of Ground Water Extraction as on 2023 in NCT Delhi varies from 61% in Rohini Tehshil in North West District to 153% in Vasant Vihar tehshil of New Delhi District. The overall Stage of Groundwater Extraction in NCT Delhi as on 2023 is 99%. The information on Stage of Ground Water Extraction is given in table 19 (column 17).

As per recommendation of GEC 2015 methodology, the Dynamic Groundwater Resources (fresh quality) be planned for future ground water management. Out of 34 new assessment units of NCT Delhi, 5 are categorized as 'Safe', 4 as 'Semi Critical', 12 as 'Critical' and rest 13 as 'Over Exploited'. A summarized data on categorization all 34 assessment units of NCT Delhi is presented in Table 19 (column 18). A map showing categorization of assessment units (Tehsils of NCT Delhi) is presented in Figure 39.

7.6. Annual Allocation for Domestic use and Net Ground Water Availability for future use

Annual Allocation for Domestic use for 2025 has been estimated as 27570.3 ham, for entire NCT Delhi. The Assessment unit wise Annual Allocation for Domestic Use as on 2025 is presented in Table 19, column 15. The Net Ground Water Availability for future use in NCT Delhi is 2870 ham (Table 19, column 16).'

87. The categorization of assessment units in NCT of Delhi given in **National Compilation on Dynamic Ground Water Resources of India, 2023** published by **Central Ground Water Board** is reproduced as under:-

DYNAMIC GROUND WATER RESOURCES OF INDIA, 2023												
DELHI												
S. No	Name of District	Total No. of Assessed Units	Safe		Semi Critical		Critical		Over Exploited		Saline	
			No.	%	No.	%	No.	%	No.	%	No.	%
1	North	3	-	-	1	33.33	1	33.33	1	33.33	-	-
2	South East	3	-	-	-	-	3	100	-	-	-	-
3	South West	3	1	33.33	-	-	1	33.33	1	33.33	-	-
4	East	3	-	-	-	-	3	100	-	-	-	-
5	Nazul Land	1	1	100	-	-	-	-	-	-	-	-
6	South	3	-	-	-	-	1	33.33	2	66.67	-	-
7	Central	3	1	33.33	-	-	1	33.33	1	33.33	-	-
8	New Delhi	3	-	-	-	-	-	-	3	100	-	-
9	North West	3	2	66.67	1	33.33	-	-	-	-	-	-
10	West	3	-	-	1	33.33	1	33.33	1	33.33	-	-
11	North East	3	-	-	1	33.33	-	-	2	66.67	-	-
12	Shahdara	3	-	-	-	-	1	33.33	2	66.67	-	-

	Total	34	5	14.71	4	11.76	12	35.29	13	38.24		

Delegation of power under 5 of the Environment (Protection) Act, 1986 to Lieutenant Governor, NCT of Delhi vide notification number S.O. 667 (E) dated 10.09.1992

88. The Central Government authorized the Lieutenant Governor, NCT of Delhi vide **notification number S.O. 667 (E) dated 10.09.1992** to exercise powers under section 5 of the Environment (Protection) Act, 1986 for NCT 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.

Directions issued vide notification no. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010

89. In exercise of power conferred by section 5 of the Environment (Protection) Act. 1986 read with the Ministry of Home Affairs, Government of India Notification number S.O. 667 (E) bearing F.No. U-11030/J/ 91- UTL dated 10.09.1992 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 30.03.2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated 30.04.2009, the Lt. Governor of NCT of Delhi vide **notification number. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010** issued the following directions:-

> ***"(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.***

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), of concerned revenue area : Chairman;*
2. *Director (Panchayat): Member;*
3. *Chief Engineer nominated by Delhi Jal Board: Member;*
4. *Representative of Central Ground Water Board, New Delhi : Member;*
5. *Representatives of local bodies having jurisdiction over the area: Member;*
6. *Representative of Department of Environment, GNCTD/DPCC : Member*
7. *Representative of reputed NGO in the field of Groundwater Management nominated by the Deputy Commissioner concerned: Member;*

(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 & Flood Control Department, Govt of NCT 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)."

90. We have gone through notification no. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010 and we find that the issue of grant of permission for borewell/tubewell is to be dealt with by Competent Authority through the Deputy Commissioner (Revenue) of each revenue area in GNCTD. It may also be added here that as per the above said notification application for grant of permission for borewell/tubewell is to be submitted in the Zonal Offices of the Competent Authority in the form specified by the Competent Authority. It may also be added here that the Executive Engineer of the Competent Authority in-charge of the concerned area is required to recommend the case based on the facts to the concerned Deputy Commissioner (Revenue) of each revenue area, GNCTD who is to issue the orders in the light of the recommendation of the Executive Engineer of the Competent Authority and the Advisory Committee.

91. Even though, in the above said notification the term Competent Authority is not defined but in view of Section 9 (1) (b) of the Delhi Jal Board Act, 1998. DJB is and has to be considered to be the Competent Authority for the purpose of regulation and management of the groundwater in the NCT of Delhi. In SoP titled as **"Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells"** also DJB is mentioned to be

the Competent Authority in the entire NCT of Delhi except areas under New Delhi Municipal Committee and Delhi Cantonment Board. However, we are of the considered view that it will be appropriate, if the above said notification is appropriately amended to define the expression Competent Authority to remove any confusion in this regard.

92. Further on a reading of para 3 and 6 of the above said notification there appears to be some confusion as by para 3 the Deputy Commissioner (Revenue) of each revenue area, GNCTD is delegated with the power of *inter alia* sealing illegal wells based on the recommendations of the Advisory Committee but as per para 6 in emergent violation cases the Deputy Commissioner (Revenue) of each revenue area in GNCTD is required to ensure discontinuation of the illegal ground water drawl by seizure of drilling rig, sealing of tubewell/borewell if so constructed and discontinuation of electricity supply to the energized tubewell even if it is through DG sets, without waiting for recommendation of Advisory Committee. In our considered view illegal drawl of ground water requires immediate action of sealing of the borewell by the Deputy Commissioner (Revenue) of revenue area in question without waiting for recommendation of the Advisory Committee in this regard and the desirability of making appropriate amendment in para 3 of the above said notification is also required to be considered.

93. We, accordingly, request Hon'ble Lieutenant Governor of Delhi to look into the matter for such action as may be considered appropriate.

Directions in OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.

94. In **OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.** this Tribunal took suo-moto cognizance on a letter petition complaining that certain persons are running water plants by illegally extracting the same in different places namely Kashmiri Gate, Tilak Bazar, Sadar Bazar, Azad market, Chandni chowk etc. This Tribunal constituted a Joint Committee comprising DJB and NDMC which submitted action taken report that out of 12 addresses given in the said report, 9 were found extracting ground water illegally, one premises was found locked, and in 3 premises no bore well was found. Another report dated 03.04.2020 was submitted by DJB about 11 locations out of which at 4 places no bore-well was found and in 7 locations, bore-wells were either sealed or running illegally. Both the reports were considered by this Tribunal on 15.05.2020 and noticing that bore-wells were illegally existing and operating and no remedial action was taken by Statutory Regulators, this Tribunal deprecated the inaction on the part of Statutory Regulators and passed a detailed order referring to directions issued in earlier matters dealing with similar violations. Operative part of the order in para 8 reads as under:

> *"8. In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tube - ells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter.*
>
> *A copy of the order be forwarded to the Chief Secretary, Delhi, Secretary, Ministry of Jal Shakti, Govt. of India, DJB, CPCB, DPCC, Commissioners of all Municipal Corporation of Delhi, all the District Magistrates in Delhi and Justice S.P. Garg, former Judge of Delhi High Court."*

95. Pursuant to above referred order status report dated 11.07.2020 was filed by DPCC. In status report dated 11.07.2020 DPCC submitted that in compliance of order of Tribunal, a meeting was taken by the Chief Secretary, Delhi on 12.06.2020 through video conferencing; the meeting was attended by Municipal authorities, DJB, DPCC and District Magistrates of Delhi; SOP has since been finalized and has been brought into effect; in SOP clear responsibilities have been assigned to various agencies as DJB/local bodies and block development officers for identification of illegal borewells depending on the nature of use; Deputy Commissioners (Revenue) of the districts have been assigned role of supervision of checking the violation and closure of illegal borewells and inter departmental advisory committee was constituted for each district to assist Deputy Commissioners. It has been observed that often drilling machines/rigs are used to dig illegal borewells, the mechanism for their regulation including registration and prior permission for movement and deployment has also been incorporated in the SOP.

SOP titled as "Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells"

96. The relevant part of the SOP titled as **"Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells"**, which was also reproduced by this Tribunal in its order dated 13.07.2020 passed in above mentioned case, reads as under:-

> *"1. Standard Operating Procedure (SOP): 1. Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law.* ***The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the***

New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information *on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.*

2. The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

3. An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4. The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. *The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.*

5. In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

6. For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7. The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.

*8. **The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.***

9. All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10. The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11. As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12. The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district."

97. In status report dated 11.07.2020 filed by DPCC it was also mentioned that during meeting held on 12.06.2020 by Chief Secretary, Government of NCT of Delhi, it was informed that **DJB has already identified 19661 illegal borewells against whom action is being taken and 7248 units were already closed by the district authorities. Report said that remaining units would be closed down on priority as they were already identified and process would be completed within a period of three months.**

98. This Tribunal considered the report on 13.07.2020 and found that action was not taken as per the provisions of SOP. This Tribunal directed that further action be taken which may be overseen by the

DPCC and compliance status as on 31.12.2020 be brought on record by 15.01.2021. In pursuance of order dated 13.07.2020, an action taken report dated 03.09.2021 was filed by DPCC relevant part of which reads as under:

"2. the Chief Secretary, Delhi decided that Delhi Jal Board will prepare the list of illegal borewells, Revenue Department will supervise the closure action of the illegal borewell and DPCC was assigned the task to impose EDC on the violators as per the list provided by DJB.
3. That Revenue Authorities provided the details of action taken by them, which is as follows:

District	ATR (Borewell sealed till 31.08.2021)		
	No. of illegal borewells identified in the district	Action taken on illegal borewells till 31.08.2021	No. of illegal borewells to be sealed
North	761	748	13
East	116	116	0
South West	6681	1410	5271
South East	297	231	66
North West	8299	5814	2485
Shahdara	552	552	0
New Delhi	75	75	0
Central	611	412	199
West	2185	1793	392
North East	0	0	0
South	84	84	0
Total	**19661**	**11235**	**8426**

4. DPCC on its part has taken following action to assess the Environmental Compensation to be imposed on the basis of information received from DJB and Revenue Authorities:

(i) Show cause notices for imposition of EDC issued : 18315
(ii) EDC amount proposed in above mentioned SCNs: 70,65,80,000/-
(iii) EDC amount imposed: 70,65,80,000/-
(iv) EDC amount received: Rs. 23,80,000/-
(v) EDC amount yet to be recovered: 70,42,00,000/-

Due to continuing pandemic, the process of recovery is very slow and Revenue authorities are not able to spare their manpower for taking action.

5. That many units had mentioned their inability or delay

in depositing the EDC due to Covid-19 Pandemic and low economic activity during last few months since March 2020. They have also mentioned that unprecedented health crises and emergency coupled with steep downfall in the revenue earning due to lockdown which has brought down the economic activities to the lowest level. In case of remaining units, recovery certificates was issued to the concerned District Magistrate/SDMs, to recover the amount as arrears of land revenue from the remaining units which have not deposited Environmental Damages Compensation (EDC)."

99. In the above mentioned OA this Tribunal considered the report on 25.02.2022 and observed that **huge environmental compensation of more than Rs. 70 Crores was computed but a negligible amount of Rs. 23.8 lakhs was recovered. No action for prosecution was taken against violators. Further, out of 19661 illegal bore wells, identified in various Districts of Delhi, only 11235 were sealed and 8420 remained to be sealed.** No reason was given as to why all illegally running bore wells were not sealed. An additional action taken report dated 02.11.2021 was filed without much improvement as out of 19661 illegal bore wells identified by DJB, action was taken by Revenue Authorities against 11364 bore wells only till that date. This **Tribunal considered the situation to be disgusting/disappointing due to snail pace level of activities on the part of statutory regulators which clearly indicated dereliction of duties.** Vide order dated 25.02.2022 this Tribunal disposed of above mentioned OA **while directing the authorities to take appropriate remedial action against all the illegally running bore wells identified by DJB and submit a complete compliance report after six months and a copy of the order was ordered to be forwarded to DJB, DPCC and NDMC by e-mail for compliance.**

100. **As per written report submitted by the Registry no such**

report was filed by DJB, DPCC and NDMC in compliance of order dated 25.02.2022 passed in O.A. No. 685/2019 titled as Rakesh Kumar Vs. Government of NCT of Delhi & Ors.

Non Implementation of legal regime/environmental laws/norms.

101. This Tribunal noticed non-compliance and non-implementation of the legal regime and in view thereof vide order dated 04.12.2023 required the CEO, DJB to file status report giving requisite information in detail in tabular format with respect to the following aspects:-

i. District wise number of illegal borewells identified;
ii. District wise number of illegal borewells which have been sealed/closed;
iii. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
iv. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
v. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
vi. District wise number of illegal borewells which are yet to be sealed/closed; and
vii. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

102. DJB filed Supplementary status report in **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** vide email dated 13.04.2024 which reads as under:-

"SUPPLEMENTARY STATUS REPORT ON BEHALF OF DJB IN FURTHERANCE TO REPORT DATED 03.02.2023 AND IN COMPLIANCE OF ORDER DATED 05.02.2024

X X X

10. In continuation to the earlier status report dated 03.02.2024 and in compliance of the order dated 05.02.2024, DJB is submitting the requisite information of the illegal borewells as received from the Concerned DMs for facility of reference in the tabular form below :-

Data	District Wise Number of Illegal Borewells identified (As per previous data submitted, referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of illegal borewell s which have been Sealed /closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise/ Proprietor s of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
COL1.	COL2	COL3	COL4	COL5	COL6	COL7	COL8	COL9
North	728	253	NIL	NIL	NIL	119	16	As per report submitted, a total of 376 borewells contains duplicate entries, non-traceable.
East	116	110	110	87	23	6	6	
South West	6681	2434	NIL	NIL	NIL	4247	NIL	
South East	297	183	NIL	NIL	NIL	67 (03 nos. of borewells show DJB permission)	130	30 Borewells not identified physically
North West	9128	6001	Information not available	Information not available	Information not available	3227	Information not available	Report is compiled on the basis of reports received from Kanjhawala, Rohini and Saraswati Vihar sub divisions, after reconciliation with concerned Executive Engineer of DJB. Details of penalty/ EDC regarding illegal borewells already sealed by DJB is not available
Shahdara	552	358	NIL	NIL	NIL	NIL	NIL	SDM(Vivek Vihar)Total Borewell = 178 Borewell Sealed = 117 Blank = 2 Water Tank Supply = 3 Permission CGWA = 6 Not visited =1 Not operational = 1 No Borewell = 28 Locked = 4 Already cut off = 16 SDM(Seemapuri) Total Borewell = 374 Borewell Sealed = 241 Duplicated Entries = 22 Incomplete Address/Non traceable =20 DJB connection found in place of borewell = 61 Borewell not found = 30 SDM(Shahdara) No Address pertains to Sub- list Division (Shahdara) as per the list of addresses provided by the Delhi Jal Board. Hence, report may be treated as NIL.
New Delhi	75	75	Report not Received from DM	Report not Received from DM	Report not Received from DM	NIL	Report not Received from DM	Report not received from DM (earlier data)

Central	676	246	Not pertains to DM	Not pertains to DM	Not pertains to DM	161	Not pertains to DM	Civil line- Nil Kotwali- 1)Court stay on 160 borewells 2) 85 borewells not identified/ found removed physically 3)02 properties were found sealed 4)01 matter has been sent to DJB for clarification Karol Bagh- 1)31 borewells not identified/ found removed physically 2)46 borewells balanced to be seal 02 no of borewells does not fall under the jurisdiction District Central Hence total comes to 676+2=678
West	2185	1573	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	Data to be provided by DPCC to DJB	361	Data to be provided by DPCC to DJB	SDM(Punjabi Bagh) 65 Duplicate + 18 not found =83 SDM(Rajouri Garden) 119 Not found SDM(Patel Nagar) -33 Not found + 18 Not pertain to Patel Nagar sub division=49 Total-251
North East	Nil	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	There are no illegal borewells in identified list of DJB for sealing in District North East.
South	84	84	EDC report pertains to DPCC	EDC report pertains to DPCC	EDC report pertains to DPCC	NIL	EDC report pertains to DPCC	In addition to original survey of 84 borewells, 16 additional borewells have been sealed. Out of 15, EDC has been imposed on 14 borewells and for 02, DPCC has informed that imposing of EDC is under process.
Total	20622	11197				8178		

103. Vide order dated 04.12.2023 this Tribunal directed the DPCC to file status report in tabular format with respect to the following aspects:-

i. District wise number of cases in which show cause notices for imposition of EDC have been issued;

ii. District wise number of cases in which orders for imposition of EDC have been issued;

iii. District wise number of cases in which orders for imposition of EDC are yet to be issued;

iv. District wise number of cases in which EDC has been recovered;

v. District wise number of cases in which EDC is yet to be recovered;

vi. District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;

vii. District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;

viii. How much of EDC amount recovered from the violators has been utilised by DPCC/DJB with requisite details; and

ix. How much of EDC amount recovered from the violators is yet to be utilised by DPCC/DJB with requisite details.

104. Status report was filed by DPCC in **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** vide email dated 15.04.2024 which reads as under:-

"STATUS REPORT ON BEHALF OF DELHI POLLUTON CONTROL COMMITTEE WITH RESPECT TO THE ORDER DATED 09.11.2023 , 04.12.2023 and 04.01.2024.

X X X X

5. That, DPCC has no specific account for Environmental Damage Compensation received for illegal ground water extraction from borewells and DPCC is maintaining Environmental Compensation (EC) fund in a common dedicated account meant for use in the following 10 sub-heads , namely:

1. Installation and running of (O&M) CA.AQM Monitoring Stations,
2. Research & study projects
3. Procurement of instruments & Rent for air Lab €. Installation of paper recycling unit in govt. School
5. Monitoring of air pollution at various locations of Delhi
6. Honorariums for oversight cotninittee/Technical consultants
7. Installation of Noise Monitoring station at Delhi
8. Seminars and Conferences
9. IT Expenses (Purchase and Salary IT Resources)
10, Advertising charges.

6. That, status report with respect to order dated 04.12.2023 in tabular format is enclosed herewith as Annexure-1. A statement showing the utilisation by DPCC from the amount received as Environmental Compensation (EC) in tabular format is attached herewith as ANNEXURE72. ***DPCC spent Rs. 145.23 Lakhs out of the fund recovered as Environmental Compensation.***

7. That with the prior approval of Chief Secretary, Delhi a ***letter was issued to Divisional Commissioner-Delhi on 08.12.2023 to obtain explanation of the concerned officers who were posted as District Magistrate -(South West) / SDM Dwarka during the relevant period. Copy of the letter dated 08.12.2023 is enclosed herewith as Annexure-3.***

8. That further, with the prior approval of Chief Secretary, ***Delhi a letter was issued to Director, Directorate of Training (UTCS).on 08.12.2023 with a request to develop a training module for 2/3 days period to the officers posted as District Magistrate/ SDM urgently. Copy of the letter dated 08.12.2023 is enclosed herewith as Annexure-4.***

9. That, for calculating Environmental Compensation, DPCC asked the details of borwell from- Delhi jai Board with a copy to CO WA .on 25:09.2023 to calculate the- EC as per CPCB formula. In absence of requisite details, a show cause notice.for imposing interim EC in terns of the. office order dated 09.07.2020 was issued on 16.11.2023, whereby granting 07 days time to submit the reply. Show cause notice was also pasted on the gate of property in addition to sent via speed post. No reply was received with respect :to show cause- notice: therefore, direction for imposition of interim EC. was issued on 08.12.2023. As interim EC wasnot deposited, so recovery certificate was issued to SDM (Dwarka) on 11.01.2024. SDM (Dwarka) issued a letter to Sh. Anil Kumar and Sh. Ashish Kumar for depositing EC on 30.01.2024. Copies of the letter dated 11.01.2024 issued by DPCC and 30.01.2024 issued by SDM are collectively enclosed herewith as Annexure-5(Colly)

Status Report w.r.t. Illegal Borewells												
	Information											
S.No	District	District wise number of cases in which show cause notices for imposition of EDC have been issued;	District wise number of cases in which orders for imposition of EDC have been issued;	District wise number of cases in which orders for imposition of EDC are yet to be issued;	District wise number of cases in which EDC is yet to be recovered	District wise number of cases in which EDC is yet to be recovered	District wise number of cases in which reference has been made to Deputy Commissioner (Revenue) for recovery of the EDC;	District wise number of cases in which reference is yet to be made to Deputy Commissioner (Revenue) for recovery of the EDC;	How much of EDC amount recovered from the violator has been utilized by DPCC with required details	How much of EDC amount recovered from the violator is yet to be utilized by DPCC with required details	Remarks
1	North	768	768	Nil	4	764	764	0	-	12000		

2	North - west	9015	9006	Nil	09	8959	8959	0	-	2170 000	In compliance to the issued EC only one has been deposited by 10 shoot ers
3	Central	616	610	Nil	1	615	615	0		1000 00	
4	West	708	708	Nil	6	702	702	0	-	1000 00	
5	South - west	6505	6503	Nil	09	6576	6576	0	-	1270 (00)	In compliance to the issued EC only one has been deposited by 2 water ers
6	South - East	0	0	Nil	0	0	0	0		0	
7	South	0	0	Nil	0	0	0	0	-	0	
8	New Delhi	179	179	Nil	34	145	145	0	-	1500 000	
9	East	161	161	Nil	0	161	161	0	-	0	
10	North East	0	0	nil	0	0	0	0	-	0	
11	Shahdara	391	391	Nil	1	390	390	0	-	3000 0	
Total		18499	18481	Nil	121	18378	18378	0		8670000	

(*) Delhi Pollution Control Committee has no specific account of Environmental Damage Compensation received for illegal ground water from Borewells and DPCC is maintaining Environmental Compensation (EC) fund in a common dedicated account mode for use as the following 10 sub-heads and an amount of Rs. 145.23 lakhs has been utilized during 2022-2023 :-

(i) Installation and Running Expenditure and Manpower ETA WORK
(ii) Research and Study Project
(iii) Procurement of instrument and Rent for Air Lab
(iv) Installation of Recycle units at Govt. Schools
(v) Monitoring of Air Pollution at various locations of Delhi.
(vi) Honorarium of Oversight Committee/ Technical Consultants
(vii) Installation of Noise Monitoring Station at Delhi.
(viii) Seminar and conference.
(ix) IT Expenses (Purchase and Salary IT Personnels) and
(x) Advertising Charge/Printing Charges/Others

105. Additional status report has been filed by DPCC vide email dated

15.04.2024. The relevant part of the Additional status report is reproduced below:-

> ***'ADDITIONAL STATUS REPORT ON BEHALF OF DELHI POLLUTON CONTROL COMMITTEE WITH RESPECT.***
>
> *X X X X*
>
> *5. That, in addition to the report dated 07.02.2024, it is most respectfully submitted that, DPCC issued recovery letter dated 11.01.2024 to SDM (Dwarka) for recovery of Environmental Compensation (EC) of Rs. 1,00,000/- (One Lakh only) from Sh. Ajit Kumar & Sh. Ashish Kumar, which was levied by DPCC. SDM (Dwarka) issued notice to Sh. Ajit Kumar & Sh. Ashish Kumar to deposit the same to DPCC account. DPCC has not received EC amount so far. DPCC has sent an email on 12.04.2024 to SDM(Dwarka) requesting the present status of recovery of Environmental Compensation (EC). Reply is awaited from the SDM(Dwarka).*
>
> *6. That, on the issue of training, a letter was sent to UTCS regarding training to the administrative officers of Revenue Dept & officers of statutory authorities like DJB etc. on 08.12.2023. Email was also sent to UTCS regarding this on 04.04.2024. UTCS vide email dated 05.04.2024 informed that they are planning to conduct a Training on the given topic i.e. "Environmental issues"."*

106. A perusal of Annexure 1 showed that show cause notices for imposition of EDC were issued in 18493 cases but orders for imposition of EDC were passed in 18481 cases. EDC has been recovered only in 121 cases and recovery of EDC is pending in 18372 cases. The DPCC has not mentioned the total amount of EDC imposed and the total amount of EDC which has been recovered. In Annexure A it has been mentioned that amount of Rs. 53,70,000/- is yet to be utilized by DPCC.

107. In Annexure 2 DPCC has given information regarding expenditure incurred from Environmental Damage Charge w.e.f. 2015-16 to 2023-24 (up to 29.02.2024) and total expenditure incurred up to 29.02.2024 is mentioned to be Rs.19,04,96,464/-. However, the statement shows that

amount of EDC has been spent only on the following:

1. **Installation and Running (Operational and Maintenance) CAAQMS,**
2. **Research and Study Project,**
3. **Procurement of instrument and Rent for Air Lab,**
4. **Installation of Recycle unit in Govt. School,**
5. **Monitoring of Air Pollution at various locations of Delhi,**
6. **Honorarium of Oversight Committee/Technical Consultants,**
7. **Installation of Noise Monitoring Station at Delhi,**
8. **Seminar and conference,**
9. **IT Expenses (Purchase and Salary IT Resources) and**
10. **Advertising Charge/Printing Charges/Others.**

108. It is evident therefrom that no amount has been spent on conservation/recharge of ground water and creation/rejuvenation of any water body or rain water harvesting facility.

109. This Tribunal observed in order dated 18.03.2024 that not only the report of DPCC is materially deficient but also the remedial measures taken by DPCC by utilization of EDC are grossly inadequate; definitely, something more is required to be done by DPCC for remediation of environmental damage caused and appropriate remedial measures need to be catalogued and implemented. Amount of environmental compensation recovered for illegal abstraction of groundwater ought to be spent on conservation/recharge of ground water and/or creation/rejuvenation of water bodies/rain water harvesting facilities.

110. In compliance with order dated 18.03.2024 passed by this Tribunal, the Chief Secretary, Government of NCT of Delhi convened a meeting of the officers from Delhi Jal Board (DJB), Municipal

Corporation of Delhi (MCD), Delhi Pollution Control Committee (DPCC), Delhi Police, Urban Development Department, Revenue department and other concerned departments on 12.04.2024. **It was decided that the Environmental Damages Compensation collected in respect of illegal ground water extraction shall be utilized through the committee constituted by Hon'ble High Court of Delhi vide order dated 08.04.2024 passed in WP (C) No. 7594/2018 and the EC imposed on illegal bore wells will be used by the aforesaid district level committee for the rejuvenation of water bodies.**

Duty of the Government Officers to comply with the orders of this Tribunal and directions for Prosecution of the defaulting officers

111. The Central Zonal Bench of this Tribunal disposed of **Miscellaneous Application No. 04 of 2023 (CZ) in Original Application No. 72 of 2021 (CZ), vide order dated 21.08.2023,** holding that the officers of the Chhattisgarh Environment Conservation Board (CECB) had failed to comply with its order dated 03.02.2023 and had, thereby, committed an offence under Section 26 of the National Green Tribunal Act, 2010. The Central Zonal Bench of this Tribunal accordingly directed the Secretary, MOEF&CC to lodge a criminal complaint before the competent Magistrate's Court against Subrat Sahoo, Chairman, CECB, and P. Arun Prasad, Member Secretary, CECB. Aggrieved thereby, both the officers filed Civil Appeal No. 6707 of 2023 and Civil Appeal No. 6920 of 2023 before Hon'ble Supreme Court which were allowed vide order dated 12.08.2024. **Hon'ble Supreme Court observed in its order dated 12.08.2024 that Section 26 rightly provides for penal action being taken against anyone who fails to comply with an order, award and decision of the NGT but this power has to be exercised with care and caution.** In the case on

hand, the delay on the part of the CECB in the given facts does not amount to willful negligence or an abject dereliction of duty on its part in abiding by such directions Substantial compliance having been achieved, the CECB only sought some more time to make its website more user friendly. As the CECB had achieved full compliance with the directions of the National Green Tribunal, Central Zonal Bench, Bhopal, in its order dated 03.02.2023 in Original Application No. 72 of 2021 (CZ), impugned order dated 21.08.2023 was accordingly set aside. While disposing of the above said appeals Hon'ble Supreme Court observed as under:

> ***"...we hasten to make it abundantly clear that every State organ and, in particular, the wings of the Government associated with environment protection, such as the CECB, must be all the more diligent in ensuring timely compliance with the directions of the NGT. Needless to state, such directions are aimed at protection and preservation of the ecology and environment and must take highest priority."***

Serious violations of orders passed by this Tribunal

112. It may be observed here that the material on record shows serious violations by the concerned Authorities themselves. In status report dated 11.07.2020 filed by DPCC in **OA no. 685/2019, Rakesh Kumar Vs. Government of NCT of Delhi & Ors.** it was submitted that in compliance of order of Tribunal, a meeting was taken by the Chief Secretary, Delhi on 12.06.2020 through video conferencing and during meeting, it was informed that DJB has already identified 19661 illegal borewells against whom action is being taken and 7248 units were already closed by the district authorities and that the remaining units would be closed down on priority as they were already identified and process would be completed within a period of three months. This Tribunal considered the situation to be disgusting/disappointing due to

snail pace level of activities on the part of statutory regulators which clearly indicated dereliction of duties. Vide order dated 25.02.2022 this Tribunal directed the authorities to take appropriate remedial action against all the illegally running bore wells identified by DJB and submit a complete compliance report after six months and a copy of the order was ordered to be forwarded to DJB, DPCC and NDMC by e-mail for compliance. As per written report submitted by the Registry no such report was filed by DJB, DPCC and NDMC in compliance of order dated 25.02.2022. As per Supplementary Status Report filed by DJB vide email dated 13.04.2024 out of 20522 illegal borewells identified only 11197 have been closed/sealed and 8178 illegal bore wells are still operating in violation of notifications, SOP and orders passed by this Tribunal. As per annexure I enclosed with status report dated 07.02.2024 filed by DPCC vide email dated 15.04.2024 environmental compensation imposed on 18372 violators is yet to be recovered. In **O.A. No. 639/2022 titled as Pritipal Sharma Vs. Government of NCT of Delhi & Ors. illegal borewell was sealed on 13.04.2023 in compliance of order passed by this Tribunal on 15.09.2022 and 06.12.2022** for factual verification and taking of remedial action. **However, the violator has not been yet identified and environmental compensation is yet to be imposed on and recovered from the violator.** In O.A. No. 33/2022 titled as Ganesh Prasad vs. Government of NCT of Delhi & Ors. **despite order passed by this Tribunal on 31.01.2022 for taking of remedial action, illegal borewell was sealed on 02.11.2023** after proceedings were initiated by listing of M.A. No. 24/2023 and **environmental compensation of Rs. 1 lakh imposed on violators Shri Ajit Kumar and Shri Ashish Kumar is yet to be recovered by SDM (Dwarka), Delhi** to whom reference for

recovery has been made by DPCC vide letter dated 11.01.2024.

113. In view of the violations the Chairman and Members of DPCC, Chief Executive Officer of DJB and concerned Officers and concerned Deputy Commissioner (Revenue)/DM, SDM and other officers/officials are also liable (i) to pay appropriate environmental compensation as abettors of environmental damage caused by the violators due to negligence/inaction on their part in taking of prompt action against the violators (ii) to prosecution under Section 26 of the NGT Act 2010 and (iii) to arrest and detention in Civil Prison under Section 25 of the NGT Act 2010 for execution of orders passed by this Tribunal yet in view of observations made by Hon'ble Supreme Court in its **order dated 12.08.2024 passed in Civil Appeal No. 6787 of 2023 titled as P. Arun Prasad & Anr. Vs. Union of India & Ors.**, we consider it appropriate to give them opportunity to make requisite compliance and the matter will be considered further and decided in the context of compliance by them with the environmental laws/norms and orders of this Tribunal.

114. It may be observed here that this Tribunal had vide para no. 21 of its **order dated 18.03.2024 passed in O.A. No. 639/2022** titled as **Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** given the following directions to all the District Magistrates in NCT of Delhi:-

> *"21. In view of such deficiencies and for ensuring proper transparency and accountability all the District Magistrates in NCT of Delhi are directed to upload on the respective website of the District Administration latest by 15.04.2024 the information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused."*

115. After the orders were reserved we made an effort to obtain the relevant information from the web-site of the District Magistrates in NCT of Delhi and observed that the information so uploaded in compliance with above quoted order dated 18.03.2024 was not accessible as the access links were not prominently displayed on the web-site.

116. In the course of hearing today learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi has submitted that as per information available with her some of the District Magistrates have uploaded the relevant information on their websites and referred to the links of the information uploaded by some of the District Magistrates. However, learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi has submitted that some of the District Magistrates have not provided any information regarding uploading of the information as directed by this Tribunal on their websites.

117. On referring to the links provided by learned Counsel for Government of NCT of Delhi and District Magistrate (South West), Delhi we find that even in some of the website, on which information has been uploaded by the District Magistrates, the link for accessing the same has not been prominently displayed on main page of the websites. Uploading the information on the websites without prominently displaying the links for accessing the same on the main page of the websites does not serve any useful purpose and any such compliance made in clandestine manner cannot be said to be proper compliance with the order passed by this Tribunal.

118. Further, it may also be observed that no information is provided on the website of the DJB and all the District Magistrates/Deputy Commissioners (Revenue) in the NCT of Delhi about the number of registered users, number of NoCs granted, application for new registration and NoCs pending, complaints made regarding illegal abstraction of ground water and action taken on the same (although in compliance to order dated 18.03.2024 some of the District Magistrates have uploaded the information as thereby directed.

119. On its website CGWA has made provision for submission of online application for NoC; track your application; know your groundwater charges; know your penalty and other charges; know your environmental compensation; how to apply with advance charges and also for user assistance. Guidelines and steps for filling application form for NoC have also been uploaded on the website. The application form has provision for new user registration and submission for application for NoC for industry, infrastructure and mining purposes. CGWA has also made provision enabling users to lodge a complaint for illegal abstraction of groundwater to concerned authorised officer (DC/DM/Revenue officer) of the state directly through the link given https://cgwa.mowr.gov.in and has also made provision for tracking of the complaint. CGWA has also mentioned the helpline number 011-23383561 on its website. However, it may be observed that the helpline is not working properly and even calls made on the number go un-responded. No information is provided by CGWA on its website about the number of registered users, number of NoCs granted, application for new registration and NoCs pending, complaints made regarding illegal abstraction of ground water and action taken on the same. CGWA is

directed to look into the aspect of functionality of the complaint making and tracking portal and helpline and take all requisite steps to make the same fully functional and provide the requisite information on its website as observed in this order.

Duties of CGWA for regulation and management of groundwater in NCT of Delhi and of DJB, DPCC and all the District Magistrates to act in coordination and in consultation with CGWA.

120. The Central Government authorized the Lieutenant Governor, NCT of Delhi vide **notification number S.O. 667 (E) dated 10.09.1992** to exercise powers under section 5 of the Environment (Protection) Act, 1986 for NCT 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. In exercise of power conferred by section 5 of the Environment (Protection) Act, 1986 read with the Ministry of Home Affairs, Government of India Notification number S.O. 667 (E) bearing F.No. U-11030/J/ 91- UTL dated 10.09.1992 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 30.03.2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated 30.04.2009, the Lt. Governor of NCT of Delhi issued directions vide **notification number. F8(348)/EA/Env/09/1041-1061 dated 18.05.2010**. However, we are of the considered view that both these notifications are not inconsistent with and do not in any manner conflict with, obstruct, curtail or restrict **Notification number S.O. 38 (E) dated 14.01.1997** constituting CGWA and conferring powers on CGWA empowering it to exercise powers under section 5 of the Environment (Protection) Act, 1986 for

issuing directions and taking such measures in respect of all the matters referred to in sub-section(2) of section 3 of the said Act; to resort to penal provisions contained in sections 15 to 21 of the said Act and to regulate and control, management and development of ground water in the Country and also NCT of Delhi and to issue necessary regulatory directions for the purpose. Section 9 of the Delhi Jal Board Act, 1998 which empowers DJB to **plan for regulate and manage the exploitation of ground water in Delhi mandates it to do so in consultation with CGWA.**

121. This Tribunal in its Judgment dated 25.02.2022 passed in **O.A. No. 69/2022 titled as Sushil Bhatt Vs. Moon Beverages Ltd. & Ors.** observed as under:-

"X X X X

117. Thus, we are clearly of the view that on the subject of regulation of ground water, provisions of EP Act 1986, the orders issued by Central Government under Section 3(3), and by CGWA under section 5 and/or section 3(2) of EP Act 1986 shall hold field and on this subject Provincial legislation cannot be brought in to impede, obstruct or deny or deprive CGWA, in its function for protection, perseveration and sustenance of ground water in the country....

X X X X

237. CGWA is a Statutory Authority and has statutory powers to issue directions or take such measures as are necessary for protecting environment. These directions are referable to EP Act 1986, enacted vide Entry 13 List 1 of Constitution and therefore even Provincial legislations would have no competence to touch on this subject. Undoubtedly water is in List II Entry 17 but to the extent, the subject of ground water is part of pollution and governed by EP Act, 1986, for the reasons already discussed above, Provincial legislature would lack competence and it cannot make laws in respect of subject of water, covered by EP Act 1986 or orders, directions, rules, etc. made thereunder.

X X X X

244. CGWA, while giving directions or laying down guidelines, had to take into consideration, and is under an obligation, to appreciate the mandate of Supreme Court and cannot abrogate or surrender to Provincial legislations on the ground that in some States there are Provincial legislations with regard to ground water and, therefore, Authorities under those enactments will deal with the issues relating to ground water

and CGWA has no concern particularly when on some aspects Provincial legislations are not consistent with directions of CGWA. It also cannot stay satisfied by issuing guidelines giving easy access to extract ground water in OCS areas to almost all commercial proponents. This is a failure on the part of CGWA in discharge of its statutory duties which neither can be justified nor appreciated."

122. In that case this Tribunal observed in unambiguous terms that CGWA is bound to comply with and cannot override the orders passed by this Tribunal. The relevant para of the order is reproduced as under:-

"238. CGWA, however, even if prevails over Provincial legislations, cannot confer upon itself a jurisdiction so as to sit over the orders of Tribunal. In fact, power of CGWA, which it can exercise under Section 5 and Section 3(2), is subject to the mandate and scheme of EP Act 1986 and if it travels beyond it or infringes the mandate of law contained in EP Act 1986, such direction or order of CGWA would not be valid. NGT Act 2010 is a subsequent enactment and has jurisdiction in respect of environmental matters and its orders have over-riding effect over any other law. Its orders are also binding on the Authorities. Therefore, CGWA is bound by the directions and orders of Tribunal. When exercising powers of issuing directions etc., under Section 3(2) and 5 of EP Act, 1986. CGWA cannot issue orders and direction contrary to the orders of Tribunal."

123. It may be observed here that vide Public Notice no. 6 of 2000 CGWA declared South and South West Districts of NCT of Delhi as "Notified Areas" and vide Public Notice no. 2 of 2006 CGWA notified East, New Delhi, North-East, North-West and West Districts of Delhi as 'over-exploited' areas needing regulation. Even through, vide Public Notice no. 6/2000 CGWA prohibited and restricted abstraction of groundwater without prior permission from CGWA no such prohibition and restriction was imposed vide Public Notice no. 2 of 2006 whereby registration of groundwater structures in the notified Districts was made compulsory. However, in view of the orders passed by this Tribunal the prohibition and restriction on abstraction of groundwater

without prior permission from CGWA/DJB will apply to all the Districts in NCT of Delhi and CGWA/DJB have to regulate drawal of groundwater on that basis.

Directions by the Tribunal

124. In the facts and circumstances of the case following directions are issued:-

(i) CGWA is directed to own the responsibility of assessing status of groundwater in terms of quality, quantity, availability for abstraction and recharge and aid and advise DJB in regulating drawal of ground water assessment unit wise in NCT of Delhi by carrying out requisite scientific studies and issuing appropriate directions/making appropriate recommendations to DJB and the concerned **Deputy Commissioner (Revenue), who also has the designation and powers of District Magistrate in NCT of Delhi and is referred to in this order at some places as District Magistrate and hereafter as Deputy Commissioner (Revenue)**, of each revenue area in GNCTD and submit action taken report within three months.

(ii) All functional borewells in NCT of Delhi, which do not have NOC from CGWA/DJB (issued by concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD) being illegal, are ordered to be closed/sealed with immediate effect.

(iii) Concerned Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to take action for closing/sealing of illegal borewells already identified and also initiate proceedings for the prosecution of the violators within three months.

(iv) The concerned Project Proponents of new or existing borewells sealed by the Deputy Commissioner (Revenue) of each revenue area in GNCTD may submit application for grant of NOC to DJB and such applications for grant of NOC be decided expeditiously preferably within three months from the date of submission.

(v) DJB through Deputy Commissioner (Revenue) of the revenue area in question is directed to take requisite action for grant of permission for borewells in accordance with recommendations of the concerned Executive Engineer and Advisory Committee in accordance with groundwater level notifications, environmental norms/guidelines and directions issued by Hon'ble Supreme Court and this Tribunal, recover appropriate charges for drawal of ground water and impose appropriate conditions for recharge of ground water and ensure actual implementation thereof on the ground with geo-tagging for monitoring purpose.

(vi) DJB is directed to conduct survey from time to time for further identification of illegal borewells and take requisite action in respect of illegal borewells identified by further survey in accordance with environmental laws/SOP/directions issued by Hon'ble Supreme Court/this Tribunal.

(vii) DPCC is directed to finalize the proceedings already initiated for imposition of environmental compensation by issuance of show cause notices or initiate proceedings for imposition of environmental compensation on all the violators already identified and pass appropriate orders for imposition of

environmental compensation on them and make references for recovery of environmental compensation from all the violators on whom environmental compensation has already been imposed in accordance with law within three months.

(viii) Government of NCT of Delhi is directed to transfer to DPCC within three months amount of Rs. 70 crores (equal to the amount of environmental compensation imposed by DPCC for which recovery proceedings are pending with the officers of the Government of NCT of Delhi for more than three years) for utilization by DPCC for revival/restoration/rejuvenation /creation of water bodies, rain water harvesting pits etc. and for conservation and recharge of ground water as remediation of environmental damage caused by illegal drawal of ground water cannot be deferred for long periods of time to be taken by the authorities in effecting the recovery and Government of NCT of Delhi may thereafter recover the amount from the violators in accordance with law or waive the recovery as considered appropriate.

(ix) DPCC is directed to prepare and implement Action Plan, in consultation with DJB, concerned Deputy Commissioner (Revenue)/DM and District Advisory Committee for utilization of (i) amount equal to the amount of Environment Compensation imposed on and to be recovered from the violators by drawing the same from the amount of environment compensation lying deposited with it and (ii) amount transferred by Government of NCT of Delhi in lieu of the amount of environmental compensation to be recovered by its

officers from the violators, for remediation of environmental damage caused immediately as such remediation ought not to be deferred for long periods of time likely to be taken in recovering the amount of environmental compensation from the violators and the amount so drawn or transferred may be reimbursed on recovery of the amount from the violators.

(x) DJB is directed to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding number of applications for grant of NoC, number of such applications filed/pending for decision, number of such applications allowed and NoCs granted, number of applications rejected, number of borewells which have been granted NOC, illegal borewells which have been closed/sealed and illegal borewells which are yet to be closed/sealed, procedure for processing of the application for grant of NoC for abstraction of ground water, the charges to be levied for abstraction of ground water, the penal provisions for punishing illegal abstraction of groundwater and liability to pay environmental compensation for illegal abstraction of ground water on its web site by 30.09.2024 and to update the same within 7 days at the end of each month.

(xi) DPCC is directed to upload with link on the main page of its website preferably under heading 'Groundwater Management' entire information regarding (i) proceedings initiated for imposition of environmental compensation on the violators (ii) proceedings finalized for imposition of environmental compensation on the violators; (iii) references made for

recovery of environmental compensation from the violators; (iv) amount of environmental compensation recovered; (v) amount of environmental compensation to be recovered; (vi) amount of environmental compensation utilized; (vii) amount of environmental compensation to be utilized; (viii) activities carried out for utilization of the amount of environmental compensation and (ix) activities proposed to be carried out for utilization of the amount of environmental compensation on its web site by 30.09.2024 and to update the same within 7 days at the end of each month thereafter.

(xii) All the Deputy Commissioner (Revenue) of each revenue area in GNCTD are directed to upload with link on the main page of their respective websites under heading 'Groundwater Management' complete information regarding (i) complaints received regarding illegal borewells and action taken on the same, Minutes of the Meeting and recommendations of the District Advisory Committee regarding the same, (ii) references received for realization of environmental compensation and action taken for realization of the same and (iii) remedial measures taken for remediating environmental damage caused on the respective website of the District Administration by 30.09.2024 and to update the same within 7 days at the end of each quarter thereafter.

(xiii) CGWA is directed to upload with link on the main page of its website the information regarding the status of groundwater, the necessity for regulation and management of groundwater abstraction, the copies of public notices issued by CGWA and

measures taken for regulation, management, conservation and recharge of groundwater.

(xiv) In **O.A. No. 639/2022 Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** DCF (South), Delhi is directed to file report as to the person who is alleged to have encroached upon the forest land on which the borewell in question was found by the Joint Committee to be operational.

(xv) In **M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. Government of NCT of Delhi & Ors.** SDM (Dwarka), Delhi is directed to file status report regarding recovery of environmental compensation from the violators.

125. Our answer to the question posed in the beginning of this order is that hands of law, as is proverbial, are very strong and no violator whether a person or authority, can escape its hold and fold and survive and thrive without compliance with it.

126. It is, accordingly, clarified (i) that in case of failure to take requisite action as mandated by the Environmental Laws/Norms/Notification/SOP, the Chairman and Members of DPCC, Chief Executive Officer of DJB and concerned Officers and concerned Deputy Commissioner (Revenue)/DM, SDM and officers/officials will be liable (i) to pay appropriate environmental compensation as abettors of environmental damage caused by the violators due to negligence/inaction on their part in taking of prompt action against the violators; (ii) to prosecution under Section 26 of the NGT Act 2010 and (iii) arrest and detention in Civil Prison under Section 25 of the NGT Act 2010 for execution of the orders passed by this Tribunal.

127. It may be observed here that in **O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** this Tribunal while disposing of the application vide order dated 08.04.2021 observed as under:-

> *"1. This application seeks injunction against illegal withdrawal of ground water by 536 hotels operating in Paharganj area of Delhi of which list has been filed. The applicant has relied upon judgment of this Tribunal dated 20.07.2020 in O.A. No. 176/2015, Shailesh Singh v. Hotel Holiday Regency, Moradabad & Ors. to the effect that ground water extraction has to be regulated as per orders of the Hon'ble Supreme Court in MC Mehta vs UOI, 1997 11 SCC 312. Regulation requires that such extraction is allowed ensuring replenishment and that ground water table does not get depleted. The Tribunal having already adjudicated upon the question of law, the matter is only of execution which issue needs to be looked into by the concerned statutory authorities, in accordance with law.*
> *2. Since the present application on multiple causes of action is not permissible as per statutory procedural rules, we permit the applicant to move the concerned SDMs or other authorities and the Chief Secretary, Delhi, who have to enforce/oversee the compliance of norms on the subject.*
>
> *The application is disposed of."*

128. **E.A. No. 11/2023** has been filed in **O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** for execution of order dated 08.04.2021 in respect of illegal withdrawal of groundwater by 536 hotels operating in Paharganj area of Delhi. In the above mentioned EA, this Tribunal is considering the questions as to the authority responsible for regulating the ground water extraction in Delhi and validity of voluntary disclosure scheme and permissibility of extraction of groundwater under the same. The above said case is now fixed for hearing on 03.09.2024.

129. It may be added here that by this order we do not purport to consider and determine the issues involved in above mentioned case and we are considering issuance of the directions on the basis of

statutory provisions and directions under Section 5 of the Environment (Protection) Act, 1986 having statutory force, SOP prepared, directions already issued by the Chief Secretary, Government of NCT of Delhi and directions issued by this Tribunal.

130. However, it is clarified that the directions issued by this Tribunal by this order passed in both the cases **O.A. No. 639/2022** titled as **Pritipal Sharma Vs. Government of NCT of Delhi & Ors.** and **M.A. No. 24/2023** in **O.A. No. 33/2022 Ganesh Prasad Vs. GNCTD & Ors.**, regarding closing of the borewells, prosecution of the concerned Project Proponents and imposition of the environment compensation will not apply to 536 hotels regarding which **E.A. No. 11/2023 in O.A. No. 89/2021** titled as **Varun Vs. Government of NCT of Delhi & Ors.** is pending before this Tribunal and is fixed for hearing on 03.09.2024.

131. Action taken reports with respect to other illegal borewells be filed by the the Member Secretary CGWA; the Chief Executive Officer DJB; the Member Secretary, DPCC, all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi, DCF (South), Delhi and SDM (Dwarka), Delhi as directed above at least one week before the date of hearing hereby fixed.

132. I.A. No. 293/2023 in O.A. 639/2022 was filed for exemption of personal appearance of Chief Executive Officer, DJB which was allowed vide order dated 19.04.2023. I.A. No. 02/2023 in O.A. No. 33/2022 was filed by DJB for extension of three weeks time for submission of the report which was allowed vide order dated 04.01.2024 but pendency of the same has been shown in the cause list and disposal of the same be recorded/uploaded as per the orders already passed.

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133. List on 06.01.2025 for further consideration.

134. A copy of this order be sent by email to the Chief Secretary, Government of NCT of Delhi; the Member Secretary CGWA; the Chief Executive Officer DJB; the Member Secretary, DPCC and all the Deputy Commissioner (Revenue)/District Magistrates in NCT of Delhi, DCP (South), Delhi and SDM (Dwarka), Delhi for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

August 28th, 2024
AG

1970 688

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 9937 to 10000 . Dated: - 08.11.2024

To

The District Magistrate (South)
M B Road Saket,
Delhi-110068

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

This is in reference to the connected matters in Original Application No.639/2022 (I.A. No. 293/2023) titled as **Pritpal Sharma Versus Government of NCT of Delhi & Ors.** and in O.A. No. 33/2022 (1.A. No. 02/2024) titled as **Ganesh Prasad Versus Government of NCT of Delhi & Ors.** Both the matters were listed on 28.08.2024 for the pronouncement of final orders. The Hon'ble Tribunal has given certain directions under para 124 and 126 of the order to the departments concerned and DJB.

You are hereby requested to take urgent appropriate action as per order of Hon'ble NGT

Encl. 1. Copy of Order of Hon'ble NGT dtd.28.08.2024.

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:-

1. PS to CEO, DJB for kind information.
2. Addl. CEO for kind information.
3. CEN(Water
4. **CE(West)/CE(East)(Central)(North)/ (South) to take necessary action in compliance of the order of the Hon'ble NGT. It is also requested to coordinate with the concerned District Magistrates for survey, sealing of illegal bore wells and to submit the updated action taken report within 02 weeks.**
5. Member (Secretary, DPCC) with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.
6. Member (Secretary), CGWA with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.
7. DCF (South) with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.

CE(GW)/Nodal Officer

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DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com

NO. DJB/CE (GW)/2024/ 1001 to 1008. Dated: - 08.11.2024

To

The District Magistrate (North)
G. T. Karnal Road,Alipur,
Delhi-110036

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

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(Gajender Tomar)
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4. **CE(West)/CE(East)(Central)(North)/ (South),to take necessary action in compliance of the order of the Hon'ble NGT. It is also requested to coordinate with the concerned District Magistrates for survey, sealing of illegal bore wells and to submit the updated action taken report within 02 weeks.**
5. Member (Secretary, DPCC) with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.
6. Member (Secretary), CGWA with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.
7. DCF (South) with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.

CE(GW)/Nodal Officer

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DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com

NO. DJB/CE (GW)/2024/ 1009 to 1016. Dated: - 08.11.2024

To

The District Magistrate (West)
Plot No. 3, Shivaji Park, Raja Garden
New Delhi-110095

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

This is in reference to the connected matters in Original Application No.639/2022 (I.A. No. 293/2023) titled as **Pritpal Sharma Versus Government of NCT of Delhi & Ors.** and In O.A. No. 33/2022 (I.A. No. 02/2024) titled as **Ganesh Prasad Versus Government of NCT of Delhi & Ors.** Both the matters were listed on 28.08.2024 for the pronouncement of final orders. The Hon'ble Tribunal has given certain directions under para 124 and 126 of the order to the departments concerned and DJB.

You are hereby requested to take urgent appropriate action as per order of Hon'ble NGT

Encl. 1. Copy of Order of Hon'ble NGT dtd.28.08.2024.

(Gajender Tomar)
CE(GW)/Nodal Officer

Copy to:-

1. PS to CEO, DJB for kind information.
2. Addl. CEO for kind information.
3. CEN(Water
4. **CE(West)/CE(East)(Central)(North)/ (South) to take necessary action in compliance of the order of the Hon'ble NGT. It is also requested to coordinate with the concerned District Magistrates for survey, sealing of illegal bore wells and to submit the updated action taken report within 02 weeks.**
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7. DCF (South) with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.

O/c

CE(GW)/Nodal Officer

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DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1017 to 1024. Dated: - 08.11.2024

To

The District Magistrate (East)
L.M Bandh, Shastri Nagar,
Delhi-110031

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

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(Gajender Tomar)
CE(GW)/Nodal Officer

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CE(GW)/Nodal Officer

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1974 692

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1025 to 1032 Dated: - 08.11.2024

To

The District Magistrate (North-East)
Block E 5, Nand Nagri, Seemapuri,
New Delhi, Delhi, 110093

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

This is in reference to the connected matters in Original Application No.639/2022 (1.A. No. 293/2023) titled as **Pritpal Sharma Versus Government of NCT of Delhi & Ors.** and In O.A. No. 33/2022 (1.A. No. 02/2024) titled as **Ganesh Prasad Versus Government of NCT of Delhi & Ors.** Both the matters were listed on 28.08.2024 for the pronouncement of final orders. The Hon'ble Tribunal has given certain directions under para 124 and 126 of the order to the departments concerned and DJB.

You are hereby requested to take urgent appropriate action as per order of Hon'ble NGT

Encl. 1. Copy of Order of Hon'ble NGT dtd.28.08.2024.

(Gajender Tomar)
CE(GW)/Nodal Officer

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7. DCF (South) with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.

O/C

CE(GW)/Nodal Officer

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693 1975

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/1033 to 1040. Dated: - 08.11.2024

To

The District Magistrate (North-West)
D. C. Office complex,Kanjhawala
New Delhi-110081

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

This is in reference to the connected matters in Original Application No.639/2022 (1.A. No. 293/2023) titled as **Pritpal Sharma Versus Government of NCT of Delhi & Ors.** and In O.A. No. 33/2022 (1.A. No. 02/2024) titled as **Ganesh Prasad Versus Government of NCT of Delhi & Ors.** Both the matters were listed on 28.08.2024 for the pronouncement of final orders. The Hon'ble Tribunal has given certain directions under para 124 and 126 of the order to the departments concerned and DJB.

You are hereby requested to take urgent appropriate action as per order of Hon'ble NGT

Encl. 1. Copy of Order of Hon'ble NGT dtd.28.08.2024.

(Gajender Tomar)
CE(GW)/Nodal Officer

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7. DCF (South) with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.

O/c

CE(GW)/Nodal Officer

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1976 694

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com

NO. DJB/CE (GW)/2024/1041 to 1048. Dated: - 08.11.2024

To

The District Magistrate (South-West)
Old Terminal tax Building, Kapaskhera
New Delhi-110037

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

This is in reference to the connected matters in Original Application No.639/2022 (1.A. No. 293/2023) titled as **Pritpal Sharma Versus Government of NCT of Delhi & Ors.** and In O.A. No. 33/2022 (1.A. No. 02/2024) titled as **Ganesh Prasad Versus Government of NCT of Delhi & Ors.** Both the matters were listed on 28.08.2024 for the pronouncement of final orders. The Hon'ble Tribunal has given certain directions under para 124 and 126 of the order to the departments concerned and DJB.

You are hereby requested to take urgent appropriate action as per order of Hon'ble NGT

Encl. 1. Copy of Order of Hon'ble NGT dtd.28.08.2024.

(Gajender Tomar)
CE(GW)/Nodal Officer

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7. DCF (South) with the request to coordinate with DJB and District Magistrates for compliance of the orders of the Hon'ble NGT.

CE(GW)/Nodal Officer

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1977

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com

NO. DJB/CE (GW)/2024/ 10970 1056. Dated: - 08.11.2024

To

The District Magistrate (South-East)
Old Gargi College Building,
Amar Colony, Lajpat Nagar
Delhi-110024

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

This is in reference to the connected matters in Original Application No.639/2022 (I.A. No. 293/2023) titled as **Pritpal Sharma Versus Government of NCT of Delhi & Ors.** and In O.A. No. 33/2022 (I.A. No. 02/2024) titled as **Ganesh Prasad Versus Government of NCT of Delhi & Ors.** Both the matters were listed on 28.08.2024 for the pronouncement of final orders. The Hon'ble Tribunal has given certain directions under para 124 and 126 of the order to the departments concerned and DJB.

You are hereby requested to take urgent appropriate action as per order of Hon'ble NGT

Encl. 1. Copy of Order of Hon'ble NGT dtd.28.08.2024.

(Gajender Tomar)
CE(GW)/Nodal Officer

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CE(GW)/Nodal Officer

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DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1057 to 1069. Dated: - 08.11.2024

To

The District Magistrate (Shahdara)
Office complex Nand Nagari,
Delhi-110095

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

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CE(GW)/Nodal Officer

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DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/1065 to 1072. Dated: - 08.11.2024

To

The District Magistrate (Central)
14, Daryaganj,
New Delhi-110002

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.
2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

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(Gajender Tomar)
CE(GW)/Nodal Officer

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O/c

CE(GW)/Nodal Officer

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698

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com

NO. DJB/CE (GW)/2024/1073 to 1080. Dated: - 08.11.2024

To

The District Magistrate (New Delhi District)
Jam Nagar House, Shahjahan Road,
Delhi-110011

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024

Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi and Ors.

2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 I2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

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(Gajender Tomar)
CE(GW)/Nodal Officer

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CE(GW)/Nodal Officer

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699

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER(M)-9
COMMAND TANK NO. 04, SECTOR-20, DWARKA,
NEW DELHI-110075
E-Mail: - acem9djb@gmail.com /Ph. No. 011-20892536

NO.DJB/ SE (M)-9/2024/ 316 to 321 319 Dated: 11/11/24

To

District Magistrate (South-West)
Old Terminal Tax Building
Kapashera
New Delhi-110037

Subject: Sealing of Illegal Borewells, in the matter of OA no. 639/2022 Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

Ref No- Hon'ble NGT (Principal Bench) Order, dated: 28.08.2024 (OA No. 639/2022) in the matter of Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

NDOH: 06.01.2025

Sir,

Please find enclosed herewith the list of the illegal borewells under SE (M)-9 Circle of DJB. In the above matter Hon'ble NGT has directed to seal the remaining illegal borewells and to file the Action Taken Report at least one week before the date of hearing i.e. 06.01.2025.

You are therefore requested to direct the concerned SDMs for convening a meeting of the joint team with DJB Executive Engineers immediately to expedite the sealing of remaining illegal borewells and also to reconcile the data of identified and sealed/closed/unsealed illegal borewells The Executive Engineers concerned of our Circle are as under:

S.No.	Name of Executive Engineer	Area under their jurisdiction	Contact Details
1.	Sh. Satish Kumar Saini, EE (D)-091	Matiala AC, Najafgarh AC	Office No- Mob No. 9650105691, Mail ID: eem34najafgarh@gmail.com
2.	Sh. Munish Kumar, EE (D)-092	Dwarka AC, Palam AC, Bijwasan AC	Office No. 0115547658 Mob No. 9650291227 E-Mail ID: eesouthwest1janakpuri@gmail.com

This may be treated as most urgent please.

An early action in this matter is solicited.

SUPERINTENDING ENGINEER (M)-9

Dated 22/11/2024

1982

Copy for information to: -

1. CE (South)
2. CE(GW)
3. SE(M)-8- with request to send similar letter to DM (South-West) for his area under jurisdiction.
4. All EEs (M)-9 to pursue

SUPERINTENDING ENGINEEER (M)-9

701

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412, VARUNALAYA PHASE-1, KAROL BAGH,
NEW DELHI-110005
email : djb.cegwdjb@gmail.com

NO. DJB/CE(GW)/2024/ 873 Dated: 12.11.2024

To

The District Magistrate (West),
Govt. of NCT of Delhi,
Raja Garden,
New Delhi – 110027

Subject: Compliance of Orders of Hon'ble NGT dated 28.08.2024
Ref No:- 1. I.A.No. 293/2023 titled Pritpal Sharma vs Government of NCT of Delhi & ors.
2. NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) In the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

This is in reference to the connected matters in Original Application No.639/2022 (I.A. No. 293/2023) titled as **Pritpal Sharma Versus Government of NCT of Delhi & Ors.** and in O.A. No. 33/2022 (I.A. No. 02/2024) titled as **Ganesh Prasad Versus Government of NCT of Delhi & Ors.** Both the matters were listed on 28.08.2024 for the pronouncement of final orders. The Hon'ble Tribunal has given certain directions under para 124 of the order to the departments concerned and DJB is required to take necessary action and file a report of the action taken as per para 126 of the order as per directions of the Hon'ble Tribunal. The copy of the final order is enclosed herewith for reference and necessary action.

Accordingly, you are requested to take urgent actions for sealing of illegal borewells, grant of NOCs to the project proponents of new and existing borewells sealed by DM office, recovery of appropriate charges for drawl of ground water & imposition of appropriate conditions for recharge of ground water, environmental compensation, preparation and implementation of action plan in consultation with DJB, uploading link on the main page of website for actions to be taken by the Dy. Commissioner (Revenue) and other directions given by the Hon'ble NGT in this matter.

Encl. 1. Copy of Order of Hon'ble NGT dtd.28.08.2024.

12/11/24

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

1984

Office of CE (Ground Water)
Diary No. 1192
Date 22/11/2024

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE SUPRE. ENGINEER (C)-10
ENGINEERS BHAWAN, 2nd FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI 110049
Mail ID:- acem10.djb@gmail.com

No.DJB/SE(C)-10/2024/ 568 **Date: 18 .11.2024**

To

District Magistrate (Central)
14, Padam Chand Marg, Daryaganj,
New Delhi, Delhi, 110002

Subject: Sealing of Illegal Borewells, in the matter of OA no. 639/2022 Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

Ref No- Hon'ble NGT (Principal Bench) Order, dated: 28.08.2024 (OA No. 639/2022) In the matter of Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

NDOH: 06.01.2025

Sir,

In the above matter Hon'ble NGT has directed to seal the remaining illegal borewells and to file the Action Taken Report at least one week before the date of hearing i.e. 06.01.2025.

You are therefore requested to direct the concerned SDMs for convening a meeting of the joint team with DJB Executive Engineers immediately to expedite the sealing of remaining illegal borewells and also to reconcile the data of identified and sealed/closed/unsealed illegal borewells The Executive Engineers concerned of our Circle are as under:

S.No.	Name of Executive Engineer	Area under their jurisdiction	Contact Details
1.	Sh. R G Saraswat, EE (D)-101	Jangpura AC, Kasturba Nagar AC	Office No- Mob No. 9650290807, Mail ID: eed101djb@gmail.com
2.	Sh. N K Verma, EE (D)-102	Malviya Nagar AC, R.K. Puram AC	Office No. Mob No. 9650094325 E-Mail ID: eed102djb@gmail.com
3.	Sh. Naresh Kumar, EE (D)-103	Ambedkar Nagar AC, Greater Kailesh AC, Kalkaji AC	Office No. Mob No. 9650425566 E-Mail ID: eed103djb@gmail.com

1985

203

This may be treated as most urgent please.

An early action in this matter is solicited.

SUPERINTENDING ENGINEEER (C)-10

Copy for information to: -

1. CE(South)
2. CE(GW)
3. All EEs (C)-10 to pursue

SUPERINTENDING ENGINEEER (C)-10

1986

704

Office of CE (Ground Water)
Diary No. 1143.
Date 22/11/2024

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE SUPRE. ENGINEER (C)-10
ENGINEERS BHAWAN, 2nd FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI 110049
Mail ID:- acem10.djb@gmail.com

No.DJB/SE(C)-10/2024/ 574 Date: 18.11.2024

To

District Magistrate (South-East)
OLD GARGI COLLEGE BUILDING,
BEHIND OF LSR COLLEGE,
LAJPAT NAGAR IV, NEW DELHI-110024

Subject: Sealing of Illegal Borewells, In the matter of OA no. 639/2022 Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

Ref No- Hon'ble NGT (Principal Bench) Order, dated: 28.08.2024 (OA No. 639/2022) in the matter of Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

NDOH: 06.01.2025

Sir,

In the above matter Hon'ble NGT has directed to seal the remaining illegal borewells and to file the Action Taken Report at least one week before the date of hearing i.e. 06.01.2025.

You are therefore requested to direct the concerned SDMs for convening a meeting of the joint team with DJB Executive Engineers immediately to expedite the sealing of remaining illegal borewells and also to reconcile the data of identified and sealed/closed/unsealed illegal borewells The Executive Engineers concerned of our Circle are as under:

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2.	Sh. N K Verma, EE (D)-102	Malviya Nagar AC, R.K. Puram AC	Office No. Mob No. 9650094325 E-Mail ID: eed102djb@gmail.com
3.	Sh. Naresh Kumar, EE (D)-103	Ambedkar Nagar AC, Greater Kailesh AC, Kalkaji AC	Office No. Mob No. 9650425566 E-Mail ID: eed103djb@gmail.com

1987

705

This may be treated as most urgent please.

An early action in this matter is solicited.

SUPERINTENDING ENGINEEER (C)-10

Copy for information to: -

1. CE (South)
2. CE(GW)
3. All EEs (C)-10 to pursue

SUPERINTENDING ENGINEER (C)-10

1988

706

Office of CE (Ground Water)
Diary No. 1140.
Date 22/11/2024

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE SUPRE. ENGINEER (C)-10
ENGINEERS BHAWAN, 2nd FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI 110049
Mail ID:- acem10.djb@gmail.com

No.DJB/SE(C)-10/2024/ 601 Date: 19.11.2024

To

District Magistrate (South-East)
OLD GARGI COLLEGE BUILDING,
BEHIND OF LSR COLLEGE,
LAJPAT NAGAR IV, NEW DELHI-110024

Subject: Agenda for Advisory Committee Meeting.

Pls find enclosed herewith the list of the borewells which has been voluntarily disclosed by the applicants. As per the direction of Competent Authority the list of the borewells voluntarily disclosed by the Competent Authority has to be placed before the Advisory Committee to take necessary decision and action. The matter is being monitored by Hon'ble NGT.

You are therefore requested to hold an Advisory Committee Meeting as early as possible please.

SUPERINTENDING ENGINEEER (C)-10

Copy for information to: -

1. CE (South)
2. CE(GW)
3. All EEs (C)-10 to pursue

SUPERINTENDING ENGINEEER (C)-10

1989

Office of CE (Ground Water)
Diary No. 1149.
Date 22/11/2024

707

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE SUPRE. ENGINEER (C)-10
ENGINEERS BHAWAN, 2nd FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI 110049
Mail ID:- acem10.djb@gmail.com

No.DJB/SE(C)-10/2024/ 580 **Date:** 18.11.2024

To

District Magistrate (South)
M.B. ROAD, SAKET,
NEW DELHI-110068.

Subject: Sealing of Illegal Borewells, in the matter of OA no. 639/2022 Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

Ref No- Hon'ble NGT (Principal Bench) Order, dated: 28.08.2024 (OA No. 639/2022) in the matter of Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

NDOH: 06.01.2025

Sir,

In the above matter Hon'ble NGT has directed to seal the remaining illegal borewells and to file the Action Taken Report at least one week before the date of hearing i.e. 06.01.2025.

You are therefore requested to direct the concerned SDMs for convening a meeting of the joint team with DJB Executive Engineers immediately to expedite the sealing of remaining illegal borewells and also to reconcile the data of identified and sealed/closed/unsealed illegal borewells The Executive Engineers concerned of our Circle are as under:

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2	Sh. N K Verma, EE (D)-102	Malviya Nagar AC, R.K. Puram AC	Office No. Mob No. 9650094325 E-Mail ID: eed102djb@gmail.com
3.	Sh. Naresh Kumar, EE (D)-103	Ambedkar Nagar AC, Greater Kailesh AC, Kalkaji AC	Office No. Mob No. 9650425566 E-Mail ID: eed103djb@gmail.com

1990

208

This may be treated as most urgent please.

An early action in this matter is solicited.

SUPERINTENDING ENGINEEER (C)-10

Copy for information to: -

1. CE (South)
2. CE(GW)
3. All EEs (C)-10 to pursue

SUPERINTENDING ENGINEEER (C)-10

709

245

Office of CE (Ground Water)
Diary No. 1139.
Date 22/11/2024

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE SUPRE. ENGINEER (C)-10
ENGINEERS BHAWAN, 2nd FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI 110049
Mail ID:- acem10.djb@gmail.com

No.DJB/SE(C)-10/2024/ 595 Date: 19.11.2024

To

District Magistrate (South)
M.B ROAD, SAKET,
NEW DELHI-110068

Subject: Agenda for Advisory Committee Meeting.

Pls. find enclosed herewith the list of the borewells which has been voluntarily disclosed by the applicants. As per the direction of Competent Authority the list of the borewells voluntarily disclosed by the Competent Authority has to be placed before the Advisory Committee to take necessary action and action. The matter is being monitored by Hon'ble NGT.

You are therefore requested to hold an Advisory Committee Meeting as early as possible please.

SUPERINTENDING ENGINEEER (C)-10

Copy for information to: -
1. CE (South)
2. CE(GW)
3. All FFs (C)-10 to pursue

SUPERINTENDING ENGINEEER (C)-10

1992

Office of CE (Ground Water)
Diary No. 1141.
Date 22/11/2024

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE SUPRE. ENGINEER (C)-10
ENGINEERS BHAWAN, 2nd FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI 110049
Mail ID:- acem10.djb@gmail.com

No.DJB/SE(C)-10/2024/ 607 Date: 17.11.2024

To

District Magistrate (Central)
14, Padam Chand Marg, Daryaganj,
New Delhi, Delhi, 110002

Subject: Agenda for Advisory Committee Meeting.

Pls. find enclosed herewith the list of the borewells which has been voluntarily disclosed by the applicants. As per the direction of Competent Authority the list of the borewells voluntarily disclosed by the Competent Authority has to be placed before the Advisory Committee to take necessary decision and action. The matter is being monitored by Hon'ble NGT.

You are therefore requested to hold an Advisory Committee Meeting as early as possible please.

SUPERINTENDING ENGINEEER (C)-10

Copy for information to: -
1. CE (South)
2. CE(GW)
3. All EEs (C)-10 to pursue

SUPERINTENDING ENGINEEER (C)-10

Office of CE (Ground Water)
Diary No. 1153.
Date 25/11/2024

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
EXECUTIVE ENGINEER(D)-53,
ANDHA MUGHAL, PRATAP NAGAR,
DELHI-110007.

Azadi Ka Amrit Mahotsav

No: DJB/EE(D)-53/2024-25/-691 **Dated: -22.11.2024**

To

The SDM (Karol Bagh)
Jhandewalan Flatted Factory Complex,
Delhi -110055.

Sub: -Request for sealing of borewells of the Hotels/Guest Houses not complied with the order of Hon'ble NGT dated 03.09.2024 and 22.10.2024.

The Hon'ble NGT has ruled in its order dated September 03, 2024 "Having regard to the plea that such a sealing drive is impeding the operation of hotels/guest houses and also considering the statement of the Counsel for the Applicant that they are ready to deposit the environmental damage charges under the protest and comply with the requirement of law, by way of an interim measure, we direct that if any hotel/guest house in question deposits the environmental damage charges under protest. applies for permission, gives an undertaking to comply with all norms and lo pay regular water charges, the concerned Authority will defer the action of sealing of the borewells against that hotel/guest house till the next date of hearing" and further extended the date upto 31.10.2024 as per order dated 22.10.2024.

A list of 21 hotels/guest houses received from DPCC who did not deposit imposed EDC. As these hotels have not complied with the order of Hon'ble NGT. You are requested to seal the borewell of these hotels on urgent basis.

A team from Delhi Jal Board has already nominated for the sealing drive vide order No. DJB/EE(D)-53/2024-25/ 676 dated 22.11.2024 (copy attached).

sd/-
(S.K. SINGH)
EE(D)-053

Encl:

(i) List of 21 hotels received form DPCC
(ii) Letter dated 22.11.2024

Copy to:

1.	Secy. to CEO	For kind information.
2.	Chairman, DPCC, GNCTD, 5th Floor, ISBT Building, Kashmere Gate, Delhi -110006	-do-
3.	CEN(Water)	-do-
4.	CE(C&N)	-do-
5.	CE(GW)	-do-
6.	DM(Central), 14 Daryaganj, Delhi -110002	-do-
7.	SE (M)-5	-do-
8.	EE(RWH/GW)	
9.	Public Grievances officer, Varunalaya, DJB	
10.	ZE (M)-22/23	
11.	ZRO, Tibbiya Collage, Karol Bagh	
12.	Office copy	

(S.K. SINGH)
EE(D)-053

1994 7/12

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: [illegible]

NO. DJB/CE (GW)/2024/ 1166 to 1181 Dated: - 11.12.2024

Subject:- MOM of the online meeting chaired by CEO DJB in the matter of Hon'ble NGT in O.A. No. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors" and O.A. No.33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi & Ors.

The meeting was attended by following officers

1. CEO DJB
2. DMs/ their representatives
3. CEN(Water)
4. CE(GW)

In the meeting CEO DJB explained the seriousness of the court case and requested all the DMs to take following action on war footing:-

1. Closing / sealing of illegal bore wells already identified in the court case in question on war footing before 25.12.2024 and accordingly submit the status to DJB. The next date of hearing is 06.01.2025.

2. Initiate proceeding for the prosecution of the violators and submit status to DJB.

All Concerned

(Gajender Tomar)
Chief Engineer (GW)

Copy to -
1. PA to CEO
2. SE(C)-8 (Sub Nodal Officer)
3. O/C

Chief Engineer (GW)

Scanned with OKEN Scanner

1995

DELHI JAL BOARD

OFFICE OF THE SUPERINTENDING ENGINEER (C)-11
ROOM NO.102, OLD SHIV MANDIR MARG,
JAL SADAN, LAJPAT NAGAR, NEW DELHI-110024
Email : ace.m11.djb@gmail.com

No.DJB/SE(C)-11/2024/ -/653 Dated: 12.12.2024

To,

The DM (South East)
Old Gargi College Building,
24, National Park Rd, Lajpat Nagar IV,
New Delhi, Delhi 110024.

Office of the (General Wing)
Diary No. 1244
Date 18/12/2024

Subject: - In the matter of Ganesh Prasad Vs Govt. of NCT of Delhi & Ors (M.A. No. 24/2023 in O.A No. 33/2022, I.A. No. 02/2024) & Pritpal Sharma Vs Govt. of NCT of Delhi & Ors, O.A. No. 639/2022 (I.A. No. 293/2023).

Next Date of Hearing 06-01-2025

In the matter of above cited Court Case pending in Hon'ble NGT, wherein it has been directed to seal the remaining illegal bore wells and to file the Action Taken Report at least 1week before the date of hearing i.e. 06-01-2025.

Accordingly please find enclosed herewith list of illegal tube wells(unsealed) identified by DJB(enclosed), which were already submitted to the office of DM (South-East) for taking appropriate action as per notification dated 12th July, 2010 issued by the department of Environment and Forest & Wild Life, Govt. NCT of Delhi. Any technical help if required will be provided by concerned division of DJB. The contact detail of Executive Engineer In-charge is mentioned below:-

S. No.	Name & Designation	Area under Jurisdiction	Mobile No. & Email ID
1.	Sh. Manoj Kumar Sharma, EE (D)-113, DJB	Badarpur(AC-53) & Okhla (AC-54)	9650200460 eem53djb@gmail.com eem54djb@gmail.com

This may be treated as MOST URGENT please; early action in this matter is solicited.

Encl:- List of Illegal Tube Wells (105 Nos.)

Sd/-
(Bhupesh Chandra Patel)
Superintending Engineer (C)-11

Copy to: -

1. CEO, DJB - for kind information please.
2. CE(South) - -do-
3. CE(GW) - -do-
4. EE (D)-113 - to pursue and extend all possible support.
5. Master file

Superintending Engineer (C)-11

1996 714

DELHI JAL BOARD

OFFICE OF THE SUPERINTENDING ENGINEER (C)-11
ROOM NO.102, OLD SHIV MANDIR MARG,
JAL SADAN, LAJPAT NAGAR, NEW DELHI-110024
Email : ace.m11.djb@gmail.com

No.DJB/SE(C)-11/2024/ -1652 Dated: 12.12.2024

To,

The DM (South East)
Old Gargi College Building,
24, National Park Rd, Lajpat Nagar IV,
New Delhi, Delhi 110024.

Subject: - In the matter of Ganesh Prasad Vs Govt. of NCT of Delhi & Ors (M.A. No. 24/2023 In O.A No. 33/2022, I.A. No. 02/2024) & Pritpal Sharma Vs Govt. of NCT of Delhi & Ors, O.A. No. 639/2022 (I.A. No. 293/2023).

Next Date of Hearing 06-01-2025

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1.	Sh. Manoj Kumar Sharma, EE (D)-113, DJB	Badarpur(AC-53) & Okhla (AC-54)	9650200460 eem53djb@gmail.com eem54djb@gmail.com

This may be treated as MOST URGENT please; early action in this matter is solicited.

Encl:- List of illegal Tube Wells (105 Nos.)

Sd/-
(Bhupesh Chandra Patel)
Superintending Engineer (C)-11

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1. CEO, DJB - for kind information please.
2. CE(South) - -do-
3. CE(GW) - -do-
4. EE (D)-113 - to pursue and extend all possible support.
5. Master file

Superintending Engineer (C)-11

OFFICE OF CE (South
Diary No. 5264
Date 18/12/24

OFFICE OF CE (South)
Diary No. 5056
Date 18/12/2024

DELHI JAL BOARD: GOVT. OF N.C.T OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER(D) – 102,
SECTOR – 7, R. K. PURAM, NEW DELHI – 110022.

No. DJB/EE(D)-102/2024/639 Dated: 12.12.2024

To
District Magistrate (New Delhi)
Govt. of NCT of Delhi
12/1 Jam Nagar House,
Shahjahan Road
New Delhi-110011

Subject: - Sealing of illegal bore running in AC-44 R.K. Puram Constituency.

Please find enclosed the list of illegal bores received in this office. The list is forwarded to check and take further action in this matter for bore wells under R.K. Puram Constituency.

Enclosure: - As above

Sd/-
EXECUTIVE ENGINEER(D)–102

Copy to: -

1. CE(South): for kind Information
2. SE(C)-10: for kind information
3. ZE-I
4. JE: - to pursue
5. Office copy

EXECUTIVE ENGINEER(D)–102

Executive Engineer (D)-102
Delhi Jal Board, Govt of NCT of Dehli
Sector -7, R.K. Puram, New Delhi-110022

1998

DELHI JAL BOARD: GOVT. OF N.C.T OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER(D) – 102,
SECTOR – 7, R. K. PURAM, NEW DELHI – 110022.

OFFICE OF CE
Diary No. 5057
Date 13/12/24

No. DJB/EE(D)-102/2024/633 Dated: 12.12.2024

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

Subject: - Sealing of illegal bore running in AC-43 Malviya Nagar Constituency.

Please find enclosed the list of illegal bores received in this office. The list is forwarded to check and take further action in this matter for bore wells under Malviya Nagar Constituency.

Enclosure: - As above

Sd/-
EXECUTIVE ENGINEER(D)–102

Copy to: -

1. CE(South): for kind information
2. SE(C)-10: for kind information
3. ZE-I
4. JE: - to pursue
5. Office copy

EXECUTIVE ENGINEER(D)–102

Executive Engineer (D)-102
Delhi Jal Board, Govt of NCT of Dehli
Sector -7, R.K. Puram, New Delhi-110022

DELHI JAL BOARD

OFFICE OF THE SUPERINTENDING ENGINEER (C)-11
ROOM NO.102, OLD SHIV MANDIR MARG,
JAL SADAN, LAJPAT NAGAR, NEW DELHI-110024
Email : ace.m11.djb@gmail.com

No.DJB/SE(C)-11/2024/ 1650 /654 Dated: 12.12.2024

To,

The DM (South East)
Old Gargi College Building,
24, National Park Rd, Lajpat Nagar IV,
New Delhi, Delhi 110024.

Subject: - In the matter of Ganesh Prasad Vs Govt. of NCT of Delhi & Ors (M.A. No. 24/2023 In O.A No. 33/2022, I.A. No. 02/2024) & Pritpal Sharma Vs Govt. of NCT of Delhi & Ors, O.A. No. 639/2022 (I.A. No. 293/2023).

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This may be treated as MOST URGENT please; early action in this matter is solicited.

Encl:- List of illegal Tube Wells (105 Nos.)

Sd/-
(Bhupesh Chandra Patel)
Superintending Engineer (C)-11

Copy to: -

1. CEO, DJB - for kind information please.
2. CE(South) - -do-
3. CE(GW) - -do-
4. EE (D)-113 - to pursue and extend all possible support.
5. Master file

Superintending Engineer (C)-11

2000 71B

List of illegal bore wells surveyed/ unsealed in S-East Distt.

S. No.	S. No. as per original list	EE Concerned	Location	Nos. of Tubewells	Domestic/ Commerial	Remarks
1	185	EE (D)-113	Sh. Lokesh, R/o 54/7/3, Shakti Vihar, Badarpur	1	Domestic	
2	186	EE (D)-113	Smt. Ramwati Devi, R/o 9/7/3, Shakti Vihar, Badarpur	1	Domestic	
3	187	EE (D)-113	Sh. Nawab Singh Verma, R/o A-28/7/3, Shakti Vihar , Badarpur	1	Domestic	
4	188	EE (D)-113	Sh. Nanda Sharma, R/o 5/1, Shakti Vihar, Badarpur	1	Domestic	
5	189	EE (D)-113	Sh. Radhye Shyam Yadav, R/o A-394/6, Shakti Vihar., Badarpur	1	Domestic	
6	190	EE (D)-113	Sh. Yogender Mehto, R/o A-2/5, Shakti Vihar, Badarpur	1	Domestic	
7	191	EE (D)-113	Sh. Jay Parkash, R/o A-15/5/3, Shakti Vihar, Badarpur	1	Domestic	
8	192	EE (D)-113	Sh. Sudesh Upadhya, R/o 30/7/3, Shakti Vihar, Badarpur	1	Domestic	
9	193	EE (D)-113	Sh. Bindumit Ram, R/o 41/7/3, Shakti Vihar, Badarpur	1	Domestic	
10	194	EE (D)-113	Sh. Hari Singh, R/o 26/7/3, Shakti Vihar, Badarpur	1	Domestic	
11	195	EE (D)-113	Sh. Guru Charan, R/o 211/7/2, Shakti Vihar, Badarpur	1	Domestic	
12	196	EE (D)-113	Smt. Bimla Devi Meena, R/o 338/7/3, Shakti Vihar., Badarpur	1	Domestic	
13	197	EE (D)-113	Sh. Govind Singh, R/o A-205/6, Shakti Vihar, Badarpur	1	Domestic	
14	198	EE (D)-113	Smt. Sheela Devi, R/o A-3/5/5, Shakti Vihar, Badarpur	1	Domestic	
15	199	EE (D)-113	Sh. Ranjeet Singh Chauhan, R/o 22/7/3, Shakti Vihar., Badarpur	1	Domestic	
16	200	EE (D)-113	Smt. Phoolwati Meena, R/o 285/7/3316, Shakti Vihar, Badarpur	1	Domestic	
17	201	EE (D)-113	Sh. Lokesh, R/o 54/7, Shakti Vihar, Badarpur	1	Domestic	
18	202	EE (D)-113	Sh. Manoj Kumar Jha, R/o A-187/514, Shakti Vihar., Badarpur	1	Domestic	
19	203	EE (D)-113	Sh. Santu Dass, R/o 251/7/6, Shakti Vihar., Badarpur	1	Domestic	
20	204	EE (D)-113	Smt. Rekha Soni, R/o 108/7, Shakti Vihar, Badarpur	1	Domestic	
21	205	EE (D)-113	Smt. Usha Sharma,R/o E-139, Prince Colony., Badarpur	1	Domestic	
22	206	EE (D)-113	Sh. Jagdish, R/o E-22, Prince Colony., Badarpur	1	Domestic	
23	207	EE (D)-113	Sh. Raj Kumar, R/o E-192, Prince Colony., Badarpur	1	Domestic	
24	208	EE (D)-113	Sh. Om Parkash, R/o 128/3, Prince Colony, Badarpur	1	Domestic	
25	209	EE (D)-113	Sh. Shamdev Sharma, R/o D-104, Prince Colony, Badarpur	1	Domestic	
26	210	EE (D)-113	Sh. Mukand Murari, R/o D-89/3, Prince Colony, Badarpur	1	Domestic	
27	211	EE (D)-113	Smt. Amita Pathak, R/o E-1/2, Prince Colony, Badarpur	1	Domestic	
28	212	EE (D)-113	Sh. Gajender Singh, R/o E-149, Prince Colony, Badarpur	1	Domestic	
29	213	EE (D)-113	Sh. Umesh Shahu, R/o E-115, Prince Colony, Badarpur	1	Domestic	
30	214	EE (D)-113	Sh. Pyare Lal, R/o E-140, Prince Colony, Badarpur	1	Domestic	
31	215	EE (D)-113	Phool Chand Yadav, R/o D-19, Prince Colony, Badarpur	1	Domestic	
32	216	EE (D)-113	Sh. Dayawati Tyagi, R/o E-116, Prince Colony, Badarpur	1	Domestic	
33	217	EE (D)-113	Smt. Anita Devi, R/o E-59/5A, Prince Colony, Badarpur	1	Domestic	

2001

219

List of illegal bore wells surveyed/ unsealed in S-East Distt.

S.No.	S. No. as per original list	EE Concerned	Location	Nos. of Tubewells	Domestic/ Commerial
34	218	EE (D)-113	Sh. Vidhi Singh, R/o E-173, Prince Colony, Badarpur	1	Domestic
35	219	EE (D)-113	Sh. Sanjeev Kumar, R/o E-74, Prince Colony	1	Domestic
36	220	EE (D)-113	Sh. Satish Soni, R/o E-148, Prince Colony, Badarpur	1	Domestic
37	221	EE (D)-113	Smt. Pinki Devi, R/o D-88, Prince Colony, Badarpur	1	Domestic
38	222	EE (D)-113	Sh. Mohd. Mehrveen, R/o D-77, Prince Colony, Badarpur	1	Domestic
39	223	EE (D)-113	Sh. Sukhraj Bhardwaj, R/o D-13, Prince Colony, Badarpur	1	Domestic
40	224	EE (D)-113	Smt. Sudha Devi, R/o E-148, Prince Colony, Badarpur	1	Domestic
41	225	EE (D)-113	Smt. Pushpa Devi, R/o E-63, Jaitpur Extn, Part-I, Badarpur	1	Domestic
42	226	EE (D)-113	Sh. Mohd. Naseem, R/o E-26A, Jaitpur Extn, Part-I, Badarpur	1	Domestic
43	227	EE (D)-113	Sh. Jasna Mandal, R/o E-83, Jaitpur Extn, Part-I, Badarpur	1	Domestic
44	228	EE (D)-113	Smt. Pushpa Rani, R/o E-57/3, Jaitpul Extn, Part-I, Badarpur	1	Domestic
45	229	EE (D)-113	Smt. Meera Devi, R/o E-30/4, Jaitpur Extn, Part-I, Badarpur	1	Domestic
46	230	EE (D)-113	Sh. Balbir Singh, R/o E-101/7, Jaitpur Extn, part-I, Badarpur	1	Domestic
47	231	EE (D)-113	Pawan Kumar Tiwari, R/o E-124, Jaitpur Extn, part-I, Badarpur	1	Domestic
48	232	EE (D)-113	Sh. Naveen Rai, R/o E-30 B, Jaitpur Extn, Part-I, Badarpur	1	Domestic
49	233	EE (D)-113	Sh. Vipal Bhandari, R/o E-46A, Jaitpur Extn, Part-I, Badarpur	1	Domestic
50	234	EE (D)-113	Sh. Kirti Singh, R/o E-124/9, Jaitpur Extn, Part-I, Badarpur	1	Domestic
51	235	EE (D)-113	Sh. Han Chand, R/o E-83, Jaitpur Extn, Part-I, Badarpur	1	Domestic
52	236	EE (D)-113	Sh. Abdul Khalif, R/o R-126/10B, Jaitpur Extn, Part-I, Badarpur	1	Domestic
53	237	EE (D)-113	Sh. Birbal Ydav, R/o E-134B, Jaitpur Extn, Part-I, Badarpur	1	Domestic
54	238	EE (D)-113	Smt. Joya Devi, R/o E-126, Jaitpur Extn, Part-I, Badarpur	1	Domestic
55	239	EE (D)-113	Smt. Divsheri Devi, R/o E-125, Jaitpur Extn, Part-I, Badarpur	1	Domestic
56	240	EE (D)-113	Sh. Dilip Kumar Shahu, R/o F-22, Jaitpur Extn, Part-I, Badarpur	1	Domestic
57	241	EE (D)-113	Sh. Jama Tapan, R/o E-101, Jaitpur Extn, Part-I, Badarpur	1	Domestic
58	242	EE (D)-113	Sh. Saheem Khatun, R/o -178/10, Jaitpur Extn, Part-I, Badarpur	1	Domestic
59	243	EE (D)-113	Smt. Urmila Panday, R/o E-76, Jaitpur Extn, Part-I, Badarpur	1	Domestic
60	244	EE (D)-113	Sh. Duruv Mishra, R/o E-79, Jaitpur Extn, Part-I, Badarpur	1	Domestic
61	245	EE (D)-113	Sh. Dil Bhadur, R/o C-57/1, Sudharshan Park,Meehtapur , Badarpur	1	Domestic
62	246	EE (D)-113	Smt. Anita Gupta, R/o 7, Main Road, Sudharshan Park, Meethapur, Badarpur	1	Domestic
63	247	EE (D)-113	Smt. Om Wati Devi, R/o 899/16, Lakhpat Colony Part-II, Badarpur	1	Domestic

2002 720

List of illegal bore wells surveyed/ unsealed in S-East Distt.

S. No.	S. No. as per original list	EE Concerned	Location	Nos. of Tubewells	Domestic/ Commerial	Remarks
64	248	EE (O)-113	Smt. Suman Devi, R/o 1143/9, Lakhpat Colony Part-II, Badarpur	1	Domestic	
65	249	EE (D)-113	Sh. Jawarhar Lal Bihari, R/o 976/18, Lakhpat Colony Part-II, Badarpur	1	Domestic	
66	250	EE (D)-113	Sh. Vinod Kumar, R/o 975/18, Lakhpat Colony Part-II, Badarpur	1	Domestic	
67	251	EE (D)-113	Smt. Rekha Devi, R/o 909/16, Lakhpat Colony Part-II, Badarpur	1	Domestic	
68	252	EE (D)-113	Sh. Balbir Singh, R/o 1000/18, Lakhpat Colony Part-II, Badarpur	1	Domestic	
69	253	EE (D)-113	Sh. Man Singh, R/o 776/12, Lakhpat Colony Part-II, Badarpur	1	Domestic	
70	254	EE (D)-113	Sh. Sahid Khan, R/o 27/4, Lakhpat Colony Part-II, Badarpur	1	Domestic	
71	255	EE (D)-113	Smt. Vimla Devi, R/o 152/2, Lakhpat Colony Part-II, Badarpur	1	Domestic	
72	256	EE (D)-113	Sh. Anand Paul, R/o 145/2, Lakhpat Colony Part-II, Badarpur	1	Domestic	
73	257	EE (D)-113	Sh. Lal Bihari Singh, R/o 154/2, Lakhpat Colony Part-II, Badarpur	1	Domestic	
74	258	EE (D)-113	Sh. Mahavir Singh, R/o B-21, Lakhpat Colony Part-II, Badarpur	1	Domestic	
75	259	EE (D)-113	Sh. Satish, R/o 268/1, Lakhpat Colony Part-II, Badarpur	1	Domestic	
76	260	EE (D)-113	Sh. Udayvir Singh, R/o 269/1, Lakhpat Colony Part-II, Badarpur	1	Domestic	
77	261	EE (D)-113	Sh. Lal ji Yadav, R/o 725/1, Lakhpat Colony Part-II, Badarpur	1	Domestic	
78	262	EE (D)-113	Sh. Ram Parsed, R/o 727/18, Lakhpat Colony Part-II, Badarpur	1	Domestic	
79	263	EE (D)-113	Sh. Ram Karan Yadav, R/o 728/18, Lakhpat Colony Part-II, Badarpur	1	Domestic	
80	264	EE (D)-113	Sh. Akshye Kumar, R/o 659/15, Lakhpat Colony Part-II, Badarpur	1	Domestic	
81	265	EE (D)-113	Sh. Saroj Soni, R/o 399/10, Lakhpat Colony Part-I, Badarpur	1	Domestic	
82	266	EE (D)-113	Sh. Balbir Singh, R/o 284/5, Lakhpat Colony Part-I, Badarpur	1	Domestic	
83	267	EE (D)-113	Smt. Usha Devi, R/o 424/11, Lakhpat Colony Part-I, Badarpur	1	Domestic	
84	268	EE (D)-113	Smt. Sushma Saini, R/o 322/14, Lakhpat Colony Part-I, Badarpur	1	Domestic	
85	269	EE (D)-113	Dmt. Geeta Devi, R/o 600B/12, Lakhpat Colony Part-I, Badarpur	1	Domestic	
86	270	EE (D)-113	Smt. Sarojni Bhandari, R/o 394B/11, Lakhpat Colony Part-I, Badarpur	1	Domestic	
87	271	EE (D)-113	Smt. Kamlesh Sharma, R/o 493/13, Lakhpat Colony Part-I, Badarpur	1	Domestic	

2003

List of illegal bore wells surveyed/ unsealed in S-East Distt.

S. No.	S. No. as per original list	EE Concerned	Location	Nos. of Tubewells	Domestic/ Commerial	Remarks
88	272	EE (D)-113	Sh Kusam Pal, R/o 262/6, Lakhpat Colony Part-I, Badarpur	1	Domestic	
89	273	EE (D)-113	Sh. Madan Singh, R/o 209/11, Lakhpat Colony Part-I, Badarpur	1	Domestic	
90	274	EE (D)-113	Smt. Geeta Devi, R/o 143/4, Lakhpat Colony Part-I, Badarpur	1	Domestic	
91	275	EE (D)-113	Smt. Meena Kumari, R/o 216/6, Lakhpat Colony Part-I, Badarpur	1	Domestic	
92	276	EE (D)-113	Sh Ram ji Lal, R/o 501/13, Lakhpat Colony Part-I, Badarpur	1	Domestic	
93	277	EE (D)-113	Smt. Geeta Rai, R/o 13/10, Lakhpat Colony Part-I, Badarpur	1	Domestic	
94	278	EE (D)-113	Sh. Satender Singh Rawat, R/o 336/8, Lakhpat Colony Part-I, Badarpur	1	Domestic	
95	279	EE (D)-113	Sh. Anup Singh Rawat, R/o 498/13A, Lakhpat Colony Part-I, Badarpur	1	Domestic	
96	280	EE (D)-113	Sh Janak Dulari, R/o A-12/10, Lakhpat Colony Part-I, Badarpur	1	Domestic	
97	281	EE (D)-113	Smt Manju, R/o 182/9, Lakhpat Colony Part-I, Badarpur	1	Domestic	
98	283	EE (D)-113	Sh. Mandeep, H.No.92, Madanpur Khadar Dairy	1	Commercial	
99	284	EE (D)-113	Dairy No. 98, Madanpur Khadar	1	Commercial	
100	285	EE (D)-113	Dairy No. 84, Madanpur Khadar	1	Commercial	
101	286	EE (D)-113	Behind Kalandi Kunj Metro Station in Kanchan Kunj along Nalla.	1	Commercial	
102	287	EE (D)-113	Sh Dharmpal, R/o G-22, Gali No.3, Aali Vihar Village.	1	Commercial	
103	288	EE (D)-113	Sh Govind, H.No. 1317-18, Madanpur Khadar, JJC Phase-III	1	Commercial	
104	289	EE (D) 113	H.No.-2282, Madanpur Khadar, JJC Phase-III	1	Commercial	
105	290	EE (D)-113	H.No.-449, Madanpur Khadar, JJC Phase-III	1	Commercial	
			Total	105		

EE(D)-113

2004

722

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE SUPRE. ENGINEER (C)-10
ENGINEERS BHAWAN, 2nd FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI 110049
Mail ID:- acem10.djb@gmail.com

No.DJB/SE(C)-10/2024/ 626 Date: 13 .12.2024

To

District Magistrate (South-East)
OLD GARGI COLLEGE BUILDING,
BEHIND OF LSR COLLEGE,
LAJPAT NAGAR IV, NEW DELHI-110024

Subject: Regarding Sealing of Illegal Borewells.

Ref No- Hon'ble NGT (Principal Bench) Order, dated: 28.08.2024 (OA No. 639/2022) in the matter of Pritpal Sharma Vs. Govt. of NCT of Delhi and Ors.

NDOH: 06.01.2025

Sir,

Please find the enclosed list of Illegal boring complaints 2024. This has been inspected in reference to the above-mentioned subject. It is requested to kindly give appropriate direction to concerned for sealing of these un authorized borewells.

This may be treated as most urgent please.

An early action in this matter is solicited.

SUPERINTENDING ENGINEEER (C)-10

Copy for information to: -
1. CE (South)
2. CE(GW)
3. All EEs (C)-10

OFFICE OF CE (South)
Diary No. 5004
Date 16-12-24

SUPERINTENDING ENGINEEER (C)-10

SE(M)10

2005

Office of CE (Ground Water)
Diary No. 1235.
Date 17/12/2024.

DELHI JAL BOARD, GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)-5,
ROOM NO-312, VARUNALAYA PH-1, JHANDEWALAN,
NEW DELHI-110005
E-mail I.D. acem5djb@gmail.com

No.DJB /SE (M)-5/ 2024 2998 Dated: 16/12/24

DM(New Delhi)
12/1, Jamnagar House, Shahjahan Road
New Delhi-110011

Subject: Sealing of Illegal Borewells, in the matter of OA no. 639/2022 Pritpal Sharma Vs. Govt. of NCT of Delhi Ors.

Ref No- Hon'ble NGT (Principal Bench) Order, Dated: 28.08.2024 (OA No. 639/2022) in matter of Pritpal Sharma Vs. Govt. on NCT of Delhi and Ors.

NDOH: 06.01.2025

Sir,

Please find enclosed herewith the list of the illegal borewells under SE(M)-5 Circle of DJB. In the above matter, Hon'ble NGT has directed to seal the remaining illegal borewells and to file the Action Taken Report at least one week before the date of hearing i.e. 06.01.2025.

You are therefore requested to direct the concerned SDMs for convening a meeting of the joint team with DJB Executive Engineers immediately to expedite the sealing of remaining illegal borewells and also to reconcile the data of identified and sealed/closed/unsealed/ illegal borewells The Executive Engineers concerned of our Circle are as under:

S.No	Name of Executive Engineers	Area under their jurisdiction	Contact details
1.	Mohd. Idris Ali, EE(D)-051	Sadar Bazar AC-19	Office no- Mob no. 9810079759' E-Mail ID: eed051djb@gmail.com
2.	Sh. Sawant Singh EE(D)-052	Chandni Chowk AC Matia Mahal AC	Office no- Mob no. 9650291067 E-Mail ID; eed052djb@gmail.com
3.	Sh. S.N. Parsad EE(D)-053	Ballimaran AC Karol Bagh AC Rajender Nagar AC	Office no- Mob no. 9650291221 E-Mail ID; eed053djb@gmail.com

This may be treated as most urgent please.

An early action in this matter is solicited,

Encl: As above

(Priti Pant)
SE(M)-5

2006

724

Copy for kind information to: -

1. Sr. PS to CEO
2. CEN(WS)
3. CE(C&N)
4. CE(GW)
5. EEs (D)- 051,052&053: to pursue

SE(M)-5

328

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1308 to 1310 **Dated: - 26.12.2024**

To,

The District Magistrate (South-West)
Old Terminal tax Building, Kapaskhera
New Delhi-110037

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs for uploading the relevant data on illegal borewells.

In compliance to above, the access to DJB website has been given to all DMs with the request to upload the data by 26.12.24.

The information has not been uploaded yet.

You are humbly requested to upload the information on **"Ground Water Management"** in DJB website at utmost priority i.e by 28.12.2024.

In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

2008

726

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1311 to 1313 **Dated: - 26.12.2024**

To,

The District Magistrate (South-East)
Old Gargi College Building,
Amar Colony, Lajpat Nagar
Delhi-110024

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs for uploading the relevant data on illegal borewells.

In compliance to above, the access to DJB website has been given to all DMs with the request to upload the data by 26.12.24.

The information has not been uploaded yet.

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In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

2009

727

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI

OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1290 to 1292 **Dated: - 26.12.2024**

To,

The District Magistrate (South)
M B Road Saket,
Delhi-110068

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs for uploading the relevant data on illegal borewells.

In compliance to above, the access to DJB website has been given to all DMs with the request to upload the data by 26.12.24.

The information has not been uploaded yet.

You are humbly requested to upload the information on **"Ground Water Management"** in DJB website at utmost priority i.e by 28.12.2024.

In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. GIC

CE (GW)/ Nodal Officer

2010

728

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1293 to 1295. **Dated: - 26.12.2024**

To,

The District Magistrate (North)
G. T. Karnal Road,Alipur,
Delhi-110036

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs for uploading the relevant data on illegal borewells.

In compliance to above, the access to DJB website has been given to all DMs with the request to upload the data by 26.12.24.

The information has not been uploaded yet.

You are humbly requested to upload the information on **"Ground Water Management"** in DJB website at utmost priority i.e by 28.12.2024.

In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN(Water)
3. O/C

CE (GW)/ Nodal Officer

2011

729

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI

OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com

NO. DJB/CE (GW)/2024/ 1296 to 1298. Dated: - 26.12.2024

To,
The District Magistrate (West)
Plot No. 3, Shivaji Park, Raja Garden
New Delhi-110095

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs for uploading the relevant data on illegal borewells.

In compliance to above, the access to DJB website has been given to all DMs with the request to upload the data by 26.12.24.

The information has not been uploaded yet.

You are humbly requested to upload the information on **"Ground Water Management"** in DJB website at utmost priority i.e by 28.12.2024.

In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

2012 730

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/1299 to 1301 **Dated: - 26.12.2024**

To,

The District Magistrate (East)
L.M Bandh, Shastri Nagar,
Delhi-110031

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs for uploading the relevant data on illegal borewells.

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The information has not been uploaded yet.

You are humbly requested to upload the information on **"Ground Water Management"** in DJB website at utmost priority i.e by 28.12.2024.

In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

2013

731

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI

OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1302 to 1304. **Dated: - 26.12.2024**

To,

The District Magistrate (North-East)
Office complex Nand Nagari,
Delhi-110095

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs for uploading the relevant data on illegal borewells.

In compliance to above, the access to DJB website has been given to all DMs with the request to upload the data by 26.12.24.

The information has not been uploaded yet.

You are humbly requested to upload the information on **"Ground Water Management"** in DJB website at utmost priority i.e by 28.12.2024.

In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

2014

732

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/1305 to 1307. **Dated: - 26.12.2024**

To,

The District Magistrate (North-West)
D. C. Office complex,Kanjhawala
New Delhi-110081

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

R/ Sir/Madam,

In reference to above referred subject, worthy Chief Secretary Delhi during meeting dated 17.12.2024 directed to provide access of DJB website to all DMs for uploading the relevant data on illegal borewells.

In compliance to above, the access to DJB website has been given to all DMs with the request to upload the data by 26.12.24.

The information has not been uploaded yet.

You are humbly requested to upload the information on **"Ground Water Management"** in DJB website at utmost priority i.e by 28.12.2024.

In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

733 2015

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI

OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1314 to 1316. Dated: - 26.12.2024

To,

The District Magistrate (Shahdara)
Office complex Nand Nagari,
Delhi-110095

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

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(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

2016 734

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1317 to 1319. **Dated: - 26.12.2024**

To,

The District Magistrate (Central)
14, Daryaganj,
New Delhi-110002

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

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This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

2017

735

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI

OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 113, VARUNALAYA PH-II, KAROL BAGH, NEW DELHI-05
E-mail: cegwdjb@gmail.com,

NO. DJB/CE (GW)/2024/ 1320 to 1322 Dated: - 26.12.2024

To,

The District Magistrate (New Delhi District)
Jam Nagar House, Shahjahan Road,
Delhi-110011

Subject:- Matter of Hon'ble NGT in O.A. 639/2022 titled as "Pritpal Sharma Vs Govt. of NCT of Delhi & Ors " and O.A. No. 33/2022 titled as "Ganesh Prasad Vs Govt. of NCT of Delhi Ors."

Sub Head: - Uploading of details on DJB website.

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In case of any issue/guidance regarding uploading the information on DJB website may please contact Sh. Sanjay (Programmer) mobile no. 9650104087.

This may be treated as most urgent.

(Gajender Tomar)
CE (GW)/ Nodal Officer

Copy to:-
1. PS to CEO
2. CEN (Water)
3. O/C

CE (GW)/ Nodal Officer

2018 -736

DELHI JAL BOARD GOVT OF N C T OF DELHI
OFFICE OF THE SUPERTINDING ENGINEER (C)-6
MU-BLOCK, PITAMPURA, DELHI-110034

No. DJB/SE(C)-6/2024-2025/ 1784 to 1793 Dated: 01/01/2025

To,

District Magistrate(NW)
Kanjahwala, New Delhi-110081

Subject Regarding Sealing of illegal Borewells

Ref No. – Hon'ble NGT (Principal Bench) MA No. 24 /023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and others.

Madam,

As your kind self is aware about the order of Hon'ble NGT in the case No Ma No 24/2023 in original application no. 33/2022, regarding sealing of illegal borewells A joint team of Executive Engineers DJB and SDMs have been already constituted vide letter No. DJB/ Addl. CEO/NGT/2024/3111 dated 24.01.24 issued by Addl. CEO,DJB, wherein it was also requested to monitor the functioning of joint teams and submit monthly status in the above matter It was also requested to convene a meeting of the joint teams at the earliest for expediting the sealing of illegal borewells identified The detail of concerned Executive Engineers and Assistant Engineers of this circle is as under -

S No	Name of Executive Engineer	Name of Assistant Engineer
1	Sh Chander Prakash Mobile no-9650291495 djbeed061@gmail.com EE(M)14 &15 (AC-14 Shalimar Bagh & AC-15 Shakurbasti)	Sh. Rakesh Dahiya, Mobile- 9991996299 AC-14, Shalimar Bagh Constituency AC-15, Shakurbasti Constituency
2	Sh. Satyaveer Singh Mobile no- 9911903385, djbeem16@gmail.com EE(M)-16 (Tri Nagar Constituency)	Sh. Pawan Kumar 9650308886, AC-16, (Tri Nagar Constituency)
3	Sh. P K Verma, Mobile no-9650291135 EE (M)-17 (Wazirpur Constituency) eem17djb@gmail.com	Sh. Vivek Kumar 9650094251 AC-17, (Wazirpur Constituency)

In view of the above you are humbly requested to direct the concerned SDMs to expedite sealing of illegal borewells and to update the details on the on DJB website RWH-Ground Water Management. The Direct URL path of the Link is as below :-

https://docs.google.com/document/d/1m4Wsqg4TBZZbUk7ZQOVLc4pqnfWC7feGJ8kn9qkK6WY/edit?tab=t.0

The list of identified/sealing of borewell and VDS is also given therein RWH-Ground Water Management on DJB Website.

(Mukesh Jindal)
Superintending Engineer (C)-6

P.T.O

2019

737

Copy to

1 Addl. CEO for kind information
2 CEN(W) for kind information
3 CE(GW) for kind information
4 SE (M)-3 (Nodal Officer District North West) / SE (C)-6
5 All EEs under (C)-6 for immediate necessary action and coordinate with the concerned SDM for expediting the sealing of illegal borewells.
6 O/Copy

(Mukesh Jindal)
Superintending Engineer (C)-6

2020

738

DELHI JAL BOARD GOVT. OF NCT OF DELHI
OFFICE OF THE ADDITIONAL CEO
VARUNALAYA PHASE-II KAROL BAGH NEW DELHI-110005
Room No. 121, E-mail addlceo djb@nic.in

No. DJB/Addl CEO/NC.T/2020/ 2111 Dated: 24.01.2020

ORDER

In pursuance of the Hon'ble NGT orders in the matter of Ganesh Prasad V/s Govt. of NCT of ... & Ors, following joint teams are constituted for sealing off illegal bore wells in their areas.

District Magistrates are requested to monitor the functioning of joint teams and submit report in the above matter to the undersigned.

DISTRICT- NORTH

District Magistrate (North)
Sh. Yash Choudhary, IAS
(Email: dcnorth@nic.in)
SDM-Model Town
Sh. Gagandeep

Superintending Engineer
Sh. Pawan Sharma (Mobile No-9650300144)

Executive Engineer
Sh. S.K. Singh
9650291378
along with concerned AE/JE & Field Staff

DISTRICT- NORTH-WEST

District Magistrate
Ms. Ankita Anand, IAS
(Email: dcnw@nic.in)

Superintending Engineer
Sh. Sukh Pal Singh (Mobile No-9650291055)

Team-1	Team-2	Team-3
SDM-Rohini Sh. Manish Chandra Verma	SDM-Kanjhawala Sh. Ananth Dwivedi	SDM-Saraswati Vihar Sh. M. Bharani
Executive Engineer Sh. Shiv Kumar Chauhan 9650291446)	Executive Engineer Sh. Harish Chander (9650094544)	Executive Engineer Sh. Sandeep Sharma (9650291033)
Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff

Superintending Engineer

739

DISTRICT-SOUTH EAST

Superintending Engineer
Sh. S.K. Gahlot (Mobile No-9650791401)

Team-1	Team-2	Team-3
SDM-Kalkaji Sh. Akhil Bhushan Nagar	SDM-Defence Colony Sh. Gaurav Saini	SDM-Sarita Vihar Sh. Sanjay Jha
Executive Engineer Sh. Rajesh Chauhan 9650295661	Executive Engineer Sh. M.K. Verma (9650094325)	Executive Engineer Sh. Manoj Kumar Sharma (9650200460)
Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff

DISTRICT-SOUTH WEST

District Magistrate
Sh. Vijay Singhal, IAS
(dmswest-dcsw@nic.in)

Superintending Engineer
Sh. Ajit Kumar Sharma, Mobile No-9650791103

Team-1	Team-2	Team-3
SDM-Kapashera Sh. Mangal Singh	SDM-Najafgarh Sh. Pradeep Parashar	SDM-Dwarka Sh. Vinod Kumar Mongia
Executive Engineer Sh. Rajesh Kumar Saini (9650105691)	Executive Engineer Sh. Jagdish Kumar (9650791277)	Executive Engineer Sh. R.D. Meena (9650844667)
Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff

DISTRICT-CENTRAL

District Magistrate
Sh. Tushar Unnati, IAS
(dmcentral-dcc@nic.in)

Superintending Engineer
Sh. Pawan Kumar (Mobile No-9650300144)

Team-1	Team-2	Team-3
SDM-Patel Nagar Sh. Arvind Rana	SDM-Civil Lines Ms. Meena Tyagi	SDM-Karol Bagh Sh. Shashi Dangee
Executive Engineer Sh. Surender Singh 9650791200)	Executive Engineer Sh. Kirti Bhushan (9650291214)	Executive Engineer Sh. S.K. Singh (9650291378)
Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff

2022

740

DISTRICT-WEST

District Magistrate
Sh. Amit Gupta, IAS
(Email: dmwest-dmc.in)

Superintending Engineer
Sh. Dalbir Singh (Mobile No-9650290773)

Team-1	Team-2	Team-3
SDM- Patel Nagar Sh. Aditya Sangotra	SDM- Rajauri Garden Sh. Ashish Kumar	SDM-Punjabi Bagh Sh. Arvind Jain
Executive Engineer Sh. Rakesh Garg (9810164554)	Executive Engineer Mr. Ramesh Gupta (9650591577)	Executive Engineer Sh. Rajkit Sehgal (9650290768)
Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff	Along with concerned AE/JE & Field Staff

This is issued with the approval of CEO, DJB

(Cheshta Yadav) 24/01/24
Addl.CEO, DJB

All concerned

Copy to:-

1. CEO DJB- For kind information
2. M(A)/M(F)/M(Dr.)/M(WS)- for kind information.

Addl.CEO, DJB 24/01/24

AE(M)-F

Digitized with CamScanner

2023

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF SE (C)-8
'A' BUILDING, STAFF QUARTERS
KAROL BAGH, NEW DELHI-110005
E-mail: acegwc8@gmail.com

No.DJB/ SE(C)-8/2024/ 397 & 409 **Date:** 26/12/2024

CIRCULAR

Subject: Advisory / General compliance conditions for seeking No Objection Certificate (NOC) for ground water extraction in Delhi.

To have uniformity in regulation of ground water development and management by all departments in Delhi for seeking No Objection Certificate (NOC) for ground water extraction, the following is the Advisory:

I. Installation of digital water flow meter (conforming to BIS/ IS standards) having telemetry system in the abstraction structure(s) shall be mandatory for all users seeking No Objection Certificate and intimation regarding their installation shall be communicated to the DJB within 30 days of grant of No Objection Certificate.

II. Proponents shall mandatorily get the water flow meter calibrated on from an authorized agency once in a year.

III. Proponents shall install roof top rainwater harvesting & recharge systems in the project area. Photograph along with exact coordinates of the same shall be submitted to DJB.

IV. Proponents shall pay Ground Water Abstraction/ Restoration Charges based on quantum of ground water extraction as applicable.

V. Construction of purpose-built observation wells (piezometers) for ground water level monitoring shall be mandatory. Water level data shall be made available to DJB.

VI. Proponents shall monitor the quality of ground water from the abstraction structure(s) once a year. Water samples from bore wells/ tube wells / dug wells shall be collected during April/May every year and analyzed in NABL accredited laboratories for basic parameters (cations and anions), heavy metals, pesticides/organic compounds etc. Water quality data shall be made available to DJB.

VII. Wherever feasible, the requirement of water for greenbelt (horticulture) shall be met from recycled/ treated waste water.

2024 742

VIII. In case of change of ownership, new owner will have to apply for incorporation of necessary changes in the No Objection Certificate with documentary proof within 60 days of taking over possession of the premises.

IX. The applicant shall also follow any new conditions that may be imposed in future by the DJB/ Environment Department/CGWA/ Advisory Committee.

X. The Authority has the right to withdraw permission at any time in the vent of violation of any of the conditions for grant of permission.

XI. Photograph along with geo-tagging of bore wells/ tube wells installed at site shall be submitted to the DJB within 30 days of grant of No Objection Certificate.

This issue with the approval of the Competent Authority.

(H.K. Chawla)
SE(C)-8

All CEs (Maintenance)/CE (Proj.)-W-I
CE (WW)-I & II/CE(SDW)

Copy to:

1. PS to CEO : for kind information, please
2. CE N(W) : -do-
3. CE (GW) : -do-
4. DD(PR) : -do-
5. EE(RWH)-I
6. O/c

26/12/2024

(H.K. Chawla)
SE(C)-8

2025

ANNEXURE - R 27

743

Department of Environment
Govt. of NCT of Delhi

Standard Operating Procedure

Subject: Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi.

1. The Hon'ble National Green Tribunal in Original Application No. 685/2019 entitled as, "Rakesh Kumar Versus Govt. of NCT of Delhi vide its order dated 15.05.2020 directed as under:

> *"In view of the above, we reiterate our directions for devising suitable effective mechanism for preventing extraction of ground water by way of unauthorized tubewells and wherever such illegalities found, prompt coercive measures must be taken. Illegal extraction of ground water is a criminal offence under the EP Act. Compensation must be recovered on the formula already laid down. It will be appropriate that Chief Secretary, Delhi calls a meeting of all concerned within one month from today and oversees preparation of an appropriate SOP for fixing responsibility on the subject. Ministry of Jal Shakti may also take necessary steps in the matter."*

2. As far as the various districts of NCT of Delhi are concerned, the CGWA vide its notification of March, 2006 has notified all districts of Delhi as over exploited areas, needing regulation, and registration of ground water abstraction structures mandatory. Regarding regulation of extraction of ground water and to provide procedure for closure /prohibition of illegal activities regarding operation of

744

borewells/tubewells, directions under Section 5 of the Environment (Protection) Act, 1986 have been issued with the approval of Hon'ble Lt. Governor on 18th May, 2010 and on 10th January, 2014. In the aforesaid directions the authorities and the procedure to permit use of ground water and to prevent misuse have been detailed along with the responsibilities of various authorities. The SOP has been devised based on the detailed procedure provided in the aforesaid directions dated 18.05.2010 and 10.01.2014.

3. Standard Operating Procedure (SOP):

1) Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.

2) The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.

3) An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for

745

taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4) The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.

5) In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.

746

6) For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7) The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.

8) The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.

9) All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.

10) The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11) As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12) The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

---x---x---x---x---

JHB

Department of Environment

Govt. of NCT of Delhi

Standard Operating Procedure

Subject: Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells in NCT of Delhi.

1. The Hon'ble National Green Tribunal in Original Application No. 685/2019 entitled as, "Rakesh Kumar Versus Govt. of NCT of Delhi vide its order dated 15.05.2020 directed as under:

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2. As far as the various districts of NCT of Delhi are concerned, the CGWA vide its notification of March, 2006 has notified all districts of Delhi as over exploited areas, needing regulation, and registration of ground water abstraction structures mandatory. Regarding regulation of extraction of ground water and to provide procedure for closure/prohibition of illegal activities regarding operation of Department of Environment borewells/tubewells, directions under Section 5 of the Environment (Protection) Act, 1986 have been issued

749

with the approval of Hon'ble Lt. Governor on 18" May, 2010 and on 10" January, 2014. In the aforesaid directions the authorities and the procedure to permit use of ground water and to prevent misuse have been detailed along with the responsibilities of various authorities. The SOP has been devised based on the detailed procedure provided in the aforesaid directions dated 18.05.2010 and 10.01.2014.

3. **Standard Operating Procedure (SOP):**

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3) An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, 'ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources

750

including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4) The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.

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6) For the purpose of closure of illegal borewells/tubewells, joint action teams under the supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team

will comprise field functionaries from DJB, DISCOMs and Local Police.

7) The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.

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10) The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue), Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11) As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy

752

Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12) The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

------X--------X----------X---------X

TRUE COPY

ANNEXURE- R 28

753

BEFORE HON'BLE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
M.A. No. 24 OF 2023
IN
O.A. No. 33 OF 2022

IN THE MATTER OF:

GANESH PRASAD ...APPLICANT

VERSUS

GOVT. OF NCT OF DELHI & ORS. ...RESPONDENTS

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FILED BY: Richa Kapoor

RICHA KAPOOR
COUNSEL FOR DELHI JAL BOARD
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DELHI HIGH COURT
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DATED: 03.02.2024
PLACE: NEW DELHI

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BEFORE HON'BLE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
M.A. No. 24 OF 2023
IN
O.A. No. 33 OF 2022

IN THE MATTER OF:

GANESH PRASAD
...APPLICANT

VERSUS

GOVT. OF NCT OF DELHI & ORS.
...RESPONDENTS

STATUS REPORT ON BEHALF OF DELHI JAL BOARD IN COMPLIANCE OF ORDERS DATED 04.12.2023 & 04.01.2024

1. That the Delhi Jal Board is filing the present status report in compliance of order dated 04.12.2023 and 04.01.2024.

2. That the Original Application No. 33 of 2022 was filed before this Hon'ble Tribunal by the Applicant namely Ganesh Prasad raising grievance regarding running of the unauthorised RO Plant at K-9, 25 feet Road, Part II, Chanakya Palace, New Delhi, by one Mr. Ashish who has allegedly extracted lacs of litres of ground water and has caused damage to the environment. Accordingly vide order of the said date, this Hon'ble Tribunal taking cognizance of the grievance of the Applicant, constituted a Joint Committee of Chairman DJB, DPCC, District Magistrate (DM), New Delhi and Chairman, State Ground Water Authority (SGWA) to look into the grievance of the applicant. The State PCB i.e. DPCC was appointed

as nodal agency for coordination and compliance. It was also observed in the said order that Joint Committee may meet within one month and undertake site visit and look into the grievance. Factual and action taken report may be furnished within 3 months before the Ld. Registrar General, NGT, Delhi by email at judicial-ngt@gov.in and if necessary he may put the matter before the bench for necessary action.

3. That on receipt of the order dated 31.01.2022, the subject case was marked to the concerned Executive Engineer i.e. EE (M-30) on 21.02.2022 on priority basis and for necessary action. That the concerned EE(M-30) deputed Mr. Shashikant Yadav JE (Civil) to inspect and visit the premises in question i.e. K-9, Chanakaya Palace Part II, New Delhi and report back its observation at site.

4. That the concerned JE (Civil) visited the premises in question on 26.02.2022 and it was discovered that the illegal bore well and unauthorised RO Plant, was instead installed at K-7, Chanakaya Palace, Part II, New Delhi and was owned by Mr. Ajit Singh (8700939586). The relevant site facts noted during the inspection by the J.E. (Civil) are as follows:

- *One underground bore exists.*
- *Photograph of RO plant enclosed*
- *Electricity bill enclosed (non domestic) CA No. 103161369*
- *Capacity of submersible pump installed 1.5hp*
- *Permission of bore well not available*
- *Daily operating hours as per owner 1 hr. Morning and 1 hr evening.*
- *Filling of bottles as per the owner 100 no filling of 20 litre bottles daily.*

The site facts noted during the inspection by the J.E. (Civil) dated 26.02.2022 at Page 1/N of the concerned file is already on record.

5. That the concerned EE (M-30) upon receipt of site inspection report from JE(Civil) promptly reported about the illegal extraction of water through unauthorised ground water bore well existing at K-7, Chanakya Place, Part II, New Delhi-59 ("site"), to the Sub-Divisional Magistrate (Dwarka) ("Concerned SDM") vide letter dated 28.02.2022 and requested the concerned SDM to take necessary action as per the provision illegal extraction of ground water. The letter dated 28.02.2022 sent by the EE (M-30) to the SDM Dwarka is also part of record of the captioned case.

6. That it is relevant to mention that the environment department of Govt. of NCT of Delhi had devised the Standard Operating Procedures (SOPs) titled as " *Regulation of extraction of groundwater, closure, prohibition of illegal activities relating to use of borewells/tubewells*" wherein clear responsibilities have been assigned to various agencies such as DJB/local bodies and block development officers for identification of illegal borewells depending on nature of use and Deputy Commissioners (Revenue) of the Districts have been assigned the role of supervision of checking the violation and closure of illegal borewells. An inter-departmental advisory committee has been constituted for each district to assist the Deputy Commissioners. The detailed procedure provided in the SOP is reproduced herein below :-

"*Standard Operating Procedure (SOP):*

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1. *Drawing ground water through borewell or tubewell for domestic, commercial, agricultural or industrial uses without the prior permission of the "Competent Authority" will be considered illegal and without authority of law. The Competent Authority is Delhi Jal Board in the entire NCT of Delhi except areas under the New Delhi Municipal Council (NDMC) and Delhi Cantonment Board (DCB). For borewells/tubewells for agricultural uses, the information on illegal extraction of ground water will be provided by the BDO to the Advisory Committee.*

2. *The Deputy Commissioner (Revenue) of each district, who is the Authorised Officer under the direction dated 18.05.2010 is required to supervise checking violation i.e. detection of illegal wells and closure thereof through the SDMs.*

3. *An Advisory Committee in each of the revenue districts with representatives from DJB, CGWB, 'ULBs, DPCC, reputed NGO has been constituted to assist the DC in detecting illegal borewells for taking action. Accordingly, the advisory committee will prepare a list of such illegal borewells every month by taking information from all available sources including Revenue Officers, representatives of Delhi Jal Board, ULBs, DPCC, NGOs and other relevant sources. Proactive action needs to be taken by the above representatives in detection of illegal extraction of*

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ground water and furnishing the same to the Advisory Committee promptly. Superintending Engineer (SE), DJB is the Member Secretary of Advisory Committee, and he is required to ensure timely conduct of the meeting and also to record the proceedings.

4. *The Delhi Jal Board has already identified 19661 such illegal borewells on which action is being taken and 7248 units have already been closed down by the district authorities. The remaining units to be closed down on priority as these have been already identified and the process to be completed within a period of three months. A weekly progress report district wise will be submitted to the Divisional Commissioner for monitoring. The illegal borewells/tubewells other than the list provided by DJB will be taken up for closure thereafter. Further, in the first phase, action against borewells/tubewells engaged in commercial exploitation of ground water will be taken.*

5. *In case the illegal borewell/tubewell is already constructed/ operating, the same will be closed and the electricity supply to the energized tubewell will be disconnected even if it is through DG sets. In case of the illegal borewell/tubewell is under construction, then the drilling rig will also be sealed.*

6. *For the purpose of closure of illegal borewells/tubewells, joint action teams under the*

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supervision of the concerned SDM will be formed for ensuring effective coordination. The joint team will comprise field functionaries from DJB, DISCOMs and Local Police.

7. *The Deputy Commissioner who is the chairperson of the Advisory Committee will forward the details of illegal borewells to the DPCC for levying Environmental Compensation (EC) for illegal extraction of ground water.*

8. *The DPCC will assess EC as per the methodology devised by CPCB in its report dated 26.06.2019. After assessment of the EC, demand will be raised and in cases of non-recovery, SDM to recover EC as arrears of land revenue.*

9. *All the drilling machines/rigs utilized for boring purposes in Delhi are required to obtain registration from the offices of Deputy Commissioners of the concerned districts. The movement of drilling machines/rigs will be allowed for authorised drilling to the identified location and for specified duration by the concerned Deputy Commissioner.*

10. *The Delhi Police and Transport Department of Govt. of NCT of Delhi will allow movement of the drilling machines/rigs having the prior permission for such movement from the concerned Deputy Commissioner. The concerned Deputy Commissioner (Revenue),*

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Deputy Commissioner of Police and Deputy Commissioner, Enforcement of Transport Department will be responsible for strict compliance of the guidelines regarding movement of drilling machines/rigs.

11. As provided in the direction dated 18.05.2010 issued under Section 5 of the Environment (Protection) Act, 1986 the Deputy Commissioner of each district will launch prosecution against the offenders related to ground water extraction on the recommendations of the Advisory Committee.

12. The concerned Advisory Committee of each district is responsible to ensure that there is no illegal extraction of ground water in the district.

The Standard Operating Procedures (SOPs) titled as "Regulation of extraction of groundwater, closure, prohibition of illegal activities relating to use of borewells/tubewells" devised by Govt. of NCT of Delhi too is part on record of the captioned case.

7. That it is submitted that the DJB has been actively carrying out Local Awareness Programmes through various RWAs and Commercial and Industrial Associations to create awareness among the residents to encourage rain water harvesting and warning the citizens not to engage in illegal activities such as erection, installation & use of borewell for residential, commercial and industrial use. Further, there is also helpline no. 1916 activated by

DJB for reporting any illegal activities in respect of water and water connection including use of illegal borewells.

8. That the DJB has been duly complying to the responsibilities as assigned as per the said SOP to prevent illegal extraction of ground water and installation of bore wells. It is pertinent to mentioned that due to the vigilant action of the DJB about 19661 illegal bore wells were identified as on 31.08.2021 and thereafter DJB has continued to identify illegal bore wells and prevent ground water extraction.

9. That vide order dated 04.12.2023 passed in M.A. No. 24/2023 in captioned OA No. 33/2022, this Hon'ble Tribunal in para 15 of the said order directed the CEO, DJB to file status report giving requisite information details in tabular format with respect to following aspects:-

   (i) District wise number of illegal borewells identified;
   (ii) District wise number of illegal borewells which have been sealed/closed;
   (iii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
   (iv) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
   (v) District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
   (vi) District wise number of illegal borewells which are yet to be sealed/closed; and
   (vii) District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

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10. That in terms of SOPs in paragraph 6 above, it is worthwhile to mention that for regulation of ground water in MCD jurisdiction, DJB is the competent authority and District Magistrate (Revenue) of the area are authorized officer(s) to supervise checking, violation i.e. detection of illegal borewells and closure thereof through the SDMs. Therefore, all the actions for sealing, imposition and recovery of the EDC are to be taken by the authorized officers i.e. District Magistrates through their concerned Sub-Divisional Magistrates. Therefore, DJB has in compliance of the said order dated 04.12.2023 has written letters to the concerned District Magistrates/ Sub-Divisional Magistrates asking them to provide take prompt actions against the illegal extraction of ground water in respective districts of Delhi and dealing thereof.

11. That Delhi Jal Board filed I.A. No. 02/2024 before this Hon'ble Tribunal seeking extension of time to file status report in compliance of order dated 04.12.2023. Vide order dated 04.01.2024, this Hon'ble Tribunal was pleased to grant extension of time for filing of the status report.

12. That the DJB being the competent authority of ground water in NCT of Delhi has envisaged the action plan for effective regulation and management of ground water in Delhi and the frame work of the said action plan shall be as under:

1. AQUIFER MANAGEMENT

Ground water conservation and recharge is essential for effective ground water management. Following steps shall be taken:

a) Target for recovery of depleted aquifers needs to be set.

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b) Rainwater harvesting to be pursued aggressively and promoted through incentives, scientific advice and monitoring shall be incorporated into the program for sustained effectiveness.

c) Construction of water bodies for raising water table. To protect water bodies from encroachment and waste dumping, each water body shall have conservation and maintenance plan regarding water quantity and quality.

2. *DATA BASE*:

That an accurate data base of the private and public tubewells through mapping shall be prepared on GIS for accounting extraction of ground water.

3. *SUBSTITUTION OF FRESH WATER/GROUND WATER USE BY RECYCLED WASTE WATER:*

That to reduce dependence of water demand on fresh water/ground water, more wastewater has to be treated and recycled even up to drinking water level

a) Use of recycled water to be encouraged for irrigation, large gardens, parks and flushing etc.

b) Year wise targets for recycled water shall be framed.

c) STPs to be constructed / upgraded to meet the meet enhanced treatment standard for water reuse.

d) Use of recycled water in recharging ground water.

e) Construction of Decentralised STPs where effluent can be used locally.

4. *PROMOTION OF WATER CONSERVATION AND EFFICIENCY FOR DEMAND MANAGEMENT*

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That through increased awareness and integration of water saving technology the per capita water usage can be steadily brought down in following manner:

a) Conservation of freshwater use through water saving devices like shower heads, taps, sprinklers etc. This shall be reinforced by a retrofitting program and also by rebates on efficient devices. Water devices shall be rated through an independent institution. Also, disincentives cess will be levied to less efficient devices of the consumers

b) Encouraging efficient garden irrigation and water conservation strategies in private and public gardens. Public gardens to be gardened through sprinklers only

c) Mandatory water audit on large scale users to establish reduction possibilities and encouraging recycled water use.

5. *CONTROLLING DISTRIBUTION LOSSES*

That currently the level of water loss in transmission and distribution is much more than the norm of 15%. The curtailing of losses shall be attained in a planned manner where there is lesser extraction of ground water and greater availability of recycled water.

6. *PUBLIC EDUCATION AND AWARENESS*

That public at large is ill informed and is not properly aware about availability, constraints and methods of water conservation. Consumers being the largest stake holders need to play important role in water conservation. Therefore effective and regular campaigns to raise public support shall be done

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7. *EFFECTIVE MONITORING AND FUNCTIONING OF DISTRICT ADVISORY COMMITTEES FOR RESTRICTED AND REGULATED ABSTRACTION OF GROUND WATER*

That the District magistrate of each area is the authorised officer for the purpose of regulation of ground water development and management. Particularly DM have has to seal the illegal borewells in their areas. However, lot of illegal borewells are pending for sealing. Therefore, functioning of DMs has to checked for expediting sealings.

13. Further, in compliance to get report under para 15 of the order dated 04.12.2023, DJB has taken following measures for conservation and management of ground water:

    i. That DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SEs, DJB vide their letters dated 22.12.2023 to 29.12.2023 requested DMs to expedite sealing of illegal borewells and to provide the information. In this connection, copy of letters dated 22.12.23 to 29.12.2023 sent to DMs are annexed at **Annexure R-1 (Colly)**.

    ii. Member (WS) vide his letter dated 01.01.24 requested the Dy. Commissioner (Revenue) HQ to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. A copy of letter dated 01.01.2024 sent to Dy. Commissioner (Revenue) HQ is annexed at **Annexure R-2**.

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iii. During a meeting held by Chief Secretary with DMs on 06.01.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority.

iv. Chief Engineer (GW) vide his letter dated 09.01.2024 requested DMs to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure 1(Colly). A copy of the letters dated 9.1.24 sent to DMs is annexed at **Annexure R-3 (Colly)**.

v. That the CEO, DJB had a virtual meeting with DMs(Revenue) North, North -West, South -East, South - West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report. An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 from Addl. CEO, DJB is annexed at **Annexure R-4**.

vi. That as per order of the Hon'ble Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, incorrect report has been received from DM(Central), DM(South-East) , DM(West) and DM(East). Further, report was not received from DM-North, North-West, Shahdara, New Delhi and South districts. Therefore, CE(GW) vide letter dated 30.1.2024 requested DMs to send /correct the report for submission in the tribunal by

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1.2.24.A copy of letters dated 30.1.24 delivered to the offices of DMs is annexed at **Annexure R-5 (Colly).**

14. That furthermore, necessary action is being taken for mobilization of staff for sealing of illegal bore wells and action taken report received from DMs in the tabular format with respect to the requisite information of the aspects narrated in para 15 of the order dated 04.12.2023 is as under:

DMs	District Wise Number of Illegal Borewells Identified (As per previous data submitted, referred by Hon'ble NGT vide Order against hearing dated 4.1.24)	District Wise number of illegal borewells which have been Sealed /close d	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise / Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
North	761	748 (earlier data, up-dation awaited)	Report awaited					Report awaited
East	116	110 (earlier this data was 116)	105	Data awaited	36	8	8	Data being reconciled by DM office
South West	6681	1955 (updated	NIL	NIL	NIL	4726	NIL	Report received.
South East	297	183 (earlier this data was 297)	Data awaited	Data awaited	Data awaited	Data awaited	Data awaited	Data being reconciled by DM office
North West	8299	5814 (earlier data,up-dation awaited)	Report awaited					Report awaited
Shahdara	552	552 (Already sealed)	Report awaited					Report awaited
New Delhi	75	75 (Already sealed)	Report awaited					Report awaited

Central	611	196 (earlier this data was 412)	Data awaited	Data awaited	Data awaited	Data awaited	Data awaited	Data being reconciled by DM office
West	2185	1536 (earlier this data was 1793)	0	0	0	343	Data not provided	Data being reconciled by DM office
North East	0	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Report awaited
South	84	84 (Already sealed)	Report awaited					Report awaited
Total	19661							

Note: Reports on action taken on illegal borewells/number of borewells sealed are awaited from the DMs of the district- North, North-West, Shahdara, New Delhi and South and will be shared with hon'ble NGT in due course.

The reports received from the DMs of the district- South West, South East, Central, West, North East and East are annexed as **Annexure R- 6(Colly).**

15. It is pertinent to state that Delhi Jal Board has taken the following steps for promotion of rain water harvesting systems to recharge ground water:

a) Delhi Jal Board has promoted Rain Water Management by providing 10% rebate on water bill on installation of adequate and functional RWH structures.

b) Delhi Jal Board provides financial assistance to consumers upto Rs. 50,000 or 50% of the cost of RWH structure whichever is less.

c) There is a provision of 50% penalty on water bill for nonexistence of RWH structures for plot area more than 100 sqm.

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d) Guidelines issued by Ministry of Housing and Urban Affairs, GOI for Urban Water Conservation under Jal Shakti Abhiyan thrust areas include Rain Water Harvesting, Reuse of treated effluent, Rejuvenation of water Bodies and Plantation are being followed. The guidelines for INLINE RAIN WATER HARVESTING in Delhi have also been issued by DJB.

e) Plan for RWH structure is mandatory for receiving No Objection Certificate (NOC) to builders for approval of building plan.

f) Wide publicity for adopting RWH structures through print, electronic, visual, workshop, exhibitions seminars, booklets, pamphlets etc. is being done by Delhi Jal Board.

g) Delhi Jal Board has empanelled service providers/ consultants for design of RWH system as per Guideline of DJB. The details are available on DJB website i.e. www.delhijalboard.nic.in.

h) Nodal officer are appointed by DJB for technical assistance for RWH along with creating of RWH cell through Rain Centres/Jal Shakti Kendra.

i) Delhi Jal Board has constructed and made all 666 recharge pits functional.

16. That status of installation of rain water harvesting system in GNCTD is as under:

S.N.	Departments	Total Installations	Number of RWH Systems installed

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1.	Delhi Jal Board	594	594
2.	Other than DJB	89	89
3.	Schools, Colleges	4549	4144
4.	Other deptt	5472	3966
	Total	10704	8793

17. Delhi Jal Board is carrying out rejuvenation of 64 numbers of Water Bodies out of which rejuvenation work at 39 number of water bodies has been completed and tender for 25 number shall be called shortly. The work of creation of water body at Timarpur oxidation pond, Dwarka, Pappankalan, Rohini, Nilothi, revival of Roshanara Lake is being taken up.

18. The major reuse of treated waste water in and around the city is for irrigation, horticulture and industrial use. There is demand for use of treated waste water for cooling in the power stations. Other options include ground water recharge, return to be raw water source, and the treatment and reuse of treated waste water, for flushing of toilets, i.e. use for non-potable purposes like washing of Railways, Buses, Construction industry.

19. The Delhi Jal Board presently supplies about 120 MGD of treated waste water to the Irrigation Department, Power Plants and for irrigation purposes by CPWD and in Rohini area by DDA & Flood Control and Irrigation Department. Efforts are being made to increase the treated waste water supply from 120 MGD to 210 MGD in subsequent years.

20. That stage of annual ground water extraction in Delhi in year 2017 was 119.61% of annual extractable ground water recourses whereas Stage of annual ground water extraction in year 2023 was 99.13% of annual extractable ground water resources as per the report for Dynamic Ground Water Assessment of India 2023 issued by Central Ground Water Board. Therefore, there is improvement in ground water situation in Delhi. Total annual ground water recharge has also been increased from 0.32 billion cubic meter in the year 2017 to 0.38 billion cubic meter in the year 2023 as per report for Dynamic Ground Water Assessment of India 2023 issued by Central Ground Water Board. The Delhi Jal Board endeavors and remains committed to improve ground water recharge situation and prevent unauthorized extraction of ground water in Delhi.

21. That the status report is being submitted in this Hon'ble Tribunal for record and kind perusal. However, Delhi Jal Board shall abide any direction passed by this Hon'ble Tribunal. Submitted pleased.

Chief Executive Officer

Place: New Delhi
Dated: 02.02.2024

1/10/24, 11:48 AM 772 0240109-WA0033.jpg ANNEXURE R1

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Illegal Borewells

NGT Principal Bench OA No 24/2023 in OA no. 33/2022 in the matter of Ganesh Prasad Vs

Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022

NGT has directed to submit the details of identified illegal borewells in Delhi

Authorized authority and District Magistrate of each Revenue district is its Authorized

checking violations i.e. detection of illegal borewells and closure thereof through the

It is requested to provide information urgently in the attached Annexure A, so that the

can be submitted to the Hon'ble court before time i.e. on or before 02-01-2024

Encl:

1. Annexure A
2. Copy of Hon'ble NGT's Decision for the subject case.

(S.K. Dahiya)
SE(M)-II

DELHI JAL BOARD, GOVT. OF NCT OF DELHI
OFFICE OF THE ADDITIONAL CHIEF ENGINEER (M)-1
EXECUTIVE ENGINEER (M)-62/T-2
E BLOCK PARK: pPEET VIHAR: DELHI-110092

To,

District Magistrate (South-West)
Old Terminal Tax Building
Kapashera
New Delhi.

Subject: Sealing of illegal Borewells

Ref. No: NGT (Principal Bench) (MA No.24/2003 in OA No. 33/2022) in the matter of Ganesh Prasad Vs. Govt of NCT of Delhi and Ors.

That the Hon'ble NGT case No. 24/2003 in original application No. 33/2022 in the matter of Ganesh Prasad the Hon'ble NGT has directed to submit the details identified illegal borewells in Delhi.

In the matter competent authority and District Magistrate of each Revenue District is its authority for checking violations I.e. detection of illegal borewells and closure thereof the and is requested to provide information urgently in the attached Annexure A so that the same can be submitted to the Hon'ble Court before time I.e. on or before 02.01.2024.

Encl:

1. Annexure A
2. Copy of HOn'ble NGT Decision for the subject case.

Sd/-
(S. K. Dahiya)
(T. SE (M)10

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DELHI JAL BOARD; GOVERNMENT OF N.C.T. OF DELHI
OFFICE OF ADDITIONAL CEIEF ENGINEER (M)-1
EXECUTIVE ENGINEER (M)-62/T-2
E BLOCK PARK: PREET VIHAR: DELHI-110092

No. DJB/ F.2 / EE (M) 62/2023-24/ 6526-6532 Dated :- 26/12/23

To

District Magistrate (Shahdara),
Office Complex Nand Nagari
Delhi-110095

Subject:- **Sealing of Illegal Borewells.**

Ref No :- NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

-Sd/-
Nodal Officer ACE (M)-1

Copy to for kind information:-

1. PS to CEO
2. Member (Admin)
3. CE Nodal (W)
4. CE (Ground Water)
5. ACE (M)-1
6. All EEs (M)-1 for coordinating with DM office for obtaining the required information.

Sudhir Kumar Gupta
Nodal Officer ACE (M)-1

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(A) 13376

DELHI JAL BOARD

OFFICE OF THE SUPERINTENDING ENGINEER (M)-XI
ROOM NO 102, OLD SHIV MANDIR MARG,
JAL SADAN, LAJPAT NAGAR, NEW DELHI-110024
Email : ace.m11.djb@gmail.com

No DJB/ SE(M)-XI /2023/ 9111

Dated 20.12.2023

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

Subject: Sealing of illegal tube wells.

R/Sir,

As aware, DJB is the Competent Authority and District Magistrate of each Revenue district is Authorized Officer to supervise, checking violations i.e. detection of illegal tube wells and closure thereof through the SDMs.

It is important to mention that in a recent hearing of NGT case No. MA No 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running tube wells (The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of Illegal tube wells. The list of identified illegal tube wells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of technical assistance during sealing.

Encl 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

(Bhupesh Chandra Patel)
Superintending Engineer (M)-XI

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DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER(M)-9
COMMAND TANK NO. 04, SECTOR-20, DWARKA,
NEW DELHI-110075
E-Mail: - acem9djb@gmail.com /Ph. No. 011-20892536

NO.DJB/ ACE (M)-9/2023/ 1494 to 1501

Dated: 29/12/2023

To

District Magistrate (South-West)
Old Terminal Tax Building
Kapashera
New Delhi-110037

Subject: Sealing of Illegal Borewells

R/Sir,

As per Gazette notification of Delhi by department of Environment and Forest, dated 12th July 2010 in the exercise of the power conferred by Section 5 of EPA 1986; DJB is Competent Authority to grant permission of borewells and District Magistrate of each Revenue district is Authorized Officer to regulate ground water extraction i.e. to supervise, checking violations and taking action on illegal borewells and sealing of illegal borewells and closure thereof through the SDMs.

Hon'ble NGT in the matter of MA No. 24/2023/ In OA No. 33/2022 on 04.12.2023 has reiterated its directions to take fast remedial actions against illegally running bore wells. (The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of illegal borewells. The list of identified illegal borewells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of assistance for any kind of assistance for sealing.

Sd-
SE (M)-9

Copy for information to: -

1. PS to CEO, DJB for kind information
2. Member (Admin)/CE Nodal(W)
3. All EEs (M)-9 for coordinating with SDM office for sealing.

SE (M)-9

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135/c

DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
OFFICE OF THE SUPERITENDING ENGINEER(M)-9
COMMAND TANK NO. 04, SECTOR-20, DWARKA,
NEW DELHI-110075
E-Mail: - acem9djb@gmail.com /Ph. No. 011-20892536

NO.DJB/ ACE (M)-9/2023/ 1486 to 1493 Dated: 28/12/2023

To

District Magistrate (South-West)
Old Terminal Tax Building
Kapashera
New Delhi-110037

Subject: Sealing of Illegal Borewells.

Ref No:-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Sir,

Hon'ble NGT in the above mentioned matter of MA No. 24/2023 in OA No. 33/2022 on 04.12.2023, has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority to grant permission of borewells and District Magistrate of each Revenue district is Authorized Officer for the purpose of regulation of ground water development and management in the respective revenue areas under their jurisdiction i.e. to supervise, checking violations, detection of illegal borewells and sealing thereof through the SDMs.

Your are therefore to provide the information it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble NGT before time i.e. on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

Sd-
SE (M)-9

Copy for information to: -
1. FS to CEC DJB for kind information
2. Member (Admin)/CE Nodal(W)
3. All EEs (M)-9 for coordinating with SDM office for sealing.

SE (M)-9

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER(M)-5
ROOM NO.312, VARUNALAYA PH-I, KAROL BAGH,
NEW DELHI-110005
E-Mail. I.D. seem5djb@gmail.com

No. DJB/ SE (M)-5/ 2023-24/ (519) Date: 14/12/23

District Magistrate (Central)
14, Darya Ganj
New Delhi.

Subject: Sealing of Illegal Borewells.

Ref No.-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified legal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure 'A' so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

(P.Pant)
SE(M)-5

Copy to:-
1. PS to CEO, DJB for kind information.
2. Member (Admin.)/CE Nodal (W)
3. All EEs(M)-5 for coordinating with DM office for obtaining the required information.

SE(M)-5

779

129

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)8
NEAR TWIN TANKS: OUTER RING ROAD
PASCHIM VIHAR: NEW DELHI
email : acem8.djb@gmail.com; Ph. 20850446

NO. DJB/S.E(M)8/2023/963 to 976 Dated: 26.12.2023

To

District Magistrate (West),
Plot No. 3, Shivaji Park,
Raja Garden,
New Delhi.

Subject: Sealing of Illegal Borewells.
Ref No:-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1.Annexure A.
2.Copy of Hon'ble NGT's Decision for the subject case.

26/12/23

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

Copy to:
1. PS to CEO, DJB for kind information.
2. Member (Admin)/ CE Nodal(W)
3. All EEs(M)-8 for coordinating with DM office for obtaining the required information.

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

780

128/c

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)II
NEAR TWIN TANKS OUTER RING ROAD
PASCHIM VIHAR NEW DELHI
email.sewa.djb@gmail.com Ph. 28809810

NO. DJB/S.E(M)II/2023/D[illegible] To 9[illegible] Dated: 22.12.2023

To

District Magistrate (West),
Plot No. 3, Shivaji Park,
Raja Garden,
New Delhi.

Subject: Sealing of Illegal Borewells.

Sir/Madam,

As aware, DJB is the Competent Authority and District Magistrate of each Revenue District is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs.

It is important to mention that in a recent hearing of NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running bore wells.(The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of illegal borewells. The list of identified illegal borewells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of assistance for sealing.

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

Copy to:

1. CEO, DJB for kind information.
2. Member (Admin)/ CE Nodal(W)
3. All EEs/ AEs /JEs(M)-8 for coordinating with SDM office for sealing.

22/12/23

(DALBIR SINGH)
SUPERINTENDING ENGINEER (M)-8

781

141/2

DELHI JAL BOARD GOVT. OF N.C.T. OF DELHI
OFFICE OF THE ADDL. CHIEF ENGINEER (M) IV
[illegible] BHAWAN, 2nd FLOOR, ANDREWS GANJ,
NEAR MOOLCHAND CROSSING, NEW DELHI-110049
email id: [illegible]

"STOP CORONA: Wear Mask, Follow Physical Distancing, Maintain Hand Hygiene"

No. [illegible]/1413 Dated: 29/12/2023

To

District Magistrate (South-East)
[illegible] Building-34,
[illegible] Pak Rd, Tughlakabad Nagar IV,
New Delhi, Delhi-110062

Sub: Sealing of Illegal Borewells.

Ref: NGT (Principal Bench) MA No: 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt. of NCT of Delhi and Ors

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04-12-2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the competent authority and District Magistrate of each Revenue district is its Authorized officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble court before time i.e. on or before 02-01-2024.

Encl:

1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

(S. K. Dahiya)
SE(M)/10

782

DELHI JAL BOARD

OFFICE OF THE SUPERINTENDING ENGINEER (M)-XI
ROOM NO.102, OLD SHIV MANDIR MARG,
JAL SADAN, LAJPAT NAGAR, NEW DELHI 110024
Email : [illegible]

No.DJB/ SE(M)-XI /2023/ [illegible]

Dated: 29.12.2023

To,
DM (South East)
Old Gargi College Building,
Amar Colony, Lajpat Nagar,
New Delhi-110024.

Subject: Sealing of illegal tube wells.

R/Sir,

As aware, DJB is the Competent Authority and District Magistrate of each Revenue district is Authorized Officer to supervise, checking violations i.e. detection of illegal tube wells and closure thereof through the SDMs.

It is important to mention that in a recent hearing of NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running tube wells (The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of illegal tube wells. The list of identified illegal tube wells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of technical assistance during sealing.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

(Bhupesh Chandra Patel)
Superintending Engineer (M)-XI

783

1441/C

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE ADDL. CHIEF ENGINEER (M)-1
EE (M)-1/T-1 M-16 POCKET-E: MAYUR VIHAR PHASE-II
DELHI – 110091
PHONE No. 011-22722392 & Email Id-: djb.acem57@gmail.com

No. F-14/DJB/EE(M)-1/T-1 /2023-24/ 5974 - 80 Dated: 2 DEC 2023

To,

D.M.(East),
L.M. Bandh, Shastri Nagar,
Delhi-110031.

Subject: - Sealing of illegal Borewells.

Ref No: - NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

Sir/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e., detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure-A, so that the sought information can be submitted to the Hon'ble Court before time i.e., on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

Sd/-
EXECUTIVE ENGINEER (M)-1/T-1

Copy to: -

1. PS to CEO, DJB for kind information
2. Member (Admin)/CE Nodal (W)
3. All EEs (M)-1 for coordinating with DM office for obtaining the required information.

(Vinai Kumar Chauhan)
EXECUTIVE ENGINEER (M)-1/T-1

olc
M/F

789

1461

"STOP CORONA"
"WEAR MASK, FOLLOW PHYSICAL DISTANCING, MAINTAIN HAND HYGIENE"

DELHI JAL BOARD (GOVT. OF NCT OF DELHI)
OFFICE OF SUPERINTENDENTING ENGINEER (M) -4
LUCKNOW ROAD TIMARPUR DELHI -110054

NO. DJB/SE(M) 4/2023/ 5208 521 Dated: 27.12.2023

District Magistrate (North)
Alipur
New Delhi

Subject: - Sealing of Illegal Borewells.

Ref No:- NGT(Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

As aware, concerned District Magistrate is the competent authority and DM of each revenue district is its authorize officer to supervise, checking violations i.e detection of illegal borewells and closure thereof through the concerned SDMs.
It is pertinent to mention that in a recent hearing of Hon'ble NGT case No. MA No.24/2023 in original application No. 33/2022 on 04.12.2023 Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running borewells.
Accordingly it is requested to expedite the sealing of illegal borewells. The list of identified illegal borewells along with their locations has already been provided to your office. DJB team is readily available for any kind of assistance for sealing.

(Pawan Kumar)
SE(M)-4

Copy to :-
1. PS to CEO,DJB for kind information
2. Member(Admin.)/CE Nodal(W)
3. CE(Cordination) I
4. All EEs(M)-04 for coordinating with DM office for necessary action

SE(M)-4

5/-

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DELHI JAL BOARD; GOVERNMENT OF N.C.T. OF DELHI
OFFICE OF ADDITIONAL CEIEF ENGINEER (M)-1
EXECUTIVE ENGINEER (M)-62/T-2
E BLOCK PARK: PREET VIHAR: DELHI-110092

No. DJB/ F.2 / EE (M) 62/2023-24/ 6526-6532 Dated :- 26/12/23

To

District Magistrate (Shahdara),
Office Complex Nand Nagari
Delhi-110095

Subject:- **Sealing of Illegal Borewells.**

Ref No :- NGT (Principal Bench) (MA No. 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1. Annexure A.
2. Copy of Hon'ble NGT's Decision for the subject case.

-Sd/-
Nodal Officer ACE (M)-1

Copy to for kind information:-

1. PS to CEO
2. Member (Admin)
3. CE Nodal (W)
4. CE (Ground Water)
5. ACE (M)-1
6. All EEs (M)-1 for coordinating with DM office for obtaining the required information.

Sudhir Kumar Gupta
Nodal Officer ACE (M)-1

786

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आज़ादी का अमृत महोत्सव

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF SUPERINTENDING ENGINEER(M)-6
MU BLOCK, PITAMPURA, DELHI 110034

DJB/SE(M)-6/2023/ 513

Dated 28/12/2023

To,

The District Magistrate
Kanjhawala, Delhi-110081

Subject:- Sealing of Illegal Borewells.

Ref No:-NGT (Principal Bench) (MA No. 24/2023 in OA no. 33 /2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Encl. 1.Annexure A.

2. Copy of Hon'ble NGT's Decision for the subject case.

(Mukesh Jindal)
Superintending Engineer (M)-6

Copy to,

1) PS to CEO for kind information.
2) Member (Admin)/CE (Nodal)W
3) All EEs (M)-6 for coordinating with DM office for obtaining the required information.
4) O/copy.

(Mukesh Jindal)
Superintending Engineer (M)-6

787

DELHI JAL BOARD
OFFICE OF THE SUPERINTENDING ENGINEER(M)-6
MU-BLOCK, PITAMPURA, DELHI-110034.

1541

33

NO. DJB/SE (M)-6/2023/ 511 - 516 Dated :- 27/12/23.

To

District Magistrate (North West)
Kanjhawala Delhi-110081.

Subject: Sealing of Illegal Borewells.

R/Madam,

As aware, DM is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs.

It is important to mention that in a recent hearing of NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble NGT has reiterated its directions to take fast remedial actions against illegally running bore wells.(The copy of the decision is attached herewith for ready reference).

Accordingly, it is requested to expedite the sealing of illegal borewells. The list of identified illegal borewells along with their locations has already been provided to your office. Delhi Jal Board team is readily available for any kind of assistance for sealing.

(Mukesh Jindal)
Superintending Engineer (M)-6

Copy to:

1. CEO,DJB for kind information.
2. Member (Admin)/ CE Nodal(W)
3. All EEs/ AEs /JEs(M)-6 for coordinating with SDM office for sealing.
4. O/copy

(Mukesh Jindal)
Superintending Engineer (M)-6

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DELHI JAL BOARD

DELHI JAL BOARD; GOVT. OF NCT OF DELHI
OFFICE OF THE SUPERINTENDING ENGINEER (M)-7
NEAR SURAJMAL STADIUM METRO STATION
NANGLOI PH.III: NEW DELHI-110041
E-mail – ncem7.djb@gmail.com

No. DJB/SE(M)-7/2023-24/ 1041-1050 DATED:- 27.12.2023

To,

The District Magistrate (North West),
Kanjhawala,
New Delhi-110081.

Sub:- Sealing of Illegal Borewells.
Ref. No. NGT (Principal Bench) (MA No. 24/2023 in OA No. 33/2022) in the matter of Ganesh Prasad Vs Govt. of NCT of Delhi and Ors.

R/Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, Hon'ble GNT has directed to submit the details of identified illegal borewells in Delhi.

As DJB is the Competent Authority and District Magistrate of each Revenue District is its Authorized Officer to supervise, checking violation i.e. detection of illegal borewells and closure thereof through the SDMs, therefore it is requested to provide information urgently in the attached Annexure A, so that the sought information can be submitted to the Hon'ble Court before time i.e. on or before 02.01.2024.

Enclosed:- 1. Annexure (A).
2. Copy of Hon'ble NGT's Decision for the subject case

sd/-
(B.S.RAWAT)
SUPERINTENDING ENGINEER (M)-7

Copy to:-
1. PS to CEO, DJB for kind information please.
2. Member(Admin)/CE Nodal(W)
3. All EEs(M)-7 for coordinating with DM for obtaining the required information.

O/C

27/12/2023
(B.S.RAWAT)
SUPERINTENDING ENGINEER (M)-7

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DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE MEMBER(WATER SUPPLY)
VARUNALAYA PH-II: KAROL BAGH, NEW DELHI-110005
Phone No. 011-23528578, Fax No. 011-23524612
Email: memberwsdjb@gmail.com

No.F-3/DJB/Member(WS) /2024/ 01-07 Dated: 01-01-2024

Dear Sir,

In reference to a case before NGT (Principal Bench) (MA No.24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad versus Govt. Of NCT of Delhi and Othrs, a written reply was filed by DJB on dated 02.12.2023. During the hearing, the Hon'ble Tribunal was quite satisfied with the action taken by the DJB for sealing the illegal borewells in this particular case, however Hon'ble Judge was not satisfied with the overall action taken by the concerned stakeholders as per the existing SOPs issued by the Environment Department as well as DPCC. The Hon'ble NGT has pointed out that no report has been filed by DJB, DPCC and NDMC in compliance of Order dated 25.02.2022. The tribunal has sought requisite details in tabular format which can be compiled in consultation with all DCs/ DMs (Revenue), DPCC and CGWA:-

1. District wise number of illegal borewells identified;
2. District wise number of illegal borewells which have been sealed/closed;
3. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC has been imposed;
4. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC has been recovered;
5. District wise number of occupiers/proprietors of illegal borewells from whom penalty/EDC is yet to be recovered;
6. District wise number of illegal borewells which are yet to be sealed/closed; and
7. District wise number of occupiers/proprietors of illegal borewells on whom penalty/EDC is yet to be imposed.

The sought information is to be submitted to the Hon'ble NGT on top priority through e-filing portal.

It is worthwhile to mention that for regulation of ground water in MCD jurisdiction, DJB is the competent authority and District Magistrate (Revenue) of the area are Authorised officers to supervise checking, violation i.e. detection of illegal borewells and closure thereof through the SDMs. Therefore, all the actions for sealing, imposition and recovery of the EDC are to be taken by the Authorised officers I.e. DMs through their concerned SDMs.

I would appreciate the opportunity to schedule a virtual meeting at the earliest with worthy Divisional Commissioner as per his convenience to further sensitize the DMs and SDMs to fast

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track the sealing of illegal borewells. There is also a need to prepare detailed action plans district-wise to seal the remaining illegal borewells in a time bound manner.

It is proposed to schedule the meeting on priority preferably before the next date of Hearing i.e. on 04.01.2024. Accordingly divisional commissioner may please be requested to fix up at the earliest.

With regards,

Yours Sincerely

(S.L. Meena)
Member (WS)

Dy. Commissioner (Revenue) HQ
C/o. Divisional Commissioner, Delhi
5th Shyam Nath Marg, Delhi – 110054.

Copy to:-

1. CEO for kind information please.
2. Member (A) : ---do--
3. Add. CEO
4. CE(GW): to follow up for all actions as desired by CEO
5. ACE(M)-8: to take all actions as desired by CEO in supervision of CE(GW)
6. EO to Member (WS) to pursue
7. M.F.

Member (WS) 01-1-202

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-40/CE(GW)/2024/ 79-86 Dated: 9.1.2024

To
District Magistrate (New Delhi District)
Jam Nagar House, Shahjahan Road,
Delhi-110011

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 75 out of 75 nos. of illegal borewells in New Delhi district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-10, DJB vide his letter dated 29.12.23 has already requested you to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure -A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1.CEO
2.Member (A)
3.Member (WS)
4.Add. CEO
5.SE (M)-8
6.SE (M)-10

Pravesh Tyagi
CE (GW)

792

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 71-78 Dated: 9.1.2024

To
District Magistrate (Shahdara)
Office Complex Nand Nagari,
Delhi-110095

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 552 nos. out of 552 nos. of illegal borewells in East district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, Nodal ACE (M)-1, DJB vide his letter dated 26.12.23 has already requested you to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure -A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1.CEO
2.Member (A)
3.Member (WS)
4.Add. CE(O)
5.SE (M)-8
6.SE (M)-1

Pravesh Tyagi
CE (GW)

793

1376

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-40/CE(GW)/2024/ 63 - 78 Dated: 9.1.2024

To
District Magistrate (South District)
MB Road, Saket,
Delhi-110068

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 84 out of 84 nos. of illegal borewells in New Delhi district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-11, DJB vide his letter dated 29.12.23 has already requested you to expedite sealing of illegal borewells, provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure -A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-11

Pravesh Tyagi.
CE (GW)

794

5

137/c

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 :VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 55-62

Dated: 9.1.2024

To
District Magistrate (South-West)
Old Terminal Tax Building
Kapashera New Delhi-110037

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 1410 nos. out of 6681 nos of illegal borewells in South-West district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-9, DJB vide his letters dated 28.12.23 has already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-9/8

Pravesh Tyagi
CE (GW)

9/c

495

1392

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 49 - 51 Dated: 9.1.2024

To
District Magistrate (Central)
14, Daryaganj, New Delhi-110002

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 412 nos. out of 611 no of illegal borewells in Central district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-5, DJB vide their letters dated 28.12.23 have already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-5

Pravesh Vyas
CE (GW)

796

Annexure-B/30

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 89-93 Dated: 9.1.2024

To
District Magistrate (West)
Plot No.3, Shivaji Park ,
Raja Garden, New Delhi

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 1793 nos. out of 2185 no of illegal borewells in West district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-8, DJB vide their letters dated 22.12.23 and 26.12.23 has already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8

Pravesh Vyas
CE (GW)

2079

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 2 1 Dated: 9.1.2024

To
District Magistrate (North)
G.T Karnal Road,
Alipur, Delhi-110036

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 748 nos. out of 761 nos of illegal borewells in North district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-3/DJB vide his letter dated 28.12.23 has already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A.

Encl: as above

Pravesh Tyagi
(P.K Tyagi)
CE (GW)

O/o ..... (GW)
Diary No. .....
Date.....
Alipur, Delhi-110036
10/1/2023

798

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 38-46 Dated: 9.1.2024

To
District Magistrate (South-East)
Old Gargi College Building,lajpat Nagar -IV
New Delhi-110024

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 231 nos. out of 297 nos. of illegal borewells in South-East district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-10 and SE (M)-11, DJB vide their letters dated 29.12.23 have already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-10,11

CE (GW)

799

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 330 - 39 Dated: 9.1.2024

To
District Magistrate (East)
I.M Bandh, Shastri Nagar,
Delhi-110031

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 116 nos. out of 116 nos. of illegal borewells in East district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, EE (M)-1, DJB vide his letter dated 26.12.23 has already requested you to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure -A .

Encl: as above

sd/ —
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-1

Prakash Tyagi.
CE (GW)

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 :VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 21-27 Dated: 9.1.2024

To
District Magistrate (North)
G.T Karnal Road,
Alipur, Delhi-110036

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 748 nos. out of 761 nos of illegal borewells in North district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-3, DJB vide his letter dated 28.12.23 has already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A.

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-3/8

Pravesh Tyagi.
CE (GW)

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 12-20 Dated: 9.1.2024

To
District Magistrate (North- East)
Office Complex Nand Nagari,
Delhi-110095

Subject: Sealing of Illegal Borewells.
Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it is mentioned that action has been taken on 0 out of 0 nos. of illegal borewells in North- East district till 31.08.21.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, Nodal Officer ACE (M)-1 DJB vide his letter dated 2612.23 has already requested you to expedite to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-1

Pravesh Tyagi
CE (GW)

802

Annexure-B

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 03 to 12 Dated: 9.1.2024

To
District Magistrate (North-West)
Kanjhawala, Delhi-110081

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in orginal application No. 33/2022 on dated 04.12.2023, Hon'ble NGT directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 5814 nos. out of 8299 no of illegal borewells in North- West district.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-6 and SE (M)-7, DJB vide their letters dated 27.12.23 and 28.12.23 have already requested you to expedite sealing of illegal borewells and to provide information in the attached Annexure –A (copy enclosed). Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal. Therefore, the matter may please be dealt on priority.

It is requested to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure A .

Encl: as above

Sd/-
(P.K Tyagi)
CE (GW)

Copy to:
1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-6/7

Pravesh Tyagi
CE (GW)

2085

803

(D)

DELHI JAL BOARD: GOVT. OF NCT OF DELHI
OFFICE OF THE ADDITIONAL CEO
VARUNALAYA PHASE-II : KAROL BAGH NEW DELHI 110005
Room No. 121, E-mail: addlceo.djb@nic.in

No. DJB/Addl.CEO/NGT/2024/- 3070 to 3117 Dated: 24.01.2024

ORDER

In pursuance of the Hon'ble NGT orders in the matter of Ganesh Prasad V/s Govt. of NCT of Delhi & Ors, following joint teams are constituted for sealing off illegal bore wells in their areas.

District Magistrates are requested to monitor the functioning of joint teams and submit monthly status in the above matter to the undersigned.

DISTRICT- NORTH		
District Magistrate (North) Sh. Yash Choudhary, IAS (Email: dcnorth@nic.in)	**Superintending Engineer** Sh. Pawan Sharma (Mobile No-9650300144)	
SDM-Model Town Sh. Gagandeep **Executive Engineer** Sh. S.K. Singh (9650291378) Along with concerned AE/JE & Field Staff		
DISTRICT- NORTH-WEST		
District Magistrate Ms. Ankita Anand, IAS (Email : dcnw@nic.in)	**Superintending Engineer** Sh. Sukh Pal Singh (Mobile No-9650291065)	
Team-1 SDM-Rohini Sh. Manish Chandra Verma **Executive Engineer** Sh. Shiv Kumar Chauhan (9650291446) Along with concerned AE/JE & Field Staff	**Team-2** SDM-Kanjhawala Sh. Ananth Dwivedi **Executive Engineer** Sh. Harish Chander (9650094544) Along with concerned AE/JE & Field Staff	**Team-3** SDM-Saraswati Vihar Sh. M. Bharani **Executive Engineer** Sh. Sandeep Sharma (9650291033) Along with concerned AE/JE & Field Staff

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DISTRICT-SOUTH EAST

District Magistrate Sh. Santosh Rai, IAS (Email: dcse.rev.delhi@nic.in)		**Superintending Engineer** Sh. S.K. Dahiya (Mobile No- 9650291401)
Team-1 **SDM- Kalkaji** Sh. Jagat Bhushan Kapil Executive Engineer Sh. Naresh Chauhan **(9650425566)** Along with concerned AE/JE & Field Staff	**Team-2** **SDM-Defence Colony** Sh. Gaurav Saini Executive Engineer Sh. M.K. Verma **(9650094325)** Along with concerned AE/JE & Field Staff	**Team-3** **SDM-Sarita Vihar** Sh. Sanjay Jha Executive Engineer Sh. Manoj Kumar Sharma (9650200460) Along with concerned AE/JE & Field Staff

DISTRICT-SOUTH WEST

District Magistrate Sh. Lakhsay Singhal, IAS (Email: dcsw@nic.in)		**Superintending Engineer** Sh. Anil Kumar Sharma (Mobile No-9650291103)
Team-1 **SDM-Kapashera** Sh. Namgyal Angmu Executive Engineer Sh. Satish Kumar Saini **(9650105691)** Along with concerned AE/JE & Field Staff	**Team-2** **SDM-Najafgarh** Sh. Prateek Raj Yadav Executive Engineer Sh. Munish Kumar **(9650291227)** Along with concerned AE/JE & Field Staff	**Team-3** **SDM-Dwarka** Sh. Vinay Kumar Mongia Executive Engineer Sh. R.D. Meena **(9650844667)** Along with concerned AE/JE & Field Staff

DISTRICT-CENTRAL

District Magistrate Sh. G. Sudhakar, IAS (Email: dccentral@nic.in)		**Superintending Engineer** **Sh. Pawan Kumar** (Mobile No-9650300144)
Team-1 **SDM- Kotwali** Sh. Arvind Rana Executive Engineer Sh. Maninderjeet Singh (9650291209) Along with concerned AE/JE & Field Staff	**Team-2** **SDM- Civil Lines** Ms. Meena Tyagi **Executive Engineer** Sh. Kirti Bhushan **(9650291214)** Along with concerned AE/JE & Field Staff	**Team-3** **SDM- Karol Bagh** Sh. Shakti Banger **Executive Engineer** Sh. S.K. Singh **(9650291378)** Along with concerned AE/JE & Field Staff

405

DISTRICT-WEST

District Magistrate Ms. Kinny Singh , IAS (Email: dcwest@nic.in)		Superintending Engineer Sh. Dalbir Singh (Mobile No-9650290773)
Team-1 SDM- Patel Nagar Sh. Aditya Sangotra Executive Engineer Sh. Rakesh Garg (9810164554) Along with concerned AE/JE & Field Staff	Team-2 SDM- Rajauri Garden Sh. Ashish Kumar Executive Engineer Mr. Ramesh Gupta (9650591677) Along with concerned AE/JE & Field Staff	Team-3 SDM-Punjabi Bagh Sh. Arvind Jain Executive Engineer Sh. Pulkit Sehgal (9650290768) Along with concerned AE/JE & Field Staff

This is issued with the approval of CEO, DJB.

(Cheshta Yadav) 24/01/24
Addl.CEO, DJB

All concerned

Copy to:-

1. CEO, DJB- For kind information
2. M(A)/M(F)/M(Dr.)/M(WS)- for kind information.

Addl.CEO, DJB 24/01/24

806

ANNEXURE R-5

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/2896-215 Dated: 30.01.2024

To
District Magistrate (Central)
14, Daryaganj, New Delhi-110002

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, it was directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 412 nos. out of 611 no of illegal borewells in Central district as on 31.8.21(Copy enclosed at **Annexure- A**).

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-5, DJB vide their letters dated 28.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, it has not been received so far despite following up the matter by the undersigned and office of SE(M)- 5.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

807

It is again requested to direct concerned SDMs to submit action taken report as per Annexure- B by 01.02.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 **(Monday).**

Encl: as above

Sd/-
(P.K.Tyagi)
CE (GW)

Copy to:-

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-5: Please keep close co-ordination with DM office and obtain the report by 2.2.24

Pravesh Tyagi
CE (GW)

O/C

808

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/216 to 222. Dated: 30.1.2024

To
District Magistrate (South-West)
Old Terminal Tax Building
Kapashera New Delhi-110037

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, it was directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 1410 nos. out of 6681 no of illegal borewells in South-West district as on 31.8.21(Copy enclosed at **Annexure- A**).

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-9, DJB vide their letters dated 28.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, it has not been received so far despite following up the matter by the undersigned and office of SE(M)- 9.

809

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is again requested to direct concerned SDMs to submit action taken report as per Annexure- B by 01.02.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8
6. SE (M)-9: Please keep close co-ordination with DM office and obtain the report by 2.2.24

CE (GW)

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/223 to 230 A

Dated: 30.1.2024

To
District Magistrate (North-West)
Kanjhawala, Delhi-110081

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Madam,

In a recent hearing of Hon'ble NGT case No. MA No. 24/2023 in original application No. 33/2022 on 04.12.2023, it was directed to submit the details of identified illegal borewells in Delhi. In this connection, kindly refer to enclosed order dated 04.12.23 issued by the tribunal wherein it has been mentioned that action has been taken on 5814 nos. out of 8299 illegal borewells in North-West district as on 31.8.21(Copy enclosed at **Annexure- A)**.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-3,6 and 7, DJB vide their letters dated 27.12.23 and 28.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B)**.

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, it has not been received so far despite following up the matter by the undersigned and office of SE(M)- 3.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is again requested to direct concerned SDMs to submit action taken report as per Annexure- B by 01.02.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8,6,7
6. SE (M)-3: Please keep close co-ordination with DM office and obtain the report by 2.2.24

CE (GW)

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/231 to 236 Dated: 30.1.2024

To
District Magistrate (West)
Plot No.3, Shivaji Park,
Raja Garden, New Delhi

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Madam,

Kindly refer to order dated 04.12.23 issued by the tribunal for above stated subject wherein it has been mentioned that action has been taken on 1793 nos. out of 2185 illegal borewells in West district as on 31.8.2021. In this connection, please refer to your report dated 27.01.24 wherein it has been reported that 1536 number of illegal bore wells have been sealed/closed out of 2185 number of identified borewells (copy enclosed at **Annexure A**). Thus the borewells sealed/closed as on date are less than the borewells sealed on 31.8.2021.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-8, DJB vide their letters dated 22.12.23 and 26.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, incorrect report has been received.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

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It is, therefore, requested to direct concerned SDMs to check and submit correct report by 1.2.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8: Please keep close co-ordination with DM office and obtain the report by 1.2.24

CE (GW)

814

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 :VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/237 to 244.

Dated: 30.1.2024

To
District Magistrate (North)
G.T Karnal Road,
Alipur, Delhi-110036

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

Kindly refer to order dated 04.12.23 issued by the tribunal for above stated subject wherein it has been mentioned that action has been taken on 748 nos. out of 761 illegal borewells in West district as on 31.8.2021. In this connection, please refer to your report dated 29.01.24 wherein it has been reported that 233 number of illegal bore wells have been sealed/closed out of 728 number of identified borewells (copy enclosed at **Annexure A**). Thus the borewells sealed/closed as on 29.1.2024 are less than the borewells sealed as on 31.8.2021.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-3/4, DJB vide their letters dated 28.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, incorrect report has been received.

B/S

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is, therefore, requested to direct concerned SDMs to check and submit correct report by 1.2.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8,4
6. SE (M)-3: Please keep close co-ordination with DM office and obtain the report by 1.2.24

Pavesh Tyagi
CE (GW)

o/c

816

DELHI JAL BOARD : GOVT. OF NCT OF DELHI
OFFICE OF THE CHIEF ENGINEER (GW)
ROOM NO. 412 : VARUNALAYA PHASE-I : KAROL BAGH
NEW DELHI - 110005

No. F-32/CE(GW)/2024/ 245 to 252. Dated: 30.1.2024

To
District Magistrate (South-East)
Old Gargi College Building,lajpat Nagar -IV
New Delhi-110024

Subject: Sealing of Illegal Borewells.

Ref no: NGT (Principal Bench) (MA No 24/2023 in OA no. 33/2022) in the matter of Ganesh Prasad Vs Govt of NCT of Delhi- and Ors.

Sir,

Kindly refer to order dated 04.12.23 issued by the tribunal for above stated subject wherein it has been mentioned that action has been taken on 231 nos. out of 297 illegal borewells in West district as on 31.8.2021. In this connection, please refer to your report dated 29.01.24 wherein it has been reported that 183 number of illegal bore wells have been sealed/closed out of 297 number of identified borewells (copy enclosed at **Annexure A**). Thus the borewells sealed/closed as on December 2024 are less than the borewells sealed as on 31.8.2021.

DJB is the Competent Authority and District Magistrate of each Revenue district is its Authorized Officer to supervise, checking violations i.e. detection of illegal borewells and closure thereof through the SDMs. In this regard, SE (M)-10/11, DJB vide their letters dated 29.12.23 requested you to expedite sealing of illegal borewells and to provide the information. Member (WS) vide his letter dated 01.01.24 sent to Dy. Commissioner (Revenue) HQ requested to prepare detailed action plan district-wise to seal remaining illegal borewells in a time bound manner. During a meeting held by Chief Secretary with DMs on 6.1.2024, DMs were directed to put up status of the case within three weeks as per directions of Hon'ble Tribunal and to deal the matter on priority. This office vide letter dated 9.1.24 requested you to direct concerned SDMs to prepare detailed action plan district-wise, expedite sealing of the remaining illegal borewells and to provide information in the attached Annexure (copy enclosed at **Annexure-B**).

CEO,DJB had a virtual meeting with DMs(Revenue) North, North -West, South - East, South -West and Central districts and respective Superintending Engineers, DJB on 19.01.2024 wherein it was directed to constitute joint teams under SDMs and Executive Engineer, DJB for sealing of illegal borewells and submit the report.An office order dated 24.01.2024 was issued by Addl. CEO to monitor functioning of joint teams and submit monthly status regarding sealing of illegal borewells. In this regard, a copy of the office order dated. 24.01.2024 is annexed at **Annexure- C** (Copy enclosed).As per order of the Tribunal dated 04.01.2024, the report was required to be submitted by 27.01.2024. However, incorrect report has been received on 29.1.24.

817

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is worth to mention that the Hon'ble Tribunal was allowed in the last hearing held on 04.01.2024 to extend the date of filing the status report for 3 weeks. It is, therefore, not possible to seek further extension for the same.

It is, therefore, requested to direct concerned SDMs to check and submit correct report by 1.2.2024 positively so that the same may be compiled and submitted to the Hon'ble Tribunal by 02.02.2024(Friday). The case is listed for hearing before the Tribunal on 05.02.2024 (Monday).

Encl: as above

(P.K Tyagi)
CE (GW)

Copy to:

1. CEO
2. Member (A)
3. Member (WS)
4. Add. CEO
5. SE (M)-8,11
6. SE (M)-10: Please keep close co-ordination with DM office and obtain the report by 1.2.24

Pravesh Tyagi.
CE (GW)

o/c

ANNEXURE R-5

8/8

OFFICE OF THE SUB DIVISIONAL MAGISTRATE (HEADQUARTER)
DISTRICT MAGISTRATE (SOUTH WEST)'S OFFICE COMPLEX,
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI – 110037.

Date:-31/01/2024

REPORT on sealing of Illegal Borewell

	District Wise Number of Illegal Borewells Identified	District Wise number of illegal borewells which have been sealed/closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/ Proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	District wise number of of illegal borewells which are yet to be sealed/closed	District wise/Proprietors of illegal borrewells on whom penalty/EDC is yet to be imposed	Remarks
uth West (Najafgarh)	6681	36	Nil	Nil	Nil	Nil	Nil	-
uth West (Dwarka)		1485	NIL	Nil	Nil	Nil	Nil	-
uth West (Kapashera)		434	Nil	Nil	Nil	Nil	Nil	-
tal	6681	1955	Nil	Nil	Nil	4726	Nil	-

e above report is based on the information received from three Sub-Divisions.

31/01/2024

SDM (HQ)
District South-West

Sub Divisional Magistrate (HQ) South-West

819

OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-EAST)
OLD GARGI COLLEGE BUILDING, LAJPAT NAGAR-IV
NEW DELHI-110024

No.F.03/DM/SE/Coord/2023/942 Dated: 01/ 02/2024

To

The Chief Engineer(GW)
Office of the Chief Engineer(GW)
Delhi Jal Board
Govt. of NCT of Delhi
Room No. 412, Varunalaya Phase-I
Karol Bagh, New Delhi-110005

Sub: Sealing of Illegal Borewells

Sir

With reference to your office letter No. F-32/CE(GW)/2024/245dated 30/01/2024 on the subject cited above, it is informed that as per the available office record, the weekly report (period 23/08/2021 to 30/08/2021) was sent to Revenue Deparment, HQ through this office e-mail dated 31/08/2021 and out of 297 number of identified borewells177 number of illegal borewells were sealed/ closed (copy enclosed) and not 231. Further the monthly report of December 2023, compiled on the basis of reports received from the sub-divisions in which total 183 number of illegal borewells have been sealed/ closed was forwarded to Revenue Department HQ.(copy enclosed).

Further please find enclosed herewith the information sought vide your office letter. No.F-32/CE(GW)/2024/38-46 dated 09/01/2024 in the format in respect of District South East.

This issues with the approval of the competent authority.

Sub Divisional Magistrate
(Nodal Reporting Officer)
District South-East

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828

OFFICE OF THE SUB DIVISIONAL MAGISTRATE (SOUTH-EAST)
OLD GARGI COLLEGE BUILDING, LAJPAT NAGAR-IV
NEW DELHI-110024

Name of District-South East

Sub Divisions	District wise number of Illegal Borewells identified	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier/ Proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number occupier/ proprietor of illegal borewells from whom penalty/EDC is to be recovered	District wise number of occupier/Proprietor of illegal borewells from whom penalty /EDC is to be recovered	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier /Proprietor of illegal borewells from whom penalty/EDC is to be imposed	Remark
Sarita Vihar	111	56	0	0	0	56	0	23,borewell not identified 29, Balance to be sealed 03 nos. of borwells show DJB permission
Defence Colony	109	74	-	-	-	74	-	07,borewell not identified Physically 28, Borewell balance to be sealed
Kakaji	77	53	-	-	-	53		24, not traceable
Total	297	183	-	-	-	183	-	

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821

REPORT IN RESPECT OF BOREWELL OF CENTRAL DISTRICT

dated:- 31/01/2024

DM	Sub-Division	District wise Number of illegal Borewells identified	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier/proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietor of illegal borewells from wham penalty/EDC is to be recovered	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is to be recovered	District wise number of illegal borewells which have been sealed/ closed	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is to be imposed	Remarks
Central	Katwali	503	136	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	40	Not pertain to Civil Lines Sub-Division.	1) Court stay on 160 Borewells 2) 85 bore-wells not identified/found removed physically 3) 02 properties were found sealed. 4) 01 matter has been sent to DJB for clarification.
	karol bagh	118	40	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	136	Not pertain to Civil Lines Sub-Division.	1) 21 borewells not identified/found removed phycically 2) 57 borewells balance to be seal
	Civil Lines	27	20	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	Not pertain to Civil Lines Sub-Division.	20	Not pertain to Civil Lines Sub-Division.	1) 07 Borewell Balance to seal

SDM (Civil Lines)

822

OFFICE OF THE DISTRICT MAGISTRATE (WEST)
GOVERNMENT OF NCT OF DELHI
PLOT NO 3; SHIVAJI PLACE RAJA GARDEN; NEW DELHI

F. No. F1 (26)/DDC/DM (W)/2013-14/VOL-III/527 Dated: 27/01/2024

To,

Sh. Dalbir Singh,
Superintending Engineer (M-8)
Delhi Jal Board,
Paschim Vihar, New Delhi
(Email ID; aeem8.djb@gmail.com)

Report on Sealing of illegal Borewells as on 25.01.2024 OA No. 25/2019 & 685/2019.

DMs	District wise Number of illegal Borewells identified	District wise number of illegal borewells which have been sealed /closed	District wise number of occupier/proprietor of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietor of illegal borewells from whom penalty/EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District wise/proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
Punjabi Bagh	552	304	0	0	114	-	*134 repeated entries
Patel Nagar	776	583	0	0	144	-	*16 not in sub division *33 repeated entries
Rajouri	857	649	0	0	85	-	*123 repeated entries
DM (West)	2185	1536	0	0	343	-	306

27/01/2024

(PRAVIR JAIN)
SDM (HQ)/DISTRICT (WEST)

2105

823

OFFICE OF THE DEPUTY COMMISSIONER, DISTRICT NORTH-EAST
GOVT. OF NCT OF DELHI
D.C. OFFICE COMPLEX, NAND NAGRI, DELHI-110093

F.SDM(HQ)/DC/NE/Misc-V/2013/PF /525-27 Dated: 16/01/2024

To

The Chief Engineer (GW),
Delhi Jal Board, GNCTD,
Office of the Chief Engineer (GW),
Room No-412, Varunalaya Phase-I,
Karol Bagh, New Delhi-110005

Subject:-Regarding sealing of illegal borewells.

Sir,

Reference letter No. F.32/CE(GW)/2024/13 dated 09.01.2024 on the above cited subject vide which it is requested to provide the status of sealing of identified illegal borewells and action plan to seal remaining identified illegal borewells.

In this regard, the requisite information in the prescribed format in respect of District North-East for sealing of identified illegal borewells are as under:-

DM	District wise number of illegal borewells identified	District wise number of illegal borewells which have been sealed/closed	District wise number of occupier/proprietors of illegal borewells on whom penalty/EDC has been imposed	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC has been recovered	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC is to be recovered	District wise number of illegal borewells which are yet to be sealed/closed	District wise number of occupier/proprietors of illegal borewells from whom penalty/EDC is yet to be imposed	Remarks
North-East	Nil	NA	NA	NA	NA	Nil	NA	There are no illegal borewells in identified list of DJB for sealing in District North-East.

This is for your kind information and necessary action.

Yours faithfully

SDM (HQ)
DISTRICT NORTH-EAST
Dated: 16/01/2024

F.SDM(HQ)/DC/NE/Misc-V/2013/PF /525-27

Copy for information to:-

1. The SDM-V (HQ, O/o Divisional Commissioner, Revenue Department, 5, Sham Nath Marg, Delhi-110054
2. PA to District Magistrate, District North-East

SDM (HQ)
DISTRICT NORTH-EAST

Office of CE (Ground Water)
Diary No. 110
Date 19/01/24

DELHI JAL BOARD
Section
Diary No. 223
Date 25/1/2024

Praveshmore 23.1.24

SE(M)-8

EE(m)-32

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- Sealing of illegal Borewells

DMs	District wise number of illegal borewells identified	District wise number of illegal borewells which have been sealed/ closed	District wise number of occupier/ proprietor of illegal borewells on whom penalty/ EDC has been imposed	District wise number of occupier/ proprietor of illegal borewells from whom penalty/ EDC is yet to be recovered	District wise number of illegal borewells which are yet to be sealed/ closed	District Proprietors of illegal borewells on whom penalty/ EDC is yet to be imposed	Remarks
DM (East)	116	110	105	36	8	8	Two Complaints received recently in Sub-Division Preet Vihar

2.1.24

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ANNEXURE R 29

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Item Nos.02 & 03 Court No. 3

BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 639/2022

Pritipal Sharma Applicant

Versus

Gov. of NCT of Delhi & Ors. Respondents

With

Misc Application in Disposed of Cases No. 24/2023
In
Original Application No. 33/2022

Ganesh Prasad Applicant

Versus

Gov. of NCT of Delhi & Ors. Respondents

Date of hearing: 08.01.2025

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER

Item No.02

Applicant: Ms. Katyayani and Mr. Jai Wadhwa, Advocates for the Applicant.
Applicant-Pritpal Sharma in person.

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Respondents: Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD.
Ms. Atika Singh, Proxy Advocate for Ms. Richa Kapoor, Advocate for DJB with Mr. Dalbir Singh, SE DJB.
Ms. Sakshi Popli, Advocate for DPCC (through VC).
Mr. Gi Gi George, Advocate for CGWA.

Item No.03

Applicant: None for the applicant.

Respondents: Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD.
Ms. Atika Singh, Proxy Advocate for Ms. Richa Kapoor, Advocate for DJB with Mr. Dalbir Singh, SE DJB.

ORDER

1. O.A No. 639 of 2022 titled Pritpal Sharma vs Government of NCT of Delhi and others and MA No. 24/2023 in O.A No. 33/2022 titled Ganesh Prasad vs GNCTD and others were taken up together by this Tribunal on 28.08.2024 on which date detailed order was passed whereby specific directions were given to Central Ground Water Authority (CGWA), Delhi Jal Board (DJB), Deputy Commissioners (Revenue) of each Revenue Districts of National Capital Territory of Delhi (NCT of Delhi), Delhi Pollution Control Committee (DPCC) and the Chief Secretary, Government of NCT of Delhi and action taken reports were ordered to be filed by the Member Secretary, CGWA, Chief Executive Officer, DJB, Member Secretary, DPCC, all the Deputy Commissioners (Revenue)/District Magistrates in the city of Delhi, DCF (South), Delhi and SDM Dwarka, Delhi at least one week before the date of hearing fixed.

2. In compliance thereof, report dated 27.12.2024 has been filed by CGWA; report dated 01.01.2025 has been filed by DPCC and reports dated 03.01.2025 have been filed by DJB and DCF (South), Delhi respectively.

3. However, despite direction to this effect, no reports have been filed by the Deputy Commissioners (Revenue)/ District Magistrates in NCT of Delhi and SDM Dwarka, Delhi.

4. We have gone through the reports filed by CGWA, DJB and DPCC respectively before this Tribunal in compliance of order dated 28.08.2024.

5. In its report, CGWA has mentioned regarding issuance of direction dated 22.11.2024 to DJB and District Collectors, Revenue to seal all illegal borewells without valid NOC and to submit action taken report to CGWA which are stated to be still awaited and uploading of the information as directed by this Tribunal on the website of CGWA and also launch of *BhuNeer* App.

6. In its reply, DPCC has mentioned about holding of meeting dated 17.12.2024 under the Chairmanship of the Chief Secretary, Government of NCT of Delhi; creation of a web page under the heading 'Ground Water Management' on its website and receipt of amount of Rs.79,70,000/out of environmental compensation of Rs. 7093.46 lakhs by it and proposal for utilization of the amount of Rs. 79,70,000/- for rejuvenation of water bodies in NCT of Delhi.

7. In its reply, Delhi Jal Board has mentioned about writing of letters to DMs for sealing of borewells; uploading of information regarding summary status of applications for NOC recommended and pending with District Magistrates; initiation of proposal for seeking approval of Board of the DJB for groundwater drawl charges and creation of a link on website of DJB with access to concerned District Magistrates to update their part of data.

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8. In their replies CGWA, DJB and DPCC have not provided any information regarding illegal borewells without NOC sealed in compliance with order dated 28.08.2024 passed by this Tribunal.

9. As mentioned above, all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi have not filed their reports in compliance with orders dated 28.08.2024 passed by this Tribunal.

10. This Tribunal had in its order dated 28.08.2024 observed as under:-

> *"1. We all know that 'Water', one of the five elements, is creator and saviour of life and life wholly depends on it yet unmindful of the consequences we are indulging in questionable acts due to which surface water bodies, lakes, etc. are drying up, ground water is contaminated and fast depleting and rivers are not only highly polluted but also shrinking and dying in our Country.*
>
> *2. No doubt, treated sewage/industrial effluent may be reused for industrial, horticultural and agricultural purposes but prospect of recycling sewage/industrial effluent for use as drinking water seems to be wholly unacceptable to all of us and we have to save quality and quantity of water to save our own existence and have to urgently take all remedial steps before any irreversible damage is caused to the environment.*
>
> *3. Both these cases-O.A. No. 639/2022 Pritipal Sharma Vs. GNCTD & Ors. and M.A. No. 24/2023 in O.A. No. 33/2022 Ganesh Prasad Vs. GNCTD & Ors., which required taking of prompt remedial action by the concerned Statutory and Administrative Authorities, are illustrative of the numerous fact situations where the concerned Statutory and Administrative Authorities are miserably failing in prompt discharge of their statutory duties to protect and improve the environment.*
>
> *4. Both these cases also raise a difficult question for this Tribunal to answer as to how to enforce environmental laws/norms if the Statutory and Administrative Authorities, which are not only statutorily empowered but also mandated by the constitution to protect and improve environment, culpably neglect to discharge the duties assigned to them and fail to take requisite action due to some vested interests, for extraneous considerations and with ulterior motives.*
>
> *5. We also find it extremely difficult to answer this question in the complex factual matrix woven by case after case coming up before this Tribunal showing complete insensitivity and inaction on the part of the concerned Statutory and Administrative Authorities which also endlessly indulge in blaming and shifting accountability to others."*

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11. This Tribunal gave specific directions to CGWA, DJB, Deputy Commissioners (Revenue) of each Revenue Districts of National Capital Territory of Delhi, DPCC and the Chief Secretary, Government of NCT of Delhi and also answered the question posed in the beginning of the order as under:-

> *"125. Our answer to the question posed in the beginning of this order is that hands of law, as is proverbial, are very strong and no violator whether a person or authority, can escape its hold and fold and survive and thrive without compliance with it.*
>
> *126. It is, accordingly, clarified (i) that in case of failure to take requisite action as mandated by the Environmental Laws/Norms/Notification/SOP, the Chairman and Members of DPCC, Chief Executive Officer of DJB and concerned Officers and concerned Deputy Commissioner (Revenue)/DM, SDM and officers/officials will be liable (i) to pay appropriate environmental compensation as abettors of environmental damage caused by the violators due to negligence/inaction on their part in taking of prompt action against the violators; (ii) to prosecution under Section 26 of the NGT Act 2010 and (iii) arrest and detention in Civil Prison under Section 25 of the NGT Act 2010 for execution of the orders passed by this Tribunal."*

12. It may be observed here that CGWA was constituted in compliance of order dated 10.12.1996 passed by Hon'ble Supreme Court in Civil Writ Petion No. 4677/1985 titled as M.C. Mehta Vs. Union of India & Ors. under Environment (Protection) Act, 1986 and CGWA has issued various orders, public notices and guidelines governing extraction of ground water. Extraction of groundwater is regulated and managed in NCT of Delhi by Section 9 and other provisions of the Delhi Jal Board Act, 1998. Directions were issued by the Hon'ble Lieutenant Governor of NCT of Delhi vide notification dated 18.05.2010 inter alia for permitting borewells and sealing of illegal borewells. Standard Operating Procedure titled as Regulation of extraction of ground water, closure, prohibition of illegal activities relating to use of borewells/tubewells was issued by Government of NCT of Delhi in compliance of order dated 15.05.2020 passed by this

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Tribunal in O.A. No. 685/2019 titled as Rakesh Kumar Vs. Government of NCT of Delhi & Ors.

13. In view of the above referred statutory provisions, public notices, notifications and guidelines, permission/NOC for existing/new borewells can been granted in NCT of Delhi for valid/compelling reasons in accordance with the environmental norms and procedure thereby prescribed but in cases where no such permission/NOC is granted, borewells have to be treated as illegal and have to be sealed in accordance with the procedure prescribed by the statutory provisions, public notices, notifications and guidelines referred to above.

14. All the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi, DJB and DPCC are bound to follow the environmental rule of law embodied by above referred statutory frame work regulating and managing extraction and recharge of ground water and they cannot be permitted to violate the same and render the same nugatory by their negligence, inactions and omissions. We find that all the Deputy Commissioners (Revenue)/District Magistrates in the NCT of Delhi empowered to seal the illegal borewells have not only failed to take requisite action in terms of their statutory obligations but have also failed to file their reports before this Tribunal which raises serious doubt regarding their commitment and dedication to the cause of protection and improvement of environment which is also constitutional obligation of the State and all its instrumentalities/officers/officials.

15. **This Tribunal cannot remain a silent spectator to such non-compliance and being under constitutional obligation as instrumentality of State and statutory obligation under the provisions of the National Green Tribunal Act, 2010 including Section 20 thereof,**

this Tribunal is legally bound to intervene and issue appropriate and effective consequential directions for ensuring compliance with the statutory provisions and orders passed by Hon'ble Supreme Court and also orders passed by this Tribunal including order dated 28.08.2024.

16. In these facts and circumstances, we are constrained to issue show cause notices to the Chief Executive Officer, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi to show cause as to why they be not ordered to be prosecuted under Section 26 of the National Green Tribunal, Act 2010 for non-compliance with the order passed by this Tribunal and as to why they be not ordered to be arrested and detained in civil prison for securing compliance of orders including order dated 28.08.2024 passed by this Tribunal.

17. Learned Counsel for DJB and Learned Counsel for Government of NCT of Delhi have respectively submitted that DJB and the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi have complied with order dated 28.08.2024 passed by this Tribunal but such oral submissions cannot be accorded any significance and cannot be accepted since in the reply filed by Mr. Gajender Tomar, CE (Ground Water) DJB has not averred such compliance and has not given relevant details while all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi have not filed their reports.

18. It may be observed here that all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi have not filed their reports despite sufficient time having been granted thereby compelling this Tribunal to grant adjournment for this purpose

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leading to delay and inconvenience in appropriate resolution of the environmental questions involved and remediation of the environmental damage caused. Such failure to submit compliance reports cannot be ignored and the majesty of this Tribunal cannot be allowed to be thereby eroded and such willful default needs to be visited and remedied by imposition of exemplary amount of costs on them.

19. **Accordingly, all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi are directed to deposit costs of Rs. 10,000/- (Ten Thousand) each with the Learned Register General of this Tribunal within one month.**

20. **The CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi are directed to file further compliance reports as directed by this Tribunal vide order dated 28.08.2024 with all relevant details at least three days before the date of hearing fixed.**

21. It may be observed here that DPCC has imposed environmental compensation of Rs. 7093.46 lakhs on the violators out of which amount of Rs. 79,70,000/- has been recovered by it. References are stated to be pending with District Magistrates/ Deputy Commissioners (Revenue) in the National Capital Territory of Delhi for recovery but the said amount has not been recovered by them despite expiry of long periods of time. This Tribunal had observed that delay in recovery and utilization of amount may result in irreversible environmental damage and directed Government of NCT of Delhi to transfer amount of Rs. 70 crores to DPCC within 3 months but the Government of the NCT of Delhi has not transferred amount of Rs. 70 crores to DPCC. It is strange that the Government of the NCT of Delhi has neither streamlined the recovery of environmental

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compensation through its officers nor transferred the amount to DPCC and Government of NCT of Delhi has completely ignored remediation of environmental damage caused by illegal extraction of groundwater.

22. **However before taking any further action in this regard, we grant one more opportunity to Government of NCT of Delhi to transfer the amount of Rs 70 crores to DPCC for utilization for protection and improvement of environment and remediation of environmental damage caused by illegal extraction of groundwater.**

23. We also consider it to be essential to direct and accordingly so direct the Chief Secretary, Government of NCT of Delhi to specifically bring this order to the notice of Hon'ble Chief Minister of Delhi and Council of Ministers of Delhi for appropriate action for compliance in this regard and also to place a copy of this order before Hon'ble Lieutenant Governor of Delhi for initiating appropriate disciplinary proceedings against the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi who are constantly flouting notification dated 18.05.2010 issued by Hon'ble Lieutenant Governor of Delhi and who have, without any valid justification, failed to discharge their statutory and constitutional obligations and to implement and protect environmental rule of law and have also failed to comply with the order of this Tribunal and to file their reports before this Tribunal.

24. **The Chief Secretary, Government of NCT of Delhi is also directed to file report in this regard at least three days before the next date of hearing fixed in the case.**

25. In view of the above discussed facts and circumstance of the case and non-compliance, we also consider personal appearance of the CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in

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NCT of Delhi through VC on the next date of hearing to be essential for producing the relevant record regarding compliance with the order passed by this Tribunal and also assisting this Tribunal in just and proper resolution of the substantial environmental questions involved in the case.

26. **Accordingly, the CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi are directed to remain present before this Tribunal through VC on the next date of hearing fixed at 10:30 A.M. with the relevant record.**

27. In his reply, DCF South has submitted that joint inspection of the Khasra No. 1978, Village Ayanagar, New Delhi (where the illegal borewell was seized) was conducted by Revenue Department and Forest Department on 13.12.2024 on which it came to notice that the premises where the illegal borewell was seized belongs to Rinku Singh, who is the encroacher on Ridge Forest land and that a notice was affixed on the gate of premises G1-2038, Khasra No. 1978, Village Ayanagar, New Delhi by DPCC.

28. **Notice is ordered to be issued to Rinku Singh and is ordered to be served on him through the District Magistrate (South), Delhi.**

29. For this purpose, notice be sent to the District Magistrate (South), Delhi by email and the District Magistrate (South), Delhi is directed to take a print out of the same and get the service effected on Rinku Singh within 2 weeks from receipt thereof and file his report within 15 days from service thereof.

30. **In case of failure to serve the notice, the District Magistrate (South), Delhi shall appear before this Tribunal physically to explain the reasons for failure to get the notice served on Rinku Singh.**

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31. **The Member Secretary, DPCC is directed to initiate appropriate proceedings against said Rinku Singh for imposition and recovery of environmental compensation for installation and operation of illegal borewell and file report regarding imposition of environmental compensation and recovery thereof from Rinku Singh at least three days before the next date of hearing hereby fixed.**

32. List on 21.03.2025 for further consideration/orders.

33. The matter will be taken up as item no. 1 at 10:30 A.M. on that date and the Registry is directed to ensure that the matter is listed as item no. 1 in the cause list on that date (subject to order if any of Hon'ble Supreme Court/Hon'ble Delhi High Court).

34. A copy of this order be sent to the Chief Secretary, Government of NCT of Delhi, the Member Secretary, CGWA, Chief Executive Officer, DJB, Member Secretary, DPCC, all the Deputy Commissioners (Revenue)/District Magistrates in the city of Delhi, DCF (South), Delhi, District Magistrate (South), Delhi and SDM, Dwarka, Delhi by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 08th, 2025
Original Application No. 639/2022
with M.A No. 24/2023
In Original Application No. 33/2022
AB