

**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

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Date: 21.05.2025
New Delhi

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...Respondents

**STATUS REPORT ON BEHALF OF DELHI JAL BOARD (DJB) IN COMPLIANCE OF
ORDER DATED 21.03.2025.**

MOST RESPECTFULLY SHOWETH:

1. That the present Status 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 21.03.2025. The True Copy of Order dated 21.03.2025 passed by the Hon'ble Tribunal is annexed herein as **Annexure-A**.
2. That the captioned matters 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 has been 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 matters are being adjudicated by this Hon'ble Tribunal and have directed on various dates the various departments of Govt. of NCT of Delhi and concerned bodies to file their responses and action plan for preservation and conservation of ground water in NCT of Delhi. Substantially, this Hon'ble Tribunal vide order dated 21.03.2025, issued directions to various departments for preservation and conservation of ground water in NCT of Delhi.
4. That in compliance of NGT order in MA No. 24 of 2023 in OA No. 33 of 2022 titled as "*Ganesh Prasad vs. Govt. of NCT of Delhi & Ors.*". The site in the said matter has been visited on 19.05.2025. During the site inspection, it was been observed that illegal borewell and illegal R.O. Plant was found sealed.

True Copy of inspection report with photographs is annexed herein as **Annexure- B.**

5. That further in compliance of NGT order in OA No. 639 of 2022 titled as "*Pritpal Sharma vs. Govt. of NCT of Delhi & Ors.*". The site in the said matter has been visited on 19.05.2025. During the site inspection the illegal borewell was found sealed.

True Copy of inspection report is annexed herein as **Annexure- C.**

6. That the District wise current status of no. of illegal borewells as per data received from field units of DJB is as under:

S.No	Revenue District	Number of Illegal Borewells identified by DJB	Number of Illegal Borewells sealed/closed by DMs	Number of Illegal Borewells yet to be sealed	Number of Illegal borewells not traceable/closed	Number of Court stays
1.	Central	636	278	21	177	160
2.	East	145	128	0	17	0
3.	New Delhi	47	43	4	0	0
4.	North	768	373	0	395	0
5.	North East	75	42	0	33	0
6.	North West	9020	6730	0	2290	0
7.	Shahdara	652	552	100	0	0
8.	South	108	46	4	58	0

9.	South East	324	228	13	83	0
10.	South West	6337	5823	0	514	0
11.	West	2185	1719	0	466	0
TOTAL		20297	15962	142	4033	160

7. The report is being submitted herein for perusal and consideration of this Hon'ble Tribunal.
8. 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.


(R.K. Lakhera)

**CHIEF ENGINEER (GW)
DELHI JAL BOARD**

**R.K. LAKHERA
CHIEF ENGINEER (GROUND WATER)
DELHI JAL BOARD
GOVT OF NCT OF DELHI**

Items No.01 & 02

Court No. 2

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

Original Application No. 639/2022
(IA NO 190/2025, IA NO 180/2025, IA NO 181/2025, IA NO 176/2025,
IA NO 175/2025, IA NO 174/2025, IA NO 173/2025, IA NO 184/2025, IA
NO 179/2025, IA NO 177/2025, IA NO 178/2025, IA NO 172/2025)

Pritipal Sharma

Applicant

Versus

Govt. 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

Govt. of NCT of Delhi & Ors.

Respondents

Date of hearing: 21.03.2025

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

Item No.01

Applicant: Mr. Jai Wadhwa, Advocate for the Applicant. Applicant-
Pritipal Sharma in person.

Respondents: Mr. Sanjeev Ralli, Senior Advocate with Mr. Chetanya Baweja, Advocate for Chief Secretary, Delhi.
 Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD.
 Ms. Sakshi Popli, Advocate for DPCC.
 Mr. ADN Rao, Senior Advocate with Ms. Richa Kapoor, Mr. Kunal Anand, Ms. Atika Singh and Mr. Rahul Mishra, Advocate for DJB.
 Ms. Shilpa Shinde, DJB CEO.
 Mr. Gi Gi George and Mr. Sunil Kumar, Advocates for CGWA.
 Mr. Lakshay Singhal, DM (South West), Ms. Ankita Anand, DM (North West), Mr. Anil Banka, DM (South East), Mr. Yash Chaudhary, DM (North), Mr. Amol Srivastava, DM (East), Mr. Mekala Chaitanya Prasad, DM (South), Mr. Sunny Kumar Singh, DM (New Delhi), Mr. Ajay Kumar, DM (North East), Ms. Rishita Gupta, DM (Shahdara) and Dr. Kinay Singh, DM (West) (through VC) and Mr. Harshit Saini, SDM (Dwarka)

Item No.02

Applicant: None for the applicant.

Respondents: Ms. Jyoti Mendiratta and Ms. Ananya Basudha, Advocates for GNCTD.
 Mr. ADN Rao, Senior Advocate with Ms. Richa Kapoor, Mr. Kunal Anand, Ms. Atika Singh and Mr. Rahul Mishra, Advocate for DJB.
 Ms. Shilpa Shinde, DJB CEO.

ORDER

1. O.A No. 639 of 2022 titled Pritipal Sharma vs Government of NCT of Delhi and others and M.A. 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 i.e., 08.01.2025.

2. In compliance thereof, report dated 27.12.2024 was filed by CGWA; report dated 01.01.2025 was filed by DPCC and reports dated 03.01.2025 were filed by DJB and DCF (South), Delhi respectively. In their reports, CGWA and DJB did not provide any information regarding illegal borewells without NOC sealed in compliance with order dated 28.08.2024 passed by this Tribunal.

3. However, compliance reports were not filed by the Deputy Commissioners (Revenue)/ District Magistrates in NCT of Delhi and SDM Dwarka, Delhi despite direction to this effect. This Tribunal observed in its order dated 08.01.2025 that “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”. Accordingly all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi were directed to deposit costs of Rs. 10,000/- (Ten Thousand) each with the Learned Registrar General of this Tribunal within one month.

4. I.A. No. 190/2025, I.A. No.172/2025, I.A. No.181/2025, I.A. No.176/2025, I.A. No.175/2025, I.A. No.174/2025, I.A. No.173/2025, I.A. No. 184/2025, I.A. No.179/2025, I.A. No.177/2025 and I.A. No.178/2025 have been filed by all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi for waiver of costs.

5. The common grounds on which the above said I.As. for waiver of costs have been filed are that directions issued by this Tribunal for uploading the action taken report on the website and also for sealing of

borewells were and are being complied. Imposition of costs appears to have been made on the presumption of non-compliance with the same. Due compliance has been made out in letter and spirit which is evident from the action taken report filed before this Tribunal and the supporting documents. The applicants could not file status reports on the date fixed inadvertently due to being engaged in Delhi Legislative Election 2025 and non-compliance with the order of this Tribunal was neither intentional nor willful but due to reasons beyond their control. Imposition of costs was not warranted particularly when directions of this Tribunal had been duly complied with. Irreparable loss will be caused to the applicants if the costs are not waived.

6. We have heard learned Counsels for the applicant-Pritipal Sharma and learned Counsel for GNCTD and gone through the I.As. filed for waiver of costs.

7. It may be observed that all the Deputy Commissioners (Revenue)/District Magistrates in the National Capital Territory of Delhi were required to file their reports at least one week before the date of hearing fixed i.e., 08.01.2025 whereas the notification for conduct of elections in the National Capital Territory of Delhi was issued on 10.01.2025 and, therefore, the submissions as to the above said officers being busy in election duties cannot be said to be factually correct and legally acceptable. Even otherwise being busy for election duties cannot by itself justify neglect of other work and ignoring of filing of reports in compliance of orders passed by this Tribunal. In any case no application seeking extension of time for submissions of reports was filed by any of the above said officers. The costs were imposed by this Tribunal due to not filing of compliance reports by the above said officers and also there being no valid justification for not filing of compliance reports when sufficiently

long period of time was granted for the same. No ground for waiver of costs is made out. Accordingly, I.A. No. 190/2025, I.A. No.172/2025, I.A. No.181/2025, I.A. No.176/2025, I.A. No.175/2025, I.A. No.174/2025, I.A. No.173/2025, I.A. No. 184/2025, I.A. No.179/2025, I.A. No.177/2025 and I.A. No.178/2025 for waiver of costs are dismissed. However, in view of the peculiar facts and circumstances, we direct that the costs shall be paid by the Revenue Department and not by the concerned District Magistrate personally.

8. Vide order dated 08.01.2025 the CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi were 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.

9. In compliance thereof report dated 19.03.2025 has been filed by CEO, DJB, report dated 18.03.2025 has been filed by DPCC, report dated 18.03.2025 has been filed by the District Magistrate (Central), report dated 17.03.2025 has been filed by the District Magistrate (North East), report dated 18.03.2025 has been filed by the District Magistrate (North West), report dated 19.03.2025 has been filed by the District Magistrate (East), report dated 17.03.2025 has been filed by the District Magistrate (South), report dated 18.03.2025 has been filed by the District Magistrate (South East), report dated 17.03.2025 has been filed by the District Magistrate (South West) and report dated 18.03.2025 has been filed by the District Magistrate (New Delhi). The District Magistrate (Shahdara), the District Magistrate (North), Delhi and the District Magistrate, (West), Delhi have filed short reports with I.As. filed by them for waiver of costs and they have not filed separate detailed reports.

10. **Since the borewells already identified to be illegal are still remaining to be sealed, the CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi are directed to file further compliance reports by 15.05.2025.**

11. Vide order dated 08.01.2025 notice was ordered to be served on Rinku Singh through the District Magistrate (South), Delhi.

12. In compliance thereof notice has been duly served on Rinku Singh but Rinku Singh has not appeared before this Tribunal personally or through his Counsel.

13. In the facts and circumstances of the case we consider examination of Rinku Singh as witness to be necessary for elucidation of the facts in question. In view of the material on record we have grounds to believe that Rinku Singh will not appear before this Tribunal in compliance to summons. **Therefore, Bailable Warrant of arrest bailable in the sum of Rs. 1 Lakh with one surety in the like amount is ordered to be issued against Rinku Singh and the concerned SHO is directed to execute the warrant of arrest and submit his report before this Tribunal.**

14. Vide order dated 08.01.2025 this Tribunal issued 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.

15. I.A. No. 180/2025 has been filed by District Magistrate, South West for withdrawal of show cause notice issued vide order dated 08.01.2025.

16. **The explanations furnished in response to the show cause notices will be considered on the next date of hearing.**

17. This Tribunal observed in order dated 28.08.2024 that DPCC had 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 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 did not transfer amount of Rs. 70 crores to DPCC. Vide order dated 08.01.2025 **Government of NCT of Delhi was given one more opportunity to transfer the amount of Rs 70 crores to DPCC for utilization.** The Chief Secretary, Government of NCT of Delhi was directed to specifically bring order dated 08.01.2025 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 order dated 08.01.2025 before Hon'ble Lieutenant Governor of Delhi for initiating appropriate disciplinary proceedings against the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi and to file his report in this regard.

18. In compliance thereof Dr. K.S. Jayachandran, Special Secretary, GNCTD has filed action taken report by way of his affidavit dated 18.03.2025 mentioning that the Chief Secretary, GNCTD brought order dated 08.01.2025 to the notice of Hon'ble Chief Minister of Delhi and Council of Ministers and also to the notice of Hon'ble Lieutenant Governor of Delhi. In the action taken report it has also been mentioned that further compliance will be placed before this Tribunal.

19. **The Chief Secretary, GNCTD is directed to place such further compliance, as undertaken, before this Tribunal at least one week before the next date of hearing fixed.**

20. In the action taken report Dr. K.S. Jayachandran, Special Secretary, GNCTD has also mentioned that the Chief Secretary, GNCTD convened a review meeting on 17.03.2025. The District Magistrates informed that entire revenue machinery was engaged in the elections of Delhi Assembly, 2025 since November, 2024 till February, 2025 due to which the recovery procedures could not be completed for all the violators. The District Magistrates informed that EC of Rs. 104.8 Lakhs has been recovered till now. The District Magistrates further requested that at least six months more time be provided by this Tribunal to recover the amount of remaining environmental compensation through arrears of land revenue. It has also been mentioned in the action taken report that the Chief Secretary, GNCTD directed all the District Magistrates to complete the recovery of environmental compensation in mission mode.

21. It may be observed here that environmental compensation on the violators has been imposed under orders passed by this Tribunal on the basis of 'polluter pays' principle embodied in Section 20 of the National Green Tribunal Act, 2010 and in case of default in payment thereof the provisions made in Rule 35 (2) of the National Green Tribunal (Practices and Procedure) Rules, 2011 will be applicable which empowers the District Collector of the concerned District to file a complaint under clause (a) of sub section 1 of section 30 of the National Green Tribunal Act, 2010 before the Court of Judicial Magistrate First Class having jurisdiction against the violators who have not deposited the environmental compensation within the stipulated periods.

22. In view of the above referred statutory provisions the District Magistrates may take appropriate steps for filing of complaint under clause (a) of sub section 1 of section 30 of the National Green Tribunal Act, 2010 before the Court of Judicial Magistrate First Class having jurisdiction against the violators who have not deposited the environmental compensation within the stipulated periods in addition to proceedings initiated for recovery of environmental compensation as arrears of land revenue.

23. It may also be observed here that in reference to decision taken in the meeting dated 17.12.2024 taken by Chief Secretary, Delhi regarding transfer of the amount of environmental compensation realized so far on illegal ground water extraction (around 79 lakhs) and 25 % of environmental compensation lying with DPCC unutilized in general Head to the Divisional Commissioner for expeditious utilization on restoration of water bodies, DPCC has released amount of Rs. 19,62,95,000/- to the Divisional Commissioner, GNCTD vide letter dated 25.02.2025.

24. The Divisional Commissioner, GNCTD is directed to prepare an Action Plan in consultation with DJB, CGWA, State Wetland Authority and DPCC for utilization of the amount of Rs. 19,62,95,000/- for rejuvenation of water bodies and recharge of ground water within one month and utilize the amount within next three months and to file copy of the Action Plan alongwith progress report on the next date of hearing fixed i.e., 28.05.2025.

25. Vide order dated 08.01.2025 the CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi were directed to appear before this Tribunal personally through VC on the next date of hearing.

26. In compliance thereof Mr. Lakshay Singhal, DM (South West), Ms. Ankita Anand, DM (North West), Mr. Anil Banka, DM (South East), Mr. Yash Chaudhary, DM (North), Mr. Amol Srivastava, DM (East), Mr. Mekala Chaitanya Prasad, DM (South), Mr. Sunny Kumar Singh, DM (New Delhi), Mr. Ajay Kumar, DM (North East), Ms. Rishita Gupta, DM (Shahdara) and Dr. Kinay Singh, DM (West) have appeared before this Tribunal through VC and Ms. Shilpa Shinde, DJB CEO and Mr. Harshit Saini, SDM (Dwarka) have appeared before this Tribunal physically and we have heard the submissions made by them.

27. Vide order dated 08.01.2025 the Member Secretary, DPCC was 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.

28. As per report dated 18.03.2025 filed by DPCC environmental compensation of Rs. 9,46,080/- was imposed on Rinku Singh vide order dated 09.04.2024 and reference dated 06.12.2024 has been made to SDM Mehrauli for recovery of the same. However, the recovery of amount is yet to be made.

29. **The SDM, Mehrauli is directed to file his report regarding recovery of amount of compensation from Rinku Singh at least one week before the next date of hearing fixed.**

30. In the course of hearing it has been submitted that the difficulties are being faced in implementation of SOP and sealing of illegal borewells due to multiplicity of the authorities/officers involved and meetings of the

District Advisory Committee are not being held regularly. The matter may be looked into by the Chief Secretary, GNCTD.

31. In view of the serious nature and magnitude of the environmental questions involved in the present case, we consider it appropriate to have the assistance of some Advocates as amicus curiae to assist this Tribunal in just and fair adjudication of the questions involved. Accordingly, Mr. Raj Panjwani, Advocate (Enrollment No. D/247-A/1976) is appointed as amicus curiae to assist this Tribunal in just and fair adjudication of the questions involved. His Honorarium is fixed as Rs. 1,00,000/- each besides miscellaneous expenses including travelling, boarding/lodging charges etc. The DPCC is directed to pay amount of Rs. 1,00,000/- to the Amicus Curiae within one month from the date of receipt of a copy of this order and to pay miscellaneous expenses including travelling, boarding/lodging charges etc. within one month of submission of bills in respect thereof out of the amount of environmental compensation lying deposited with it.

32. The amicus may compile all relevant information on the basis of reports filed by **CEO, DJB and all the Deputy Commissioners (Revenue)/District Magistrates in NCT of Delhi** and submit his report with suggestions at least three days before the next date of hearing fixed.

33. List on 28.05.2025 for further consideration.

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, SDM, Dwarka, Delhi and SDM, Mehrauli.

35. A copy of this order alongwith a copy of the paper book with all documents therein be also sent to Mr. Raj Panjwani, Advocate by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 21st, 2025
Original Application No. 639/2022
with M.A No. 24/2023
In Original Application No. 33/2022
AB

Subject = MA No. 24/2023 in O.A. No. 33/2022
 Ganesh Prasad Vs. Govt. of NCT of Delhi &
 Or. for the Chankya place - II Janakpuri AC-30

The site was visited on dt 19/05/2025
 During Site inspection it was observed that
 illegal borewell and illegal R.O. Plant was
 found sealed. (Photograph attached)

(Refer Status report of SDM (Dwarka)
 Copy enclosed)

Om
 EE(D)089

Recd 19/5/25
 AE(C)

Kishu
 19/05/25
 JE/AE(C)

2685

17



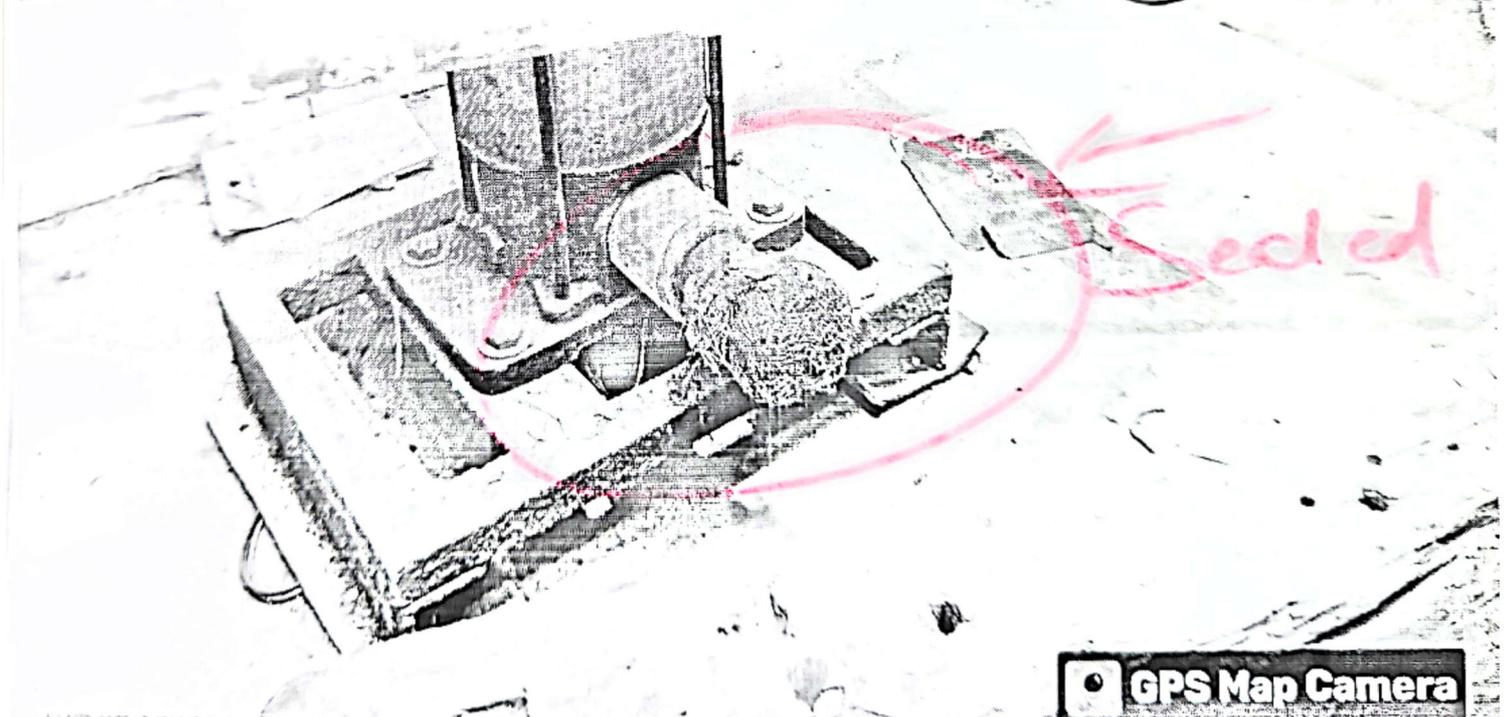
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New Delhi, Delhi, India

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Part 2, Sitapuri, New Delhi, Delhi 110059, India

Lat 28.611321° Long 77.077668°
19/05/2025 01:10 PM GMT +05:30

Google



GPS Map Camera

New Delhi, Delhi, India
 8/2, Chanakya Place II, Block H, Block L, Sitapuri,
 New Delhi, Delhi 110059, India
 Lat 28.611287° Long 77.07765°
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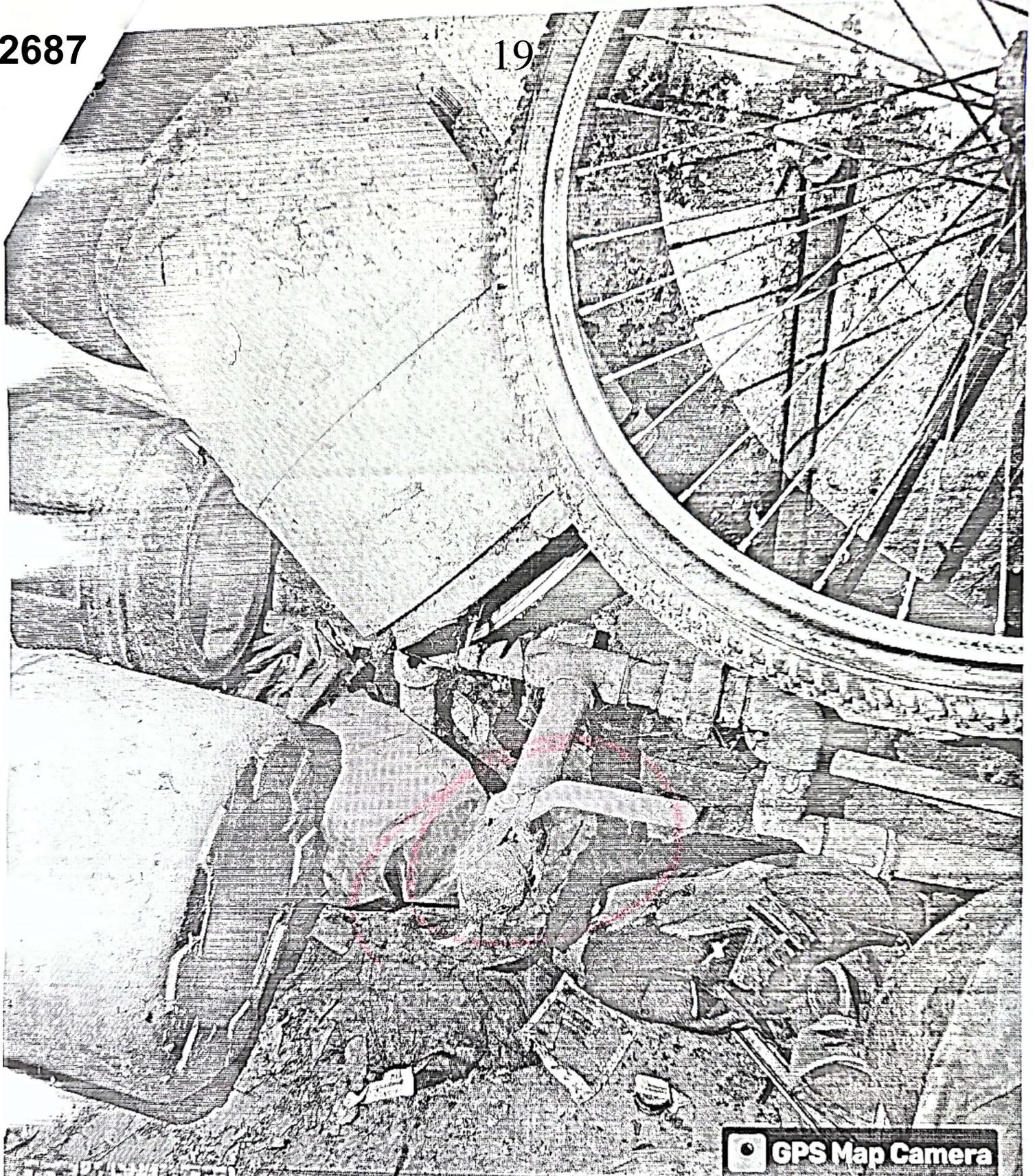
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GPS Map Camera

New Delhi, Delhi, India

14c, Chanakya Place II, Block K, Sitapuri Part 2,
Sitapuri, New Delhi, Delhi 110059, India

Lat 28.611318° Long 77.077679°

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Delhi, Delhi, India

A/67, 25 Feet Rd, Chanakya Place li, Block A, Sitapuri
Part 2, Chanakya Place, Delhi, Delhi 110045, India

Lat 28.611338° Long 77.07753°

19/05/2025 01:05 PM GMT +05:30

Google

Subject: - Report regarding illegal bore well at P.No. 7 Block K, Part-II, Chanakya Place, Uttam Nagar, New Delhi.

The illegal borewell at P.No. 7 Block K, Part-II, Chanakya Place, Uttam Nagar has already been sealed by SDM, the site was again inspected today and found the borewell and RO plant sealed. Photographs are attached.

The report is submitted for forwarding to CE (GW)

SE (C)-08

CE (West)/CE (GW)

Smr
19/5/25
(R.S Meena)
EE (D)-082

Pr
plb
May please see the report
as forwarded by concerned
EE & SE

CE (GW)

Smr
19/5

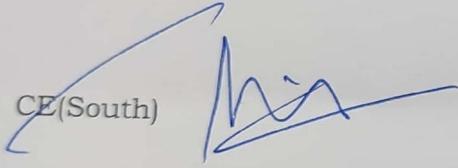
BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BANCH
Original Application No. 639/2022

Pritpal Sharma ... Applicant
Versus
Govt. of NCT of Delhi & Ors. ... Respondents

Status Report regarding seal on the Illegal Borewell at G-1/2038 Aya Nagar

Today, on 19.05.2025, The location of illegal bore well has been inspected and it has been observed that the seal which was put on 03.02.2023 on the Main door of the premises in which illegal borewell exists, is found intact.

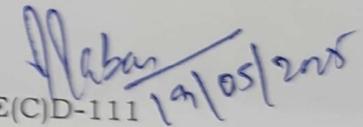
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CE(South)

SE(C)-XI



EE(C)D-111


19/05/2025