

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

E.A. 04/2023

IN

Original Application No. 147/2021

IN THE MATTER OF:

Mahesh Chandra Saxena

..... APPLICANT

VERSUS

Govt. of NCT of Delhi &Ors.

.. RESPONDENTS

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Filed by:

  
Gajender Tomar  
Chief Engineer (DJB)

Dated:12.07.2024

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

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

**MOST RESPECTFULLY SHOWETH:**

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

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

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

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

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

Filed by:

  
Gajender Tomar  
Chief Engineer (DJB)

Dated:12.07.2024

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

BY SPEED POST / EMAIL 435%



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

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

Dated: 27/05/2024

To,  
The Chief Executive Officer,  
Delhi Jal Board, GNCTD,  
Varunalaya, Phase-II, Jhandewalan, Karol Bagh,  
New Delhi-110005

Office of CE (Ground Water)

Diary No. 607

Date 30/05/2024



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

Sir,

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

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

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

*Handwritten signature*

Incharge, CMC-II

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

Encl: As above

COPY TO - Master File, CMC-II

SE (C)-8

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

Pl. discuss in the chamber of CE (GW) in my presence  
ABI @ 31/5/24

29/5/2024

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

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

No.DJB/EE(RWH)-I/2021/1581

Dated: 06.10.2021

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

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

Following were present:-

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

Following points were deliberated:

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

EE(RWH/GWC)-I

All Concerned

Copy to:-

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

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