

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

E.A. No.04/2023

In

Original Application No. 147/2021

**IN THE MATTER OF:**

Sh. Mahesh Chandra Saxena

... Applicant

VERSUS

The Chief Secretary, Govt. of

NCT of Delhi and Ors.

.... Respondents

**NDOH:-28.03.2025**

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Filed by



Sr. Env. Engineer  
Delhi Pollution Control Committee

Date: 20<sup>th</sup>/03/25

Place: Delhi

(1)

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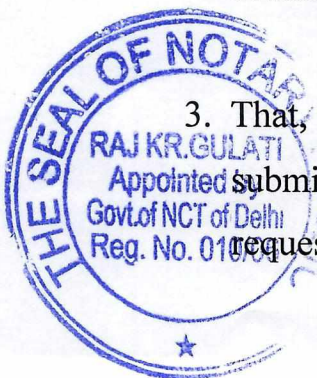
NCT of Delhi and Ors.

.... Respondents

**STATUS REPORT ON BEHALF OF DELHI POLLUTION  
CONTROL COMMITTEE.**

I, Dr. BMS Reddy, Sr. Environmental Engineer, Delhi Pollution Control Committee, 2<sup>nd</sup> Floor, C-Wing, Vikas Bhawan-II, Civil Lines, Delhi-110054, do hereby solemnly affirm and state as under:

1. That, I am working as Sr. Environmental Engineer, Delhi Pollution Control Committee and am conversant with the facts of the present case on the basis of record maintained by Delhi Pollution Control Committee in its ordinary course.
2. That this Hon'ble Tribunal took up the above referred matter related to Rain Water Harvesting System in NCT of Delhi on 09.02.2023. In compliance to the orders passed by this Hon'ble Tribunal, DPCC has filed reports dated 04.01.2024, 14.05.2024 and 27.08.2024, which are available in the records of this Hon'ble Tribunal.
3. That, in continuation to the earlier reports, it is most respectfully submitted that, Delhi Jal Board vide letter dated 20.01.2025 has requested DPCC to impose Environment Compensation on the defaulting



Cooperative Housing Societies. Copy of the letter dated 20.01.2025 of DJB is enclosed herewith as ANNEXURE-1.

4. That, in this regard DPCC has issued letter to DJB on 18.03.2025, interalia informing that only DJB is the regulatory authority on the subject. DJB vide circular dated 10.07.2020 issued guidelines for installing rain water harvesting System wherein it is mentioned that a penalty of 50% of the total water bill amount is levied on the property/ plot measuring 100 sqm and above which fails to install RWHS as per DJB approved guidelines. In view thereof, DJB was requested to look into the matter and direct the concerned to take suitable action as per applicable provisions under DJB against non-compliant/defaulting cooperative housing societies as per the analysis report of DJB as well as DPCC. Copy of the letter dated 18.03.2025 issued to DJB is enclosed herewith as ANNEXURE-2.
5. That, further DPCC has issued letter to CPCB on 18.03.2025, interalia requesting CPCB to provide policy/ guidelines for imposition of EC on defaulting entities for installing defective RWHS. Copy of the letter dated 18.03.2025 issued to CPCB is enclosed herewith as ANNEXURE-3.
6. That, the present status report may kindly be taken on record.

*bury*

**DEPONENT**

VERIFICATION

I, the above-named deponent, declare the contents of the present affidavit are true and correct to the best of my knowledge based upon the documents and records available in the office and nothing material has been concealed therefrom.

12.0 MAR 2025

Verified at New Delhi on this \_\_\_ day of March, 2025.



12.0 MAR 2025

**ATTESTED**  
*[Signature]*  
**NOTARY PUBLIC**  
**GOVT. OF NCT OF DELHI**

*bury*

**DEPONENT**

3



**DELHI JAL BOARD: GOVT. OF NCT OF DELHI  
OFFICE OF THE SE (C)-8  
'A' BUILDING, STAFF QUARTERS  
KAROL BAGH, NEW DELHI-110005**

77-  
भारतीय  
जल बोर्ड

No.DJB/SE (C)-8/2025/ 36

Dated: 20/01/2025

To,

**Dr. K.S. Jayachandran,  
Member Secretary, DPCC  
4th & 5th Floor ISBT, GT Karnal Rd,  
Kashmere Gate, New Delhi, Delhi 110006  
Email: [msdpcc@nic.in](mailto:msdpcc@nic.in)**

**Subject: Imposition of Environment Compensation for polluting the Groundwater on Co-operative Group Housing Societies in Dwarka in the matter of O.A. 147/2021 E.A. 04/2023 titled as "Mahesh Chandra Saxena Vs Chief Secretary, GNCTD & Ors.**

Sir,

May kindly refer your letter dated 27.05.2024 wherein report of 180 samples collected from 176 Co-operative Group Housing Societies in Dwarka was shared by your office.

The DJB has also conducted the survey of all the 176 Co-operative Group Housing Societies and the water sample reports taken from Rain Water Harvesting Pits were got analysed, The comparative sample report has been prepared and is attached for your reference to take necessary action against the defaulting societies as per provision of Environment (Protection) Act, 1986 which are causing contamination to ground water. in most of the cases, the contamination is due to Non-cleaning of roof, improper maintenance of RWH structure and connection of surface drains in RWH structures.

In view of above, you are requested to impose Environment Compensation (EC) as per law on the defaulting Co-operative Group Housing Societies.

With Regards.

SEE/CPC

II

Encl: As above

la  
26/01

MS/1726  
23/1/25

20/01/25

Delhi Pollution Control Committee  
Dairy No. 157232  
22 JAN 2025  
MS  
Sign. of Receiving Officer




SE(C)-8  
H.K. Chawla  
SE (C)-8

24/2/25  
27/01/25

pl examine & int rep  
also discuss  
MS/CPC-2

la  
27/01/25

JBA-1  
CPC-2  
K1  
27/01/25

	<p align="center"><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)</b>  <b>5<sup>TH</sup> FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6</b>  <b>Visit us at: <a href="http://dpcc.delhigovt.nic.in">http://dpcc.delhigovt.nic.in</a></b></p>		
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F.No. DPCC CMC-II/(10)(10)(92)/Leg.08/5280

Date: 18/03/2025

To,

**The Member (Water)**

Delhi Jal Board.

Varunalaya, Phase-2 Jhandewalan,

New Delhi-110055

**Subject: Imposition of Environmental Compensation for polluting the groundwater on Co-operative Group Housing Societies in Dwaraka in the matter of EA No. 04/2023 in OA No. 147/2021 titled as " Mahesh Chandra Saxena Vs Chief Secretary, GNCTD& Ors.**

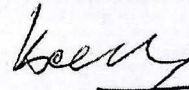
**Ref: DJB's letter No. DJB/SE(C)-8/2025/36 dated 20.01.2025.**

Sir/madam,

In compliance of the order of NGT dated 05.03.2024 in EA No. 04/2023, DPCC water lab had collected samples from Rain Water Harvesting pits of 176 co-operative group housing societies of Dwaraka for evaluating water quality status to check the contamination of ground water. And sampling analysis reports were provided to DJB vide letter dated 27.05.2024. Analysis of the samples indicated presence of Ammonical Nitrogen, 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 of RWHS installed in the societies is not as per guidelines of DJB and are defective.

DJB had collected samples on its own and analysis findings were shared with DPCC vide letter dated 20.01.2025 and has requested DPCC to impose Environment Compensation on the defaulting cooperative housing societies as per law. Vide circular dated 10.07.2020. DJB had issued guidelines for installing rain water harvesting system wherein it is mentioned that a penalty is levied on the property which fails to install RWHS as per DJB approved guidelines.



In view of above, you are requested to look into the matter and direct the concerned in DJB to take suitable action as per applicable provisions under DJB Act/Rules/Circulars/Office Orders/Policy/guidelines of DJB against non-compliant/defaulting cooperative housing societies as per the analysis report of DJB as well as DPCC.



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

Copy to: Chief Executive Officer, Delhi Jal Board, Varunalaya, Phase-II, Jhandewalan, N Delhi

Through E-mail

	<p align="center"><b>DELHI POLLUTION CONTROL COMMITTEE</b>  <b>DEPARTMENT OF ENVIRONMENT, (GOVT. OF NCT OF DELHI)</b>  <b>5<sup>TH</sup> FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-6</b>  <b>Visit us at: <a href="http://dpcc.delhigovt.nic.in">http://dpcc.delhigovt.nic.in</a></b></p>	
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F.No. DPCC CMC-II/(10)(10)(92)/Leg.08/ 5279

Date: 18/03/2025

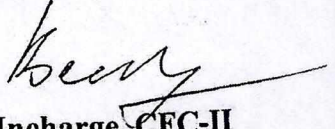
To,

**Member Secretary**  
 Central Pollution Control Board  
 Parivesh Bhawan  
 East Arjun Nagar,  
 Shahdara, Delhi-110032

**Subject: Request for CPCB guidelines/procedure to levy Environmental Compensation on non-compliant/defective RWHS - reg.**

Sir,

This refers to the directions, of Hon'ble NGT in some of the matters being heard by it, to DPCC to impose Environmental Compensation on defective/non-compliant Rain Water Harvesting Structures (RWHS) which may cause groundwater pollution. Deficiencies include the non-compliances wrt the recommendations made by the Committee, constituted by Hon'ble NGT in OA No. 147/2021 and also not complying with the guidelines finalised by the Delhi Jal Board (DJB). However DPCC doesn't have any policy/ guidelines for imposition of EC on defaulting entities for installing defective RWHS. You are requested to look into the matter and direct the concerned in CPCB to provide guidelines/policy wrt of Environmental Compensation regime/methodology to this office so that the same can be complied/implemented. An early response in this regard is highly appreciated.


**Incharge, CFC-II**

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