

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH**

Original Application No. 311/2022

**IN THE MATTER OF:**

**JEET SINGH YADAV**

.... PETITIONER

VERSUS

GOVERNMENT OF N.C.T. OF DELHI & ORS.

...RESPONDENTS

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**THROUGH**

*Swetank Shantanu*  
(SWETANK SHANTANU)

ADVOCATE

D-21, 3<sup>RD</sup> FLOOR JANGPURA EXTENSION

NEW DELHI-110014

MOB:9818058809

**Date: 02.02.2023**

**Place: New Delhi**

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...RESPONDENTS

**STATUS REPORT FILED ON BEHALF OF RESPONDENT  
NO.4/ DELHI JAL BOARD**

1. That the present Status Report is being filed pursuant to the order dated 15.09.2022 and 29.11.2022 passed by this Hon'ble Court directing the following-

*“Status report/reply of Delhi Jal Board”.*

2. That in compliance of the aforesaid orders, it is submitted that there are over a thousand water bodies in the NCT of Delhi. However, a large number of these water bodies are dry or have sewage/dirty water flowing in them. Surface drains from adjoining areas and other unsewered areas carry grey water into the water bodies, leading to water contamination. It is further submitted that the issue of revival and rejuvenation of the water bodies has been dealt with at length by this Hon'ble Court in O.A. No 496/2016 (earlier O.A. No. 253/2015) and O.A. No. 325/2015. It is further submitted that vide Order dated 10.05.2019 passed in O.A. 325/2015, the issue for consideration in the Original Application was identification, protection and restoration of water bodies in the State of Haryana, however, in light of proceedings which had taken place, the Tribunal was of the view that the scope of the application needs to be extended to the entire country in the interest of protection of Environment. Thus, the Tribunal in order to give effect to

'Precautionary' principle and "Sustainable Development' principle, directed all the States and UTs to review the existing framework of restoration of all the water bodies by preparing an appropriate action plan.

Further, it is also submitted that vide O.A. No. 496/2016, a Monitoring Committee was formed by the Tribunal to oversee issues related to water management in Delhi. Copies of the relevant orders passed by the Hon'ble NGT are annexed herewith as ANNEXURE A-1 (COLLY).

3. That pursuant to the orders/directions of the Hon'ble NGT and the Monitoring Committee, Delhi Jal Board initiated proposal for revival and rejuvenation of 155 water bodies owned by Revenue Department/ other Government authorities of Delhi. The aim of this initiative is to clean the existing water bodies, restoring its ecological values and putting in management regimes that are sustainable in the long term.
4. That, thereafter, Delhi Jal Board/ Respondent No. 4 upon the instructions of the Monitoring Committee formed by this Hon'ble Court, is carrying out the work of Rejuvenation of 07 water bodies using Phytoid Treatment Technology of capacity 550 KLD (05 Nos.) & 300 KLD (02 Nos.) at various locations in Delhi (Phase VII). Tender bearing N.IT. No. 16/S&P/(2019-2020) was floated for rejuvenation of the water bodies including the Shishuwala Pond at Mundka (C). Thereafter, Work Order No.04 dated 24.07.2020 was awarded to M/s P.K. Gupta & Company with respect to rejuvenation of the 'Shishuwala Pond'. It is pertinent to mention herein that under this work a treatment plant based on Phytoid Treatment Technology is being constructed in the premises of this water body to trap the raw untreated sewer from local open sewer networks/drains/nallas flowing directly into the pond without being treated. This trapped raw sewer water is proposed to be treated by this technology to achieve effluent up-to the quality as instructed by this Hon'ble Court. The percolation of treated effluent will enhance the quality of ground water and increase the ground water level.

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5. That the work order was to be completed by February 2021, however the work was halted due to public hindrances and encroachments on the said pond.
6. Presently, the Civil Work of rejuvenation of the Shishuwala Pond has been completed and Electric connection is pending. Phytorid based STP is yet to be functional.
7. That it will be most pertinent to mention that the ownership of the land initially vested with Revenue Department of Govt. of NCT Delhi but presently vests with Delhi Development Authority (DDA).
8. That this report/reply is being submitted in compliance of the directions of this Hon'ble Court vide orders dated 15.09.2022 and 29.11.2022.

  
AJAY KUMAR  
CE(QC/WB)

Date: 1-2-23  
Place: New Delhi

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

**O.A. No. 311/2022**

**IN THE MATTER OF:-**

Jeet Singh Yadav .....Applicant

Versus

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

**AFFIDAVIT**

I, Ajay Kumar, Son of Sh. Sunheri Lal, aged about 59 years working as Chief Engineer (QC/EB), having office at Room no. 113, DJB, Varunalaya Phase-II, do hereby solemnly affirm and state as under:

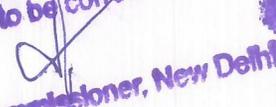
1. That I am the deponent and hence I am competent to swear the contents of the present affidavit.
2. That the accompanying Status Report has been drafted by my counsel. The contents of the same have been read by me and I have understood the same. The contents of the same are true to my knowledge.
3. I say that the averments of facts stated herein above are true to my knowledge, no part of it is false and nothing material has been concealed therein.

  
**DEPONENT**

**VERIFICATION:**

2 FEB 2023

Verified on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023 at New Delhi that the contents of the above affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed there from.

**Solemnly sworn before me read over & explained to the deponent  
Admitted to be correct**  
  
**Oath Commissioner, New Delhi**

  
**DEPONENT**

2 FEB 2023



*Anil Kumar Singh  
(Adv)*  
**Identified the deponent who  
has signed in my presence**

Annexure-01

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

**Original Application No. 496 of 2016  
(M.A. Nos. 80 of 2018, 732/2018, 1109/2018, 1110/2018, 1111/2018,  
1154/2018, 1155/2018, 1156/2018, 1157/2018, 1228/2018, 1229/2018)  
(Earlier O.A. NO. 253/2015)**

**IN THE MATTER OF:**

**Tribunal on its own Motion Vs. Govt. of NCT of Delhi & Ors.**

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present:** **Applicant:**  
**Respondent Nos.6&9:** **Mr. Balendu Shekhar, Mr. Sriansh Prakash and  
Mr. Rajkumar Maurya, Adv. or East Delhi  
Municipal Corporation  
Mr. A.K. Prasad, Mr. Shashank Saxena, Adv. for  
CGWA  
Mr. Tarunvir Singh, Adv.  
Mr. H.S. Phoolka, Mr. Sumeet Pushkarna, Ms.  
Sakshi Popli, and Mr. Devanshu Lahiry, Adv.  
with Mr. Ajay Gupta, S.E. for DJB  
Ms. Puja Kalra, Adv. for SDMC  
Mr. Raj Kumar adv and Ms. Niti Choudhary, LA  
Central Pollution Control Board  
Ms. Pyoli and S.C. Jha, Adv.  
Ms. Sakshi Popli, Adv.**

Date and Remarks	Orders of the Tribunal
<p align="center"><b>Item No. 06 August 30, 2018 dv</b></p>	<p>1. The proceedings in this matter commenced on the basis of a news item dated 19.06.2015 in Hindustan Times under the title "Dirty flows your drinking water" highlighting the problems of contaminated groundwater in various areas of Delhi. It was also highlighted that in such areas the groundwater is not potable drinking water. The people are suffering on account of said water being contaminated and unfit for human consumption as they are dependent only on such water in absence of supply of drinking water</p> <p>2. The Tribunal required the Delhi Jal Board (DJB) to file a status report. Accordingly, a status report was filed to the effect that samples of groundwater were tested and if such water was found fit for drinking the same has been</p>

<p><b>Item No.</b> <b>06</b></p> <p><b>August 30,</b> <b>2018</b> <b>dv</b></p>	<p>connected to the DJB network after chlorination. Wherever the samples failed, the ground water was declared unfit for human consumption. The status report also suggested steps to tackle the problems in such areas. The suggestions included groundwater level being kept lower so as not to affect the basement of the buildings, artificial recharge measures being stopped and construction of basement being discouraged. Extraction of contaminated ground water should be prohibited. The water which was not fit for human consumption should be provided for other uses like Delhi Metro. Out of 979 samples collected, 473 were found to be unsatisfactory.</p> <p>3. This Tribunal constituted a Committee headed by the Secretary, Environment, National Capital Territory of Delhi and having representatives from Central Pollution Control Board (CPCB), Delhi Pollution Control Committee (DPCC), Delhi Development Authority (DDA), and the Central Ground Water Authority (CGWA) to identify the areas where the water is contaminated and taking necessary steps. The application was disposed of on 10.12.2015 with this direction subjected to further status report being considered.</p> <p>4. Further status report was filed on 09.09.2016 before the Tribunal by the Committee. The same was registered as Original Application No. 469/2016. The report was to the effect that though the Government and the DPCC have taken steps, the CGWA has not got involved in compliance of the order of this Tribunal. The CGWA has, however, published Ground Water Year Book for Delhi in the year 2012 based on information generated by monitoring of</p>
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<p><b>Item No.</b> <b>06</b></p> <p><b>August 30,</b> <b>2018</b> <b>dv</b></p>	<p>groundwater observation wells during the season 2011-2012.</p> <p>5. On 31.01.2018, the matter was again considered. Attention of the Tribunal was drawn to the Ground Water Year Book 2015-2016 compiling the relevant data. The maps included therein projected the areas having high electrical conductivity shown in the violet and red colours in the map. DJB was asked to carry out survey of the said areas. Thirty Seven locations were identified where electrical conductivity was found exceeding the permissible limits. Illegal borewells/tubewells/wells were directed to be sealed. Legal borewells where the water was not fit for human consumption were directed to be painted with red colour with a declaration to that effect. The compilation also showed location of borewells having the fluoride and nitrate contents exceeding the permissible limits. The DJB was directed not to give any new license for abstraction of water in such areas. The borewells where the samples of the water were found to be exceeding the permissible limits were directed to be closed and permission if any granted was directed to be revoked.</p> <p>6. In further orders it was found that either the information was not available with the authorities or on cross-checking there was a gap in the correctness of the information.</p> <p>7. On 23.05.2018, the Tribunal also considered the case of the interveners that they were unable to access potable drinking water. The DJB was directed to supply drinking water. The DJB was directed to file a comprehensive action plan on groundwater recharge.</p>
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	<p><b>Item No. 06</b></p> <p><b>August 30, 2018</b> dv</p>	<p>8. On 06.07.2018, the Tribunal considered the issue of making installation of rainwater harvesting systems compulsory in every building or premises of more than 500 meters carrying on business activity.</p> <p>9. The DJB has filed an affidavit on 07.08.2018 indicating that as against estimated demand of 1140 million gallon per day for a population of 190 lacs, potable water production is 900 million gallon per day. 820 million gallon per day is produced from surface water sources and 80 million gallon per day from groundwater sources. By 2021, water demand will go up to 1380 million gallon per day but the surface water resources will become limited requiring more dependence on groundwater which is already overstressed. There is need for three upstream storages on the River Yamuna and its tributaries in time-bound manner to reduce dependence on groundwater. Three projects, namely, Renukaji, Kishau and Lakhwar &amp; Vyasi Dams have been declared the National Projects. There is also need for comprehensive groundwater management plan with the participation of all stakeholders to cover the rainwater harvesting systems, use of treated effluents for groundwater recharge through surface storage and to reduce dependence on surface water. Reference has been to the Notification dated 12.07.2010 regulating the groundwater extraction. The CGWA Master Plan for artificial recharge of groundwater has also been referred. Action on revival and rejuvenation of water bodies is also required to be planned. There is requirement of roof top rainwater harvesting where plot size is 100 sq. meters or more under the Bylaws dated</p>
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	<p><b>Item No. 06</b></p> <p><b>August 30, 2018</b></p> <p><b>dv</b></p>	<p>28.07.2001 with a need for implementation by the Municipal Corporations of Delhi, DJB and New Delhi Municipal Corporation (NDMC). DJB has taken measures for rainwater harvesting, use of treated effluents for groundwater recharge through surface storage, rejuvenation of existing water bodies, creation of new water bodies and treated effluent utilization. The DJB is supplying treated effluents for horticulture, thermal power plants and non-potable usages. Treated effluents they state can be the source of raw water where parameters of BOD/SS are less than 10/10 ppm.</p> <p>10. The DJB has also filed an action plan. The plan suggests action in the areas of rainwater harvesting, use of treated effluents for ground water recharge, rejuvenation of existing water bodies and creation of new water bodies, utilization of treated effluents as a source of raw water, utilization of treated effluents for parks and institutional premises for horticulture purposes etc., modification of building Bylaws to include provision for rainwater harvesting. The DJB will take the treated effluent from WWTPs upstream of Palla through raising mains, and let it flow through the river course and collect the same at Wazirabad Barrage. The combined discharge of about 177 million gallon per day will be available in addition to the 70 million gallon per day.</p> <p>11. Miscellaneous Application No. 1228/2018 has been filed by the inhabitants of Patparganj Industrial area who are not getting water supply from DJB. They claim to be extracting groundwater through borewells. It is also stated that the water supplied by the DJB was inadequate and</p>
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<p><b>Item No.</b> <b>06</b></p> <p><b>August 30,</b> <b>2018</b> <b>dv</b></p>	<p>not fit for sanitary purposes also. They are not being allowed to extract groundwater on the allegation that the same is for commercial purposes which was not factually correct.</p> <p>12. Learned Senior Counsel appearing for the DJB fairly stated that even though the issue raised is of a very serious nature on the ground level and inspite of judgment of this Tribunal dated 10.12.2015 and the steps taken by the authorities, the situation remains very grim in terms of shortage of the groundwater as well as its contamination. The Action Plan has been prepared but its implementation remains an issue. There is also an issue of co-ordination with several authorities.</p> <p>13. The proposal to mix the treated effluents in the river may raise a question whether discharge of such effluents will adversely affect the quality of clean water. The question will be whether such water should be used only for recharging the groundwater or for horticulture purposes.</p> <p>14. Apart from the issue of finalizing the proposed action plan in the light of suggestions of other stakeholders, suggestion mooted is to have an independent Monitoring Committee which can constantly monitor the situation for about six months with a view to enhance the availability of groundwater by adopting suitable measures, check contamination and take final call on the plans for proper utilization of treated effluents. There is also an issue of encroachment of Delhi Floodplains which leads to reducing the groundwater recharge. Beyond suggesting sealing of borewells or hand</p>
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	<p><b>Item No.</b> <b>06</b></p> <p><b>August 30,</b> <b>2018</b> dv</p>	<p>pumps where the water is contaminated, no suggestion has come forward for treating the contamination.</p> <p>15. In view of above, we are satisfied that the matter can be disposed of by directing appropriate measures being taken consistent with the order of the Tribunal dated 10.12.2015 and above observations by finalizing the action plan in the matter within one month from today. However, mere finalization of the action plan without oversight of implementation thereof may not achieve the object for these proceedings. Accordingly, as suggested during the hearing, it is necessary to constitute a Committee to look into the issue of finalization of the action plan as well as implementation thereof and also to act as an oversight body.</p> <p>16. Accordingly, while disposing of this application, such a Monitoring Committee is constituted as follows:</p> <ul style="list-style-type: none"> <li>(i) Justice, S.P. Garg, Former Judge, Delhi High Court- Chairman.</li> <li>(ii) Representative of Delhi Jal Board – Member.</li> <li>(iii) Representative of Central Pollution Control Board- Member.</li> <li>(iv) Representative of Central Ground Water Authority- Member.</li> <li>(v) Jurisdictional S.D.M. for action in a particular area- Member.</li> </ul> <p>17. The Committee will take the following steps:</p> <ul style="list-style-type: none"> <li>• Take stock of all actions taken so far.</li> <li>• Prepare time bound action plan to deal with the problem and ensure its implementation.</li> </ul> <p>18. The Committee may requisition services of such</p>
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<p><b>Item No. 06</b></p> <p><b>August 30, 2018</b> dv</p>	<p>technical experts as may be necessary and may also carry out visits to sites whenever necessary. They will be entitled to all logistic support for performing these functions which shall be provided under the directions of the Chief Secretary, Delhi.</p> <p>19. The Monitoring Committee may also set up website for receiving and giving information on subject.</p> <p>20. The Monitoring Committee may also involve educational institutions for awareness and feedback about results.</p> <p>21. All authorities concerned in the NCT of Delhi shall cooperate and coordinate with the Monitoring Committee. The Committee can seek such technical assistance as may be required from any relevant authority.</p> <p>22. The Chief Secretary, Delhi to provide all facilities to said Committee to perform its functions. The Committee may send its periodical reports to the Tribunal by e-mail.</p> <p>23. The Committee may assume its charge within two weeks from today. The Committee may prepare Action Plan which shall have targets of ensuring compliance. It may meet at such intervals as considered appropriate but twice in every month and fix targets for compliance.</p> <p>24. The Committee will be free to take up all incidental issues. The Committee will be free to seek any further directions from this Tribunal by e-mail.</p> <p>25. The District Magistrates of the concerned Districts will be the co-coordinators for their respective Districts.</p> <p>26. The Chief Secretary, Delhi may determine the remuneration to be paid to the Chairman of the Monitoring Committee in consultation with him and the</p>
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<p><b>Item No.</b> <b>06</b></p> <p><b>August 30,</b> <b>2018</b> dv</p>	<p>payment may be made out of the funds of the DJB. All logistic support including security if needed for their proper functioning will be provided by the Chief Secretary to the Monitoring Committee.</p> <p>27. The Committee will be entitled to take the help of the technical experts in execution of this order. The Committee may frame its action plan for implementation within one month from today and implementation may be completed within six months as far as possible. The timelines may be laid down. A copy of the action plan may be sent to this Tribunal.</p> <p>28. As already observed, the Committee will look into finalization of the action plan and timelines for its implementation as an oversight body and also other allied issues.</p> <p>29. The Committee will also take a call urgently on the issue of supply of drinking water, wherever the same is not being supplied and source of potable underground water is not available or legally impermissible.</p> <p>A copy of this order be sent to the concerned authorities by e-mail along with set of papers. The Committee may send its periodic reports for consideration to this Tribunal. Finalized action plan and plan for future strategies of the Committee may be sent before October 31, 2018 by e-mail at <a href="mailto:filing.ngt@gmail.com">filing.ngt@gmail.com</a>.</p> <p>The application is disposed of.</p> <p>Put up the matter for consideration on 17<sup>th</sup> December, 2018.</p> <p>.....,CP (Adarsh Kumar Goel)</p>
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<p><b>Item No.</b> <b>06</b></p> <p><b>August 30,</b> <b>2018</b> <b>dv</b></p>	<p>.....,JM (Dr. Jawad Rahim)</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. Nagin Nanda)</p> <p>30.08.2018</p>
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