

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION**

(Under Section 18(1) read with Sections 14, 15, 17 & 27 of the
National Green Tribunal Act, 2010)

ORIGINAL APPLICATION NO. 116 OF 2025

IN THE MATTER OF:

RESIDENT WELFARE ASSOCIATION ...APPLICANT
A-1 BLOCK JANAKPURI

VERSUS

DELHI JAL BOARD & ORS. ...RESPONDENTS

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(DIVYAKANT LAHOTI)

DATE: 28.10.2025

PLACE: NEW DELHI

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**REJOINDER ON BEHALF OF THE APPLICANT TO THE
AFFIDAVIT FILED ON 10.09.2025 BY RESPONDENT NO.1**

MOST RESPECTFULLY SHOWETH THAT:

1. The present Rejoinder is necessitated due to the Affidavit of progress report filed by the Respondent No.1/Delhi Jal Board (“*DJB*”), in compliance with Order dated 08.08.2025 in O.A. No. 116 of 2025. Even today, the core issue of cross-contamination between the sewer line and the potable water line has not been resolved.

2. However, at the outset, it is most respectfully submitted that all the averments, contents, allegations and submissions made by the Respondent No.1 in the Affidavit are denied as being based on false, concocted, misleading, misconceived facts and grounds, unless specifically admitted hereinafter to be true and correct. Nothing stated in the present Rejoinder should be deemed to be admitted for the want of specific transverse.

3. That, the present Rejoinder is confined to raising preliminary objections and placing the true and correct facts before this Hon'ble Court. It is respectfully submitted that a para-wise response to the Affidavit has not been furnished herein solely for the sake of brevity. The omission of a line-to-line denial shall not, in any manner, be construed as an admission of the statements, allegations, or averments made in the Affidavit, all of which are specifically denied unless expressly admitted herein.

PRELIMINARY OBJECTIONS:

4. That, the so-called progress Affidavit filed by the Respondent No.1 is a self-serving progress report masquerading as a compliance exercise devoid of substance or accountability, that masks continuous contamination and administrative inaction beneath token photographs and internal laboratory reports, while on the ground no verifiable improvement has occurred in water quality or public health. There is no evidence, not even a single demonstrable instance, that any household in the Applicant society/A-1 Block, Janakpuri today receives clean and potable water consistently on a daily basis. In fact, multiple residents continue to report foul-smelling, discoloured, and visibly contaminated supply even after the Affidavit's filing. Therefore, Respondent No.1's reliance on its own internal laboratory findings, without any third-party verification renders its claims untrustworthy, particularly when Respondent No.5/Central Pollution Control Board's (*hereinafter referred to as "CPCB"*) independent sampling had already confirmed bacteriological contamination vide Report dated 28.07.2025 and absence of

residual chlorine. The continued presence of backflow, open pits and stagnant wastewater underscores that the contamination persists unabated. Even as of today, residents of the Applicant/A-1 Block, Janakpuri are compelled to rely on private vendors for basic survival, while Respondent No.1/DJB continues to celebrate its paperwork instead of addressing the actual crisis and yet recovering water charges. The present Affidavit dated 10.09.2025 of Respondent no.1, in its entirety, is an eyewash designed to deflect judicial scrutiny, not a genuine account of compliance.

5. That, this Affidavit of Respondent No.1 is conspicuously silent on any comprehensive disinfection or chlorination drive, despite the Respondent No.5/CPCB categorical findings of non-detectable residual chlorine in multiple taps across the Applicant society/A-1 Block, Janakpuri. This omission is not only a technical lapse, rather a glaring public-health failure. In the absence of systemic flushing and shock chlorination, the old and corroded main water lines continue to push back contaminated water into the domestic lines, rendering citizens vulnerable to the same pollution cycle.
6. There is also sewage backflow inundating basements, demonstrating that contamination is not confined to pipelines but has physically intruded into residential spaces. Families are forced to live with the stench and sight of stagnant wastewater within their own premises. Without disinfection, these conditions create an ideal breeding ground for pathogens, posing serious risks of cholera, hepatitis, and gastrointestinal disease. The Respondent No.1's continuing

neglect of this crucial preventive step exposes the hollowness of its assurances and confirms that infrastructure, not affidavits, determines compliance. True Copy of the photograph of House No. A-1/57, taken on 07.10.2025 showing backflow is hereby marked and annexed herewith as **ANNEXURE A-1**.

7. That, the Respondent No.1 admits that the replacement work of the 40-year-old water pipeline commenced only on 04.08.2025, yet claims that 205 metres out of 730 metres have been laid. This amounts to barely 28% progress in over five weeks, despite the 60-day deadline mentioned in the work contract ending on 03.10.2025. After more than 3 (three) additional weeks of delay, no schedule or estimated completion is mentioned. The piecemeal progress in the present case demonstrates non-compliance in both letter and spirit of the Hon'ble Tribunal's directions. Meanwhile the residents continue to consume water from unreplaced, corroded lines that the DJB itself states has "outlived their life". Copy of the video recording dated 16.10.2025 from House No. A-1/57 is placed in a Pen drive is hereby marked and annexed as **ANNEXURE A-2**.
8. That, the Respondent No.1 has consciously omitted any reference to the adjoining sewer line, even though its own communication dated 30.05.2025 categorically admitted that both the water and sewer networks in A-1 Block, Janakpuri have "outlived their life" and require simultaneous replacement. The present progress affidavit, by confining itself solely to partial work on the water pipeline, seeks to

create a facade of compliance while leaving the root cause of contamination i.e. the collapsing sewer mainlines, completely unaddressed. The continuing presence of E. coli and Faecal Coliform in household samples proves that untreated sewage continues to infiltrate the potable supply through these unreplaced lines. It is therefore not an issue of delay but of structural neglect as repairing one pipe while allowing the other to leak filth beside it renders the entire operation technically meaningless. Until the sewer line is overhauled, every metre of progress claimed by the Respondent No.1 stands contaminated, literally and figuratively, with administrative deceit and environmental disregard.

9. Respondent No.1 repeats assurances without a single verifiable milestone. In the absence of any disclosed tender document, contract details, sanctioned estimate, or completion timeline with regard to the sewer line, the residents have been kept entirely in the dark with no clarity on who the contractor is, what work order was issued, or by when it will be completed. Without transparency and accountability, the Respondent No.1's statements remain nothing more than bureaucratic placeholders for inaction.
10. That, the assertion made by Respondent No.1 that residents are not availing tanker water is factually incorrect and deliberately misleading. Whereas the reality is that the water tankers deployed by DJB seldom arrive with functional flexible hoses, making it practically impossible for residents, many of whom are super senior citizens, to lift and store water in overhead tanks located on upper floors. On most days, the supply is confined to the street level, forcing

residents to physically carry buckets up multiple flights of stairs. This arrangement defeats the very objective of the Tribunal's direction, as the supposed remedy has itself become inaccessible to those it was meant to assist. Further, the residents have repeatedly raised concerns about the quality and odour of the tanker water, leading to widespread distrust and non-usage for cooking or drinking purposes. Compliance cannot be claimed merely because a tanker is parked in the colony for photographic display, when in reality, the water remains both undelivered and unusable.

11. That, the reliance on Respondent No.1's own Haiderpur WTP Quality Control Laboratory, is wholly unreliable due to the following reasons:
 - a. The testing is internal to the DJB and lacks independent oversight, thereby defeating objectivity.
 - b. The present Affidavit deliberately ignores repeated CPCB reports confirming E. coli and Faecal Coliform contamination, as well as the independent NABL accredited CEFT laboratory findings showing bacterial counts as high as 1.2×10^6 MPN/100 ml.
 - c. These "satisfactory" internal reports cannot override verified independent evidence of contamination and only reflect a conflict of interest where the polluter seeks to certify its own compliance.
12. That, the residents of A-1 Block, Janakpuri have been left to shoulder the consequences of DJB's failure, spending out of their own pockets for bottled water, repeated cleaning of overhead tanks, maintenance of purifiers and plumbing

repairs, all while continuing to receive unsafe and foul-smelling supply. For months, many families with elderly and vulnerable members have been forced to live in an environment of constant uncertainty, fearful of the water flowing from their own taps. Instead of acknowledging this public-health crisis, the Respondent No. 1's Affidavit trivialises the residents' plight behind false hope such as expeditious execution and monitored progress. What the residents face is not inconvenience but daily exposure to unsafe and unhygienic conditions within their own homes.

13. That, the continued supply of contaminated and bacteriologically unsafe water by the Respondent No. 1 constitutes not only a violation of the residents' Right to Life under Article 21 of the Constitution of India but also amounts to a statutory breach under Section 24(1)(b) of the Water (Prevention and Control of Pollution) Act, 1974, which expressly prohibits any person or authority from causing or knowingly permitting any poisonous, noxious or polluting matter to enter into a stream or well. The underground potable water pipelines form part of the public watercourse within the meaning of the said provision and thus, contamination therein squarely attracts statutory liability. By allowing faecal matter and sewage to infiltrate the potable water distribution network, the Respondent No.1 has effectively discharged pollutants into a public water system in contravention of this mandate. Such conduct is not merely administrative negligence but a punishable environmental offence, warranting immediate remedial directions and imposition of

environmental compensation under the “polluter pays” principle.

14. That, the purported progress reflected in the latest affidavit stands completely contradicted by the situation on the ground. Despite repeated assurances of pipeline replacement and restoration, the actual execution remains piecemeal, slow and dangerously unscientific. The so-called excavation work carried out in the lanes of A-1 Block has been left half-dug, unbarricaded, and unrepaired, exposing residents, especially senior citizens and children to physical risk. Open trenches have been left gaping for days, breeding mosquitoes and accumulating stagnant wastewater, while broken debris continues to obstruct access to residences. there is no active workforce, no machinery, no sign of coordinated progress. This careless execution not only fails to meet the 60-day completion deadline but also compounds the very contamination problem the works were meant to address. Dust, debris and sewage seepage from these open pits now threaten to create a secondary public health hazard.

True Copy of the photographs taken on 17.10.2025, 18.10.2025 and 21.10.2025 showing the incomplete and hazardous excavation work outside A-1/24 and A-1/27, A-1 Block, Janakpuri is hereby marked and annexed herewith as **ANNEXURE A-3**.

15. That the credibility of the recent water sampling exercise conducted by the Respondent No.5/CPCB on 03.09.2025 and 08.09.2025 completely demolishes the false sense of normalcy projected in the Affidavit of Respondent No.1/DJB.

The CPCB report dated 14.09.2025, filed pursuant to the Hon'ble Tribunal's order dated 08.08.2025, categorically records the detection of *E. coli*, Faecal Coliform and Total Coliform in 7 out of 17 samples, including in randomly selected households a staggering 41% failure rate. Pertinently, the most concerning is the sample from A-1/146, which recorded *E. coli* at 3.5×10^6 MPN/100ml and *Total Coliform* at 1.6×10^7 MPN/100ml with contamination levels thousands of times beyond permissible standards. Such figures indicate the presence of active faecal matter in the potable water being supplied to households. Even in locations where pipelines were reportedly replaced, such as A-1/37, 56, 57, 131 and others within the affected area, contamination continues to be detected, exposing the structural failure of Respondent No.1's remedial works and confirming that the source of pollution lies in the main distribution network, not individual household lines. The persistence of *E. coli* across successive tests conducted by CPCB over the past 6 months establishes a continuing and systemic failure to safeguard public health. The Report by CPCB dated 14.09.2025, paints an alarming picture wherein the water entering citizens' kitchens carries faecal bacteria in concentrations not only unfit for human consumption, but is a laboratory hazard classification.

16. That, the most damning and irrefutable evidence of continuing contamination emerges from the latest independent laboratory reports obtained by the Applicant from the Centre for Environment and Food Technology Pvt. Ltd. (*hereinafter referred to as "CEFT"*), a NABL-

accredited, FSSAI and MoEF/CPCB-recognised testing laboratory, which conclusively establish that the potable water supplied by Respondent No. 1 remains grossly unfit for human consumption. Samples of drinking water were collected by the RWA from House No. A-1/56 (First Floor) and House No. A-1/57 (Ground Floor) on 17.10.2025, analysed under and reported on 24.10.2025 vide Report Nos. CEFT/ENV/1058 and CEFT/ENV/1057 respectively. The results are staggering: E. coli measured 110 MPN/100 ml and 2.4×10^4 MPN/100 ml, while Faecal Coliform registered 210 MPN/100 ml and 9.2×10^4 MPN/100 ml, against the statutory limit of “*Shall not be detectable in any 100 ml*” prescribed under IS 10500:2012. That is sewage, not water. These levels represent active faecal contamination, confirming ingress of sewage into the drinking-water network even after DJB’s so-called repair works and progress affidavit. The reports, issued barely weeks after Respondent No.1/DJB claimed the supply was “satisfactory,” expose the falsehood and continuing failure of Respondent No. 1. True Copies of the Test Reports dated 24.10.2025 issued by CEFT Pvt. Ltd. for Houses A-1/56 and A-1/57 showing bacteriological contamination are hereby marked and annexed herewith as **ANNEXURE A-4**.

17. The Applicant submits that the Affidavit filed by Respondent No. 1 reflects a pattern of institutional indifference and administrative complacency. Instead of undertaking a structural overhaul of the corroded water and sewer network, the Respondent has confined itself to cosmetic actions token repairs, selective sampling, and perfunctory affidavits, without any measurable or verifiable improvement in water

quality. The temporary arrangements being portrayed as compliance are nothing more than stop-gap measures that neither inspire public confidence nor mitigate the continuing exposure of residents to contaminated water. The Respondent No.1's repeated reliance on its internal laboratory reports, while ignoring independent CPCB and NABL findings of bacteriological failure, underscores a clear attitude of denial rather than rectification. What is unfolding in the Applicant society, A-1 Block, Janakpuri is not a routine civic grievance but a public-health emergency, where families, including senior citizens, are forced to live amidst contaminated pipelines and hazardous water. The Respondent No.1's refusal to treat this as a crisis, despite judicial directions and mounting evidence reveals a serious lapse in governance. Such systemic apathy and failure of public duty warrant the immediate and firm intervention of this Hon'ble Tribunal to ensure accountability, transparency, and time-bound remedial action.

18. In light of the foregoing submissions and the continuing suffering of the residents of A-1 Block, Janakpuri, the Applicant respectfully submits that the temporary measures presently undertaken by the Respondent No.1/DJB, such as the installation of suction lines, deployment of tankers as well as stop-gap sewerage arrangements, must not be treated as sufficient compliance or a substitute for long-term resolution. These measures, though partially mitigating, are inadequate and *ad hoc* in nature, and the Respondent No.1 must be directed to convert them into permanent infrastructural upgrades.

19. Additionally, in view of the continued complaints of foul-smelling and discoloured water being received from several houses within A-1 Block, Janakpuri including portions beyond the segment presently under repair, it is most respectfully prayed that the Central Pollution Control Board be directed to undertake a fresh round of water testing. The exercise may kindly cover at least 15 samples from the present affected area and an additional 5 samples from the adjoining section of the Applicant Block. The results to be filed before this Hon'ble Tribunal as such verification by an independent statutory body is essential to ascertain the current extent of contamination, to ensure accountability and to prevent continued exposure of residents to unsafe drinking water.
20. The Applicant urges that the current interim arrangement be maintained as a *pro-tem* step, pending the execution of permanent, structural solutions as per a time-bound, transparent action plan to be placed on record by the Respondents.

In view of the above, it is respectfully prayed that relief may kindly be granted in favour of the Applicant Society.

DATE: 28.10.2025

DRAWN ON:- 24.10.2025

PLACE: NEW DELHI

(DIVYAKANT LAHOTI)

Advocate for the Applicant

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AOR Code: 2188

359

Notary Register Entry No.
Date.....24 OCT 2025 11361

IN THE COURT OF NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 116 OF 2025

13

IN THE MATTER OF:

RESIDENT WELFARE ASSOCIATION
A-1 BLOCK JANAKPURI

...APPLICANT

VERSUS

DELHI JAL BOARD & ANR.

...RESPONDENTS



AFFIDAVIT

I, Rajesh Mahajan, S/o Shri. N L Mahajan Aged 53 years, R/o A-1/271, FF, Janakpuri, New Delhi-110058 do hereby solemnly affirm and state as under:

1. That I am the General Secretary of the Petitioner RWA A-1 Block, Janakpuri herein and as such I am well conversant with the facts and circumstances leading to the present case and I am competent to swear to this Affidavit.
2. That the contents of the Rejoinder which have been drafted under my instructions and state that the contents thereof are true and correct on the basis of the record of the case which I believe to be true and correct the best of my knowledge and belief.
3. That the Annexures to the accompanying Application are true copies of their respective originals.

[Signature]
DEPONENT

VERIFICATION:

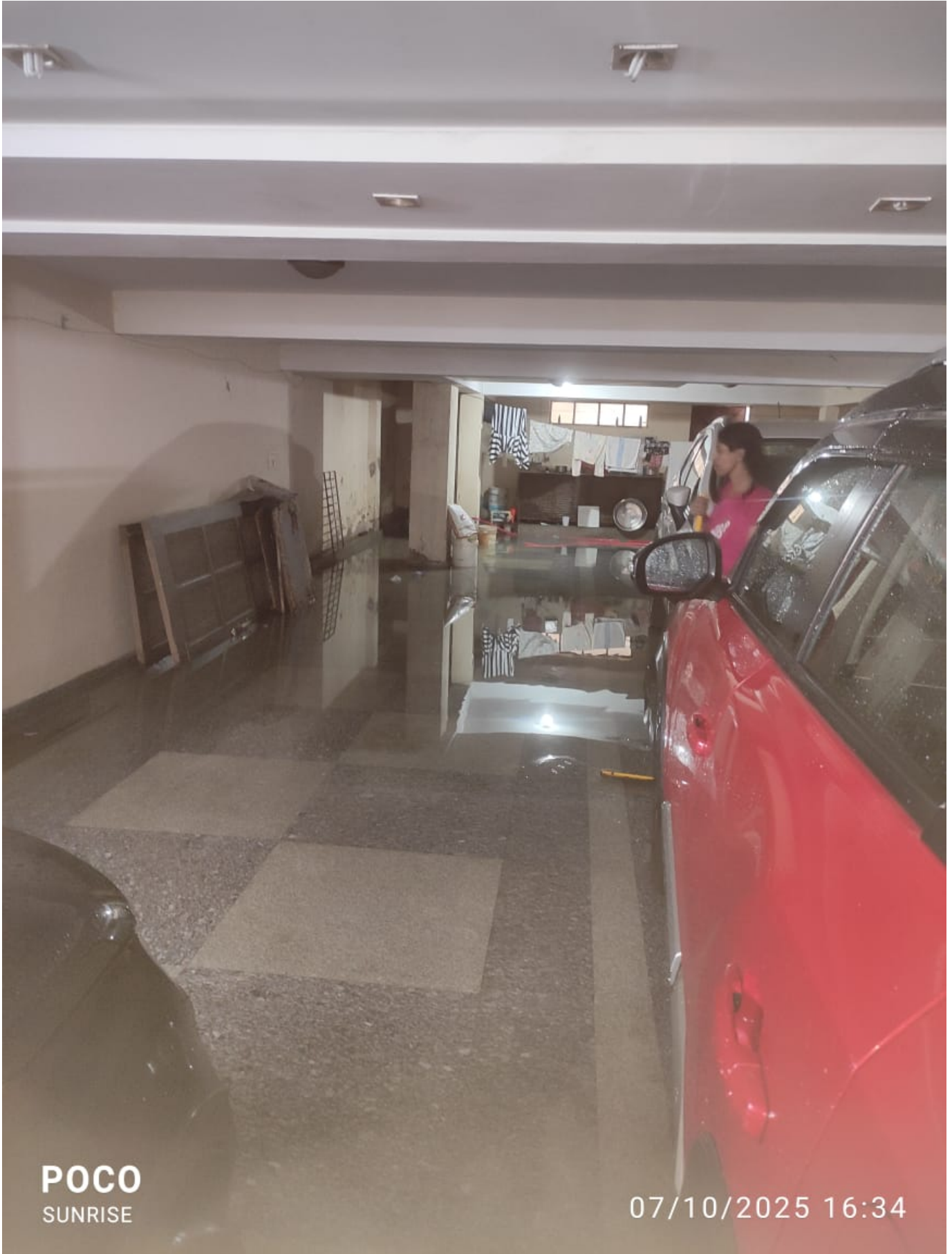
Verified on this the day 24th of 10, 2025 that the contents of this Affidavit as true and correct to my knowledge and belief and that no part of it is false and nothing material is concealed therefrom.

[Signature]
DEPONENT



ATTESTED BY
[Signature]
Notary Public Delhi

24 OCT 2025



POCO
SUNRISE

07/10/2025 16:34

ANNEXURE A-2

PENDRIVE

VIDEO LINK

Alankar

//TRUE COPY//




AI/27, Block AI,,


28.62592 : 77.06979

03:58 pm 17/10/2025



AI/24, Block AI,,

 28.62574 : 77.06921

 04:31 pm 18/10/2025



AI/24, Block AI,,

28.62575 : 77.06920

10:50 am 21/10/2025

Alahadi

//TRUE COPY//



TEST REPORT

Party Name : M/s Resident Welfare Association
A-1, Block Janakpuri, New Delhi, Delhi-110058

Sample Description : Drinking water
Sampling Location : A-1-57, Ground Floor, RWA, A-1 Janakpuri
Sample code : -
Source : -
Sample Given by : Party

Report No. : CEFT|ENV|057
Format No. : 7.8 F-01G
Reporting Date : 24.10.2025
Analysis Completion date : 17.10.2025 to 24.10.2025
Receipt Date : 17.10.2025
Sampling Date : 17.10.2025
Sampling Method : As Per APHA Method
Sampling Quantity : 250 ml
LSRF/Sample ID : CEFT|ENV|2510170057

TEST RESULT

S. No.	Parameter	Result	Test-Method	Standards Limit
MICROBIOLOGICAL TEST				
1	E.Coli	2.4 x 10 ⁶ MPN/100ml	APHA 24th Ed. 9221 F	Shall not be detectable in any 100 ml sample
2	Faecal Coliform	9.2 x 10 ⁶ MPN/100ml	APHA 24th Ed. 9221 E	Shall not be detectable in any 100 ml sample

Page No - 1/1

End of Report



- Note : 1. The test results are related to the sample/ tested as identified.
2. The sample will be discarded after retention time of 7 days unless otherwise specified.
3. Any Discrepancy found in the test report may be communicated within seven days.
4. This report shall not be reproduced, cannot be used as evidence in the court of law and should not be used in any advertising media without written permission of CEO, CEFT Pvt. Ltd.
5. The Court Jurisdiction will be Delhi.
6. Customer complaint register is available at the laboratory.





TEST REPORT

Party Name : M/s Resident Welfare Association
A-1, Block Janakpuri, New Delhi, Delhi-110058

Report No. : CEFT|ENV|058
Format No. : 7.8 F-01G
Reporting Date : 24.10.2025
Analysis Completion date : 17.10.2025 to 23.10.2025
Receipt Date : 17.10.2025
Sampling Date : 17.10.2025
Sampling Method : As Per APHA Method
Sampling Quantity : 250 ml
LSRF/Sample ID : CEFT|ENV|2510170058

Sample Description : Drinking water
Sampling Location : A-1-56, 1st Floor, RWA, A-1 Janakpuri
Sample code : -
Source : -
Sample Given by : Party

TEST RESULT

S. No.	Parameter	Result	Test-Method	Standards Limit
MICROBIOLOGICAL TEST				
1	E.Coli	140 MPN/100ml	APHA 24th Ed. 9221 F	Shall not be detectable in any 100 ml sample
2	Faecal Coliform	210 MPN/100ml	APHA 24th Ed. 9221 E	Shall not be detectable in any 100 ml sample

Page No - 1/1

End of Report



- Note : 1. The test results are related to the sample/ tested as identified.
2. The sample will be discarded after retention time of 7 days unless otherwise specified.
3. Any Discrepancy found in the test report may be communicated within seven days.
4. This report shall not be reproduced, cannot be used as evidence in the court of law and should not be used in any advertising media without written permission of CEO, CEFT Pvt. Ltd.
5. The Court Jurisdiction will be Delhi.
6. Customer complaint register is available at the laboratory.

Deakati





PROOF OF SERVICE

Advance Service in the matter of Resident Welfare Association A-1 Block Janakpuri v. Delhi Jal Board & Ors.

1 message

Lahoti Advocates <office@lahotiadvocates.com>

Tue, Oct 28, 2025 at 6:42 PM

To: ceodelhi.djb@nic.in, secy-moef@nic.in, chdpcc@nic.in, sneh.lata71@nic.in, Patrick.ekka@nic.in, v.singsit@gov.in, ashokl.kr48@gov.in, mscb.cpcb@nic.in, Advocate Raj Kumar <advrajkumar@gmail.com>, cgwb@nic.in, csdelhi@nic.in, commissioner@mcd.nic.in, Ajay Vikram Singh <ajayvikramsingh563@gmail.com>

Cc: Divyakant Lahoti <divyakant@lahotiadvocates.com>, Shreya Gokel <shreya@lahotiadvocates.com>

Dear Sir/Ma'am,

This is in reference to the above-captioned matter, which is pending before the Hon'ble National Green Tribunal, Principal Bench, and is scheduled for hearing on the 30.10.2025 in Court No.1. Please find attached the Rejoinder along with the accompanying video marked as Annexure A-2. You are hereby served with copies of the same for your kind consideration.

Regards,
Divyakant Lahoti
Counsel for Applicant

--

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2 attachments **FINAL REJOINDER.pdf**
2835K **A-1 Block, Janakpuri.mp4**
4756K