

Item No. 01

Court No. 1

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

Execution Application No. 34/2023
in
Original Application No. 526/2019

Mahesh Chandra Saxena

Applicant

Versus

Central Pollution Control Board & Anr.

Respondent(s)

Date of hearing: 01.12.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Rahul Khurana, Adv. for Applicant in E.A 34/2023

Respondent: Mr. Gigi. C. George, Adv. for CGWA

ORDER

1. This Execution Application has been filed by the Applicant seeking compliance of order dated 11.09.2019 passed in OA No. 526/2019. In the said OA, the issue relating to the rain water harvesting system in Delhi was raised and the Tribunal by order dated 11.09.2019 had directed as under:

"7. Accordingly, we direct that the suggestions of the Committee be acted upon. RWHS may not be installed close to storm water drains to avoid contamination of ground water in the process of recharging the ground water from the RWHS. Piezometers be installed near the RWHS for monitoring of ground water level and water quality of recharged water. Separators be installed to separate pollutants before recharging. Depth of the borewells should be at least 5m above the Static Water Table. Deficient RWHS be closed.

8. *In light of observations of the Committee, the Delhi Jal Board (DJB), Delhi Development Authority (DDA), Public Works Department (PWD), Delhi; New Delhi Municipal Corporation (NDMC) and South*

Delhi Municipal Corporation (SDMC) are directed to take appropriate remedial measures for mitigation.”

2. The submission of Counsel for the Applicant is that none of the above directions have been complied with. He has referred to the report filed at Annexure A-1 along with additional submissions and has submitted that before passing of the above order, the Committee had pointed out various deficiencies which have not been cured till now.

3. Having regard to the submission made by Counsel for the Applicant, we deem it proper to issue notice to the following authorities:

- i. Delhi Jal Board (DJB) through the CEO.
- ii. Delhi Development Authority (DDA).
- iii. Public Works Department (PWD), Delhi.
- iv. New Delhi Municipal Council (NDMC).
- v. South Delhi Municipal Corporation (SDMC).
- vi. Central Ground Water Authority (CGWA).
- vii. Delhi Pollution Control Committee (DPCC).

4. Mr. Gigi. C. George, Learned Counsel accepts notice on behalf of the Central Ground Water Authority.

5. Learned Counsel for the Applicant is directed to serve the remaining other respondents and file affidavit of service on or before the next date of hearing.

6. Let the compliance report be filed by the respondents at least one week before the next date of hearing by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

7. List on 12.02.2024.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

December 01, 2023
Execution Application No. 34/2023
In Original Application No.526/2019
DV