

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

**Original Application No. 108/2013
(M.A. No. 489/2015)**

And

**Original Application No. 179/2013
(M.A. No. 866/2014 & M.A. No. 644/2015)**

And

**Appeal No. 67/2015
(M.A. NO. 652/2015)**

IN THE MATTER OF :-

**Legal Aid, National Green Tribunal Bar Association
Vs.**

NCT of Delhi & Ors.

&

Raj Hans Bansal Vs. Ministry of Water Resources & Ors.

&

Apex Chambers of Commerce and Industries of N.C.T. of Delhi & Ors.

Vs.

Govt. of NCT Delhi & Ors.

**CORAM : HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

Present: Applicant/Appellant(s) Mr. Raj Panjwani, Sr. Adv. Mr. Rahul Choudhary & Mr. Utkarsh Jain
Ms. Meera Gopal, Advs.

Respondents: Mr. Pinaki Misra, Sr. Adv. and Mr. Pradeep Kumar, Advs.

Chamber of Mr. Pradeep Kumar, Adv for Apex Industries

CGWA Mr. Ardhudumauli Kr. Prasad and Mr. Shashank Saxena, Adv.

Respondent No. 3 Ms. Sakshi Popli, Adv.

Respondent No. 7 Mr. Smit Bindal, for R-6
Mr. Narender Pal Singh and Ms. Aditi Singh, Advs. and Mr. Dinesh Jindal, Adv. for Delhi Pollution Control Committee

DSI IDC Ms. Nikita Salwan, Adv. for DSI IDC
Mr. V K Tondon of SDM

DSI IDC Mr. Ardhudumauli Kr. Prasad and Mr. Shashank Saxena, Advs.

DSI IDC Mr. Manoj Kumar, Adv. for Mr. Moni Chinmoy, Adv.
Mr. Sumeet Pushkarna and Mr. Devanshu Lahiry, Advs. with Mr. Sudhir Chauhan, Advs for DJB

CPCB Mr. Raj Kumar and Mr Niti Choudhary, LA

Date and Remarks	Orders of the Tribunal
Item Nos. 15 to 17 July 10, 2018 ag	Vide our order dated 8 th January, 2018, we had directed Delhi Jal Board, Delhi State Industrial and Infrastructure Development Corporation and Government of NCT Delhi to hold a meeting and inform as to their

collective stand with regard to extraction of ground water in highly exploited areas with reference to Notification dated 12th July, 2010. A meeting was earlier held on 30th November, 2017 wherein CEO Jal Board sought advice from Central Ground Water Authority for want of comprehensive data necessary to prepare holistic plan for ground water extraction in the entire Delhi. Considering the role of CGWA in regulation, control, development and management of ground water resources, directions were issued to CGWA to communicate to the Delhi Jal Board and the Committee constituted under the Notification dated 12th July, 2010, the latest available ground water data and further give inputs as regard to the ground water extraction / utilization / consumption by the user industries.

An Affidavit has been filed by the CGWA on 6th February, 2018 stating that since the action on the part of CGWA is complete as per the directions of Hon'ble NGT, New Delhi, it is for the authorities of the State Government to take clear stand in it.

The Affidavit of Delhi Jal Board dated 15th February, 2018 filed on 16th February, 2018 interalia states as follows:

“DC (Revenue) who are the Authorized Officers and the Chairman of the Advisory Committees would be advised that permission for extraction of ground water shall not be allowed for industries / commercial organizations engaged in packaging/sale of water or aerated beverages or for commercial supply of ground water say be

unauthorized private water tankers. If Institutes/Mall/Commercial establishments need ground water, then the Competent Authority should make them part of water supply chain with the condition of installation of water meters, ground water usage charges as prescribed by the Competent Authority.”

Thus, the stand of the Delhi Jal Board is that permission for extraction of ground water cannot be granted to industries / commercial organizations engaged in packaging/sale of water or aerated beverages or commercial supply of ground water. It is not disputed that the applicant is an industry of that category.

In view of above, it will be in the interest of the environment that ground water is not allowed to be extracted till there is a improvement in the situation.

Accordingly, we direct that no ground water be allowed to be extracted till further orders.

List the matter on 30th July, 2018.

....., CP
(Adarsh Kumar Goel)

....., JM
(Dr. Jawad Rahim)

....., JM
(Raghuvendra S. Rathore)

....., EM
(Dr. Satyawan Singh Garbyal)

10.07.2018