

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

Execution Application No.11/2023
In
Original Application No. 89/2021
(IA No.829/2023)

Varun

Applicant

Versus

Govt. of N.C.T. of Delhi & Ors.

Respondent(s)

Date of hearing: 22.08.2024

**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: Ms. Mansi Chahal, Adv. for Applicant in E.A 11/2023 (Through VC)

Respondent: Ms. Atika Singh, Adv. on behalf of Ms. Richa Kapoor, Adv. for Delhi Jal Board
Mr. Balendu Shekhar & Ms. Tanisha Samanta, Advs. for DPCC
Ms. Jyoti Mendiratta & Ms. Ananya Basudha, Advs. for GNCTD (Through VC)
Mr. Gaurav Kumar Bansal, Adv. in I.A. No. 829/2023
Mr. Gigi. C. George & Mr. Ishwer Singh, Advs. for CGWA

ORDER

1. Sh. Gaurav Kumar Bansal, applicant in IA No.829/2023 has sought adjournment on the personal ground of health issue.
2. In order to ascertain as to which authority is responsible for checking the illegal extraction of ground water in NCT Delhi and take punitive action for such violation, we had put a query to all the Counsel for Respondents but none of the Counsel for the respondents could answer it.
3. Counsel for the DJB submits that responsibility lies with the District Level Advisory Committee.

4. Counsel for the DPCC has referred to Clause 6 of the Notification dated 18.05.2010 published in Delhi Gazette on 15.07.2010 and has submitted that in emergent violation cases of illegal ground water drawl, the authorized officer is required to take action and Clause 2, thereof ,provides for the Deputy Commissioner (Revenue) of each revenue area of GNCTD to be the authorized officer for the purpose of regulation of ground water development and management in respective revenue areas.

5. Stand of the Counsel for GNCTD is that she will obtain instructions and she does not know as to who is the officer responsible for regulating the extraction of ground water.

6. It is very unfortunate situation. The matter is pending since long and even after lapse of so many years, authorities are not aware of their duties and responsibilities and they are shifting the responsibility on each other without clearly disclosing as to which authority is responsible for regulating the ground water extraction in Delhi.

7. In these circumstances, we direct the Chief Secretary, NCT Delhi to ascertain the authority's responsibility keeping in view the observation made above and to direct the concerned authority to file report before the Tribunal with regard to the action taken/proposed to be taken against the violators.

8. List on 03.09.2024

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 22, 2024
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JG.