

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

Original Application No. 444/2023

Paryavaran Vikash Sangh
Through Parmanand Rana

Applicant

Versus

State of Haryana & Ors.

Respondent(s)

Date of hearing: 23.04.2025

**CORAM: HON’BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICAL MEMBER
HON’BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Prakash Pandey, Adv. for Applicant (Through VC)

Respondents: Mr. T.N. Subramaniam, Senior Advocate with Mr. Rubin Vakil, Mr. Nilesh Gala & Mr. Pranathak Pathak, Advs. for R - 6
Mr. Rahul Khurana, Adv. for R – 1, 4 & 5
Mr. Tushar Agarwal, Ms. Roopsee Pandita & Mr. Arun Kumar, Advs. for R - 7 (Through VC)
Ms. Pallavi Hooda, Adv. for R - 8
Ms. Shilpa Chohan & Mr. Jitender Chaudhary, Adv. for R - 9
Mr. Amit Singh Chauhan, Adv. for CPCB (Through VC)

ORDER

1. In this Original Application (OA), the Applicant had made a complaint that the Respondents No. 6 to 9 and other construction companies in Gurgaon are extracting the groundwater without permission and in violation of the CGWA Guidelines dated 24.09.2020. The Tribunal, by order dated 26.07.2023 had appointed the joint Committee, which has submitted the report dated 04.11.2023 disclosing as under:-

S. No.	Infrastructure Project	Environmental clearance/CTE/CTO status	Construction status/ status of permission of HWRA
1.	JOYVILLE SHAPOORJI	• Environmental clearance obtained vide letter No.	• Partly project completed and operational. Part

	HOUSING PVT. LTD.(SHAHPOOR JI PALONJI), Sec 102, Gurugram	SEIAA/HR/2018/10 77 dated 20.08.2018. • CTE obtained vide letter No. HSPCB/Consent/ : 329962318GUNOC TE5671401 dated 30.10.2018. • First CTO (part) vide letter No HSPCB/Consent/ : 329962323GUNOC TO35203072 dated 01.06.2023. • Parameters of STP outlet are within prescribed norms as per analysis report No.1156 dated 06.10.2023. • Part CTO renewal vide letter No. HSPCB/Consent/ : 329962323GUNOC TO43774768 dated 09.10.2023 Annexure-1 colly.	CTO has also been obtained by the unit. • Partly project under construction (as on dated construction activity stopped for the want of dewatering permission from HWRA. • Unit has applied for HWRA permission vide application dated 28.07.2023. • Unit has obtained permission from GMDA for using STP treated water for construction activities. • Unit has obtained permission from GMDA vide Memo No ZP 1257/JD(NK)/2023/1446 dated 16.01.2023 and water sewerage bill are attached as Annexure II Colly.
2.	Neocentra, Sec 103,Gurugram Near Dharampur village Haryana	• Environmental clearance obtained vide letter No. SEIAA/HR/2020/28 4 dated 17.07.2020. • CTE has been obtained vide letter No HSPCB/Consent/: 313116318GUNOC TE5697275 dated 15.10.2018. • Obtained No objection certificate from the office of administration, HUDA, Gurugram. Memo No. A 1/Admn./2017/NOC dated 18.04.2017.	• CTE obtained but no construction activity going on as on date due to internal reasons of the unit. • HWRA permission obtained valid upto 24.08.2023. Annexure-III colly.
3.	VS REAL PROJECTS PVT. LTD. (AMB SELFIE SQUARE), Sec 37 D, Gurugram	•Environmental clearance obtained vide letter No. SEIAA/HR/2014/14 95 dated 26-11 2014. CTE has been obtained vide letter No HSPCB/Consent/28 21215GUSOCTE18 75387 Dated:02/05/2015. • Afterward unit obtained Extension in validity period vide HSPCB/consent/32 9962317GUSOCTE 3793385 dated 28/03/2017 and CTE vide letter no. HSPCB/Consent/: 329962319GUSOC TE6556177 Dated:14/06/2019. Annexure-IV colly	No construction activity. One tube well and one sump well is present within the complex. Two tube wells which were electrified by the project proponent are present outside the complex. These four structures need to be sealed.

4.	RAMPRASTHA PROMOTERS AND DEVELOPERS PVT.LTD, Sec 37 D,Gurugram	• Environmental clearance obtained vide letter No. EC22B039HR1768 22 dated 25-09 2022. • CTE has been obtained vide letter no. HSPCB/Consent/32 996232GUSOCTE3 0438739 dated 07 12-2022. Annexure-V colly	Project is having around 4.57 Acres total area in which 5 – Residential Towers (A,B,C,D & E) are there, out of which 4-Towers (A,B,C & D) are completed. Only Tower-E is constructed up to Basement (Approximate area 2444.17 Square Meters). One tube well and one sump is present within the complex, these need to be sealed.
5.	BPTP complex	• Environmental clearance obtained vide letter No. SEIAA/HR/2022/22 0 dated 09.06.2023. • CTE has been obtained vide letter No HSPCB/Consent/: 329962323GUNOC TE38896447 dated 28.07.2023. • CTO has been obtained vide letter No. HSPCB/Consent/: 329962323GUNOC TO40147903dated 28.07.2023. • Parameters of STP outlet are within prescribed norms as per analysis report No.582 dated 18.07.2023. • Water connection has been obtained from the office executive engineer HUDA DIV No. III Gurgaon vide Memo No.14839 dated 11.10.2012 Annexure- Colly.	• No construction activity. • Dewatering activities observed outside, no permission obtained from HRWA. • No sewage connection has been provided to the unit and treated water is used within the unit premises of the unit for gardening/ flushing etc.

2. Though the joint Committee in November, 2023 itself had found that the illegal extraction of ground water was being done by some of the Project Proponents but we find that till now the State Authorities have not taken any effective action. The latest reply dated 22.04.2025 filed by the CEO, Haryana Water Resource Authority only mentions that the show cause notices dated 04.03.2025 and the reminder notice dated 09.04.2025 were issued. In fact to ascertain if the borewells are existing with due permission, only the permission was required to be verified. We

are surprised simple exercise has taken about 1 ½ years and till now the action against illegally operating of borewells has not been completed. By delaying the action infact, the Respondent Authorities have permitted/allowed illegal extraction of ground water from the borewells which exist without permission.

3. Thus, in the circumstances of the case, we direct the Chairperson of the Haryana Water Resource (Conservation, Regulation and Management) Authority, who is of the rank of Additional Chief Secretary to Government of Haryana, to hold an enquiry and find out the officer concerned responsible for delaying action and take appropriate action against the said officer for permitting illegal extraction of ground water due to dereliction of his duties or for any other unknown reason.

4. Respondent Authorities are expected atleast to take action keeping in view the observations made above within one week and submit a report within four weeks.

5. Respondents are permitted to file their response keeping in view the observations made above.

6. List on 07.07.2025.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

April 23, 2025
Original Application No. 444/2023
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