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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1936/2026 & CM No.9427/2026**

JITENDER KUMAR AND ANR.Petitioners

Through: Mr. Ashish Negi & Ms. Sushila,
Advocates.

Versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Balendu Shekhar, Mr. Rajkumar
Maurya, Mr. Divyansh Singh Dev &
Mr. Krishna Chaitanya, Advocates for
UOI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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11.02.2026

1. The learned Counsel for the Petitioners confines the reliefs sought in the present Petition for issuing a direction to Respondent No.2 – Central Ground Water Authority (“CGWA”) to decide the Representations made by Petitioner No.1 by way of E-mails dated 07.11.2025 and 13.01.2026 at the earliest possible and does not press for other reliefs.
2. Heard the learned Counsel for the Petitioners and the learned Counsel for Respondent No.1 – Union of India.
3. The Petitioner No.1 holds a Certificate, after successfully completing a course in Water Budgeting & Auditing (Level-6 of NSQF), under the Green Skill Development Programme of the Ministry of Environment, Forest and Climate Change, Government of India. The said Certificate was issued on 24.08.2018 by the authorized signatory of the Ministry of Environment, Forest & Climate Change as is apparent from the perusal of the said Certificate, annexed as Annexure P-3 to the present Petition.



4. The grievance raised in the present Petition is that despite the Petitioner No.1 being a qualified Water Auditor, he is not permitted to conduct such audit because of the provisions contained in Clause 4.1(iii) of the Guidelines to Regulate and Control Ground Water Extraction in India (“**Guidelines**”) issued by CGWA to regulate and control ground water extraction published in the Gazette of India dated 24.09.2020 as it stands on amendment by Notification dated 29.03.2023. Clause 4.1(iii) of the said Guidelines, as it existed before its amendment by Notification dated 29.03.2023, is as under:

“4.1 Industrial Use

- iii) All industries abstracting ground water in excess of 100 m³/d shall be required to undertake annual water audit through Confederation of Indian Industries (CII)/ Federation Indian Chamber of Commerce and Industry (FICCI)/ National Productivity Council (NPC) certified auditors and submit audit reports within three months of completion of the same to CGWA. All such industries shall be required to reduce their ground water use by at least 20% over the next three years through appropriate means.”

5. The said Sub-clause (iii) of Clause 4.1 of the Guidelines has now been amended vide Notification dated 29.03.2023. Clause 4.1(iii) of the Guidelines which now exists in its amended form is as under:

“4.1 Industrial Use

- iii) All industries abstracting ground water in excess of 100 m³/day shall be required to undertake biennial (once in two years) water audit through certified auditors of agencies as approved by CGWA and submit audit reports within three months of completion of the same to CGWA. Compliance of



the earlier given reports may be checked by certified water auditors after one year and the report in this regard may be shared with CGWA”

6. According to the existing Guidelines after amendment the Water Audit of industries which are extracting ground water in excess of 100 m³/d is required to be undertaken once in two years through Certified Auditors of the agencies approved by the CGWA. Prior to the amendment of Clause 4.1(iii) of the Guidelines, the Water Audit was required to be conducted by such industries on annual basis through Confederation of Indian Industries (CII) / Federation Indian Chamber of Commerce and Industry (FICCI) / National Productivity Council (NPC) certified auditors. It has been stated by learned Counsel for the Petitioner No.1 that despite holding a valid certificate of appropriate qualification in Water Auditing, the Petitioner is not being certified by the CGWA for which purpose he has already made representations to the Member Secretary of CGWA by way of E-mails dated 07.12.2025 and 13.01.2026, annexed as Annexures P-11 & P-13 to the present Petition. Though Petitioner No.1's eligibility for being accredited as a qualified Water Auditor, which may have been determined by the CGWA, is not before us, however, *prima facie*, we do not see any reason why Petitioner No.1 cannot be accredited enabling him to conduct the water audit in terms of the aforementioned Guidelines for the reason that he has acquired the qualification in terms of the Certificate issued to him under the Skill Development Programme of the Government of India.

7. Having regard to the facts and circumstances of the case, we direct that the competent authority of Respondent No.2 shall consider the aforesaid representations of the Petitioner No.1 and take a decision regarding the accreditation of Petitioner No.1 as Water Auditor in terms of Rules and also



as per the observations made hereinabove. The said decision shall be taken by the appropriate authority of Respondent No.2 within a period of two weeks from the date a certified copy of this order is produced before them.

8. The Petition as well as the pending Application is disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

FEBRUARY 11, 2026
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