

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

Original Application No. 815/2022

IN THE MATTER OF:

Suresh Chand

..... Applicant

Versus

D.M. Kapashera & Ors.

..... Respondents

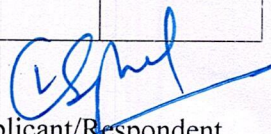
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NEW DELHI

Dated:

THROUGH


Applicant/Respondent
DM, South West, Delhi

LAKSHAY SINGHAL, IAS
District Magistrate
South West Delhi
JYOTI MENDIRATTA
(ADVOCATE)
For Applicant/Respondent
H-34, Jangpura Extension
(Lower Ground Floor)
Near INOX EROS Cinema
New Delhi-14

BEFORE THE NATIONAL GREEN TRIBUNAL
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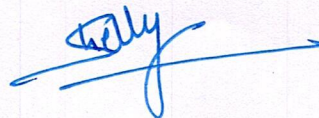
..... Respondents

Action Taken Report on behalf of SDM, Kapashera

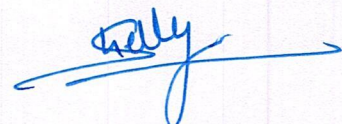
Most Respectfully Showeth:

1. That the above-mentioned matter i.e., O.A. No. 815/2022 has been filed by the applicant alleging about encroachments on pond measuring 13 Bighas 10 Biswas comprised in Khasra No. 111 in village Kanganheri.
2. That vide its order dated 09-05-2024 the Hon'ble Tribunal was pleased to direct that-

"8. In the present case area of the pond in question measuring about 13 bighas 2 biswas out of total area of 13 bighas 10 biswas is stated to be free from any encroachment and restoration of the same cannot be allowed to be delayed on the ground of removal of encroachment from the remaining part thereof. The respondents are directed to take all requisite steps immediately for restoration of area measuring about 13 bighas 2 biswas as pond. The same be filled with treated water for the time being. Requisite steps be taken for its recharge during the forthcoming monsoon. Any passage falling in the above said area of 13 bighas 2 biswas be removed. Appropriate fencing may be made on the periphery of the pond to prevent any encroachment in the area thereof. Kacha Pathways/Bandh with appropriate gaps to allow filling of water and adequate plantation be made on periphery of the pond."



3. That considering the fact that the directions of the Hon'ble Tribunal required inter departmental coordination, the undersigned being Respondent no.1 undertook a coordinated effort with all the concerned departments i.e. Revenue Department, Irrigation and Flood Control Department, Department of Forests and MCD. Whereas regular meetings dated 06.06.2024, 24.06.2024, 12.07.2024 and 12.08.2024 were convened to monitor the progress towards compliance with the directions of the Hon'ble Tribunal. (Meeting Notices and Minutes of Meeting are annexed hereto as **Annexure-1**).
4. That the site of the pond was earmarked by the officials from the Office of DC (South West) on 16.07.2024. Report of Kanungo in this regard is annexed hereto as **Annexure- 2**.
5. That as per the Action Taken Report (ATR) submitted by the Irrigation and Flood Control Department dated 23.08.2024, whereof annexed hereto as **Annexure-3**, the work of desilting has been completed on 15.07.2024. Further, for the fencing of the encroachment free area of the pond the work has been partially completed on account of incessant rain and hindrance caused by villagers. However, it has been submitted that the work of fencing will be completed by the 10th September, 2024.
6. That Municipal Corporation Department in compliance report dated 23.08.2024 has submitted that the garbage dumped around the pond/waterbody has been cleared, which is annexed hereto as **Annexure- 4**.
7. That the Department of Forests and Wildlife, GNCTD in their ATR dated 23.08.2024 has submitted that they have undertaken the plantation drive and have planted 196 trees (Arjun, Pilkhan, Jamun, Shahtoot) alongside the waterbody, is annexed hereto as **Annexure -5**.
8. That the waterbody which was devoid of any water prior to the present exercise is now full of water and the drain that used to carry the waste water of the village household to the waterbody has now been diverted. Whereas, the pond being located within the *abadi* area which constricts its natural recharge, as such, the other options to ensure the availability of water in the pond are being explored with the concerned agencies. Further, the *kachha* pathway that was in existence



has now been completed effaced which is evident from the photographs as annexed in **Annexure – 6**.

9. That the task to look after the plantation around the pond has been assigned to Delhi Jal Board and also DJB will ensure that the plantation around the waterbody survives and grows into a natural fence to prevent any encroachment in future as intended by the Hon'ble Tribunal.
10. That the undersigned also undertakes to get the pending work of fencing completed and also to remove the encroachment in the remaining area (0-8 Biswa) of the pond bearing khasra no. 111.
11. This report along with its annexures are humbly submitted before this Hon'ble Tribunal for consideration, vide order dated 09.05.2024 passed by this Hon'ble Tribunal.

Kelly
27/08/24

RESPONDENT

SDM Kapashera
MS. SHEELI DANICS
Sub-Divisional Magistrate (Kapashera)
South West District, GNCTD
Old Terminal Tax Building
Kapashera, New Delhi-110037

THROUGH

JYOTI MENDIRATTA

(ADVOCATE)

For Applicant/Respondent

H-34, Jangpura Extension

(Lower Ground Floor)

Near INOX EROS Cinema

New Delhi-14

NEW DELHI

DATE: 27-08-2024



GOVERNMENT OF NCT OF DELHI
OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-WEST)
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI - 110037

No. SDM/KH(SW)/2024/

Dated- 08.08.2024

MEETING NOTICE

A meeting (review meeting) under the Chairmanship of the undersigned has been scheduled for **12.08.2024 at 11.30** to discuss the progress of the work directed vide order of the Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 09.05.2024 in the matter of Suresh Chand Vs DM Kapashera in OA no. 815/2022 in r/o the encroachment of Johar (Pond) in Village Kanganheri (Khasra No. 111).

The Hon'ble Tribunal has issued specific directions for taking action(s) to revive and protect the Johar (Pond), which inter alia relates to various departments i.e. Delhi Jal Board, Irrigation and Flood Control Department, Forest Department. Further, action taken report is to be filled by concerned department(s) at least one week before the Next Date of Hearing i.e. 30.08.2024.

Therefore, all concerned officers are requested to make it convenient to attend the meeting on the said date and time without fail. **It is also directed to all departments to come-up with ATR/progress report.**

It is further directed that Officers not below the rank of Executive Engineer must be present for the meeting.



Shelly
08.08.24
(SHELLY, DANICS)
SDM (KAPASHERA)

Copy to:

1. Assistant Commissioner, MCD, Najafgarh Zone, New Delhi.
2. DRO, Forest Department, West Forest Division
3. The Executive Engineer Civil Divisional I & FC Department (SW) GNCTD Opposite ESI Hospital Basaidarapur Office Complex New Delhi-110027.
4. Sh. Rajesh Bansal, Executive Engineer (Water Body)-1, Delhi Jal Board, New Delhi.
5. Executive Engineer, Delhi Jal Board (South-West), New Delhi.

Copy for information:-

1. PA to DM (SW).

Shelly
08.08.24
(SHELLY, DANICS)
SDM (KAPASHERA)

325



6

GOVERNMENT OF NCT OF DELHI
OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-WEST)
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI - 110037
No. SDM/KH(SW)/2024/65315 Dated-11.07.2024

MEETING NOTICE

A meeting (review meeting) under the Chairmanship of the undersigned has been scheduled for **12.07.2024 at 11.30** to discuss the progress of the work directed vide order of the Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 09.05.2024 in the matter of Suresh Chand Vs DM Kapashera in OA no. 815/2022 in r/o the encroachment of Johar (Pond) in Village Kanganheri (Khasra No. 111).

The Hon'ble Tribunal has issued specific directions for taking action(s) to revive and protect the Johar (Pond), which inter alia relates to various departments i.e. Delhi Jal Board, Irrigation and Flood Control Department, Forest Department. Further, action taken report is to be filled by concerned department(s) at least one week before the Next Date of Hearing i.e. 30.08.2024.

Therefore, all concerned officers are requested to make it convenient to attend the meeting on the said date and time without fail. **It is also directed to all department to come-up with ATR/progress report.**

It is further directed that Officers not below the rank of Executive Engineer must be present for the meeting.



Shelly
11/07/24
(SHELLY, DANICS)
SDM (KAPASHERA)

Copy to:

1. DRO, Forest Department, West Forest Division
2. The Executive Engineer Civil Divisional I & FC Department (SW) GNCTD Opposite ESI Hospital Basaidarapur Office Complex New Delhi-110027.
3. Sh. Rajesh Bansal, Executive Engineer(Water Body)-1, Delhi Jal Board, New Delhi.
4. Executive Engineer, Delhi Jal Board (South-West), New Delhi.

Copy for information:-

1. PA to DM(SW).

Shelly
11/07/24
(SHELLY, DANICS)
SDM (KAPASHERA)



GOVERNMENT OF NCT OF DELHI
OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-WEST)
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI - 110037
No. SDM/KH(SW)/2022/58952 **Dated-22.06.2024**

MEETING NOTICE

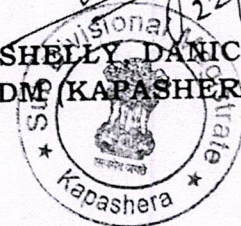
A meeting (review meeting of meeting held on 09.06.2024) under the Chairmanship of the undersigned has been scheduled for **24.06.2024 at 11.30** to discuss the order of the Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 09.05.2024 in the matter of Suresh Chand Vs DM Kapashera in OA no. 815/2022 in r/o the encroachment of Johar (Pond) in Village Kanganheri (Khasra No. 111).

The Hon'ble Tribunal has issued specific directions for taking action(s) to revive and protect the Johar (Pond), which inter alia relates to various departments i.e. Delhi Jal Board, Irrigation and Flood Control Department, Forest Department. Further, action taken report is to be filled by concerned department(s) at least one week before the Next Date of Hearing i.e. 30.08.2024.

Therefore, all concerned officers are requested to make it convenient to attend the meeting on the said date and time without fail.

It is further directed that Officers not below the rank of Executive Engineer must be present for the meeting.

Shelly Danics
 22/06/24
 (SHELLY, DANICS)
 SDM (KAPASHERA)



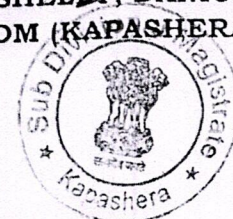
Copy to:

1. DRO, Forest Department, West Forest Division
2. The Executive Engineer Civil Divisional I & FC Department (SW) GNCTD Opposite ESI Hospital Basaidarapur Office Complex New Delhi-110027.
3. Sh. Rajesh Bansal, Executive Engineer(Water Body)-1, Delhi Jal Board, New Delhi.
4. Executive Engineer, Delhi Jal Board (South-West), New Delhi.

Copy for information:-

1. PA to DM(SW).

Shelly Danics
 22/06/24
 (SHELLY, DANICS)
 SDM (KAPASHERA)





GOVERNMENT OF NCT OF DELHI
OFFICE OF THE DISTRICT MAGISTRATE (SOUTH-WEST)
OLD TERMINAL TAX BUILDING, KAPASHERA, NEW DELHI - 110037
No. SDM/KH(SW)/2024/61048 Dated- 29.06.2024

MITNUTES OF MEETING

A meeting was convened by the undersigned at 11:00 AM on 24.06.2024 regarding the order of the Hon'ble National Green Tribunal, Principal Bench, New Delhi dated 09.05.2024 in the matter of Suresh Chand Vs. DM Kapashera in OA no. 813/ 2022 in r/o the encroachment of Johar (Pond) in Village Kanganheri (Khasra No. 111).

Hon'ble Court directed to revive and protect the Zohar(Pond), which inter alia relates to various department i.e. Delhi Tal Board, Irrigation and Flood Control Department, Forest Department, MCD action taken reports is to be field by the concerned department(s) at least one week before the Next Date of Hearing i.e. 30.08.2024

The following officers/officials attended the meeting: -

1. Anil Bhatiya, SE, WB, DJB
2. Sandeep, NT Kapashera
3. Ajay Aggarwal, AE/I&FC
4. K.K Yadav, AE/MCD
5. K.K Yadav, AE/DJB
6. Aditya Gautam, JEE/DJB
7. Anurag Sharma, Forest Department
8. Puneet Tiwari, Range Officer

The following was discussed and decided during the meeting:-

1. Firstly, the Directions given in the previous meeting regarding the NGT directions were reiterated.
2. I&FC & DJB expressed their concerns of budget provisions required to comply with the direction of NGT.
3. Further, Sh. Ajay from I&FC informed that tender has been floated for the work of de-silting of the Pond and other



- consequential actions. Sh. Ajay assured to complete the task of de-silting and Cleaning within the time frame.
5. DJB was directed to submit a feasibility report of filling the pond with treated water within a week.
 6. Forest Department official agreed to start the plantation once the garbage accumulated in the pond is removed.
 7. I&FC official was directed to complete the de-silting and cleaning work before 15 July 2024 and Bio-Fencing have to be completed before 31 July 2024.
 8. It has been directed to all departments that all the work has to be completed before 15, August 2024 so that report may be file in the court within time.

Shelly
29/6/24

(SHELLY, DANICS)
DM (KAPASHERA)



Copy to:

5. DRO, Forest Department, West Forest Division
6. The Executive Engineer Civil Divisional I & FC Department (SW) GNCTD Opposite ESI Hospital Basaidarapur Office Complex New Delhi-110027.
7. Sh. Rajesh Bansal, Executive Engineer(Water Body)-1, Delhi Jal Board, New Delhi.
8. Executive Engineer, Delhi Jal Board (South-West), New Delhi.

Copy for information:-

1. PA to DM(SW).

Shelly
29/6/24

(SHELLY, DANICS)
DM (KAPASHERA)



मध्य स्टाफ व सामान्य कैम्पेडिय लैकर मोंके पर
 पहुँचा। मोंके पर महकमा 12 F C से श्री अय सकेका
 ज E साधव मध्य स्टाफ हाजिर मिले। व अन्य गामवासी
 भी मोंके पर हाजिर मिले। मोंके पर मौजूद सभी की
 उपस्थिति में खसरा नम्बर (111 खवा 13 बीवा 02 विस्वा)
 के निधानात TSM/DGPS सर्वेयर द्वारा लगवाये गये
 माननीय NGA के निर्देशानुसार (0-8) विस्वा अतिरिक्त मध्य को
 छोड़कर बाकी (13-8) की तार फेम्सग हेतु दोबारा निधान-
 देही की गई। रिपोर्ट अवलोकन के उपरान्त हस्ताक्षर के
 लिए सेवा में पेश है।

Ashish Shukla
 16/7/24

Ashish Shukla (Pat)
 16/7/24

ACTION TAKEN REPORT ON MOM DT. 29.06.2024 IN R/O IFC DEPARTMENT

AS ON 23.08.2024

Name of Work: Regarding Construction of Boundary Wall for protection of Johad/ Pond bearing Kh No. 111 at village Kanganhari in N.G Block.

S.No.	Directions	Action taken	Photos	Remarks
1.	Firstly, the Directions given in the previous meeting regarding the NGT directions were reiterated.	Noted.	-	-
2.	I&FC & DJB expressed their concerns of budget provisions required to comply with the direction of NGT.	AA&ES amounting to Rs. 47.04 Lacs was received from director (Panchayat) dated 29.02.2024 for construction of boundary wall/ fencing only. However scheme for the work "Development of Pond in Khasra No. 111 at village Kanganhari in N.G. Block" is submitted in DVDB and sanction is awaited.	-	-

Asstt. Engineer-I
 Civil Division-I,
 Irrigation & Flood Control Deptt.
 Govt. of NCT of Delhi

Wjant
 23/8/2024

<p>3.</p>	<p>Further, Sh. Ajay from I&FC informed that tender has been floated for the work of de-silting of the Pond and other consequential actions. Sh. Ajay assured to complete the task of de-silting and Cleaning within the time frame.</p>	<p>Machines were deployed at site on 01.07.2024 for desilting of pond. Desilting work got completed by 15.07.2024. As on date the pond is filled with rainwater.</p>	
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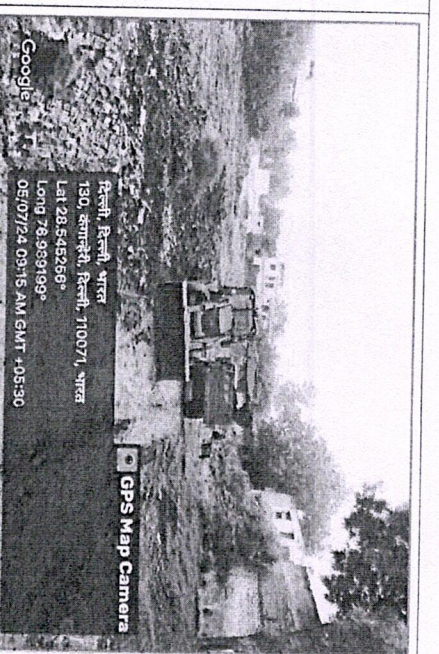
Absft. Engineer-I

Civil Division-I,

Irrigation & Flood Control Deptt.

Govt. of NCT of Delhi

M. J. Singh
25/8/2024

				
5.	<p>DJB was directed to submit a feasibility report of filling the pond with treated water within a week. Forest Department official agreed to start the plantation once the garbage accumulated in the pond is removed.</p>	NA		
6.	<p>Forest Department official agreed to start the plantation once the garbage accumulated in the pond is removed.</p>	NA		


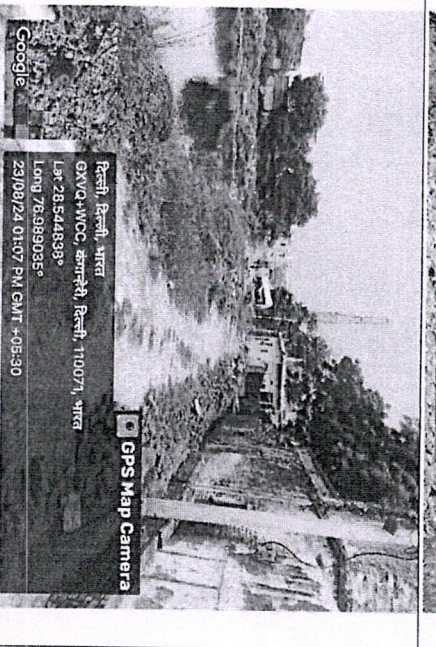
Asstt. Engineer-I
 Civil Division-I,
 Irrigation & Flood Control Deptt.
 Govt. of NCT of Delhi


[Handwritten Signature]
 23/8/2024

<p>7.</p>	<p>I&FC official was directed to complete the de-silting and cleaning work before 15 July 2024 and Bio-Fencing have to be completed before 31 July 2024.</p>	<p>Desilting and disposal work was completed by 15.07.2024. Fencing work is in progress. Poles have been erected in two legs and on the remaining 2 legs hindrance have been created by the villagers for which police assistance is being sought.</p>		
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Assit. Engineer-I
 Civil Division-I,
 Irrigation & Flood Control Deptt.
 Govt. of NCT of Delhi

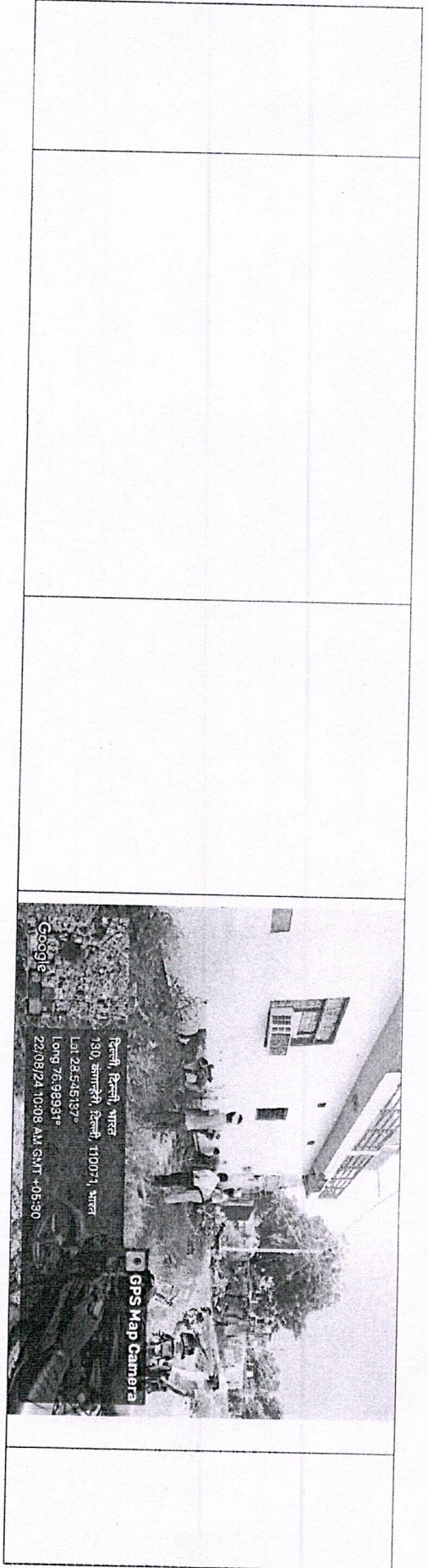
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 23/8/24

				
8.	<p>It has been directed to all departments that all the work has to be completed before 15, August 2024 so that report may be file in the court within time</p>	<p>The fencing work is delayed due to incessant rain in past few days and the hindrance created by villagers. The fencing work is likely to be completed by 10th September, 2024.</p>		


 28/08/24
 Asstt. Engineer-I
 Civil Division-I,
 Irrigation & Flood Control Deptt.
 Govt. of NCT of Delhi


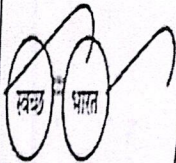
			<p>Aug 22, 2024 2:50:58 Kangraha, Delhi Division Delhi</p> <p>Delhi, Delhi, भारत 129, Farokh Chauri, Kangraha, Delhi, 110071, भारत Lat 28.545494° Long 76.989284° 20/08/24 01:02 PM GMT +05:30 GPS Map Camera</p>	
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Wjant
23/8/24
Asstt. Engineer-I
Civil Division-I,
Irrigation & Flood Control Deptt.
Govt. of NCT of Delhi



Assit. Engineer-I
 Civil Division-I,
 Irrigation & Flood Control Deptt.
 Govt. of NCT of Delhi

Wjant
 23/8/24

	MUNICIPAL CORPORATION OF DELHI OFFICE OF THE SANITATION SUPERINTENDENT NAJAFGARH ZONE Dhansa Stend, Najafgarh, New Delhi-110043	 एक इत नचन सं अं
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No. SS/NGZ/MCD/2023-2024/D-214

Dt 23/08/24

Respected Mam,

All the garbage, which had dumped by the villager near the kangnaheri village pond has been lifted by the MCD. Photographs before and after are hereby posted.

Regards


Jai Singh 23/8/24
Sanitation Supdt.
Najafgarh Zone
Sanitation Superintendent
Najafgarh Zone

GOVT. OF N.C.T. OF DELHI
DEPARTMENT OF FOREST & WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS(WEST)
WEST FOREST DIVISION: MANDIR LANE: NEW DELHI-60
E:Mail:-dcfwest.gnctd@gov.in

F.2(210)/DCF(W)/MiscPart -II/2024-25/5005 -06

Dated:- 23.08.2014

To,

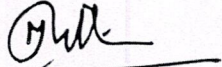
The SDM (Kapashera)
Old Terminal Tax Building,
Kapashera, New Delhi

Sub:- Report of plantation carried out at Kangan Heri Water Body-reg.

Madam,

This is in reference to letter No. SDM/KH(SW)/2024/76375 dated 14.08.2024 where detailed status report regarding plantation at Kangan Heri Water Body has to be submitted. In this regard, it is to be conveyed that subsequent upon the work of site preparation by the I&FCD, Department of Forests and Wildlife, GNCTD has carried out plantation of 196 trees (Arjun, Pilkhan, Jamun, Shahtoot) along the above mentioned water body (Photographs attached).

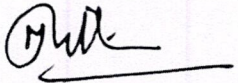
It is, further to be added that as decided in the meeting held under your Chairmanship that the maintenance of plantation along the water body will be done by Delhi Jal Board, GNCTD. It is, further requested to kindly convey the Delhi Jal Board regarding the maintenance of above mentioned plantation to ensure the survival of the plantation.


(Mandeep Mittal, IFS)
Dy. Conservator of Forests
West Forest Division


F.2(210)/DCF(W)/MiscPart -II/2024-25/
Copy to:-

Dated:-

1. The Conservator of Forests, Department of Forests and Wildlife, GNCTD, Vikas Bhawan, ITO, New Delhi-110002.


(Mandeep Mittal, IFS)
Dy. Conservator of Forests
West Forest Division



 **GPS Map Camera**

Delhi, Delhi, India
GXVQ+P9F, Kanganheri, Delhi, 110071, India
Lat 28.544446°
Long 76.988618°
16/08/24 04:14 PM GMT +05:30

Google



 **GPS Map Camera**

Delhi, Delhi, India
GXVQ+Q48, Kanganheri, Delhi, 110071, India
Lat 28.544604°
Long 76.988152°
16/08/24 04:13 PM GMT +05:30



Google



 **GPS Map Camera**

Delhi, Delhi, India
GXVQ+P9F, Kanganheri, Delhi, 110071, India
Lat 28.544552°
Long 76.988373°
16/08/24 04:30 PM GMT +05:30

Google



 GPS Map Camera

Delhi, Delhi, India
GXVQ+WCC, Kanganheri, Delhi, 110071, India
Lat 28.544533°
Long 76.98883°
16/08/24 04:28 PM GMT +05:30

 Google

