

**IN THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI
HON'BLE COURT OF DELHI**

Execution Application No. 11/2023

In

Original Application No. 89/2021

(IA No. 829/2023)

In the matter of

VARUN**Petitioner**

VERSUS

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

MOST RESPECTFULLY SHOWETH AS UNDER: -

Status Report

1. Hon'ble NGT Tribunal vide the order dated 22/08/2024 issued following direction vide Para no. '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."

2. That it is important to bring into kind knowledge to the Hon'ble NGT that District South-West has enabled a mechanism in consonance with the Notification dated 18/5/2010 (copy of notification attached as Annexure '1') to deal with Violation cases such as illegal ground water drawl by seizing the drilling, sealing of tube wells/borewell.

3. The status regarding illegal borewell in District South-West (as per report received from SDMs (Kapashera, Najafgarh and Dwarka) is as under: -

Sl.No.	Point	Reply		
		Kapashera	Najafgarh	Dwarka
1.	Complaint received regarding illegal Borewell	438	37	6221 (6206 reference received from DJB and 15 complaints received in Sub-Division).
2.	Illegal borewell has been sealed	435	27	2043
3.	Matter for Sealing of illegal borewell in under process	03	10	4178

The reports of SDMs (Kapashera, Najafgarh and Dwarka) are attached as Annexure 02 to 04.

4. That apart from above awareness among the public was done regarding the side effects of illegal extraction of ground water. Further, the meeting of District Advisory Committee is being held under the Chairmanship of District Magistrate (SW) at Regular intervals to address the issues related to illegal extraction of ground water/borewells.

Abhineet Sapra

(Abhineet Sapra)
 Sub-Divisional Magistrate (HQ)
 District South-West
 SUB-DIVISIONAL MAGISTRATE (HQ)
 SOUTH-WEST DISTRICT
 GOVERNMENT OF NCT OF DELHI

C/844

Part IV] DELHI GAZETTE, NATIONAL CAPITAL TERRITORY GOVT.: JULY 15, 2010/ASAD/HA 24, 1932 211

(11) उक्त निर्देशों का किसी प्रकार का उल्लंघन पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) की धारा 15 के अन्तर्गत दंडनीय होगा।

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल के आदेश से तथा उनके नाम पर,
धर्मन्, सचिव (पर्यावरण)

DEPARTMENT OF ENVIRONMENT AND FORESTS
AND WILDLIFE
NOTIFICATION

Delhi, the 12th July, 2010

No. F8(348)/EA/Env/09/2246.— In exercise of power conferred by Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) read with the notification No. U-11030/J/91- UTL dated the 10th September, 1992 and in supersession of directions issued vide Order Nos F8(348)/EA/Env/09/14433-14451 and F8(348)/EA/Env/09/14452-14470 dated the 30th March 2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated the 30th April 2009, the Lt. Governor of the National Capital Territory of Delhi, has issued Annexed directions vide order No. F8 (348)/EA/Env/09/1041-1061 dated the 18th May 2010 for groundwater regulation and management in Delhi.

The direction issued as Annexed are hereby published for information of the general public.

By Order and in the name of Lt. Governor
of the National Capital Territory of Delhi,
SUSHMA JERATH, Dy. Secy.

ANNEXURE
DEPARTMENT OF ENVIRONMENT

Order

Delhi, the 18th May, 2010

Sub : Direction under section 5 of the Environment (Protection) Act, 1986

F8. (348)/EA/Env/09.—Whereas, the Central Government has authorized the Lieutenant Governor of the National Capital Territory of Delhi vide notification S.O. 667 (E) dated the 10th September, 1992 to exercise powers under section 5 of the Environment (Protection) Act, 1986 for the National Capital Territory of Delhi and to issue directions thereunder, to any person, officer or any authority for the closure, prohibition or regulation of any operation or process or stoppage or regulation of the supply of electricity or water or any other services.

And whereas Delhi Jal Board constituted under the Delhi Water Board Act, 1998 (Delhi Act 4 of 1998) is dealing

with water supply network of drinking, domestic, industrial and commercial water in the National Capital Territory of Delhi;

And whereas continued abstraction of ground water has led to serve depletion of ground water resources;

And whereas non-restricted and non-regulated abstraction of ground water has serious long term environmental implications;

And whereas over abstraction of ground water can result in drying up of ground water resources and may also affect water quality;

And whereas Central Ground Water Authority had, in the year of 2000, notified the South and South-West districts of Delhi as "Notified Areas" and imposed prohibition and restriction in those districts on the construction and installation of any structure for abstraction of ground water resources to avoid further depletion and deterioration in water quality in the said districts;

And whereas through, another notification in March 2006, Central Ground Water Authority has notified East, New Delhi, North-East, North-West and West districts of Delhi as over exploited areas needing regulation, and registration of ground water abstraction structures in those districts was made compulsory.

Now, therefore, in exercise of power conferred by section 5 of the Environment (Protection) Act, 1986 (29 of 1986) read with the Ministry of Home Affairs, Government of India Notification S.O. 667 (E) bearing F.No. U-11030/J/91- UTL dated the 10th September, 1992 and in supersession of directions issued vide Order Nos. F8(348)/EA/Env/09/14433-14451 and F8(348)/EA/Env/09/14452-14470 dated the 30th March 2009 as well as Order Nos. F8(348)/EA/Env/09/555-582 and F8(348)/EA/Env/09/583-610 dated the 30th April 2009, the Lt. Governor of the National Capital Territory of Delhi, hereby issues the following directions, namely:—

- (1) In the whole of the National Capital Territory of Delhi, no person, group, authority, association or institution shall draw ground water through bore-well or tube-well (both new as well as existing and drawing ground water without permission of Central Ground Water Authority) for domestic, commercial, agricultural and or Industrial uses without the prior permission of the "Competent Authority" that is to say, the Delhi Jal Board or the New Delhi Municipal Council as the case may be.
- (2) The issue of grant of permission for borewell/ tubewell shall be dealt by Competent Authority through the Deputy Commissioner (Revenue) of each revenue area, GNCTD, who is hereby appointed as "Authorized Officer" for the purpose of regulation of ground water development and management in the respective revenue areas under the jurisdiction.

2704 23/10-2

- (3) The Deputy Commissioner (Revenue) of each revenue area, GNCTD, who is the Authorized Officer, are further delegated with the power of dealing with other issues such as checking violation and sealing illegal wells, launching of prosecution against offenders etc. including grievance redressal related to ground water, based on the recommendations of the Advisory Committee.
- (4) An Advisory Committee in each nine revenue areas of the National Capital Territory of Delhi is hereby constituted under the Chairmanship of the Deputy Commissioner of each revenue area comprising of the following members:
1. Deputy Commissioner (Revenue), : Chairman; of concerned revenue area
 2. Director (Panchayat) : Member;
 3. Chief Engineer nominated by : Member; Delhi Jal Board
 4. Representative of Central Ground : Member; Water Board, New Delhi
 5. Representatives of local bodies : Member; having jurisdiction over the area
 6. Representative of Department : Member; of Environment, GNCTD/DPCC
 7. Representative of reputed NGO : Member; in the field of Groundwater Management nominated by the Deputy Commissioner concerned
- (5) The Advisory Committee shall meet atleast once in every month to take up various issues related to ground water regulation and management in the concerned revenue area and give recommendations to the Deputy Commissioner for further consideration and enforcement. Only the recommended groundwater boring cases shall be forwarded to Competent Authority for grant of permission.
- (6) In emergent violation cases such as illegal groundwater drawl, the Authorized Officer, subject to his satisfaction, shall ensure the discontinuation of the same by the seizure of drilling rig, sealing of tubewell/borewell if so constructed and also disconnection of electricity supply to the energized tubewell even if it is through DG sets, without waiting for recommendation of Advisory Committee. However the details of such action shall be placed by the Authorized Officer in the next Advisory Committee meeting.
- (7) If any person, group, authority, association or institution, intends to draw ground water through bore-well or tube-well (both new as well as existing and drawing ground water without permission of Central Ground Water Authority), he shall take prior permission from Competent Authority. Such permission shall be obtained through submission of an application to Zonal Offices of the Competent Authority, in the form specified by the Competent Authority.
- (8) The Executive Engineer of the Competent Authority, incharge of the concerned area shall recommend the case, based on the facts on the ground, to the concerned Deputy Commissioner (Revenue) of the revenue area who shall issue orders in the light of the recommendations of Executive Engineer of the Competent Authority and the Advisory Committee.
- (9) If the plot size of the building is more than 200 sq. meters, the permission to draw ground water through borewell or tubewell (both new as well as existing and drawing groundwater without permission of Central Ground Water Authority) shall be subject to the condition that the occupier or owner of the said plot or building shall install rain water harvesting system in such building.
- (10) The permission to draw ground water through borewell or tubewell (both new as well as existing and drawing ground water without permission of Central Ground Water Authority) for commercial and or industrial use shall be subject to the condition that the concerned person or authority shall install the rain water harvesting structure, and shall ensure reuse of the water in horticulture or cooling or toilet flushing, etc after proper treatment of waste water or any other suggestions given by the concerned Advisory Committee.
- (11) Each of the Advisory Committee in addition to their above mentioned statutory duties, will inform Delhi Pollution Control Committee about any water pollution occurring, due to extraction of water from tube-well or bore-well so that, necessary action may be initiated under the provision of the Water (Prevention and Control of Pollution) Act, 1974.
- (12) The permission of borewell installation for agricultural purpose may be granted to genuine agriculturists by the Advisory Committee under concerned Deputy Commissioner (Revenue) based on the recommendation of Block Development Officer and Agriculture Department Irrigation and Flood Control Department, Govt. of N.C. of Delhi

Agriculture activity may be verified from Khasra Girdawari documents and also based on actual evaluation.

- (13) Any violation of the above directions shall be punishable under section 15 of the Environment (Protection) Act, 1986 (29 of 1986).

By Order and in the Name of the Lieutenant Governor of the National Capital Territory of Delhi,
DHARMENDRA, Secretary (Environment)

कार्यालय पंजीयक सहकारी समितियाँ
अधिसूचना

दिल्ली, 7 जुलाई, 2010

फा. संख्या 6(14)/85/स्था./सह./पार्ट फाइल 2349,—
दिल्ली के उपराज्यपाल, दिल्ली सहकारी समितियाँ अधिनियम, 2003 (दिल्ली अधिनियम 2004 का 3) की धारा 3 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री हरि नारायण मीणा, सहायक पंजीयक सहकारी समितियाँ को उपरोक्त अधिनियम के

अधीन कार्य को निपटाने के लिए उपरोक्त पद पर कार्य ग्रहण करने की तिथि से पंजीयक की सहायतार्थ नियुक्त करते हैं।

राष्ट्रीय राजधानी क्षेत्र, दिल्ली के उपराज्यपाल के
आदेश एवं नाम से,

एस. के. झा, अतिरिक्त सचिव (सहकारिता)

OFFICE OF THE REGISTRAR COOPERATIVE
SOCIETIES

NOTIFICATION

Delhi, the 7th July, 2010

No. F. 6/14/85/Estt./Coop/Pl. file 2349.—In exercise of the powers conferred by sub-section (1) of section 3 of the Delhi Co-operative Societies Act, 2003 (Delhi Act 3 of 2004), the Lt. Governor of the National Capital Territory of Delhi is pleased to appoint Sh. Hari Narain Meena, Adhoc DANICS as Assistant Registrar Cooperative Societies, Delhi, to assist the Registrar in discharging his duties and functions under the aforesaid Act with effect from the date he assumed charge of the said office.

By Order and in the Name of the Lt. Governor of the National Capital Territory of Delhi,
S. K. JHA, Addl. Secretary (Coop.)



GOVERNMENT OF NCT OF DELHI
OFFICE OF THE EXECUTIVE MAGISTRATE/TEHSILDAR (KAPASEHRA)
OLD TERMINAL TAX BUILDING: KAPASEHRA N.DELHI 110037

No. SDM(KP)/SW/2023-24/80817

Dated: 31/08/2024

To

SDM (H Q)
District South-West
Kapashera, New Delhi -37

Subject: Status report In respect of illegal ground water extraction.

Sir,

Kindly refer letter dated 30.08.2024 received from the Office of Divisional Commissioner, please find enclosed herewith the status report regarding Hon'ble NGT in respect of action against illegal ground water extraction onward submission before Hon'ble NGT in matter of Varun Vs GNCTD & Ors.

This issue with prior approval of SDM (KH).

TEHSILDAR (KAPASHERA)



STATUS REPORT FOR HON'BLE NGT

1. Hon'ble NGT Tribunal vide the order dated 22/08/2024 issued following direction vide Para no. '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."

2. That it is important to bring into kind information to the Hon'ble NGT that District South-West has enabled a mechanism in consonance with the Notification dated 18/5/2010 (copy of notification attached as Annexure '1') to deal with violation cases such as illegal ground water drawl by seizing the drilling ,sealing of tubewells/borewell.
3. That this Sub-Division is in receipts of Complaint of 438 illegal borewell out of which 435 illegal borewell has been sealed. Matter of sealing of remaining 3 illegal borewell is under process.(copy of report attached annexed as Annexure '2')
4. That apart from above awareness among the public was done to understand the side effect of illegal Extraction of ground water. Further the meeting of District Advisory Committee is being held in Chairmanship of District Magistrate (SW) at regular interval to address the issues such as checking violation and sealing illegal wells. launching of prosecution against offenders etc. including grievance redressal related to ground water based on the recommendations of the Advisory Committee.

31/08/24
(PRADEEP KUMAR MISHRA)
TEHSILDAR (KARASHERA)





**GOVERNMENT OF N.C.T. OF DELHI:
OFFICE OF THE TEHSILDAR (KAPASHERA):
OLD TERMINAL TAX BUILDING KAPASHERA NEW DELHI-110037.**

No.TEH/KH (SW)/2024/79223

Dated: 27/8/2024

REPORT

S.NO	POINT	REPLY
1.	Complaints received reg. Illegal Bore well.	Complaint reg. 438 (434+4) illegal bore well were received , out of which 435 illegal bore well have been sealed. Matter for sealing remaining 3 illegal bore well is under process.
2.	References received for realization of environmental compensation and action taken for realization of the same	NIL
3.	Remedial measures taken for remediating environmental damage.	Several Unauthorized bore wells were seized and awareness among the public was done to understand the side effects of illegal extraction of ground water.

6/8/24
 PRADEEP KUMAR MISHRA
 TEHSILDAR (KAPASHERA)



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IN THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI
HON'BLE COURT OF DELHI

Execution Application No. 11/2023

In

Original Application No. 89/2021

(IA No. 829/2023)

In the matter of
VARUN.....Petitioner

VERSUS

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

MOST RESPECTFULLY SHOWETH AS UNDER:-

Status Report

1. Hon'ble NGT Tribunal vide the order dated 22/08/2024 issued following direction vide Para no. 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."

2. That it is important to bring into kind knowledge to the Hon'ble NGT that District South-West has enabled a mechanism in consonance with the Notification dated 18/5/2010 to deal with Violation cases such as illegal ground water drawl, by seizing the drilling, sealing of tubewells/borewell.
3. That this district is in receipts of Complaints of 37 illegal borewell out of which 27 illegal borewells has been sealed. Matter of sealing of remaining illegal borewell is under process.
4. That apart from above awareness among the public was done to understand the side effect of illegal extraction of ground water. Further, the meeting of district advisory committee is being held under the chairmanship of District Magistrate (SW) at Regular intervals.

for
TEHSILDAR NAJAFGARH



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Ex Application No. 11/2023 (Original Application No. 89/2021)

Date of Hearing-03.09.2024

VARUN

.....Applicant

V/s

GOVT OF NCT OF DELHI & ORS

.....Respondent(s)

In the matter of :-

Most respectfully showeth that:

This status report is in compliance of Hon'ble Court order dated 22.08.2024 wherein it is directed to file report before this Hon'ble Court with regard to action taken/proposed to be taken regarding illegal extraction of ground water in NCT of Delhi In this regard, it is submitted as under:

ACTION ALREADY TAKEN	ACTION PROPOSED TO BE TAKEN
2043 number of illegal borewells have been sealed against 6206 No. of references received from DJB & 15 complaints received in Sub-Division	A team of Naib Tehsildar and concerned Patwari(s) has been constituted (copy enclosed) for sealing drive of borewells in the jurisdiction of Dwarka Sub-division vide Order dated 14.08.2024, which shall take up the matter / sealing drive along with DJB / BSES officials with the assistance of Police.

Submitted for kind perusal and further directions of Hon'ble Court.



2/9/24
(AJAY PAL)
TEHSILDAR (DWARKA)



**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (DWARKA) SW DISTRICT
SECTOR-10, DWARKA, NEW DELHI-110075**

No. F. /SDM/DW/Teh/2024/76319

Dated: 14.8.2024

ORDER

Whereas, following team is constituted for sealing drive of Borewells in the jurisdiction of Dwarka Division. The sealing drive of Borewells in pursuance of directions of Hon'ble National Green Tribunal in the matter of Ganesh Prasad Vs. GNCTD & Ors. from 20.08.2024 onwards for one month. The meeting point will be SDM Office (Dwarka), Sector-10, Dwarka, Delhi 110075.

S.No.	Name of Officer/Official	Mobile No.	Designation
1	Sh. Mohan	7836025023	Naib Tehsildar
2	Sh. Ashwani	9643292828	Patwari
3	Sh. Pawan Kumar	9555703712	Patwari

To,

1. Concerned SHO
2. Sh. S.K Saini E.E (DJB)
3. Sh. H.R Meena (DJB) 9555158443
4. Officer/Official Concerned
5. Concerned Executives (BSES)

14/8/24

(AJAY PAL)

EXECUTIVE MAGISTRATE (DWARKA)

Copy for information to: -

1. SDM (Dwarka)
2. PA To D.M (S/W)

01/2/24

14/8/24

(AJAY PAL)

EXECUTIVE MAGISTRATE (DWARKA)