

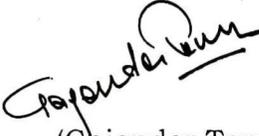
**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
O.A. No. 639 OF 2022**

**IN THE MATTER OF:**

Pritipal Sharma ..... Applicant  
Versus  
Govt. of NCT of Delhi & Ors. .... Respondents

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(Gajender Tomar)  
Chief Engineer (South)  
Delhi Jal Board

Date: 07.03.2024

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
O.A. No. 639 OF 2022**

**IN THE MATTER OF:**

Pritipal Sharma	.....	Applicant
	Versus	
Govt. of NCT of Delhi & Ors.	.....	Respondents

**ACTION TAKEN REPORT ON BEHALF OF DELHI JAL BOARD  
IN COMPLIANCE OF ORDER DATED 07.02.2024 OF THE  
HON'BLE TRIBUNAL**

**MOST RESPECTFULLY SHOWETH:**

1. That the Applicant in the present case i.e. Mr. Pritipal Sharma has filed an Application under Section 14, 15 read with Section 18 (1) of the National Green Tribunal Act, 2010 before the Hon'ble NGT *inter alia* praying for the following reliefs:

- (i) Direct the Respondent no. 1 to 4 to seal the illegal bore wells located in the plot adjoining House No. GI-2035, Aya Nagar, New Delhi - 110047 and in the plot on the opposite to the street in front of House No. GI-2038, Aya Nagar, New Delhi - 110047 which are under the ownership of Respondent no. 5 and completely cease operation of Respondent no. 5.
- (ii). Direct the Respondent No. 6 to 9 who are the owners of House no. 1031/CI/I G-I Block in Aya Nagar, Phase 6, New Delhi - 110047 to demolish the construction of ramps and

steps along the street in G-I Block built by them and restore the drain and allow it to flow without any obstruction and pollution.

However, later vide order dated 20.4.2023 the Hon'ble Tribunal was pleased to dismiss the application as withdrawn insofar as the second relief prayed for in the application, since Rule 14 of the National Green Tribunal (Practices and Procedure) Rules, 2011 provides that an application or appeal, as the case may be, shall be based upon a single cause of action and the applicant may seek one or more relief provided they are consequential to one another, the learned Counsel for the applicant has conceded that the second relief is not consequential to the first relief and as such does not press for the second relief. Thus the complaint regarding running of bore wells illegally by respondent no. 5 in plot adjoining House No. GI-2035, Aya Nagar, New Delhi and in the plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, New Delhi remained to be heard/adjudicated.

2. That this Hon'ble Tribunal, vide its order dated 15.9.2022, had constituted a Joint Committee comprising of representative of Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi and directed the Committee to meet within two weeks and to undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponents and also verify the factual position and submit its report within one month by e-mail. It further directed that the State PCB will be the nodal agency for coordination and compliance.

3. This Hon'ble Tribunal further directed that if the Joint Committee observes any violations of consent conditions/environmental norms, then it shall forward a copy of its report to the concerned Project Proponents to enable them to comply with the recommendations in the report of the Joint Committee or file objections against the observations/ recommendations contained in the same and file their response before this Tribunal as desired within one month from the date of receipt of a copy of the report of the Joint Committee; and The Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi to enable them to take appropriate remedial action by giving notice to/hearing the project proponents and following due process of law in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment and they shall submit their action taken reports separately within one month from the date of receipt of a copy of the report of the Joint Committee.

4. That further this Hon'ble Tribunal, vide its order dated 07.02.2024, has directed the DPCC to file status with regard to 15 illegal borewells as mentioned in the report of DM ( Mehrauli) and also directed DJB and DM ( Mehrauli) to file further status report. In this regard, the requisite status report on behalf of DJB is as under:

That the relevant portion of draft guidelines for Ground water extraction issued by Govt. of NCT of Delhi vide dated 19.04.2023, inline with the Notification of the CGWA , Ministry of Jal Shakti ( Department of Water Resources, river Development and Ganga Rejuvenation , Government of India) vide Notification dated 24.09.2020, is reproduced below:

3. This Hon'ble Tribunal further directed that if the Joint Committee observes any violations of consent conditions/environmental norms, then it shall forward a copy of its report to the concerned Project Proponents to enable them to comply with the recommendations in the report of the Joint Committee or file objections against the observations/ recommendations contained in the same and file their response before this Tribunal as desired within one month from the date of receipt of a copy of the report of the Joint Committee; and The Central Ground Water Authority, Delhi Jal Board, DPCC and Deputy Commissioner, South Delhi to enable them to take appropriate remedial action by giving notice to/hearing the project proponents and following due process of law in accordance with Statutory provisions mandating them to take remedial action for prevention, control and abatement of environmental pollution/degradation and for protection and improvement of environment and they shall submit their action taken reports separately within one month from the date of receipt of a copy of the report of the Joint Committee.

4. That further this Hon'ble Tribunal, vide its order dated 07.02.2024, has directed the DPCC to file status with regard to 15 illegal borewells as mentioned in the report of DM ( Mehrauli) and also directed DJB and DM ( Mehrauli) to file further status report. In this regard, the requisite status report on behalf of DJB is as under:

That the relevant portion of draft guidelines for Ground water extraction issued by Govt. of NCT of Delhi vide dated 19.04.2023, inline with the Notification of the CGWA , Ministry of Jal Shakti ( Department of Water Resources, river Development and Ganga Rejuvenation , Government of India) vide Notification dated 24.09.2020, is reproduced below:-

...1..0 "Applicability for seeking no objection certificate( NOC), In the whole of the NCT of Delhi no person , group, authority, association or institution shall draw ground water without permission ( both new as well as existing drawing) for domestic, commercial, agriculture and or industrial uses, without permission of Competent authority i.e Delhi Jal board, Delhi Cantonment board and New Delhi Municipal council. The entire process of grant of NOC shall be online through a web based application system, to be done by Delhi Jal board, Delhi Cantonment board and New Delhi Municipal council as per area jurisdiction. While granting NOC, CGWA report on aquifer mapping and Ground water management plan of NCT Delhi should be taken into consideration". As per notification , the District Magistrate is given the authority to sanction the bore well and seal all the illegal operating bore wells in the district.

The draft notification is under discussion with all stakeholders.

The following is the status of action taken with regard to sealing of illegal bore wells

S.No	Bore well sealing order and dated.	Site description	Sub division	Status
1	SDM/HK/bore well sealing/2023/ 3782-87 dated 27.6.2023	H.no- 188 Shahpur Jat Village Delhi- 110049	Hauz Khas	Sealed
2	SDM/HK/ bore well/ sealing /2023/ 3782-87 dated 27.6.2023	D-1/ B, green Park Ashirwad complex New Delhi	Hauz Khas	Sealed
3	27/SDM/HK/bore well/2022/7780-24 dated 24.09.2022	S-168 Panchsheel Park ND-	Hauz Khas	Sealed
4	27/SDM/HK/bore well/2022/7780-24 dated 24.09.2022	A-& A-2 South Extension Part II ND	Hauz Khas	Sealed
5	No.F (B-sealing)/SDM/Saket/2022/ 7945 dated 17.05.2023	H.no- 138 opp. H.no- 211 Rajpur Khurd	Saket	Sealed

6	No. F(B-sealing)/SDM/Saket/2023/1597 dated 03.08.2023	Khasra no- 409 Village Neb Sarai	Saket	Sealed
7	No.F(B-sealing)/SDM/Saket/2023/1620 dated 0908.2023	Opp. Farm no 6 single Farm Bandh road, Satbari	Saket	Sealed
8	No. F(B-sealing)/SDM/Saket/2023/1619 dated 09.08.2023	Community Centre Gali, Opp. To Gali No. 4	Saket	Sealed
9	No.F(B-sealing)/SDM/Saket/2023/1692 dated 22.08.2023	Farm no 7 Mother Teresa Drive	Saket	Sealed
10	30.01.2023	Near second Avenue chandanhulla Village Fatehpur Beri	Mehrauli	Sealed
11	30.01.2023	Back side of MK Garden Sizra Road Village Fatehpur Beri	Mehrauli	Sealed
12	24.05.2023	Khasra no 1011 Village Fatehpur Beri	Mehrauli	Sealed
13	30.05.2023	Sabji Mandi Mainchhattarpur Bhati road	Mehrauli	Sealed
14	01.06.2023	Road near Bus stand Dera More Village Bhati	Mehrauli	Sealed
15	13.04.2023	Opposite H.no- G- I 2038 Aya Nagar , New Delhi	Mehrauli	Sealed

The requisite details in respect of above sealed bore wells has been provided to DPCC by DJB vide letter no- DJB/EE(M)-46/48/2023/261-263 Dated 27.7.2023 and vide letter no. DJB/EE (M)-45/46 /2024 /735 dated 29.02.2024& 04.03.24 respectively and the same are annexed herein as **Annexure- "A , B&C" respectively**. The Office order dated 29.08.2023, constituting a Joint Team is also annexed herewith as **Annexure 'D'**.

5. That this report is being submitted for kind perusal and consideration of this Hon'ble Tribunal and it is further undertaken that Delhi Jal Board shall remain duty bound by any other direction or order(s) as may be passed by this Hon'ble Tribunal.

  
(Gajender Tomar)  
Chief Engineer (South)  
Delhi Jal Board

Date: 07.03.2024

ANNEXURE-A

DELHI JAL BOARD: GOVT. OF NCT OF DELHI  
 OFFICE OF THE ADDITIONAL CHIEF ENGINEER (M)-11  
 MAINTENANCE DIVISION T.E (M)-46/48  
 OPPOSITE J- BLOCK MARKET, SAKET, NEW DELHI- 110017  
 Telephone: 011-29552688 /E-mail ID: [ees1djb@gmail.com](mailto:ees1djb@gmail.com)

Dated: 27/7/23

No. DJB/LL (M)-46/48/2023/ 261 + 263

Sr. Environment Engineer (CMC-II)  
 Delhi Pollution control Committee  
 Department of Environment  
 GNCTD, 2<sup>nd</sup> floor C- block Vikas Bhawan AN-II  
 Upper Bela Road civil Lines Delhi- 54.

Subject: Regarding Hon'ble NGT O.A no- 639/2022 titled "Pritpal Sharma Vs GNCTD".

Ref: No. DPCC/CMC-II/NGT/OA-639/2022/5302 Dated: 06.7.2023

Sir/ Madam

In reference to above, the requested details are as under:-

1. **Capacity of pump-** It is submitted that at the time of inspection it is found that borewell pipe has been cut and motor dropped into the borewell. Hence capacity of pump could not assess.
2. **Diameter of pipe-** 150 mm dia.
3. **Motor head** -85 meter approx. (Data collected from adjoining area DJB Borewell).
4. **Time of running** – Not known. But borewell is use for commercial purpose.

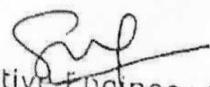
Sd/-

(Satish Kumar)

Executive Engineer (M)-46

Copy to

1. ACE(M)- XI, for kind information please.
2. Sh. Vijay Kumar, JE (Civil) - to keep in record.

  
 Executive Engineer (M)-46

ANNEXURE-B

DELHI JAL BOARD: GOVT. OF NCT OF DELHI  
MAINTENANCE DIVISION EE (M)-45/46  
OPPOSITE J- BLOCK MARKET, SAKET, NEW DELHI- 110017  
Telephone: 011-29552688 /E-mail ID: ees1djb@gmail.com

No. DJB/EE (M)-45/46/2024/ 735-737

Dated: 29/2/24

Sr. Environment Engineer (CMC-II)  
Delhi Pollution control Committee  
Department of Environment  
GNCTD, 2<sup>nd</sup> floor C- block Vikas Bhawan AN-II  
Upper Bela Road civil Lines Delhi- 110054.

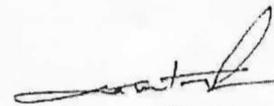
**Subject: Details of sealed borewells in matter of Hon'ble NGT O.A no- 639/2022 titled "Pritpal Sharma Vs GNCTD".**

**Ref: No. DPCC/CMC-II/ NGT-OA-639/2022/5302 Dated: - 06.7.2023**

Sir

This is in continuance of our previous correspondence no. DJB/EE (M)-46/48/2023/261-263 Dated: - 27.7.2023 vide which the details of one no. sealed borewell (Capacity of pump, Diameter of pipe, Motor Head, Time of running) was provided in above court case matter. In addition this the requisite detail of 14 nos. sealed borewell is attached herewith for further necessary action please.

Enclosure- Annexure- A, B and C

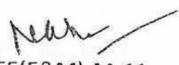
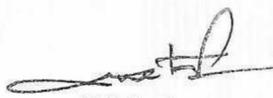


(Sawant Singh)

Executive Engineer (M)-45/46

cc'dy maly

Subject	Requisite details for sealed borewells						
S.No. (as per DM (South) report)	Borewell sealing order & dated	Site description	Sub-division	Capacity of pump	Diameter of pipe (mm)	Motor Head (metre)	Time of running
5	No. F (B-sealing)/SDM Saket/2022/945 dated 17.05.2023	H. NO. 138, Opp. House No. 211, Rajpur Khurd	Saket	Since motor dropped inside borewell, so not known	150	85	Since operated illegally inside private premises, so not known
7	No. F (B-sealing)/SDM Saket/2022/1620 dated 09.08.2023	Opp. Farm No. 6 (Single Farm Bandh Road, Satbari)	Saket	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known
8	No. F (B-sealing)/SDM Saket/2022/1619 dated 09.08.2023	Community Centre Gali, Opp. Gali No. 4	Saket	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known
9	No. F (B-sealing)/SDM Saket/2022/1692 dated 22.08.2023	Farm No. 7, Mother Teresa Drive	Saket	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known
10	30.01.2023	Near Second Avenue Chandanholla, Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	90	Since operated illegally inside private premises, so not known

11	30.01.2023	Back Side of MK Garden, Sizra Road, Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known
12	24.05.2023	Khasra No. 1011, Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known
13	30.05.2023	Sabji Mandi, Main Chhattarpur Bhati Road, Opposite Harswaroop Colony Bus Stand, Village Asola	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known
14	01.06.2023	Road near Bus Stand Dera More Village Bhati	Mehrauli	Since motor dropped inside borewell, so not known	150	90	Since operated illegally inside private premises, so not known
	 EE(E&M)-M-11	 EE(M)-46	 JE (E&M)	 JE(Civil)			

**DELHI JAL BOARD**  
**OFFICE OF THE EXECUTIVE ENGINEER (M)-45/46**  
OPPOSITE J-BLOCK MARKET, SAKET,  
NEW DELHI-110017

No. DJB/EE(M)-45/46/2024/743

Dated: 04.03.2024

To,

**Sr. Environment Engineer (CMC-II)**  
Delhi Pollution Control Committee  
Department of Environment  
GNCTD, 2<sup>nd</sup> Floor C-Block Vikas Bhawan AN-II  
Upper Bela Road Civil Lines Delhi-110054

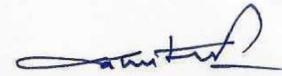
**Subject: - Details of sealed borewells in matter of Hon'ble NGT O.A. No. 639/2022 titled "Pritpal Sharma Vs GNCTD".**

Ref : DPCC/CMC-II/NGT-OA-639/2022/5302 dated 06.07.2023

Sir,

This is in continuance of our previous correspondence no. DJB/EE(M)-46/48/2023/261-263 dated 27.07.2023 & DJB/EE(M)-45/46/2024/735-737 dated 29.02.2024 vide which details of 14 nos. sealed borewell (Capacity of pump, Diameter of pipe, Motor Head, Time of running) was provided in above court case matter. In this regard it is to be clarified that details provided at S.No. 12 of list (i.e. in Khasra No. 1011, Village Fatehpur Beri) is same for 2 nos. of bore wells.

Now the updated list for 15 nos. of bore wells details is hereby enclosed for your necessary action please.

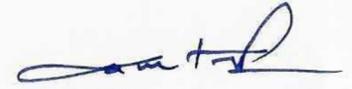


(Sawant Singh)

**Executive Engineer (M)-45/46**

Subject:		Requisite details for sealed borewells					
S.No. (as per DM (South) report)	Borewell sealing order & dated	Site description	Sub- Division	Capacity of pump	Diameter of pipe (mm)	Motor Head (Meter)	Time of running
5	No.F(B-sealing)/SDM/Saket/2022/7945dated:-17.05.2023	H.no- 138 opp. H.no-211 Rajpur Khurd	Saket	Since motor dropped inside borewell, so not known	150	85	Since operated illegally inside private premises, so not known.
7	No.F(B-sealing)/SDM/Saket/2023/1620dated:-0908.2023	Opp. Farm no 6 single Farm Bandh road, Satbari	Saket	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known.
8	No.F(B-sealing)/SDM/Saket/2023/1619dated:-09.08.2023	Community sentergalioppgali no- 4	Saket	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known.
9	No.F(B-sealing)/SDM/Saket/2023/1692dated:-22.08.2023	Farm no 7 Mother Teresa Drive	Saket	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known.
10	30.01.2023	Near second Avenue chandanhullaVillaha Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	90	Since operated illegally inside private premises, so not known.
11	30.01.2023	Back side of MK Garden Sizra Road Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	75	Since operated illegally inside private premises, so not known.
12 (i)	24.05.2023	Khasra no 1011 Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known.	150	80	Since operated illegally inside private premises, so not known.
(ii)	24.05.2023	Khasra no 1011 Village Fatehpur Beri	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known.
13	30.05.2023	Sabji Mandi Mainchhattarpur Bhati road	Mehrauli	Since motor dropped inside borewell, so not known	150	80	Since operated illegally inside private premises, so not known.

14	01.06.2023	Road near Bus stand dera More village Bhati	Mehrauli	Since motor dropped inside borewell, so not known	150	90	Since operated illegally inside private premises, so not known.
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EE(M)M-45/46



ANNEXURE-D

OFFICE OF THE ADDL. DISTRICT MAGISTRATE (SOUTH)  
M.B. ROAD, SAKET, NEW DELHI-110068.

No.F-ADM(S)/2023/1496

Dated: - 29/08/23

## OFFICE ORDER

Many complaints have been received regarding illegal Bore-wells and unauthorized extraction of ground water which is depleting the water table at Revenue District South Delhi. Hon'ble NGT have directed the concerned departments to take necessary action and to develop effective mechanism for preventing extraction of ground water by unauthorized operators vide O.A. No. 639/2022 in the matter of Pritpal Sharma Vs. Govt. of NCT of Delhi & Ors. and O.A. No. 25/2019 in the matter of Abdul Farukh Vs. Govt. of NCT of Delhi.

Accordingly, a joint team is constituted for enforcing directions of Hon'ble NGT and applicable Acts / guidelines, in this regard. The composition of joint team is as follows: -

Sub-Division, Hauz Khas	Sub-Division, Mehrauli	Sub-Division, Saket
Dr. Mukesh Kumar, SDM (Hauz Khas) M. No. 8900984021	Dr. Shashi Pal Dabas, SDM (Mehrauli) M. No. 9540324806	Sh. Radhey Shyam Meena, SDM (Saket) M. No. 9119111191
Sh. Vineet Dewedi, Assistant Engineer, DJB M. No. 9650286969	Sh. Vijay Kumar, Junior Engineer, DJB M. No. 9650300985	Sh. Abhishek Kumar Assistant Engineer, DJB M. No. 9650291129 & Sh. Atul Anand Junior Engineer M. No. 7303565635
District In-charge of DPCC	District In-charge of DPCC	District In-charge of DPCC
Sh. Rajesh Yadav, BSES M. No. 9312782413	Sh. Abhishek Singh, ESES M. No. 9811504890	Sh. Vishal Prabhakar, BSES M. No. 9310926740
Area S.H.O.	Area S.H.O.	Area S.H.O.

This issues with the approval of District Magistrate (South).

(ANKIT KUMAR AGARWAL)

ADM (SOUTH)  
ANKIT KUMAR AGARWAL  
Addl. District Magistrate  
M.B. Road, Saket, New Delhi-88

Copy to: -

1. CEO, Delhi Jal Board, 306, 3<sup>rd</sup> Floor, Varunalaya, Ph-II, Jhandewala, Saket Colony, Karol Bagh, New Delhi - 110005.
2. Member Secretary, DPCC, 6<sup>th</sup> Floor, C-Wing, Delhi Secretariat, IP Estate, New Delhi - 110002.
3. District Magistrate (South), M. B. Road, Saket, New Delhi - 110068.
4. DCP, South District, Police Station Colony, Mayfair Gardens, Hauz Khas, New Delhi - 110016.