

**BEFORE THE HON'BLE 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

NDOH: 26.09.2023

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Filed by


 (Ajeeta Dayal Agrawal)
 Sr. Environmental Engineer

Dated: 29th May, 2023

Place:

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PRINCIPAL BENCH, NEW DELHI**

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**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE WITH RESPECT TO ORDER DATED
18.11.2022.**

IT IS MOST RESPECTFULLY SHOWETH:

1. That, this matter was taken up by this Hon`ble Tribunal on 18.11.2022 and was pleased to constitute a Joint Committee comprising of representative of the Delhi Pollution Control Committee and the District Magistrate (South West) and pleased to direct the joint Committee to undertake visits to the site, look into the grievances of the Illegal encroachments and construction of the boundary wall on pond measuring 13 Bighas 10 Biswas comprised in Khasra No. 111 in village Kanganheri and verify the factual position and submit its report.
2. That, in compliance of the order passed by this Hon`ble Tribunal, a joint inspection of the site was carried out on 04.05.2023 by the representative of BDO (south West) and DPCC. Applicant herein was also present during the inspection. During the inspection it was observed that:
 - Complainant Sh. Suresh Chand informed that the officials on the site that there is encroachment on the East & West side of the pond (Khasra No. 111, Village Kanganheri).
 - Some demarcation signs were observed on the walls of the houses built on the East side and West side along the pond. In this regard

Complainant informed that these demarcation signs were marked by Tehshildar (Kapashera) in the month of February, 2023. Whether these demarcation signs indicate encroachment or not may be confirmed by Tehshildar Kapashera (Revenue Department).

- There is no boundary wall on the East and the West side along the pond. But broken boundary wall in same parts of North and the South side.
- Photos were also taken up during the inspection.

Copy of the joint inspection report dated 04.05.2023 is enclosed herewith as **ANNEXURE-1(Colly)**.

3. That, DPCC subsequent to inspection, has asked the significance of the demarcation signs and whether these indicate encroachment or not from DM(South-West). As the action on matter pertains to revenue department, further necessary action may be taken up by the department and action taken report may be forwarded to this office by 12.05.2023. Copy of the letter dated 08.05.2023 addressed to DM(South-West) is enclosed herewith as **ANNEXURE -2**. Reply/ response from office of the DM has not been received so far.
4. That, Delhi Wetland Authority was constituted in April 2019 in accordance with the "Wetlands Rules, 2017". The Delhi Wetland Authority along with land owning agency i.e. Revenue Department, in this case, are responsible for the protection of wetlands and their restoration and rejuvenation. Therefore, suitable directions may also be issued to Delhi Wetland Authority for impleadment as Respondent and to take necessary action.
5. The present status report may kindly be taken on record.


(Ajeeta Dayal Agrawal)
Sr. Environmental Engineer

Delhi

Dated 29th May, 2023

Joint Inspection report in compliance of NGT order dated 18.11.2022 in OA NO-815/2022 by the joint committee comprising officials of BDO (South-West) and DPCC

Following are the observations during the inspection:-

- (i) During the inspection official of BDO (South-West) and DPCC alongwith complainant Sh. Suresh Chand were present at pond Khasra No-111, village Ranganheri, New-Delhi as mentioned NGT order.
- (ii) Complainant Sh. Suresh Chand informed the officials on the site that there is encroachment on the East & West side of the pond (Khasra No-111, village Ranganheri).
- (iii) Some demarcation signs were observed on the walls of the houses built on the ^{walls of} East side and West side along the pond. In this regard Complainant informed that these demarcation signs were marked by Tehsildar (Kapasra) in the month of February 2023. Whether these demarcation signs indicate encroachment or not may be confirmed by Tehsildar Kapasra (Revenue Department).
- (iv) There is no boundary wall along on the East and the West side along the pond. But broken boundary wall in some parts of North and the South side is observed during the time of inspection.

Amzad Khan
4/5/2023
AMZAD KHAN
JEE, DPCC

Ravi Kumar
RAVI KR. (04/05/23)
TE, DPCC

Dinesh Kumar
4/5/2023
(DINESH KUMAR)
BDO (SW) Office

Suresh Chand
4-5-2023
(SURESH CHAND)
Village Ranganheri

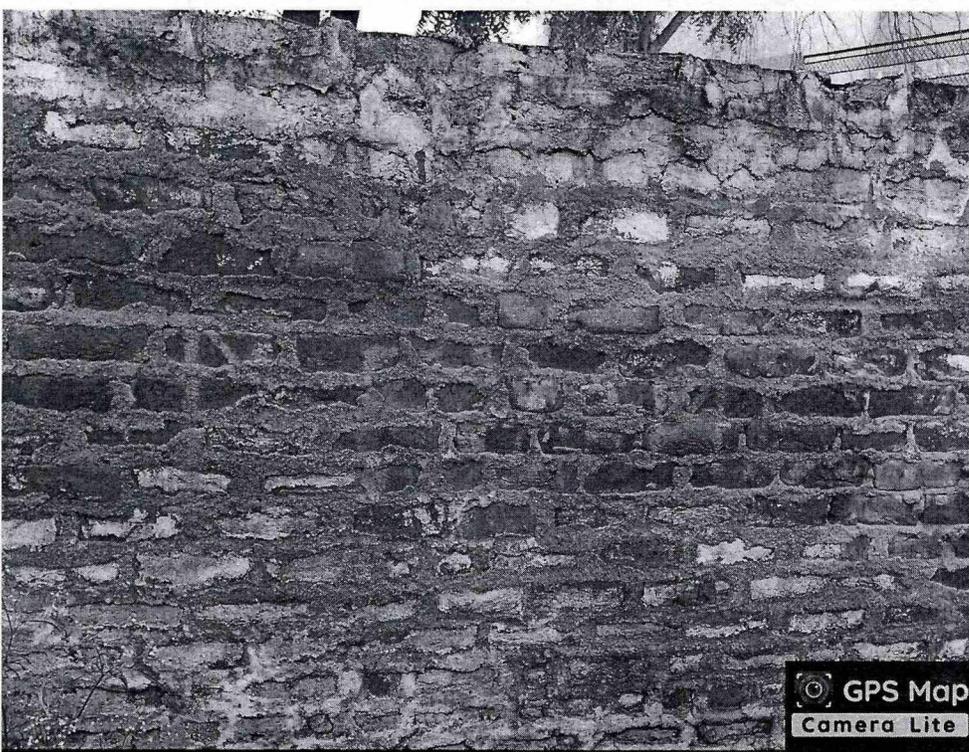
Photos Enclosed



GPS Map
Camera Lite

GXVQ+P9F, Kanganheri, Delhi, 110071, India

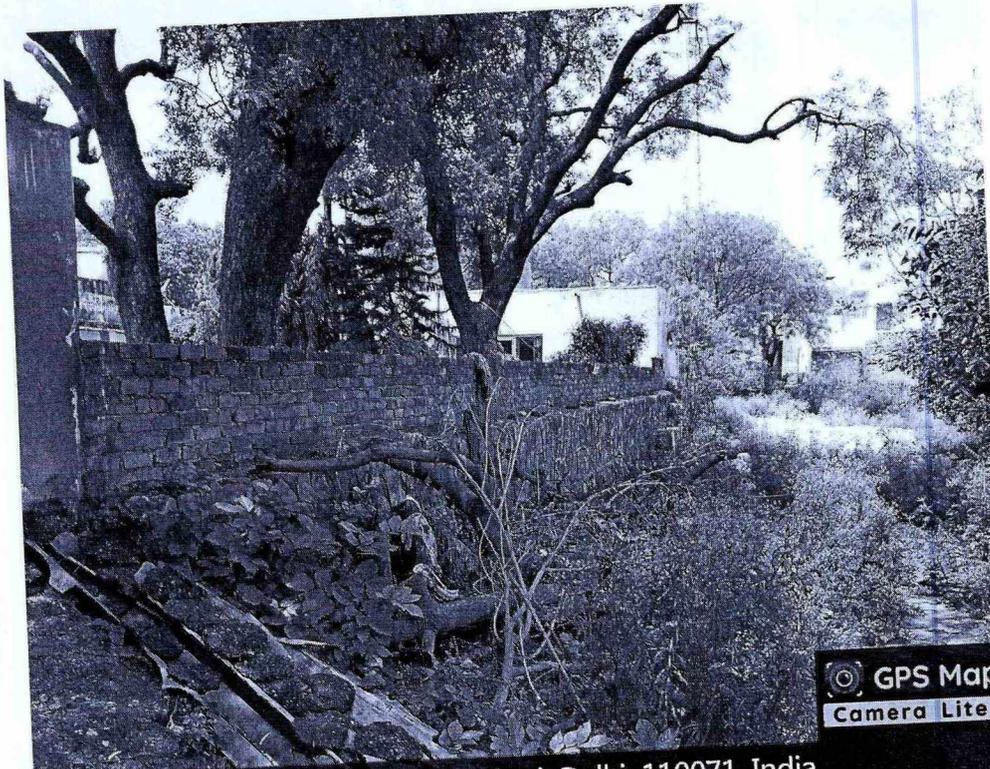
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GMT 05:58:36 AM	Thursday, 04.05.2023



GPS Map
Camera Lite

GXVQ+WCC, Kanganheri, Delhi, 110071, India

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GPS Map
Camera Lite

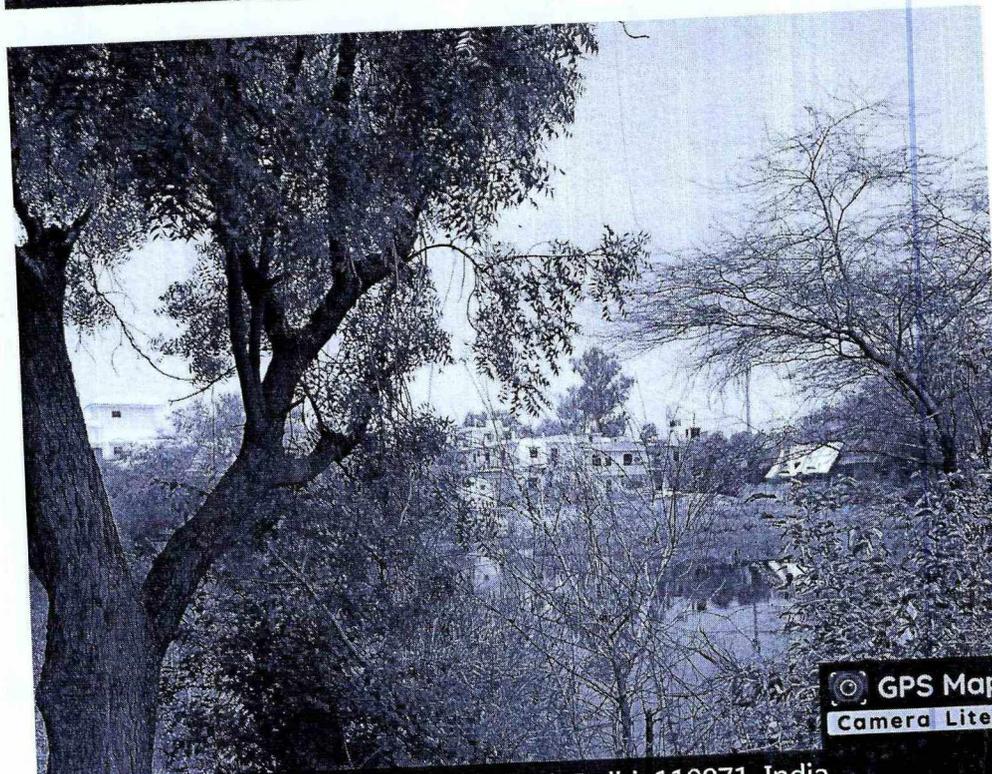
GXVQ+P9F, Kanganheri, Delhi, 110071, India

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Thursday, 04.05.2023



GPS Map
Camera Lite

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Altitude 211 meters
Thursday, 04.05.2023



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Camera Lite

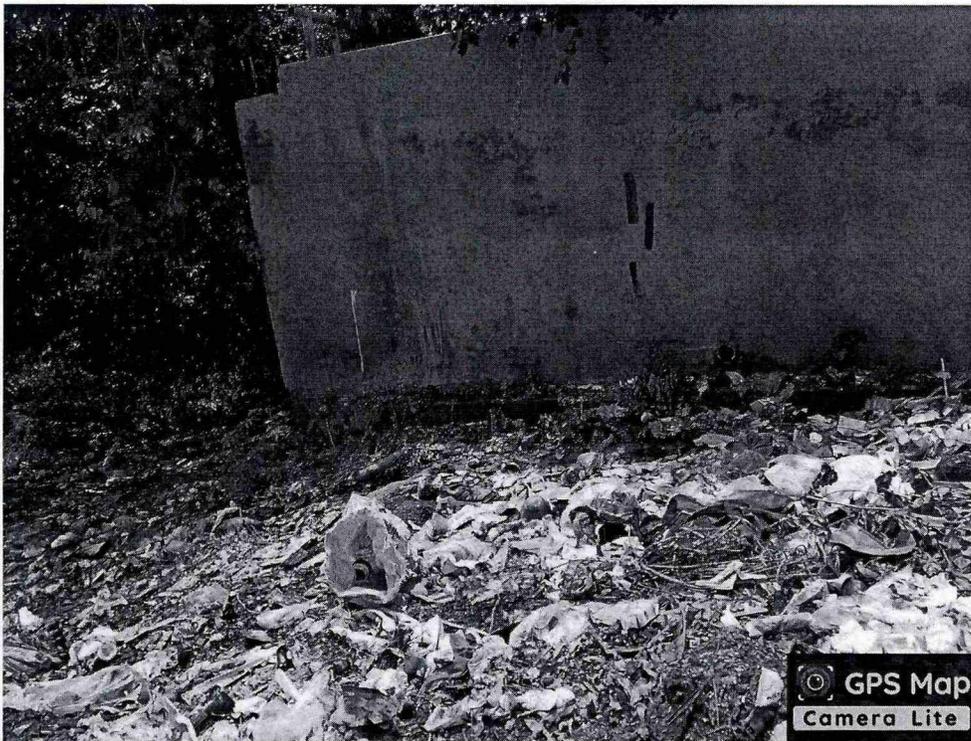
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Altitude 216 meters
Thursday, 04.05.2023



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Camera Lite

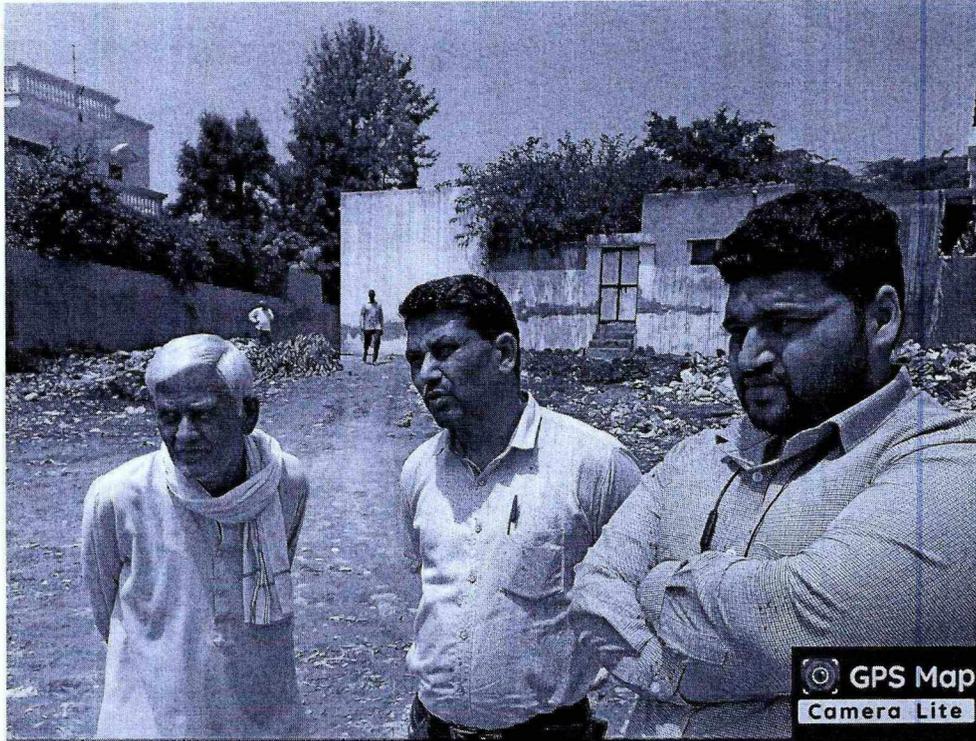
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Altitude 216 meters
Thursday, 04.05.2023



GPS Map
Camera Lite

128, नियर चौपाल, Kanganheri, Delhi, 110071, India

Latitude
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Longitude
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GMT 05:52:33 AM

Altitude 216 meters
Thursday, 04.05.2023



GPS Map
Camera Lite

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Altitude 216 meters
Thursday, 04.05.2023



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Camera Lite

GXVQ+WCC, Kanganheri, Delhi, 110071, India

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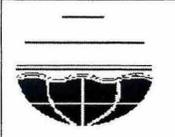
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Altitude 215 meters
Thursday, 04.05.2023

130

By Speed Post

9



DELHI POLLUTION CONTROL COMMITTEE
DEPARTMENT OF ENVIRONMENT, GOVT. OF NCT OF DELHI
5th FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI-06
visit us at : <http://dpcc.delhigovt.nic.in>

F.No.DPCC/CMC-II/NGT/OA-815/2022/ 4493

Dated: 08/05/23

To,

Annexure - 2

District Magistrate (South-West),
Old Terminal Tax Building,
Kapashera, New Delhi-110075.

Sub:- Hon'ble NGT matter OA No. 815/2022 " Suresh Chand Vs D.M. Kapashera & Ors."

Sir,

This has reference to the orders of Hon'ble NGT dated 18.11.2022 in OA No. 815/2022 " Suresh Chand Vs D.M. Kapashera & Ors." (Copy enclosed with copy of complaint). Hon'ble NGT constituted a Joint Committee comprising of representative of Delhi Pollution Control Committee and the District Magistrate(South-West) and direct the same to meet within two weeks, undertake visits to the site, verify the factual position and submit its report.

The Joint Committee comprising officials of DM (South-West) and DPCC alongwith the complainant Sh. Suresh chand undertook visit to the site on 04.05.2023 to verify the factual position of pond in Khasra No.111 in village Kanganheri. During the visit demarcation signs were observed on the walls of the houses built on the East and the West side along the pond. Complainant informed the committee that these demarcation signs were marked by Tehsildar, Kapashera(Revenue department) in the month of February,2023. Also the boundary wall was not found along the East and the West side of the pond during the visit.

You are therefore requested to verify the significance of these demarcation signs and whether these indicate encroachment or not. As the action on matter pertains to revenue department, further necessary action may be taken up by your department and ATR may be forwarded to this office by 12.05.2023 so that same may be placed before Hon'ble NGT.

This case is now listed on 19.05.2023.

Yours sincerely,


(Ajeeta Dayal Agrawal)
Sr. Env. Engineer(CMC-II)

Encl : As above.