

## IN THE HON'BLE NATIONAL GREEN TRIBUNAL NEW DELHI

Original Application No. 639/2022

IN THE MATTER OF:

PRITIPAL SHARMA

.....APPLICANT

VERSUS

GOVT. OF N.C.T. OF DELHI

.....RESPONDENT

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Filed Through

**JYOTI MENDIRATTA**  
Advocate for the Respondent

Date: . 09.2023

Place : New Delhi

IN THE HON'BLE NATIONAL GREEN TRIBUNAL NEW DELHI  
Original Application No. 639/2022

IN THE MATTER OF:

PRITIPAL SHARMA

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GOVT. OF NCT OF DELHI

.....RESPONDENT

SUBMISSION/ACTION TAKEN REPORT ON BEHALF OF SDM  
(MEHRAULI) BEFORE THIS HON'BLE TRIBUNAL.

1. That Hon'ble Tribunal had pleased to issued direction vide dated 20.03.2023, 24.07.2023 directing therein that which is reproduced as under:  
*"The joint Committee had merely said that plot on the opposite side of the street in front of House No. GI-2038, Aya Nagar, New Delhi-110047 was locked and had not verified the factual position of any bore-well in the above said plot and the Joint Committee was directed to revisit the above-said plot and verify the factual position and submit its report".*
2. That is vide dated 24.07.2023 last date of hearing Hon'ble National Green Tribunal issued the direction that:  
*"..Respondents/SDMs present during the hearing are directed to take necessary action and develop effective mechanism for preventing extraction of groundwater by unauthorized operators and tanker mafias and prompt coercive measures must be taken. The illegal borewells must be stopped immediately and sealed according to the rules. The past violations and extraction of groundwater shall be calculated according to rules and according to parameters laid down by the CPCB and the environmental compensation must be imposed according to law. SDM is further directed to take assistance from electricity department and to ensure disconnection of electricity supply for illegal borewells which are being used for illegal extraction of groundwater/borewells."*



*R*

3. That in compliance to the direction vide dated 20.03.2023 of this Hon'ble Commission, it is humbly submitted the joint inspection already being conducted on 13.04.2023 at property opposite G-1-2038, Aya Nagar, New Delhi in the presence of following officials:-
1. Dr. Shashipal Dabas, SDM (Mehrauli).
  2. Amzad Khan JE, (DPCC).
  3. Ms. Shilpi Gupta, Scientist, (CGWB).
  4. Sh. Satish Kumar, Executive Engineer, (DJB).
  5. Sh. Vijay Kumar, JE, (DJB).
4. In this regard, it is humbly submitted that after reaching there, the inspection team found that the lock of the main door and the value of the water tank were sealed. These are in the same condition. After inquiring with the residents living nearby, it was found that there is a illegal tube-well situated in this locked premises. They also said that the R.O. Plant has also installed inside locked premises. However, these residents did not give information regarding the name and address of the owner of this premises.
5. That it is humbly submitted that, the joint inspection team decided to go upstairs and to seal the bore-well. Then team went upstairs to roof and found that there is a way to go down from the roof by an iron ladder. The team went through that way, the pipe of the bore well was cut, electric cable disconnected from electric panel to bore-well, filled with brick bats in it and **sealed the bore-well**. Further, all the pipes of R.O. are disconnected then RO's motor, electric panel and cable are seized. There was no disturbance of any kind on the spot. Joint inspection report, attendance sheet are annexed as **Annexure-'A'**.
6. That is the letter dated 25.08.2023 also issued to the member secretary, DPCC by the undersigned for levying of environmental compensation. Copy letter dated 25.08.2023 is hereby annexed as **Annexure 'B'**.
7. It is pertinent to mention that to develop effective mechanism for preventing extraction of ground water by unauthorized operators, a committee had been



*[Handwritten signature]*

constituted (Sub- Division wise) vide office order F-ADM(S)/2023/496 dated 29.08.2023. Copy of order dated 29.08.2023 has been annexed as Annexure 'C'.

8. Based on the above facts, a report/reply is being submitted for kind consideration before this Hon'ble Tribunal. Undersigned assures that the orders/directions passed by this Hon'ble Commission shall be complied timely with in toto and spirit.



*Shashi*  
5/9/2023  
(Dr. Shashipal Dabas)  
SDM (Mehrauli)

Subject: Joint inspection and illegal borewell seal proceeding. (O.A. 639/2022 Case Title Pritipal Sharma VMS Govt. of NCT Delhi & Others)

On today dated 13/04/2023, the Joint inspection at property opposite G-1/2038 Aya Nagar in compliance of NGT order was done in the presence of Dr. Shashi Pal Dabas, SDM(Mehrauli) Revenue Department, Ms. Shilpi Gupta Scientist, CGWB, Sh. Satish Kumar, Executive Engineer DJB, Sh. Vijay Kumar JE DJB and Sh. Amzad Khan, JE DPCC.

After reaching there, the inspection team found that the lock of the main door and the valve of the water tank were sealed. These are in the same condition. After inquiring with the residents living nearby, it was found that there is a illegal tube well is situated in this premises and it open by climbing through wooden stair from outside and removes the piece of cement sheet from roof, runs the bore well and takes water. They said that the R.O. Plant has also installed. These residents did not give information regarding the name and address of the owner of this premises.

Then the joint inspection team decided to go upstairs and seal the borewell. Then team went upstairs and found that there is a way to go down from the roof by an iron ladder. The team went through that way, the pipe of the bore well cut it, electric cable disconnected from electric panel to bore well, filled with brick bats in it and sealed the bore well. All the pipes of R. O. are disconnected then RO's motor, electric panel and cable are seized. There was no disturbance of any kind on the spot.

The following officials are present in joint inspection  
at G-1/  
Phase-6 Anja Nagar (OA No. 639/2022).

AMZAD KHAN	JEE, DPCC	8960364102	<u>Amzad Khan</u> 13/4/2023
2. Dr. Shankpal Dabas	SDM (Meh.)	9540324806	<u>Shankpal</u> 13/4/2023
3. Shilpi gupte	Scientist - C	9560180650	<u>Shilpi</u> 13/4/2023
4. VIJAY KUMAR	JEEC/PDB	965030985	<u>Vijay</u> 13/4/2023
5. Satish Kumar	EE (M)-45646	9650291596	<u>Satish</u> 13/4/2023

GOVERNMENT OF NCT OF DELHI  
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (MEHRAULI)  
OLD TEHSIL BUILDING, MEHRAULI  
NEW DELHI-110030

F. No. 01/SDM/Meh/Bore-Well/GC/2023/3768-70

Dated: 25/08/2023

To,

The Member Secretary,  
Delhi Pollution Control Committee,  
Govt. Of NCT Of Delhi, 5<sup>th</sup> Floor,  
ISBT Building Complex, Kashmiri Gate,  
Delhi-110006.

**Sub: Levying of Environmental Compensation in the matter of Original Application No. 639/2022 titled as Pritipal Sharma V/s Govt. of NCT of Delhi & Ors.**

Sir,

This office is in receipt of Hon'ble National Green Tribunal Principal Bench court order in the **matter of Pritipal Sharma V/s Govt. of NCT of Delhi & Ors. Original Application No. 639/2022.**, "wherein Hon'ble NGT observed in its order dated 06.12.2022 that the Joint Committee had merely said that plot on the opposite side of the street in front of **House No. GI-2038, Aya Nagar, New Delhi** was locked and had not verified the factual position of any bore-well in the above said plot and the Joint Committee was directed to revisit the above-said plot and verify the factual position and submit its report".

It is submitted that complaint received from Executive Engineer (Project) W-I, Delhi Jal Board against illegal submersible/bore well installed at **House No. GI-2038, Aya Nagar, New Delhi**, wherein it is stated that DJB has inspected the premises along with DJB, NGT and found unauthorised bore wells in the said property.

In this regard, it is submitted that in compliance to the direction of Hon'ble NGT, a bore well in **House No. GI-2038, Aya Nagar, New Delhi** was sealed on 13.04.2023 by the team constituted for sealing of bore-well. (Copy of photographs is annexure as Annexure-I).

**However, Environmental Compensation is to be calculated.** You are requested to kindly heard the fact in this regard do needful in respect of aforesaid matter on top priority basis.

Matter may be treated as "Most Urgent".



Yours faithfully,

*Shashi*  
25/08/2023  
(DR. SHASHIPAL DABAS)  
SDM (MEHRAULI)

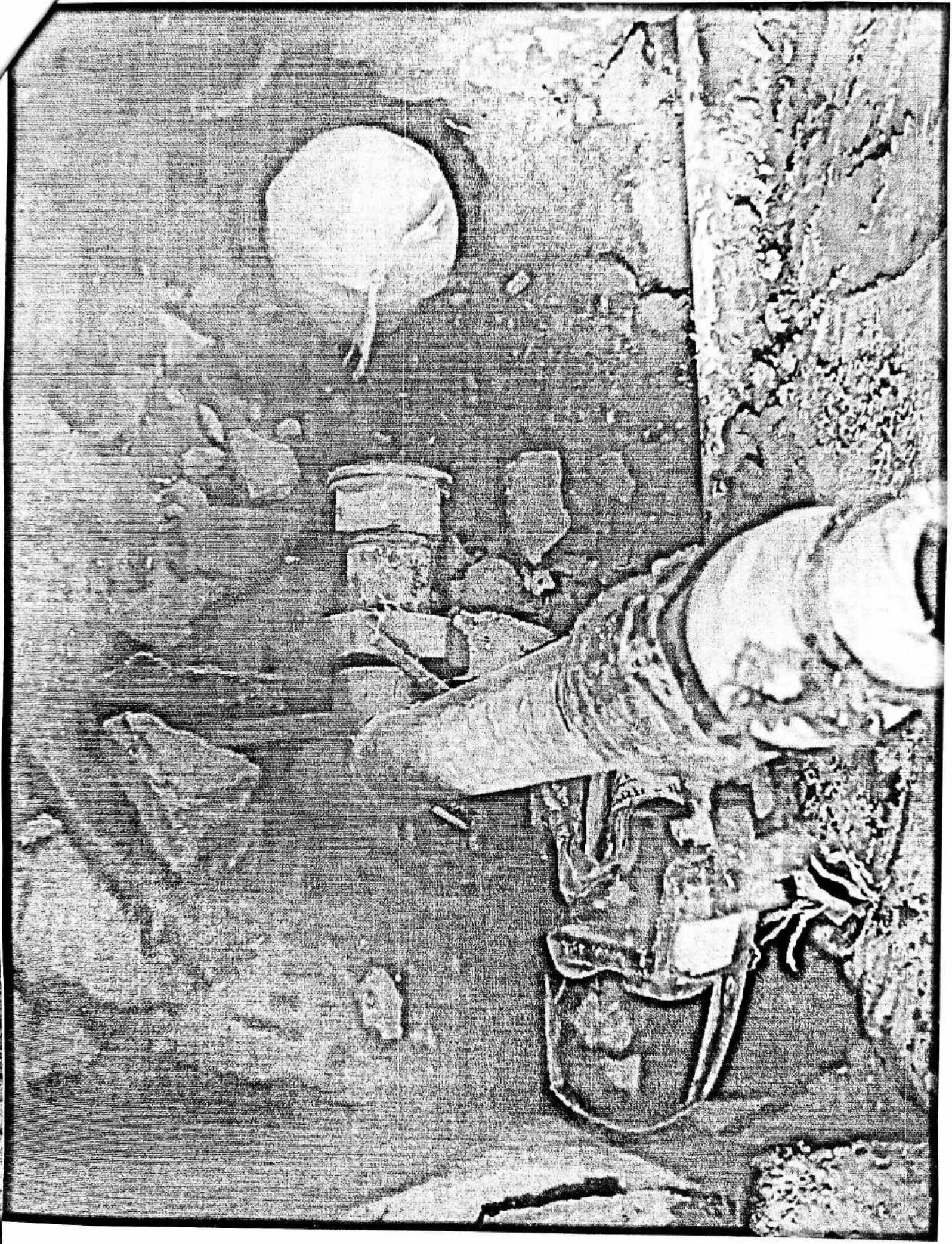
Dated: 25/08/2023

F. No. 01/SDM/Meh/Bore-Well/GC/2023/3768-70

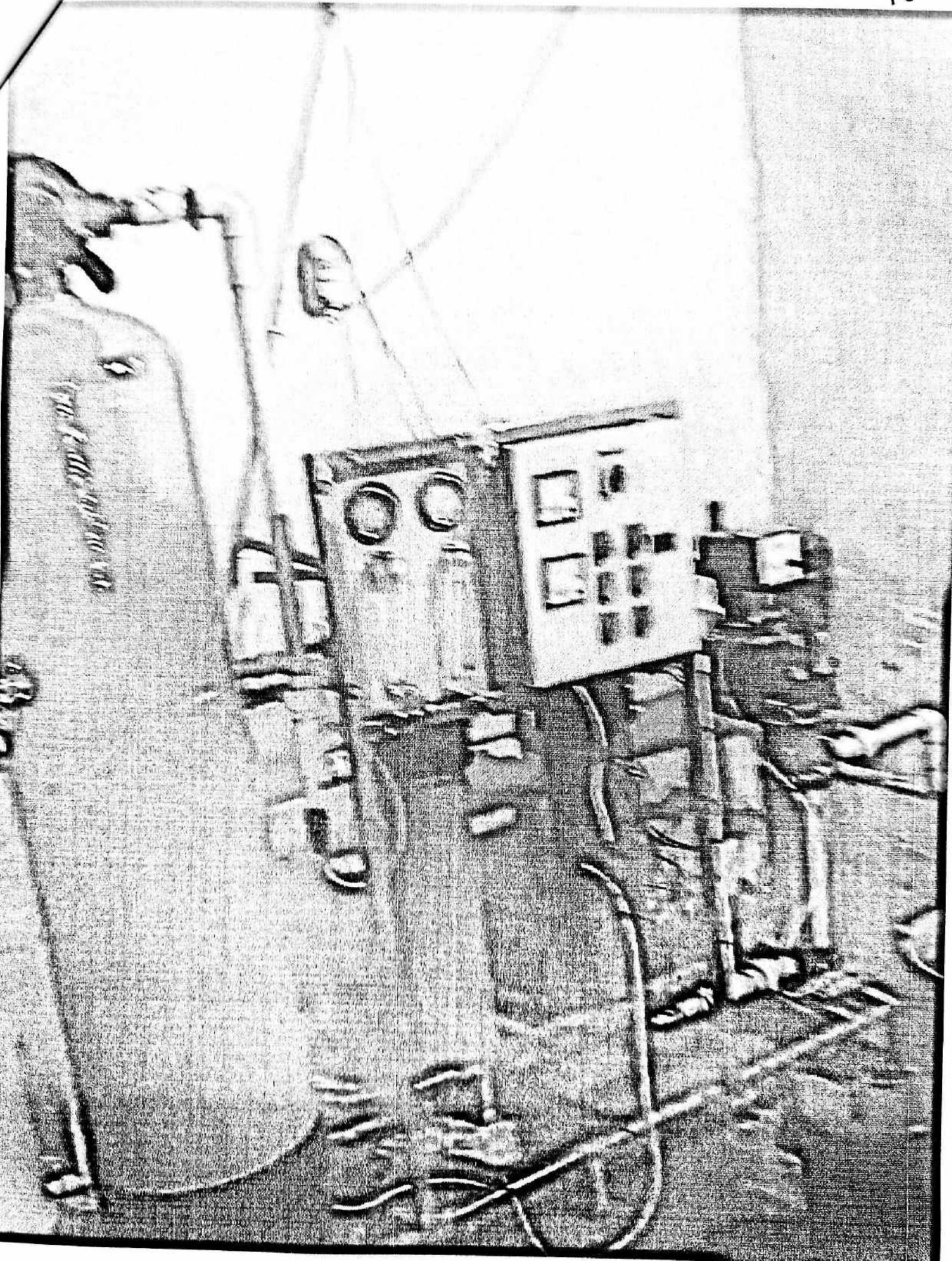
Copy to:-

- 1 The Superintending Engineer (South), DJB, Jal Sadan, Lajpat Nagar, New Delhi for necessary action.
- 2 PA to DM (South), M.B. Road, Saket, New Delhi for information



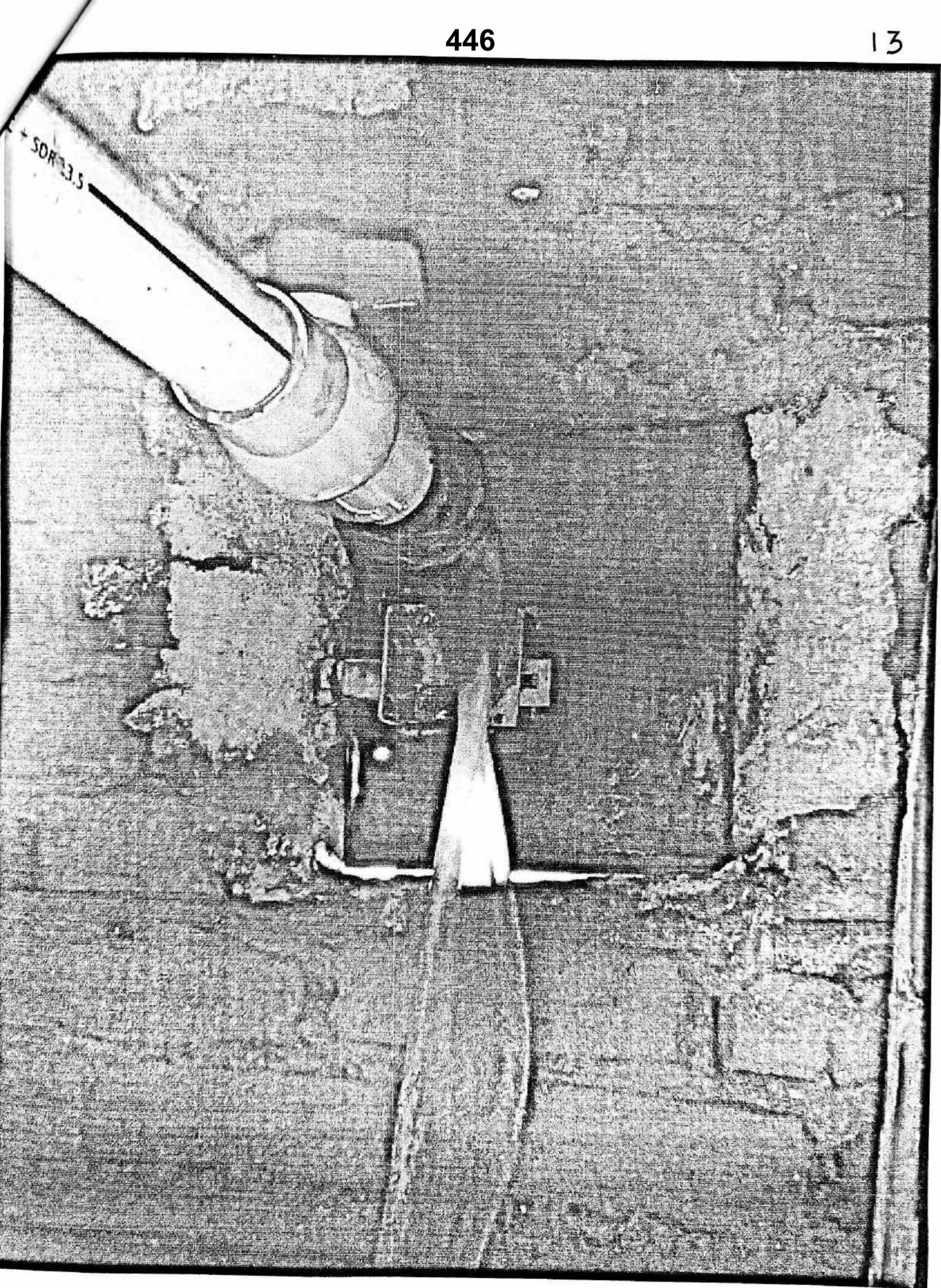
















S.D.M. MEHRAULI

Dated:- 04/9/23

DIARY No:- 40913

**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 Pritipal 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, BSES 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).

*Put on record*  
*Reached*  
*5/9/23*

*Agarwal*  
*29/08/23*  
(ANKIT KUMAR AGARWAL)  
ADM (SOUTH)  
ANKIT KUMAR AGARWAL  
Addl. District Magistrate  
Police Station Colony,  
M.B. Road, Saket, New Delhi-68

Copy to: -

1. CEO, Delhi Jal Board, 306, 3<sup>rd</sup> Floor, Varunalaya, Ph-II, Jhandewala, 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.

5. DCP, South West District, Basant Lok, Vasant Vihar, New Delhi - 110070.
6. SDM (HQ), District South, M. B. Road, Saket, New Delhi - 110068.
7. Manager, BSES Bhawan, Nehru Place, New Delhi - 110019.
8. Guard File.

*Ankit Agarwal*  
29/08/17  
(ANKIT KUMAR AGARWAL)  
ADM (SOUTH)  
ANKIT KUMAR AGARWAL  
Addl. District Magistrate  
(District South)  
M.B. Road, Saket, New Delhi-68