

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

Original Application No. 741/2024

RAVINDER KUMAR ...APPLICANT

VERSUS

UNION OF INDIA & Ors. ...RESPONDENTS

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REPRESENTED BY:

DATE:

PLACE:

**KANIKA AGNIHOTRI
ADVOCATES FOR RESPONDENT NO. 7
SKV ASSOCIATES
A-118, THIRD FLOOR
DEFENCE COLONY
NEW DELHI- 110024**

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 741/2024

Ravindra Kumar

APPLICANT

VERSUS

Union of India & Ors.

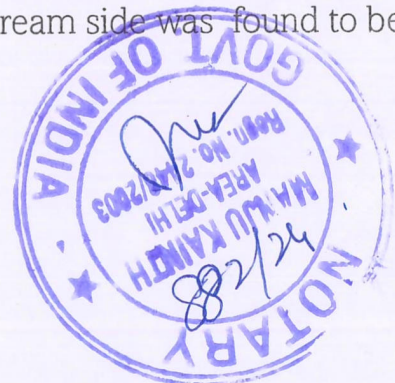
RESPONDENTS

SHORT AFFIDAVIT ON BEHALF OF RESPONDENT NO. 7-
DELHI JAL BOARD

MOST RESPECTFULLY SHOWETH:-

1. In the original application, the applicant has raised a grievance of continuous overflow of sewage of storm water drain along with road No. 110 in Sector-23, Dwarka, New Delhi. The complainant further has alleged that the sewage from the storm water drain is resulting in contamination of Naya Johad (a water body).

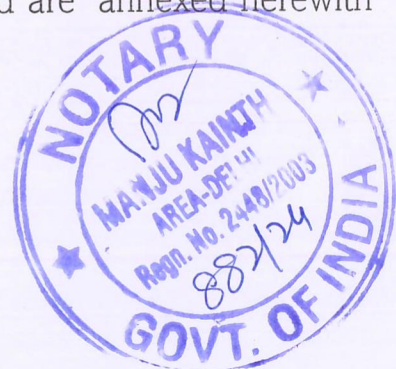
2. In this regard, a joint inspection was carried out by the AE DJB and AE DDA along with Sh. Diwan Singh (Public representative), Capt. Maan (Nature activist & resident Sadbhavna Society) & RWA President (Chitrakoot Society, Dwarka Sector-22) on 27.07.2024. The DJB sewer line from Chitrakoot Society to downstream side was found to be flowing in surcharged conditions. However,



the inspection revealed that interconnection of drain with sewer line was from within the Chitrakoot Society premises. As this interconnection of storm water drain to the sewer line is within the premises of Chitrakoot Society, Sector 23 Dwarka, the representative of the RWA was requested to look into the matter and was advised to disconnect the storm water connection to sewer line. It is submitted that no specific inspection report was drafted as this work comes under the category of regular field work. Copies of some photographs that were taken at the site during the said inspection are annexed herewith and marked as ANNEXURE- R7/1 (Colly).

3. With regard to the surcharged conditions of sewer line, a tender for Raising, Tracing of manholes and removing of blockage of sewer line in DDA Tikona Park near Red Light Xing 22/23 Sector-22 Dwarka has since been floated. An agency for execution of work has been selected and Letter Of Intent (LOI) has been. Issued as well. The work order in this regard will be issued as soon as contractor submits performance guarantee and work at site for removing of blockage of sewer line will be started to remove surcharged conditions of sewer line.

Documents that have been issued in this regard are annexed herewith and marked as ANNEXURE – R 7/2 (Colly).



4. No DJB sewer lines have been found connected with storm water drain except one connection i.e. within the premises of Chitrakoot Society, Sector-23 Dwarka as mentioned in para 1. Therefore, the Delhi Jal Board cannot assist in addressing the grievance of the complainant. Documents that have been issued in this regard are annexed herewith and marked as **ANNEXURE – R 7/3 (Colly)**

5. The present short reply is being filed in response to the notice issued by this Hon'ble Tribunal. The answering respondent craves leave to file a detailed parawise reply incase the need so arises or if so directed by this Hon'ble Tribunal.

6. The answering respondent respectfully states that as there is no violation of any of its statutory duties, no further directions be passed qua the answering respondent.



PRAYER

In view of the submission made above, it is, therefore, most respectfully prayed that:-

(A) the present original application be treated to have been satisfied and no further orders be passed in this regard;

(B) pass any other or further order which this Hon'ble National Green Tribunal, Principal Bench deems fit and proper in the facts and circumstances of the case.

Gajender Tomar
ANSWERING RESPONDENT
GAJENDER TOMAR
Chief Engineer (South)
DJB, Govt. of NCT Delhi

REPRESENTED BY

KANIKA AGNIHOTRI

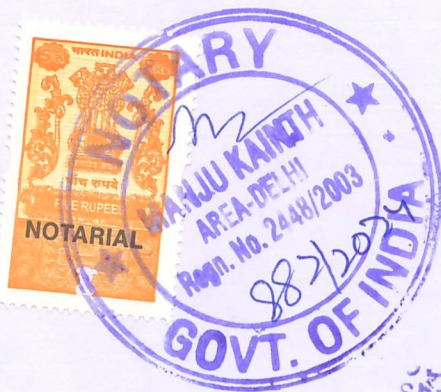
ADDITIONAL STANDING COUNSEL,

DELHI JAL BOARD

A-118, THIRD FLOOR,

DEFENCE COLONY,

NEW DELHI - 110024



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. *Gajender Tomar*
S/o W/o R/o..... *Ch. Engineer*
.....
Identified by Shri/Smt. *Self*
has solemnly affirmed *Self* at
Delhi on *22/09/24*
that the Contents of the Affidavit which have
been read and explained to him are true and
correct to his knowledge
[Signature]
Notary

23 SEP 2024

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

Original Application No. 741/2024

Ravindra Kumar

APPLICANT

VERSUS

Union of India & Ors.

RESPONDENTS

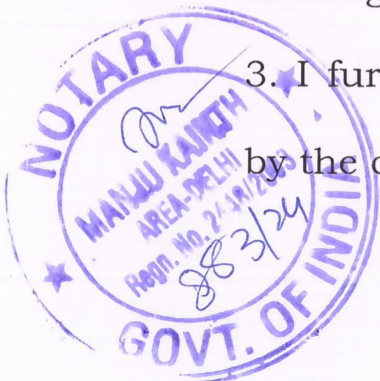
AFFIDAVIT

I, Gajender Tomar S/o Sh. P. S. Tomar, age 59 years presently working as CE(South), Delhi Jal Board and having my office at Room no. 113, 1st floor Varunalaya Phase-II do hereby affirm and state as under:

1. That I am the deponent herein and I am working as CE(South) in the Delhi Jal Board and as such, I am fully acquainted with the facts of the case and duly authorized to depose the present affidavit in my official capacity.

2. That the present reply affidavit on behalf of the Respondents No. 7 is being filed in response to the present Original Application. On the basis of the record, I state nothing material has been concealed therefrom.

3. I further state that the attached reply has been drafted by the counsel on the instructions of the department



and the contents of the same are true and correct based on the official records of the case.

Gajender Kumar
DEPONENT
GAJENDER TOMAR
Chief Engineer (South)
DJB, Govt. of NCT Delhi

VERIFICATION:

Verified at Delhi on this 23rd day of September 2024 that the contents of the above affidavit are true and correct; no part of it is false and nothing material has been kept concealed therefrom.



Gajender Kumar
DEPONENT
GAJENDER TOMAR
Chief Engineer (South)
DJB, Govt. of NCT Delhi

CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. *Gajender Kumar*
S/o W/o R.D.
Identified by Shri/Smt. *Ch. Suresh*
has solemnly affirmed *Self* at
Delhi on.. *883/2024* ..
that the contents of the affidavit which have
been read and explained to him are true and
correct to his knowledge

[Signature]
NOTARY

23 SEP 2024













OFFICE OF THE SUPERINTENDING ENGINEER(M)-9
DELHI JAL BOARD: GOVT. OF N.C.T. OF DELHI
COMMAND TANK NO.4, SEC-20, DWARKA, N.D.-110075.

"STOP CORONA: Wear Mask, Follow Physical Distancing, Maintain Hand Hygiene"

NO.DJB/EE(T)M-9/F-228/2023-24/-91-96

DATED: 5/9/24

M/s S.K Construction Co.,
E-94, Prem Nagar,
Najafgarh, New Delhi-110043.

Letter of Intent

Name of work:-	Raising, tracing of Manholes and removing of Blockage of Sewer line in DDA Tikona Park Near Red light Crossing 22/23 Sector-22 Dwarka in Matiala Constituency (AC-34) under EE(M)-34.	
Amount Put to Tender	Rate	Total Cost
Rs.2,04,820/-	@26.62% Below	Rs.1,50,297/-
Completion Period	BUDGET HEAD	
15 Days	R&M (Sewer)	

With reference to your tender dt. 19.08.2024 NIT NO.14(2024-25), ITEM NO. 01 for the above work. It is intimated that the Competent Authority has accepted your rates.

You are, therefore, requested to submit an irrevocable performance guarantee as per circular issued by CEO(DJB) vide circular No. **DJB/CEO/2022/D-1338 dated 21.04.2022** difference between the 25% less amount of justified rate and quoted rate is amounting to **Rs.28,900/-** only for a period of **75 Days** within 15 days of issue of letter of intent. This guarantee shall be in the form of guarantee bonds of any scheduled bank FDR/ BANK GUARANTEE in favor of DELHI JAL BOARD & a Non-Judicial stamp paper of Rs.100/- along with partnership deed, power of attorney / sole proprietor affidavit etc. in this office and sign the contract agreement at the earliest.

Sd/-

(Satish Kumar)

EXECUTIVE ENGINEER (T)M-9

Copy to:-

1. SE(M)-9 for kind information please.
2. E.E.(M)-34
3. AO(M)-9/AAO(M)-9
4. L.O. I. File/Office Copy

EXECUTIVE ENGINEER (T)M-9

**OFFICE OF THE ASSISTANT ENGINEER-I
DWARKA MAINTENANCE DIVISION NO. 2
CENTRAL NURSERY SECTOR-5, DWARKA,
NEW DELHI-110075**

No. FSC(Misc)/AE-1/DMD-2/DDA/100

Date: 27/7/24

INSPECTION NOTE

Inspection Note of connection of sewerage in Storm water drain along Sector-23 along Road No. 110 (Read as 210) (infront of EPFO Building). A meeting was organized by EE(PD-11) with AE(DJB) dated 27.07.2024

The following official and representative present during the inspection:

- (i) Navneet Kumar (AE/DMD-II/DDA)
- (ii) Hansraj Meena (AE/DJB)
- (iii) Diwan Singh (Public Representative)
- (iv) Captain Mann (Nature Activist & resident Sadbhavna society)
- (v) Society President (Chitrakoot Society)

With reference to above cited subject matter, for inspection of SW Drain of MP Road 210 and MP Road No. 226. The inspection has started from Sai Enclave Society Gate towards 226 & 210 Xing to upto Chitrakoot Society Gate on MP Road No. 226.

The following observations were noted during the inspection are:-

1. The chamber along Sai Enclave Society have found traces of sewer in SW Drain.
2. The EPFO have sewer connection in the opposite side running DJB main sewer line. The DJB sewer line is found main operational opp EPFO.
3. The SW drain along DGS Society on MP Road 210 have clear Rain water with bottom clearly visible. Shows no sewerage mixing in storm water drain.
4. The DJB Chambers on 226 & 210 Xing have found fully choked. DJB AE have mentioned that there is missing sewer line chamber, which DJB will trace out to declog the sewer line.
5. It has been noticed that the sewer line on service road and in the societies Sadbhawna & Chitrakoot have fully choked. **The SW Drain intercepting chamber inside chitrakoot society have connected with inside sewer line chamber. Due to sewer over flow the sewer line water mixed in SW Drain which connected in DDA Storm water drain.**

Conclusion:


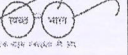
- (i) DJB will take action to dechock the sewer line of MP Road No. 226 from Chitrakoot Society to MP Road No. 226 & 210 Xing.
- (ii) Chitrakoot Society RWA will take action to remove the connecting pipe between the sewer line and SW Drain intercepting chamber inside the society.

(Er. Navneet Kumar)
Assistant Engineer-I
DMD-II/DDA

Copy to:

1. SE/DCC-1, DDA for kind information.
2. EE/DMD-II for kind information.
3. Assistant Engineer /DJB ,O/O The Assistant Engineer M-34/37 ,
Commant Tank -2 ,Madhu Vihar , New Delhi-110059.
4. Sh. Diwan Singh, Member of water bodies at Dwarka Zone to pursue the matter with DJB and RWA Chitrakoot Society.
5. RWA President , Chitrakoot Society Sector-23 for necessary action as mentioned in Note.
6. RWA President , Sadbhawna Society Sector-23, Dwarka, New Delhi for necessary action.

27/7/24
Assistant Engineer-I
DMD-II/DDA

 DELHI JAL BOARD	OFFICE OF THE EXECUTIVE ENGINEER (D)-091 DELHI JAL BOARD: NCT OF DELHI NEAR DWARKA WTP, DWARKA, NEW DELHI-110075.	 Sd/- (Satish Kumar) Executive Engineer (D)-091
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No.: DJB/EE(D)-091/2024-25/ 580 to 584

Dated: 20.09.2024

To,

RWA Chitrakoot CGHS Society,
Plot No. 9, Sector-22, Dwarka,
New Delhi-110075.

Subject: Disconnection of Storm Water Drain into Sewer Line inside the premises of Chitrakoot CGHS Society.

Reference letter No.: - FS(Misc)/AE-I/DMD-2/DDA/100 Dated 27/07/2024.

With reference to above mentioned inspection note, issued by AE-I, DMD-II/DDA on dated: 27.07.24. The Storm Water Drain was found connected within the premises of Chitrakoot CGHS Society with internal sewer line and it is further connected to DDA storm Water Drain along with service lane of road no. 226 in Sector-22, Dwarka.


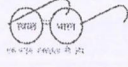
As the maintenance and repairing of the internal sewer line within the Society premises is the duty of RWA. It is directed to disconnect the Storm Water Drain from sewer line within Chitrakoot CGHS premises immediately.

Sd/-
(Satish Kumar)
Executive Engineer (D)-091

Copy to :

1. SE(M)-9 for kind information please.
2. EE DMD-II/DDA.
3. AE-I (M)-34.
4. AE-I DMD-II/DDA.
- ~~5. O/c.~~


Executive Engineer (D)-091

 DELHI JAL BOARD	OFFICE OF THE EXECUTIVE ENGINEER (D)-091 DELHI JAL BOARD: NCT OF DELHI NEAR DWARKA WTP, DWARKA, NEW DELHI-110075.	 DELHI JAL BOARD
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No.: DJB/EE(D)-091/2024-25/ 585 to 588

Dated: 20.09.2024

To,

Assistant Engineer-I(DMD-II),
Central Nursery, Sector-5, Dwarka
New Delhi-110075.

Subject: Disconnection of Storm Water Drain into Sewer Line inside the premises of Chitrakoot CGHS Society.

Reference letter No.: - FS(Misc)/AE-I/DMD-2/DDA/100 Dated 27/07/2024.

With reference to above mentioned inspection note, issued by AE-I, DMD-II/DDA on dated: 27.07.24. The Storm Water Drain was found connected within the premises of Chitrakoot CGHS Society with internal sewer line and it is further connected to DDA storm Water Drain along with service lane of road no. 226 in Sector-22, Dwarka.

As the storm water drain is maintained by DDA therefore you need to take necessary action against violators and protect the storm water drain for any sewer connections.

Sd/-
(Satish Kumar)
Executive Engineer (D)-091

Copy to :

1. SE(M)-9 for kind information please.
2. EE DMD-II/DDA.
3. AE-I (M)-34.
- ~~4. O/c.~~


Executive Engineer (D)-091