

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

Original Application No. 834/2022

**In the matter of:**

Mukesh Kumar and Ors.

...Applicant

Versus

Govt. of NCT of Delhi

...Respondents

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Filed by:

New Delhi:

Dated: 15.03.2023

  
Delhi Pollution Control Committee

(1)

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**ACTION TAKEN REPORT ON BEHALF OF DELHI POLLUTION  
CONTROL COMMITTEE IN COMPLIANCE TO THE ORDER  
DATED 10.01.2023.**

**IT IS MOST RESPECTFULLY SHOWETH:**

1. That this Hon'ble Tribunal took up the above referred matter on 10.01.2023 and was pleased to direct the DPCC and District Magistrate (Shahdara) to take action against two illegal borewells installed at New R-Block society, Plot no. 43, Class-A, Dilshad Garden, Delhi.
  
2. That a joint inspection of the site was carried out on 15.02.2023 by the representatives of DPCC, Officials of SDM(Seemapuri) and Delhi Police (PS GTB Enclave). During the inspection, it was observed that:
  - One borewell was found in the said premises of Sh. Jitendra Aggarwal.
  - Second borewell in the said premises could not be found.
  - The borewell was sealed by Revenue Officials during the inspection.
  - Sh. Om Prakash Sharma (Vice President) and Ramesh Goel (Joint Secretary) of RWA were also present during the inspection.
  - SDM(Seemapuri) was requested to keep a watch on illegal ground water extraction. They have been asked to do this with the help of

Delhi Jal Board and Delhi Police to ensure elimination of all possibilities of illegal ground water extraction.

Copy of the inspection report dated 15.02.2023 is enclosed herewith as **Annexure-I**.

3. That the SDM (Seemapuri) vide order dated 20.02.2023 has also imposed Environmental Damages Charges of Rs 20,000/- against Sh. Jitendra Aggarwal. Copy of the order passed by SDM is annexed herewith as **ANNEXURE-II**.

4. That JK Aggarwal Founder trustee of Shri Lakshmi Narain Mandir has deposited Rs 20,000/- on 27.02.2023 imposed as Environmental Damages Charges. Copy of the letter dated 27.02.2023 is annexed herewith as **ANNEXURE-III**.

The present status report may kindly be taken on record.



Sr. Environmental Engineer

Annexure-I

JOINT TEAM INSPECTION REPORT IN COMPLIANCE OF ORDER OF NGT IN THE MATTER OF OA NO. 834/2022 MUKESH KUMAR & Ors. vs GNCTD

In compliance of above mentioned Honible NGT matter, a joint inspection was carried by officials of DPCC, SDM Seemapuri and officials of SDM Seemapuri office and Delhi Police PS G.T.B Enclave on 15/02/2023 in premises of Sh. Jitendra Aggarwal, Plot No. 43, Opposite Flat No. 87A, New B Block, Dilshad Garden Delhi.

During inspection following are the observations:-

- (i) One borewell was found in the said premises which was sealed by SDM Seemapuri officials in the presence of joint team.
- (ii) Second borewell in the said premises could not be found.
- (iii) RWA Members Vice President Anil Prakash Sharma and Joint Secretary Kamlesh Ober were also present during inspection, they also do not have any information about other borewells.
- (iv) SDM Seemapuri has been requested to keep a watch on ground water extraction illegally. They have been asked that with the help of Delhi Jal Board and Delhi Police, will ensure to eliminate all possibility of ground water extraction.
- (v) SDM Seemapuri also has been requested for issuing Environmental compensation as per norms.
- (vi) SDM Seemapuri has been requested to submit ATR w.r.t. Action taken, so that related report shall be filed to Honible NGT timely.

*Nishant*  
Reader to SDMP

*Chand*  
Ramern Chand  
J.S. (RWA)

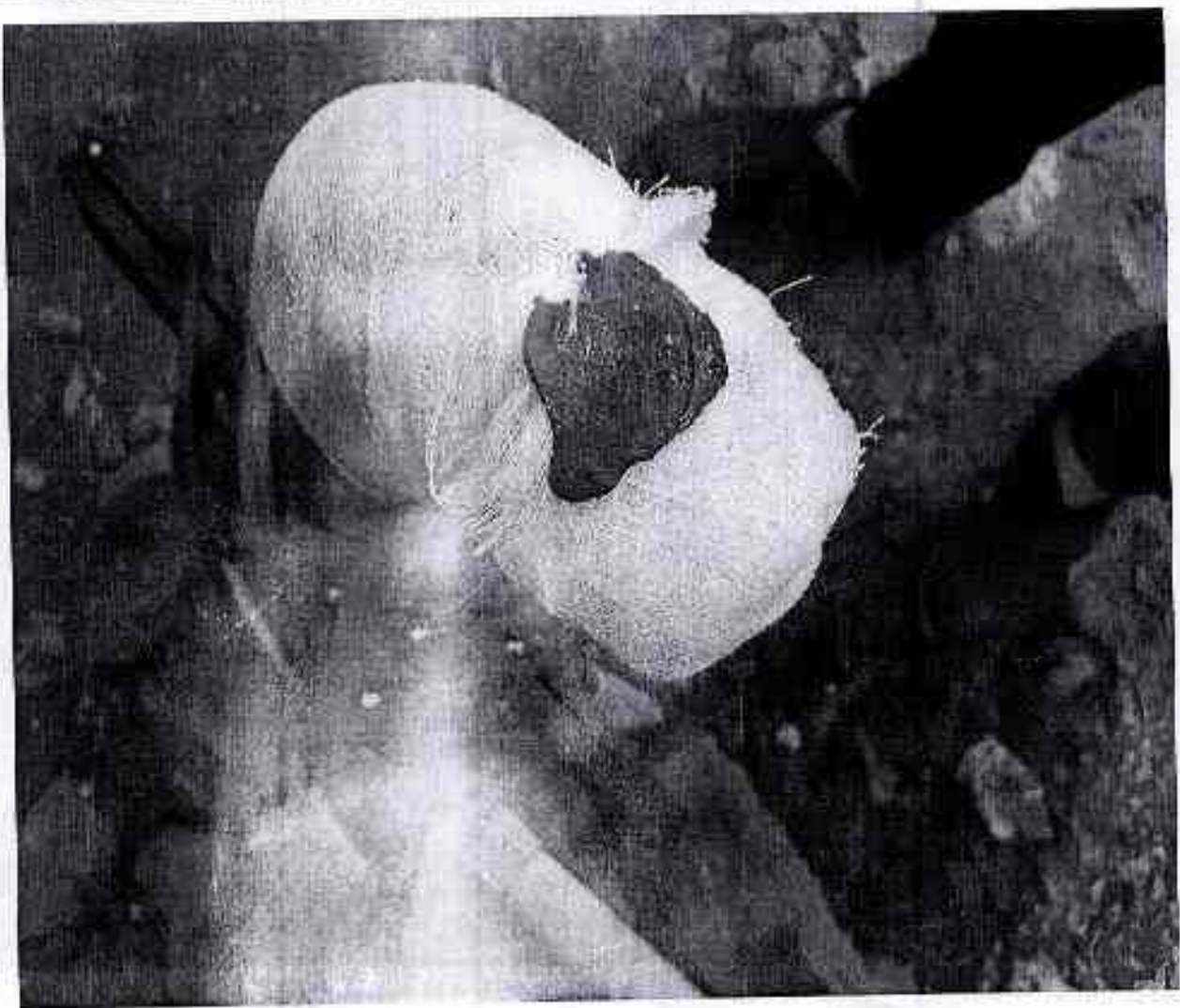
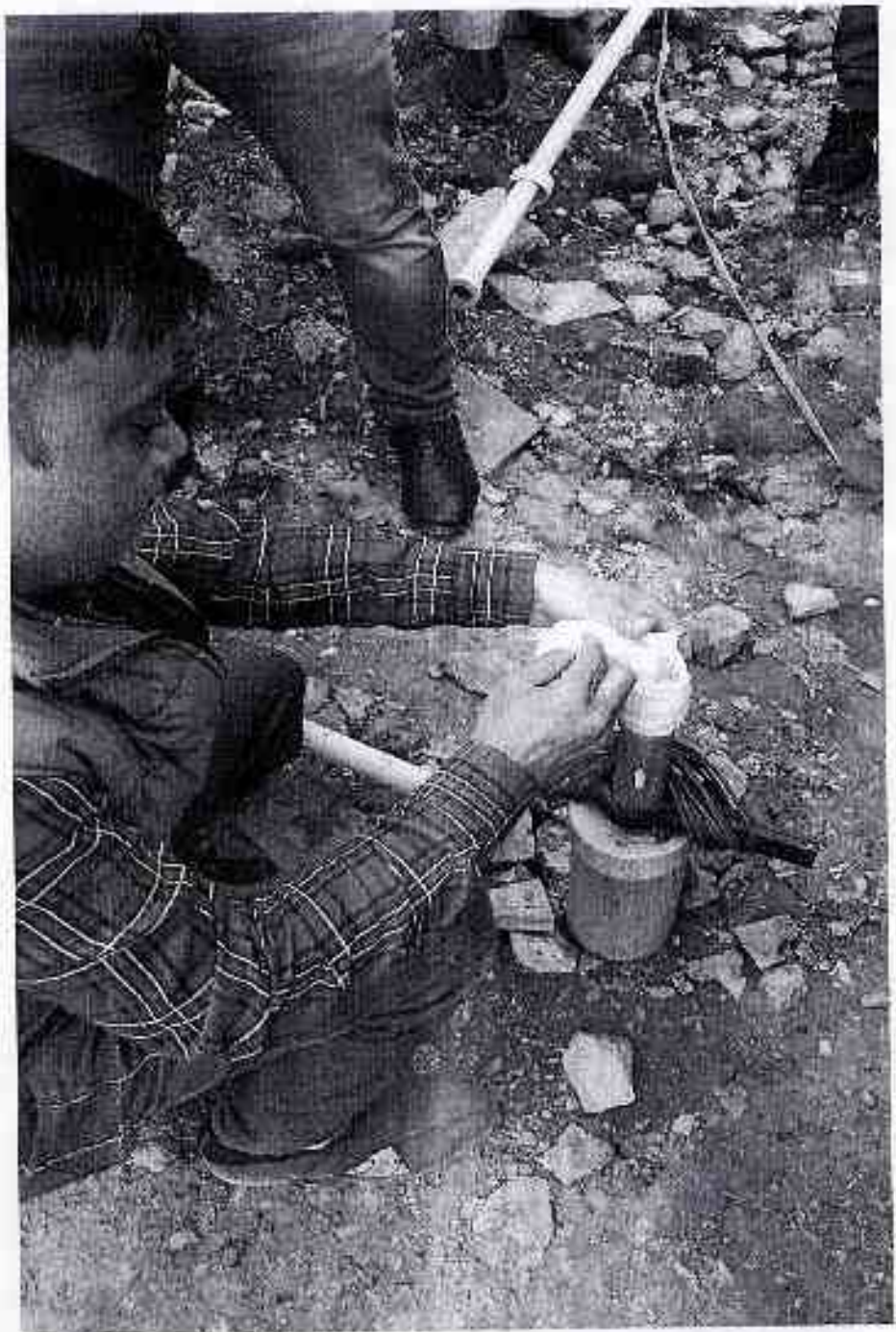
*Prakash*  
Prakash Sharma  
Vice President RWA

*Jitendra*  
PS VITRANDESH  
No 98P/5M  
PS G.T.B Enclave  
9865513661  
*Rohit*  
HC RAHUL KUMAR  
No 231 81 Stb  
PS G.T.B Enclave  
9582677381

*Amitanshu*  
15/02/2023  
JEE, DPCC

*Nigam*  
15/2/23  
JEE, DPCC

*Sanjay*  
Sanjay Kumar  
C.O. Sudehaskha Gaurav  
MILL





OFFICE OF THE SUB-DIVISIONAL MAGISTRATE: SEEMAPURI  
DISTRICT SHAHDARA, REVENUE DEPARTMENT, GNCTD,  
E-BLOCK, D.C. OFFICE COMPLEX, NAND NAGRI, DELHI-110093

Annexure-II

Dated: 20/02/2023

F.No.SDM/S.Puri/Submersible/Sealing/2022/6A2-D1

**SEALING ORDER**

In pursuance of the notification/order No. F8 (348)/EA/Env/09/1041-1061 dated: 18.05.2021 issued by Department of Environment, Govt. of GNCT of Delhi, 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 operation or process or stoppage or regulation of the supply of electricity or water or any other services.

And whereas, in compliance to the direction passed in above said order no Person, Group, Authority, Association or Institution is allowed to extract the Ground Water through Borewell/Tubewell/Submersible for Domestic, Commercial or Industrial use without obtaining the prior permission from the Competent Authority.

And whereas a joint inspection was carried out by officials of DPCC, SDM office Seemapuri and Delhi Police for checking the violation & illegal extraction of Ground Water at Plot No. 43, opposite Flat No. 87A, New R Block Dilshad Garden, Delhi in compliance to the above said order.

And whereas, on enquiry by the team it was found that the above mentioned property where the said Borewell/Tubewell/Submersible installation was in progress/installed belongs to you.

And whereas on demand by the inspection team, you failed to produce any Document/Proof/NOC etc. issued by any Competent Authority for extraction of Ground Water.

And whereas, illegal extraction of ground water without any permission can result in drying up of Ground Water resources and may also affect water quality.

And whereas through, another notification in March 2006, Central Ground Water Authority has notified North-East District 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 the powers conferred by section 5/15 of Environment Protection Act 1985, I, **Mohan Kumar, SDM Seemapuri**, hereby seal the Borewell/Tubewell/Submersible installed at the above mentioned address with immediate disconnection of Electric Supply to the said Borewell/Tubewell/Submersible and with the direction to deposit the penalty amount of Rs. 20,000/- through Demand Draft in favour of DPCC, Account No-10166741672, IFSC SBIN0005715, SBI, Kashmere Gate, Delhi within 07 days under intimation to this office for violation of Environment Protection Act.



To, Jitendra Aggarwal,  
Plot No. 43, Flat No. 87A, New R block,  
Dilshad Garden, Delhi.

**Copy for information & necessary action to:-**

1. ACP concerned Seemapuri, Delhi, for information and necessary action.
2. Sr. Environmental Engineer, Consent Management Cell-I, Delhi Pollution Control Committee, 4<sup>th</sup> Floor, ISBT, Building, Kashmere Gate, Delhi-06
3. Account Officer, District Shahdara, L-Block, 2<sup>nd</sup> Floor, D.C. Office Complex, Nand Nagri, Delhi-110093
4. S.H.O. PS W/B Kirti Delhi ( ) for information and necessary action.
5. PA to Secretary, Department of Environment, Level-6, Wing-C, Delhi Secretariat, IP Estate, New Delhi.
6. PA to District Magistrate (Shahdara) D.C. Office Complex, Nand Nagri, Delhi-110093
7. PA to C.E.O, Delhi Jal Board, Varunalaya, Karol Bagh, New Delhi.
8. SO to DCP (North-East/Shahdara) SHAHADARA for your kind information
9. PA to C.E.O, B.S.E.S Yamuna Power Ltd, 3<sup>rd</sup> Floor, Shakti Kiran Building, Karkardooma, Delhi, to disconnect electricity connection to the unit with immediate effect.



*Handwritten mark*

# Shri Lakshmi Narain Mandir

43A, Dilshad Garden, Near Jhilmil Metro Station, Shahdara, Delhi - 110095  
Ph.: 011-43161016, M: 9810019058

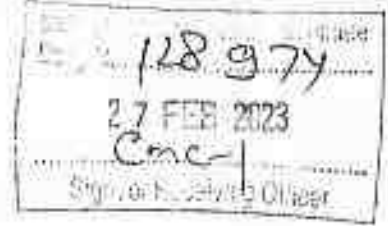
27 61/CMC-L

01/03/2023

Annexure-III

Date : 27/02/2023

To,  
The DPCC  
ISBT Building  
Kashmere Gate  
Delhi



**Subject : Deposit of Rs.20,000/-**

Dear Sir,

Please find enclosed herewith a Demand Draft no. 475068...  
dated 27/02/2023 for Rs.20,000/- on <sup>CANARA</sup> State Bank of India, Delhi together  
with the photocopy of sealing order. Please received the same and  
oblige.

Thanking you,

*AO (Accts)  
Sh. Jitendra P  
1/3*

Yours faithfully  
For Shri Lakshmi Narain Mandir

*J.K. Aggarwal*  
(J.K. Aggarwal)  
Founder Trustee

Copy to:

1. SDM Office, Seemapuri, Delhi

7

केनरा बैंक  Canara Bank

DELHI DILSHAD GARDEN BRANCH (2686)  
DELHI, NCT OF DELHI - 110095  
IFSC CODE : CNR8002686

यह प्रिन्ट आउट केवल तीन महीने के लिए ही वैध है।  
Valid for three months only from the date of instrument.

CB 

D	I	M	M	Y	Y	V	V
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026863021026 475068

27022023

DELHI POLLUTION CONTROL COMMITTEE

को मा एनके आदेश पर Or Order प्राप्त मूल्य के लिए

मांगित पर On Demand Pay TWENTY THOUSAND ONLY

रुपये Rupees

Purchaser Name

SRI LAKSHMI NARAIN MANDIR  
NOT OVER Rs. 20,000.00

रुपये के लिए For Value Received

₹



केनरा बैंक Canara Bank

NEW DELHI ACCOUNTS SECTION (1745)

प्रिन्ट आउट पर  
4/7M-11663/037

पत्र  
NAME DESIGNATION

कर्मचारी  
S.S.No.

आधिकारिक हस्ताक्षर  
AUTH. SIGNATORY

नाम  
NAME DESIGNATION

पता  
P.F.No.

यदि मांगित पर और मांग आदेश के बिना से प्रिन्ट आउट प्राप्त होता है तो Demand Draft को ही लक्ष्य के रूप में प्रिन्ट आउट के मांगित पर के रूप में प्रयोग करने से बचना चाहिए।  
Please sign above

⑈475068⑈ 110015129⑈ 202686⑈ 16