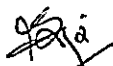
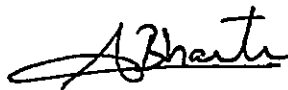


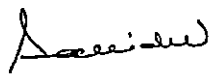
**Status Report on Present Status of Johad (Traditional Pond)
in Issapur village, Najafgarh, Delhi
(OA No. 174 of 2014 and Execution Application No 13 of 2021)**

Hon'ble NGT in the matter of OA No. 174 of 2014 and Execution Application No 13 of 2021 issued an order on 23rd July 2021 as under –

1. *We direct the SDM, Najafgarh, Respondent No. 7 to remove encroachment, if any, and keep the existing pond 'Johad', measuring 4 Bighas; improve its cleanliness within a period of 3 months and eventually develop the water body into a reservoir. The MCD North and the BDO will render all necessary assistance to the SDM, Najafgarh.*
2. *The balance land measuring 2 Bighas and 13 Biswas may be retained as community center and a bus stop to be used by the Public at large. However, to prevent further encroachment thereon, there would be proper boundary pillars so the same act as a deterrent against any further illegal encroachments.*
3. *We constitute a team consisting of following to monitor the progress of renewal of the Johad in Issapur village –*
 - i. *The CEO, Parks & Garden, In-charge of water bodies in NCT of Delhi*
 - ii. *An officer who is of the level of Chief Engineer of Delhi Jal Board*
 - iii. *A senior Officer of the Central Ground Water Authority*
4. *The Committee would also ensure that both the 'Johad' and the community land, totally measuring 6 Bigha and 13 Biswas, be excluded from any residential/commercial infrastructure creation that may be planned in future so as to maintain the characteristics of wetland, both in terms of their water holding capacity and their environmental role.*
5. *The Chief Engineer of DJB will preside over all meeting and give a report to the Tribunal every six months, of the progress made in this matter.....*
6. *No domestic sewage should be permitted to flow into the water bodies.....*


(Ajay Kumar)
CE(WB), DJB


(Anil Bharti)
ACE (P) 4, DJB


(Saidul Haq)
Scientist – D,
CGWB


(Shrichand Sharma)
DPGS

Observations of Committee


○ The committee, during the site visit Dt. 29.11.2021 found followings facts for consideration of SDM, Najafgarh, and a report in this regard had already been submitted on 02.12.2021. The salient features of the report is as under:-

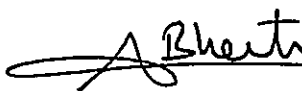
- **Boundary Wall** – It is very old and require full repairing/rebuild
- **Surroundings** – South & East side of Johad is clean but North & West side of Johad along boundary wall is full of domestic waste material and require removal by concerned agencies. There are 2 to 3 very big trees with branches hanging inside the Johad are to be pruned which may damage boundary wall in future.
- **Inside the Johad** – The Johad is partially filled by domestic waste material. Full of shrubs, silts, trees etc. There is one dugwell along brim of Johad which is also to be restored or closed to avoid any untoward incident.
- **Sign Board** – No sign board could be seen near the subject site showing that this property belongs to Government & tress passers or any encroachment to the site will punished as per Law of the Land. This is required to be fixed at site showing Map of total Land & Johad area as per Hon'ble NGT order.

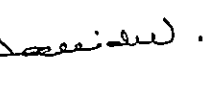
Action Taken Report as on 24/02/2022:

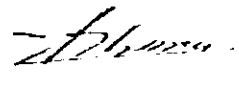
1. The constituted committee held meetings on 08.11.2021, 29.11.2021, 10.12.2021 & 31.12.2021, 18/01/2022 to review the progress of "Revival of Issarpur Johad". The minutes of the meeting are enclosed (Annexure-I,II & III)
2. A copy of letter no 103 Dated 29/12/21 issued by AE-IV c/o Irrigation and flood control department, GNCTD received by the Committee (Annexure-IV). The salient feature of the action taken report is as under:-

- i. *The unwanted vegetation as shrubs, wild grass etc. has been removed from the water body duly bounded.*
- ii. *The pruning of leaning branches of standing trees has been carried out (photos enclosed as Annexure - V).*
- iii. *The census of 52 standing trees of different varieties has been done by marking of each tree with paint (photos attached).*
- iv. *The work of collection and disposal of non-biodegradable substances / garbage like polythene bags and plastic bags etc. is in progress. (photos attached).*
- v. *Removal of pruned branches of trees from the bed of water body shall be done very shortly.*
- vi. *The work of revival of existing recharge structures (02 Nos), repair of pitching and other civil works etc. shall be taken up in due course.*


(Ajay Kumar)
CE(WB), DJB


(Anil Bharti)
ACE (P) 4, DJB

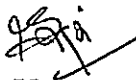

(Saidul Haq)
Scientist – D,
CGWB



(Shrichand Sharma)
DPGS

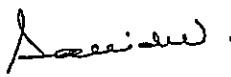
3. A report Dated 31/12/21 was received (enclosed hereby as Annexure — VI) from Tehsildar (Najafgarh) identifying the encroachment as under:

Point	Area encroached as per map(in square yards)	Khasra no. of encroacher land(area bigha - biswa)	Ownership of Khasra no. of encroacher
A	112.214	554/2(0-2)	Gram Sabha Rastejat
B	33.021	554/1(0-2)	Smt Rishalo Devi & ors
C	14.914		
D	64.378	126	Abadi Deh
E	91.987	567/(1-12)	Smt. Mamta & ors.
Total	316.515		

4. Vide letter Dated 18/01/2022 issued by ACE P4 DJB, SDM (Najafgarh) was asked to share the updated status of the encroached land.(Please see annexure VII).
5. A demolition order Dated 03/02/2022 issued by SDM (Najafgarh) to carry out the demolition drive at Issapur was received (Enclosed as annexure VIII).
6. Vide letter Dated 03/02/2022, SDM (Najafgarh) (Enclosed as Annexure IX) requested EE (CD-XIII), I&FC Department to ensure removal of Non-biodegradable material stacked in the Water body etc.
7. Vide letter Dated 18/02/2022 issued by ACE P4 DJB, SDM (Najafgarh) was asked to share the updated status of the encroached land, removal of Non-biodegradable material stacked in the Water body etc.(Please see annexure X).
8. Vide letter Dated 21/02/2022, SDM (Najafgarh) (Enclosed as Annexure XI) has directed BDO(SW) to arrange TSM machine for conducting demarcation & JCB for removing the encroachment b of Issapur Johad.


(Ajay Kumar)
CE(WB), DJB


(Anil Bharti)
ACE (P) 4, DJB

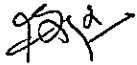

(Saidul Haq)
Scientist – D,
CGWB


(Shrichand Sharma)
DPGS

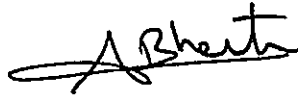
Work to be done

1. The removal of encroachment from/around the Johad, is still pending & needs to be expedited by SDM in coordination with other agencies after having demarcation of encroached land via TSM machine.
2. The removal of Non-biodegradable material stacked in the Water body is yet to be reported by I&FC department.
3. Issue of its revival of land locked water body by using treated waste water will be assessed once the encroachment removal is done.

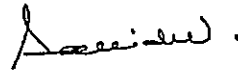
The above is submitted for the perusal of Hon'ble NGT.



(Ajay Kumar)
CE(WB), DJB



(Anil Bharti)
ACE (P) 4, DJB



(Saidul Haq)
Scientist - D,
CGWB



(Shrichand Sharma)
DPGS

OFFICE OF THE ACE (P) 4
Delhi Jal Board: Govt. of NCT of Delhi
'A' Building, Staff Quarters,
Jhandewlan, Karol Bagh,
New Delhi – 110 005.

No. DJB/AC (P) 4/2021/38

Dated:- 09/11/2021

Minutes of the Meeting dated 08.11.2021 held at 02:00 Pm regarding Monitoring of the progress made in the matter of revival of the Johad in Issarpur in compliance of execution application no. 13/2021 in original application no. 174/2014 as issued by the NGT.

1. Action taken by DJB :

- i. It was told that a site visit had already been done by undersigned and site photographs were shared.
- ii. Regarding the issue of no domestic sewerage flow into the Water Body, it was intimated that the sewerage system in this area is under the command of STP at Kazipur. The estimate of same along with laying of sewer line work is under process of approval. The village is likely to be provided with sewerage system by December, 2023.

2. Action taken by SDM, Najafgarh:

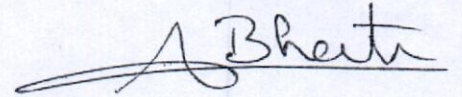
- i. The concerned SDM had called a meeting with BDO (South-West) & SDMC on 08.11.2021 at 11:00 AM to monitor the progress in this matter.
- ii. The staff from BDO (South-West) turned up and intimated about having written a letter to SDMC and I&FC department to maintain the cleanliness at the Johad.
- iii. Representative from SDMC did not turn up.
- iv. A letter had been issued by SDM to BDO (South-West), SDMC and I&FC to maintain the cleanliness of Johad.
- v. Regarding encroachment necessary action would be taken along with the concerned authority responsible for the protection of the Wetland / Johad after 20.11.2021 due to Chhat Pooja and survey of Crops damage.

The above matter was discussed by the committee comprising of:

1. Sh. Anil Bharti, Addl. Chief Engineer C/o Delhi Jal Board
2. Sh. Shrichand Sharma, Consultant Horticulture C/o Delhi Park & Garden Society
3. Sh. Saidul Haq, Scientist – D C/o Central Ground Water Authority

The minutes of the meeting is as under:

1. The Committee sought the copy of the communications made by SDM with BDO, SDMC, I&FC in this matter.
2. The committee decided to hold the next meeting on 29.11.2021 at 12:30 PM in the chamber of SDM, Najafgarh. A site visit to the Johad is also proposed with all concerned for updated status.
3. It was decided to also include the counter parts from BDO, SDMC, I&FC along with copy of action plan and timelines of the same for the revival of Issarpur Johad.
4. SDM shall share these minutes with the all concerned above officials and also provide their contact detail and email id.
5. A Whats App Group shall be made in this matter.



(Anil Bharti)
ACE (P) 4

Copy for information record:

1. PS to CEO
2. Member (WS)
3. CA (WB/C)
4. SDM, Najafgarh, B – 64 A, Tehsil Road, Tura Mandi, Nathuram Park, Masudabad, Najafgarh, Delhi – 110 043.
5. Ms. Sakshi Popli, DJB Counsel in this matter.



OFFICE OF THE SUB-DIVISION MAGISTRATE (NAJAFGARH)
SUB-DIVISION (NAJAFGARH)
TURA MANDI, NAJAFGARH, NEW DELHI-110043
E-mail jd-najafgarhsdm@gmail.com, Phone No. 011-25321360

No.SDM/NG/2020-21/1365-1372

Dated: 29/11/21

Minutes of the meeting held in the chamber of SDM Najafgarh on 29/11/2021 at 12.30 pm regarding revival of johad at Issarpur in the sub division of Najafgarh in compliance of the NGT Order.

Meeting under the Chairmanship of SDM Najafgarh was convened today, on 29/11/2021. Following officers attended the Meeting :-

1. Addl. Chief Engineer Delhi Jal Board, Delhi Park & Garden Society, Environment Department,
2. Asstt. Engineer Irrigation & Flood Control Department,
3. Asstt. Engineer, SDMC,
4. Scientist D, Central Ground Water Board,
5. Tehsildar Najafgarh,
6. Panchayat Secretary, BDO Office Najafgarh,
7. Patwari Najafgarh

The meeting started with the discussion with respect to the basic issues of revival of Johad i.e. fixing the responsibilities of different departments. Considering the urgent nature of the issue and in order to comply with the NGT Orders, strict directions were given to officials of SDMC, I & FC, BDO, Revenue Department to take this issue on priority, maintain coordination and submit reports with respect to the timelines mentioned.

Further, it has been directed that three reports will be submitted as follows:-


- i). Joint Survey report to be submitted by 02/12/2021,
- ii). A joint detailed action plan to be submitted by 09/12/2021.



iii). Tehsildar (Najafgarh) Report with respect to the land status of Johad.

The next review meeting will be held in the O/o SDM (Najafgarh) on 10/12/2021.




30/11/21
AMIT KALE, IAS
SDM (NAJAFGARH)

To,

1. Addl. Chief Engineer Delhi Jal Board, Delhi Park & Garden Society, Environment Department.
2. Asstt. Engineer Irrigation & Flood Control Department,
3. Asstt. Engineer, SDMC,
4. Scientist D. Central Ground Water Board,
5. Tehsildar Najafgarh,
6. D.R.O. Forest Division,
7. Panchayat Secretary, BDO Office Najafgarh,
8. Patwari Najafgarh

AMIT KALE, IAS
Sub Divisional Magistrate (Najafgarh)
South- West District, GNCTD
SDM Office Complex,
Tura Mandi, Najafgarh, New Delhi- 43



OFFICE OF THE SUB-DIVISION MAGISTRATE (NAJAFGARH)
SUB-DIVISION (NAJAFGARH)

TURA MANDI, NAJAFGARH, NEW DELHI-110043

E-mail id-najafgarhsdm@gmail.com, Phone No. 011-25321360

No.SDM/NG/2020-21/2959

Dated: 10-12-2021

Minutes of the meeting held in the chamber of SDM Najafgarh on 10/12/2021 at 12.30 pm regarding revival of johad at Issapur in the sub division of Najafgarh in compliance of the NGT order.

Meeting under the Chairmanship of SDM Najafgarh was convened today, on 10/12/2021. Following officers attended the Meeting:

- (1) Addl. Chief Engineer Delhi Jal Board,
- (2) Delhi Park & Garden Society, Environment Department,
- (3) Tehsildar Najafgarh
- (4) Patwari Najafgarh

No one was present from Irrigation & Flood Control Department, SDMC, Central Ground Water Board and BDO office, Najafgarh.

The meeting started with the discussion with respect to direction issued in the previous meeting dated 29/11/2021 to various departments to perform their duties regarding revival of Johad at Issapur. But it has come to notice that directions given in last meeting regarding joint detailed action plan and Tehsildar (Najafgarh) report with respect to the land status of Johad at Issapur is still awaited.

All the concerned departments are hereby directed to be present in next meeting and to submit the compliance report of the responsibilities which were fixed to different departments in the meeting held on 29/11/2021 by 18/12/2021. Failure of this and absence in next meeting i.e. 21/12/2021 will be viewed seriously.



The next review meeting will be held in the O/o SDM (Najafgarh) on 21/12/2021 at 12:00 P.M.

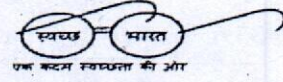
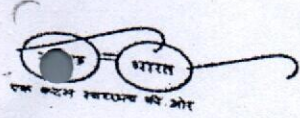


AMIT KALE, IAS
SDM (NAJFGARH) 10/12/21

To,

1. Addl Chief Engineer, Delhi Jal Board, Delhi Park & Garden Society, Environment Department.
2. Asstt. Engineer Irrigation & Flood Control Department
3. Asstt Engineer, SDMC (Najafgarh Zone)
4. Scientist D, Central Ground Water Board
5. Tehsildar Najafgarh
6. D.R.O, Forest Division
7. Panchayat Secretary, BDO Office Najafgrah
8. Patwari Najafgarh

ANNEXURE IV



OFFICE OF THE ASSISTANT ENGINEER; I CIVIL DIVISION NO: -XIII
IRRIGATION & FLOOD CONTROL DEPTT., GOVT. OF NCT OF DELHI
BASAIDARAPUR OFFICE COMPLEX, NEW DELHI-27

No. AE-I/CD-XIII/W.B/2021-22/

Date:

To,

The Executive Engineer,
Civil Division No. XIII.
I&FC DEPT. Govt. of Delhi,
Basaidarapur Office Complex,
Opp. ESI Hospital,
New Delhi - 110027

Subject:- Regarding revival of water body bearing Kh. No. 148 at village Issapur.

Sir,

Kindly refer to the meeting notice from SDM (NG) circulated vide letter No. SDM/NG/2020-21/1325-1339 dated 27.11.2021 on the above cited subject vide which a meeting was convened by the SDM(NG) in his chamber on 29.11.2021. The meeting was attended by the undersigned, during this meeting SDM desired to submit the ATR and action plan on the cleaning of water body as referred above. On the direction of SDM(NG) a joint inspection was carried out on 29.11.2021 in the presence of officers from different departments who attended the meeting and the preliminary report was furnished vide this office letter No. AE-IV/CD-XIII/W.B/2021-22/91-94 dated 29.11.2021 with photographs. Again a meeting was convened by SDM(NG) on 23.12.2021 on the same issue. In this meeting none of the representative from other departments was present and this meeting was also attended by the undersigned. As desired by the SDM(NG) the ATR is furnished as under.

- i. The unwanted vegetation as shrubs, wild grass etc have been removed from the water body duly bounded.
- ii. The pruning of leaning branches of standing trees have been carried out (Photos attached).
- iii. The census of 52 standing trees of different variety has been done by marking of each tree with paint (Photos attached).
- iv. The work of collection and disposal of non-biodegradable substances/garbage like polythene bags and plastic bags etc., is in progress (Photos attached).
- v. Removal of pruned branches of trees from the bed of water body shall be done very shortly.
- vi. The work of revival of existing recharge structures (2 Nos.), repair of pitching and other civil work etc., will be taken up in the due course.

OFFICE OF THE SUB DIVISIONAL
MAGISTRATE (NAJAFGARH)

30 DEC 2021

5040

It is for your kind information and further necessary action.

Encl: 3 Photographs.

Yours faithfully

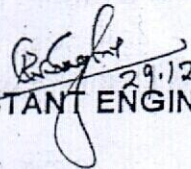
(RAJVEER SINGH UJALAYAN)
ASSISTANT ENGINEER-IV

Date: 29/12/21

No. AE-IV/CD-XIII/W.B/2021-22/103

Copy forwarded to:-

1. The SDM(NG), Tuda Mandi Najafgarh, New Delhi-110043, for kind information and further necessary action.
2. The B.D.O (NG), Bijwasan Road, Najafgarh, New Delhi-110043 for kind information please.
3. Sh. Rajender Singh JE, with the direction to monitor this issue regularly.


29.12.2021
ASSISTANT ENGINEER-IV



18:24 PM
New Delhi 110073
DL
India
Isapur

Samir & Smriti

PS

Rc
29/12/2021

Annexure - V



28-Dec-2021 at 1:34:32 PM
New Delhi-110073
DL
India
Isapur

consent of
Trees

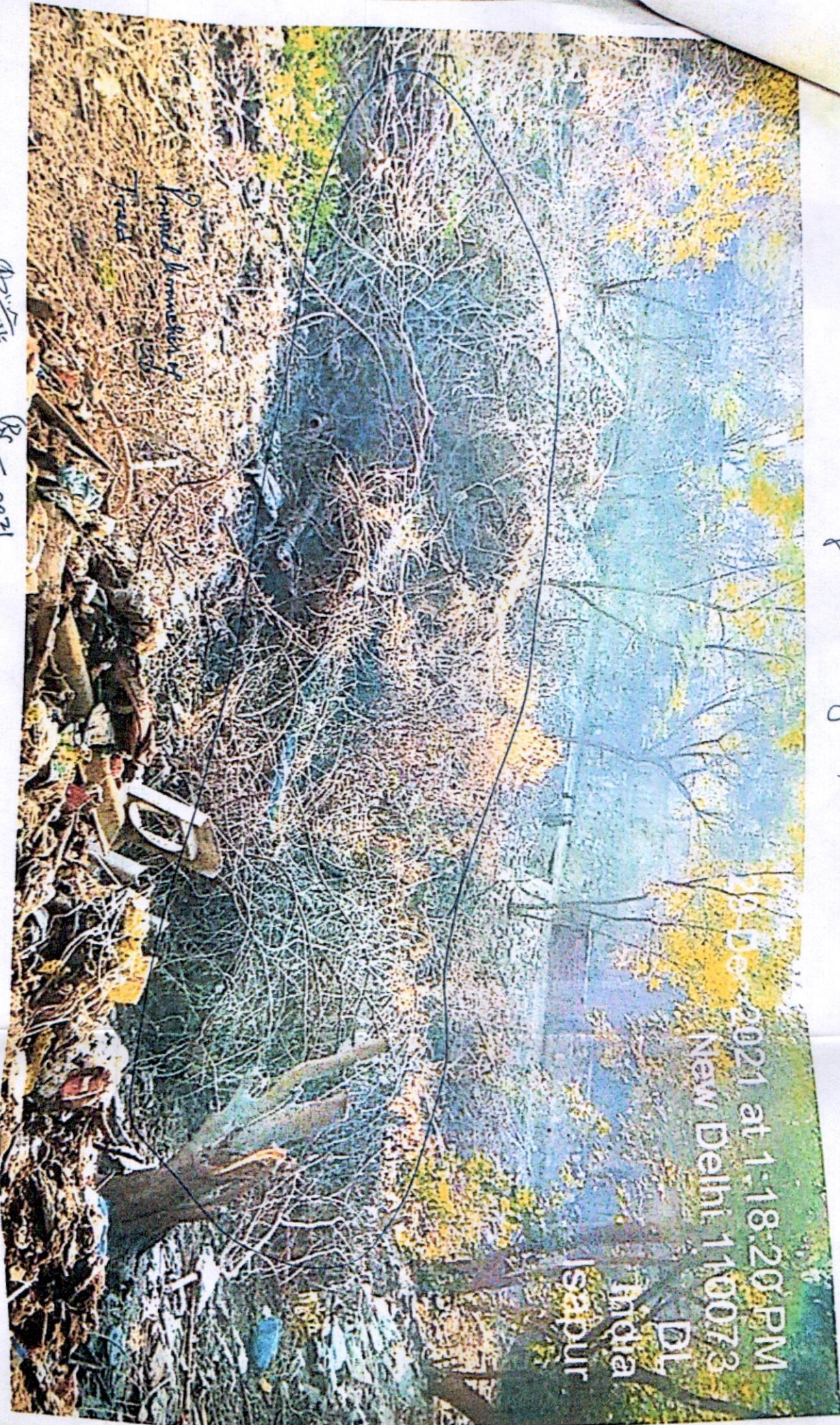
Collection of
non-biodegradable
waste

By
29.12.2021



28-Dec-2021 at 1:27:10 PM
New Delhi-110073
DL
India
Isapur

Water body KH-NO/4c at village Isapur



16 Dec 2021 at 1:18:20 PM
New Delhi 110073

DL
Indra
Isapur

Prasad & Associates
Truss

Prasad
Rt
29.12.2021



OFFICE OF THE SDM (NAJAFGARH)
GOVERNMENT OF NCT OF DELHI
SDM OFFICE COMPLEX, TURA MANDI, NAJAFGARH, DELHI-110043
DATE:

Subject.: Report regarding Khasra No. 148 (Johad) Village Issapur.

The file was perused and undersigned noticed the findings of Sh. A.N. Gaur (the then SDM Najafgarh) in the year 2014 on 16th September that Pond/Johad of Issapur was situated at Khasra No. 148, admeasuring total 06 Bigha 19 Biswa. Out of which, a temple (Shivala) was already constructed on 06 Biswa land, which has been separated from the main pond land by assigning it Kh. No. 148/1. Therefore, the remaining area left for the Pond is 6Bigha 13 Biswa only.

The demarcation of the land of Pond was carried out in presence of Sh. V.K. Tandon, the Court Commissioner, appointed by the Hon'ble High Court of Delhi to give report regarding all water bodies situated within the NCT of Delhi. The As per the report of demarcation unauthorized construction at the Pond land is 316.515 sq. yards.

The following facts relating to the pond land of Village Issapur, emerge:-

1. The matter of encroachment on the pond land of Village Issapur, was sub judice in the Hon'ble High Court of Delhi vide W.P (C) No. 21143-44/2005 titled as Khazan Singh & Ors. Vs. UOI & Ors.

2. The aforesaid matter was clubbed with other similar matters which were disposed off vide common order dated 09.05.2007 of the Hon'ble High Court of Delhi.

3. All the writ petitions which were clubbed in that above matter, were disposed off with some observations of the Hon'ble High Court. In the said order, it was mentioned that the committee appointed by the court (under Sh. V.K. Tandon, Court Commissioner) should continue to monitor the progress made in the execution of the plans and schemes that have been formulated for revival of the water bodies and the said committee should



continue to submit six monthly report in the court, on the progress made by it.

4. While, this matter was pending before the Hon'ble High Court of Delhi, and affidavit was filed by the BDO (SW) on behalf of responded no.3 on 24/01/2006 in which it was stated ***"that the area of pond in question is 6 Bigha and 13 Biswa. As of present the total area of said pond cannot be revived because there is a mettled road and three wells (Kuan), in approx. in an area of 2 Bigha and 13 Biswa of Pond. Thus the area admeasuring 2 Bigha 13 Biswa is dead area and cannot be revived. The dead area is being used as road and 3 Kuan (the importance of said three Kuan) so it is also necessary to keep the same as such in the general public interest. The dead pond is within Old Lal Dora of Village Issapur. The deep pond is earlier to Chakbandi"***. It had further been submitted in the said affidavit by the then BDO (SW) ***"that the work of development of pond in approx, 4 Bigha of said pond bearing Khasra No. 148 (6-13), situated in the revenue estate of vllage Issapur is being carried out in compliance of orders of this Hon'ble Court. However, as there is road and three wells (Kuan) in area measuring 2 Bigha 13 Biswa of said pond cannot be revived in spite of best efforts"***.

5. The file relating to the above case should be available with the BDO (SW), however, from the language of the affidavit, it appears that the boundary wall around approx. 4 Bigha available land of pond was constructed in compliance with the orders of the court and the fact regarding already existing mettled road and three wells (Kuan) in the remaining area of pond measuring 2 Bigha and 13 Biswa which could not be revived, was also brought into the notice of Hon'ble High Court of Delhi.

The inspection was carried out by the then ADM (SW) and SDM (Najafgarh) on 10.09.2014 and found that the entire area of 02 Bigha 13 Biswa is covered with concrete which is approx. 8-9 feet higher in level with the deepest level of the pond which is already enclosed with the boundary wall. The said concrete covered area also consists of a common road used by the residents/vehicles of the village. It was felt that due to various functions/ceremonies/gathering at the said open area, the nearby residents get disturbed, therefore, they are demanding to enclose the area through construction of boundary wall. Whereas, the other group wants to retain the present status of the said area keeping in view the utility of the same for general public of the village.

[Signature]



It is felt that the BDO (SW), on behalf of the NCT of Delhi had already submitted an affidavit in the Hon'ble High Court of Delhi, as stated above therefore, it would not be desirable to enclose the said area through construction of boundary wall, at this stage because the same may amount to the change of stand of the Govt. vis-a-vis the stand taken by the Govt. at the time of filing of affidavit in the court.


Further, comments were called from the then BDO (SW) by the then ADM (SW) and BDO (SW) stated the case file is not available in BDO (SW) Office. The matter was listed before the Hon'ble NGT on 2011.2014. And as stated by the then BDO (SW) on 14.11.2014 "the undersigned is of the opinion that encroachment free 6 Bigha 13 Biswa should be with Gram Sabha & should be used for community purpose. At present Pond is restricted to 4 Bigha only but it is also a fact that balance area is used for community purposes having road and wells etc. (except any encroachments at corners/boundaries, if comes by demarcation report). Mainly it is an open land. The encroachments, if found can be cleared in due course of law.

On 19.03.2015, BDO (SW) gave the file of approval rgd. Pipe line laid by DJB to Sh. V.K. Tandon Adv. The same was produced before Hon'ble NGT on 20.03.2015. Court directed Sh. Tandon to visit the land and suggest, if there is possibility of any alternative for the pipe line. The inspection was carried out on 07.03.2016 by the Court Commissioner and as per his recommendations letters were issued to the concerned departments (i.e DJB, Parks & Garden Samiti (Environment Department) & SMDC Najafgarh Zone).

The brief Summary of NGT matter/ Case No. 174/2014 titled as "Sunder Singh Vs. State of Delhi & Ors." submitted by the then Tehsildar Najafgarh is placed in the file at page 243/C. As per the report the then Tehsildar Najafgarh has stated that "originally Johad was 6-19 in area, the same became 6-13 after deduction of 0-6 area as Kh. No. 148/1 Shiwala during consolidation in 1982-83. Out of the remaining (6-13), a rasta of 0-5 area was given thereby leaving the area of Johad as (6-8).

The present situation is that Kh. No. 148 is lined by old laldora houses on north & west.

So, some part of Kh. No. 148 is uses as rasta by all villagers leaving little/no scope for encroachment. If wall is proposed to be erected around Kh. No. 148, it will not be feasible as around 10-12 houses will have no entry/exit.



These houses in laldora area have been partitioned over time & the houses lining Kh. No. 148 have no other entry/exit point but into Kh. No. 148.

Apart from some part of Kh. No. 148 being used as rasta, some part is also being used as community space. Being an open cemented area, various community functions are organised. Moreover it is being used for movement of DTC bus route no. 822 that joins village Issapur to Najafgarh/Tilak Nagar.

So if wall is proposed, not only common rasta for village is affected, entry/exit for around 10-12 houses, space for community functions & DTC operation are also affected. It will upset day-to-day life in village to large extent.

The part area of Kh. No. 148 being used as common rasta & community space is about (2-2) in area (Approx.).

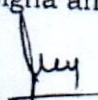
Thus out of 6-13 area of Kh. No. 148 recorded as per original entry in filed book, (2-2) is being used as common rasta & community area, (0-1) area of Kh. No. 148 is under encroachment by owner of Kh. No. 552/4.

The remaining area (4-10) is in two parts. One is surrounded by walls on all sides and measures approx (4-0) area. Rest of Kh. No. 148 existing as Shiwala (Temple of lord Shiva).

On 02.08.2016, vide letter No. F.10(9)/SDM/NG/Misc./2016/2452-53 the then SDM Najafgarh wrote to the then BDO (SW) requested to file an appeal under relevant provisions of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 against both the orders passed by the then CO/Tehsildar (Najafgarh) dated 28.09.1998 & 17.05.2010 to set aside both the orders as the same had been passed by the then CO/Tehsildar Najafgarh based on wrong premise that no rasta existed for Kh. No. 552.

Vide his report dt. 27.12.2021, Field Kanungo village Issapur has stated that total area of Khasra No. 148 (Johad) is 06 bigha 19 biswas. Shiwala (Temple) is in 06 biswas and the same has been recorded as Khasra No. 148/1, after 06 biswas the total area of Khasra No. 148 remains as 06 bigha and 13 biswa. As per the order of Court Commissioner demarcation of Khasra No. 148 (Johad) was carried out through TSM on 13.06.2014.

As per the report of demarcation Johad has been extra built in approx. 09 biswas of Khasra No. 126. Area of approx. 2 bigha and 13 biswas are left



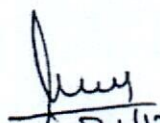
Outside the boundary wall of Johad. The unauthorized encroachment has been shown in map by TSM Surveyor.

As per the order in Case No. 35/06/CA Remand Case from Hon'ble Court of Financial Commissioner of Delhi titled as Jagdev Singh S/o Chotu V/s C.O. Najafgarh & Anr. order dt. 17.05.2010, the then C.O has deducted the area of 05 biswas out of Khasra No. 148 and the same was included in Gram Sabha Rastejat. Halka Patwari has stated that the area taken from the Johad has been used to give passage/rasta to Extended Abadi Khasra No. 552 Village Issapur.

The map of TSM Surveyor was perused and encroachment is identified as under:

Point	Area encroached as per map (in Sq. Yards)	Khasra No. of encroacher land (area Bigha-Biswa)	Ownership of Khasra No. of encroacher
A	112.214	554/2 (0-2)	Gram Sabha Rastejat
B	33.021	554/1 (0-2)	Smt. Rishalo Devi & Ors.
C	14.914		
D	64.378	126	Abadi Deh
E	91.987	567 (1-12)	Smt. Mamta & Ors.
Total	316.515		

Submitted please.


31/12/21.
(ARVIND KUMAR SHARMA)
TESHILDAR (NAJAFGARH)

These houses in laldora area have been partitioned over time & the houses lining Kh. No. 148 have no other entry/exit point but into Kh. No. 148.

Apart from some part of Kh. No. 148 being used as rasta, some part is also being used as community space. Being an open cemented area, various community functions are organised. Moreover it is being used for movement of DTC bus route no. 822 that joins village Issapur to Najafgarh/Tilak Nagar.

So if wall is proposed, not only common rasta for village is affected, entry/exit for around 10-12 houses, space for community functions & DTC operation are also affected. It will upset day-to-day life in village to large extent.

The part area of Kh. No. 148 being used as common rasta & community space is about (2-2) in area (Approx.).

Thus out of 6-13 area of Kh. No. 148 recorded as per original entry in filed book, (2-2) is being used as common rasta & community area, (0-1) area of Kh. No. 148 is under encroachment by owner of Kh. No. 552/4.

The remaining area (4-10) is in two parts. One is surrounded by walls on all sides and measures approx (4-0) area. Rest of Kh. No. 148 existing as Shivala (Temple of lord Shiva).

On 02.08.2016, vide letter No. F.10(9)/SDM/NG/Misc./2016/2452-53 the then SDM Najafgarh wrote to the then BDO (SW) requested to file an appeal under relevant provisions of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 against both the orders passed by the then CO/Tehsildar (Najafgarh) dated 28.09.1998 & 17.05.2010 to set aside both the orders as the same had been passed by the then CO/Tehsildar Najafgarh based on wrong premise that no rasta existed for Kh. No. 552.

Vide his report dt. 27.12.2021, Field Kanungo village Issapur has stated that total area of Khasra No. 148 (Johad) is 06 bigha 19 biswas. Shivala (Temple) is in 06 biswas and the same has been recorded as Khasra No. 148/1, after 06 biswas the total area of Khasra No. 148 remains as 06 bigha and 13 biswa. As per the order of Court Commissioner demarcation of Khasra No. 148 (Johad) was carried out through TSM on 13.06.2014.

As per the report of demarcation Johad has been extra built in approx. 09 biswas of Khasra No. 126. Area of approx. 2 bigha and 13 biswas are left

Jey



4. *The Committee would also ensure that both the 'Johad' and the community land, totally measuring 6 Bigha and 13 Biswas, be excluded from any residential/commercial infrastructure creation that may be planned in future so as to maintain the characteristics of wetland, both in terms of their water holding capacity and their environmental role.*

Subsequently, a report from Tehsildar (Najafgarh) has been received regarding Khasra no 148(Johad) village Issapur on 31/12/21. In this report, the encroachment of 316.515 sq yard has been identified. It is requested to provide the updated status of the encroached land.

Similarly, updated status of action taken may please also be shared for apprising the Hon'ble court

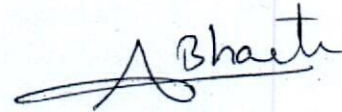
As the next date of hearing of this matter is due on 28.02.2022, the updated report as requested above may please be shared with in a fortnight, so that, same may be put up before the Hon'ble Court on due date i.e. 28.02.2022.

Your Sincerely

Sd/-
(Sh. Anil Bharti)
ACE(P)-4

Copy for information and record:

1. CEO, DJB
2. Member(WS)
3. CE(WB/QC)
4. Sh. Shrichand Sharma (Consultant Horticulture) C/o Wetland Authority of India Department of Environment, GNCTD, 'C' Wing, 6th Level, Delhi Secretariat, I. P. Estate, New Delhi - 110 002. Email: shrichand.sharma1960@gmail.com
5. Sh. SaidulHaq, Scientist D, CGWB, Delhi. Email Id: saidul.haq@gmail.com
6. EE(WB)-I



ACE(P)-4



GOVT. OF NCT OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (NAJAFGARH)
SDM OFFICE COMPLEX, NAJAFGARH, NEW DELHI 110043

No.SDM/NG/2020-21/3174

Dated: 03-02-2022

DEMOLITION ORDER

A demolition programme has been fixed up for removing encroachment of Johad in Issapur as reported by the Patwari and in compliance of directions of Hon'ble NGT in the matter of OA No. 174 of 2014 and Execution Application no. 13 of 2021 issued an order on 23-07-2021. Therefore the demolition drive is fixed as per schedule given below:

Sr No.	Name of Village	Khasra No	Remarks	Date of Demolition
1.	Issapur	148	NGT	05/02/2022
		279	Gram Sabha	

All concerned are directed to provide necessary support on the above mentioned date. The assembling point is Police Station Jaffar Pur Kalan at 10:00 AM, on 05/02/2022 (Saturday).

The instructions which are to be followed by all the officials/officers who will be present at the time of demolition are as follow:

1. All have to follow the Covid Appropriate Behavior during the drive of demolition.
2. All have to wear face mask and use sanitizer.
3. All have to wear Identity card issued by their respective departments during the drive.

The Tehsildar (Najafgarh) is directed to co-ordinate the demolition drive and submit the report of demolition.



03/02/22
AMIT KALE, IAS
SDM(NAJAFGARH)

Copy for necessary action to:-

1. DCP (Dwarka), Sector-19 Dwarka, Delhi to kindly provide extra force for the demolition.
2. BDO (South-West), Najafgarh, Roshanpura, New Delhi to supervise the removal of encroachment on Gram Sabha Land alongwith Consolidation Officer and to arrange JCB for removal of said encroachment.
3. Asst. Commissioner, SDMC, Najafgarh, Najafgarh zone. Dhansa stand, Delhi



OFFICE OF THE SDM (NAJAFGARH)
GOVERNMENT OF NCT OF DELHI

SDM OFFICE COMPLEX, TURA MANDI, NAJAFGARH, DELHI-110043

NO. F.10 (8)/TEH/NG/MISC/2021-22/ 38-m

Dated: 3/8/2022

To

The Executive Engineer (CD-XIII),
I & FC Department,
Government of NCT of Delhi,
Opp. ESI Hospital, Basai Darapur,
New Delhi-110027

Sub.: Regarding revival of Water Body bearing Khasra No. 148 at Village Issapur in compliance of NGT Order issued on dated 23.07.2021 in the matter of OA No. 174/2014 titled as Sunder Singh Vs. State of NCT of Delhi & Ors.

Sir,

The Hon'ble National Green Tribunal (NGT) vide judgement dated 23.07.2021 in original Application No. 174/2014 titled as "**Sunder Singh Versus State of NCT of Delhi & Ors.**" issued directions to monitor the progress of revival of the Johad bearing Khasra No. 148 situated in the Revenue Estate of village Issapur and Execution Application bearing No. 13 of 2021.

In this context, you are hereby requested to ensure the followings:--

- i. Removal of Non-Biodegradable material stacked in the water body.
- ii. Provide the Estimate for revival of existing structure.
- iii. Collection & removal of non-biodegradable material lying in the vicinity of water body.

The Execution application has been filed before the Hon'ble National Green Tribunal (NGT) and the Compliance Report has to be filed before the Hon'ble Tribunal with in a fortnight. The report from your office is required to be reached within a week positively from the issuance of this letter.

This matter may please be taken on Top Priority.



Sanjay
(SANJAY KUMAR MADAN)
TEHSILDAR (NAJAFGARH)

A.
@Haley

NO. F.10 (8)/TEH/NG/MISC/2021-22/

Dated:

Copy for information to:

1/ The SDM (NG), SDM Office Complex, Tuda Mandi, Najafgarh, New Delhi-110043.

PS to SDM
1 copy to Issapur Johad file
[Signature]
04/08/22

(SANJAY KUMAR MADAN)
TEHSILDAR (NAJAFGARH)

4. *The Committee would also ensure that both the 'Johad' and the community land, totally measuring 6 Bigha and 13 Biswas, be excluded from any residential/commercial infrastructure creation that may be planned in future so as to maintain the characteristics of wetland, both in terms of their water holding capacity and their environmental role.*

Subsequently, a report from Tehsildar (Najafgarh) has been received regarding Khasra no 148(Johad) village Issapur on 31/12/21. In this report, the encroachment of 316.515 sq yard has been identified. It is requested to provide the updated status of the encroached land.

Similarly, updated status of action taken may please also be shared for apprising the Hon'ble court

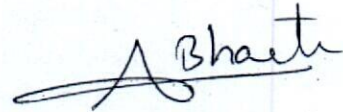
As the next date of hearing of this matter is due on 28.02.2022, the updated report as requested above may please be shared with in a fortnight, so that, same may be put up before the Hon'ble Court on due date i.e. 28.02.2022.

Your Sincerely

Sd/-
(Sh. Anil Bharti)
ACE(P)-4

Copy for information and record:

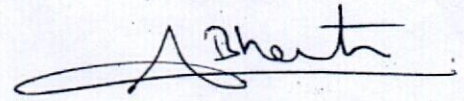
1. CEO, DJB
2. Member(WS)
3. CE(WB/QC)
4. Sh. Shrichand Sharma (Consultant Horticulture) C/o Wetland Authority of India Department of Environment, GNCTD, 'C' Wing, 6th Level, Delhi Secretariat, I. P. Estate, New Delhi - 110 002. Email: shrichand.sharma1960@gmail.com
5. Sh. SaidulHaq, Scientist D, CGWB, Delhi. Email Id: saidul.haq@gmail.com
6. EE(WB)-I



ACE(P)-4

Copy for information and record:

1. CE (WB)
2. Sh. Shrichand Sharma (Consultant Horticulture) C/o Wetland Authority of India
Department of Environment, GNCTD, 'C' Wing, 6th Level, Delhi Secretariat, I. P. Estate,
New Delhi – 110 002. Email: shrichand.sharma1960@gmail.com
3. Sh. Saidul Haq, Scientist D, CGWB, Delhi. Email Id: saidul.haq@gmail.com
4. EE (WB) I
5. Office Copy



ACE (P) 4



GOVT. OF NCT OF DELHI

OFFICE OF THE SUB DIVISIONAL MAGISTRATE (NAJAFGARH)

SDM OFFICE COMPLEX, NAJAFGARH, NEW DELHI 110043

No.SDM/NG/2020-21/3174

Dated: 03-02-2022

DEMOLITION ORDER

A demolition programme has been fixed up for removing encroachment of Johad in Issapur as reported by the Patwari and in compliance of directions of Hon'ble NGT in the matter of OA No. 174 of 2014 and Execution Application no. 13 of 2021 issued an order on 23-07-2021. Therefore the demolition drive is fixed as per schedule given below:

Sr No.	Name of Village	Khasra No	Remarks	Date of Demolition
1.	Issapur	148	NGT	05/02/2022
		279	Gram Sabha	

All concerned are directed to provide necessary support on the above mentioned date. The assembling point is Police Station Jaffar Pur Kalan at 10:00 AM, on 05/02/2022 (Saturday).

The instructions which are to be followed by all the officials/officers who will be present at the time of demolition are as follow:

1. All have to follow the Covid Appropriate Behavior during the drive of demolition.
2. All have to wear face mask and use sanitizer.
3. All have to wear identity card issued by their respective departments during the drive.

The Tehsildar (Najafgarh) is directed to co-ordinate the demolition drive and submit the report of demolition.



03/02/22
AMIT KALE, IAS
SDM(NAJAFGARH)

Copy for necessary action to:-

1. DCP (Dwarka), Sector-19 Dwarka, Delhi to kindly provide extra force for the demolition.
2. BDO (South-West), Najafgarh, Roshanpura, New Delhi to supervise the removal of encroachment on Gram Sabha Land alongwith Consolidation Officer and to arrange JCB for removal of said encroachment.
3. Asst. Commissioner, SDMC, Najafgarh, Najafgarh zone. Dhansa stand, Delhi

OFFICE OF THE EXECUTIVE ENGINEER,
CIVIL DIVISION NO.-XIII,
IRRIGATION & FLOOD CONTROL DEPARTMENT,
GOVT. OF N.C.T. OF DELHI,
OPPOSITE ESI HOSPITAL,
BASAI DARAPUR OFFICE COMPLEX, NEW DELHI-27.



F. No. EE/CD-XIII/W-42A/2021-22/

Dated:

To,

The District Magistrate (S/W),
Old Transport Tax Building,
Kapashera, New Delhi.

Sub:- Regarding revival of water body bearing Kh. No. 148 at village Issapur in compliance of NGT order issued on dated 23.07.2021 in the matter of OA No. 174/2014 titled as Sunder Singh V/s State of NCT of Delhi & ors.

Sir,

With reference to the letter referred above, it is inform that this office has performed below mentioned work at site. Details are:

1. All unwanted vegetation, bushes has been removed from site stone which are available are in good condition and shall be rearranged on slope as dry pitching. (Copy of photograph showing status of site before & after is enclosed for reference).
2. Poly bags garbage are collected and packed in polythene, stacked at corner, so that, when permission for dumping received from Bhalswa SLF, same can be carried to the site. (Copy of letter addressed to Bhalswa are enclosed for reference).
3. Proposal for Two No. rainwater harvesting for recharging has been submitted to NBCC, Jharoda Kalan, Delhi-110072, for issue for A/A & E/S. (Copy of letter addressed to NBCC enclosed for reference).

It is pertinent to mention that, there is no any further future proposal pending on part of I&FC pertaining to this site.

Yours faithfully,

(NAGENDRA PRATAP MAURYA)
EXECUTIVE ENGINEER, CD-XIII

F. No. EE/CD-XIII/W-42A/2021-22/ 5968

Dated: 25/02/22

Copy forwarded to:-

1. The Chief Engineer (I&FC), Zone-1, L.M. Bund Office Complex, Shastri Nagar Govt. of NCT of Delhi-110031, for kind information please,
2. The Superintending Engineer (FC-IV), Basai Darapur Office Complex, Delhi, for kind information please,
3. SDM (Najafgarh), Tudamandi, Najafgarh, Delhi-110043, for information and onward submission to NGT on above subject matter,
4. The Assistant Engineer-IV, for information.

EXECUTIVE ENGINEER, CD-XIII



GOVT. OF NCT OF DELHI
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (NAJAFGARH)
SDM OFFICE COMPLEX, NAJAFGARH, NEW DELHI 110043

No.SDM/NG/2020-21/ 3218

Dated 25-2-22

To

The ACE P 4
Delhi Jal Board, GNCT of Delhi
'A' Building (Staff Quarters) 1 st Floor,
Varunalya Head Office Complex,
Karol bagh, Delhi.

Sub: Progress in compliance of NGT issued order on 23.07.2021 in the matter of OA no. 174/2014 and Execution application no. 13/2021 and reply to your letter no. DJB/ACE(P)-4/2022/30 dated 18.02.2022.

With reference to above cited subject and in compliance of directions issued by the NGT, the undersigned has conducted joint inspection with I&FC department and Tehsidlar (Najafgarh) of Issapur Johad. During inspection direction were issued to I&FC department for removal of Non-biodegradable material stacked in the water body, to provide the estimate for revival of existing structure and collection & removal of non-biodegradable material lying in the vicinity of water body and for the same a letter has been issued to I&FC department vide letter no. F.10(8)/The/Ng/Misc/2021-22/38-M dated 03/02/2022 (copy enclosed). The I&FC department vide letter no. EE/CD-XIII/W-42A/2021-22 dated 25/02/2022 (copy enclosed) has informed that all unwanted vegetation, bushes has been removed from site, stone which are available are in good condition and shall be rearranged on slope as dry pitching (photos of the site attached for reference). Poly-bags garbage are collected and packed in polythene, stacked at corner so that when permission for dumping is received from Bhalswa SLF, same can be transported to the site. The proposal for two rainwater harvesting units for recharging has been submitted to NBCC, Jharoda Kalan for issuing for A/A & E/S.

In order to remove the encroachment of Issapur Johad the undersigned has written letter to the BDO (SW), as BDO (SW) being land owing agency of gram sabha is directed to get financial approval from the Competent Authority and to arrange for TSM machine so that to find the extent of encroachment on the above said land. As and when TSM survey for the extent of encroachment of land is completed, the demolition programme will be scheduled accordingly.

Encls: As above.




(AMIT KALE, IAS)
SDM (NAJAFGARH)

25/02/24

Water Body bearing Kh. No. 148 at Village Issapur in N.G Block

Before



Before



Water Body bearing Kh. No. 148 at Village Issapur in N.G Block

Before



Before



Water Body bearing Kh. No. 148 at Village Issapur in N.G Block

During



During



Water Body bearing Kh. No. 148 at Village Issapur in N.G Block

During



During



Water Body bearing Kh. No. 148 at Village Issapur in N.G Block

During



During



Water Body bearing Kh. No. 148 at Village Issapur in N.G Block

After



After

