

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. No. 697 of 2023

IN THE MATTER OF:-

R.M. ASIF

APPLICANT

VERSUS

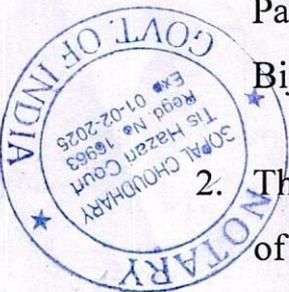
RAIL LAND DEVELOPMENT AUTHORITY & ORS.

RESPONDENT(S)

**AFFIDAVIT FILED ON THE BEHALF OF DY. CONSERVATOR OF
FOREST WEST FOREST DIVISION IN COMPLIANCE OF THE
ORDER DATED 28.11.2023 AND 02.01.2024.**

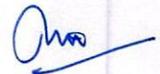
I, Mandeep Mittal S/o. Sh. Ashok Mittal, aged about 35 years, having my Office at Department of Forests and Wildlife, Mandir Marg, Mandir Lane, New Delhi-60, do hereby solemnly affirm and state as follows:-

1. That it is submitted that the Hon'ble NGT Court directed the Forest Department to clarify whether the land MU4+MU5+MU6 Rail land Parcel, admeasuring approximately 1,24,000 Sq. m. situated along New Bijwasan Railway Station is a Forest land or not.
2. That it is submitted that a letter was sent to the office of the Chairman of Rail Land Development Authority, Ministry of Railway regarding the joint site inspection by the Rail Land Development Authority and officials of Department of Forest and Wildlife, GNCTD of the above mentioned site/area on 08.02.2024 vide Dispatch



No.F.1(2625)/Legal/HQ/2023-24/14335-36 dated 07.02.2024. The copy of the letter is hereby annexed as **ANNEXURE-A**.

3. That it is further submitted that a joint inspection was done by Asstt. Executive Engineer (RLDA) and officials of Department of Forest and Wildlife, GNCTD on 08.02.2024. During inspection it was observed that the land in question may be deemed forest but the AE (RLDA) failed to identify the exact land and also failed to provide the maps of the project site. The copy of the inspection report is hereby annexed as **ANNEXURE-B**.
4. That it is submitted that the Department of Forests and Wildlife, GNCTD checked all the relevant documents available in this office regarding the land in question and it was concluded that as per the documents available the said land is not Notified Forest land. However the status of the said land as a "Deemed Forest" is not ruled out and to clarify the same the Department of Forest and Wildlife requires the relevant documents especially maps from the Rail Land Development Authority to clarify the same.
5. I state that in view of the facts and circumstances stated above, the case is liable to be dismissed for non joinder of necessary parties, suppression of facts, and being without merit as stated hereinabove.



DEPONENT

VERIFICATION:-

I, Mandeep Mittal, The Deputy Conservator of Forests (West) GNCTD, do hereby solemnly verify that the contents of the above are true to my knowledge and belief as derived from the records maintained by Office of Respondent in the usual and ordinary course of business and no part of it is false and nothing material has been concealed therefrom. The legal submissions are on the basis of the advice received and believed to be true.

**DEPONENT****ATTESTED**
**NOTARY PUBLIC
DELHI (INDIA)****2 FEB 2024**

URGENT COURT MATTER

**GOVT. OF N.C.T OF DELHI
DEPARTMENT OF FOREST & WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FOREST
WEST FOREST DIVISION: MANDIR LANE: NEW DELHI-60**

No.F.1 (2625)/Legal/HQ/2023-24/ 14-335-36

Dated: 07/02/24

To,

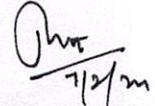
The Chairman,
Rail Land Development Authority,
Ministry of Railways,
Unit 702-B, 7th Floor, Konnectus Tower-II,
DMRC Building, Bavbhuti Marg,
New Delhi-110002.

Sub:- Regarding joint site inspection in the matter of Mr. R.M. Asif Vs. Rail Land Development Authority, O.A. No. 697/2023.

Sir,

This is for your kind information that the matter of Mr. R.M. Asif Vs. Rail Land Development Authority, O.A. No. 697/2023 is going on in Hon'ble NGT Court regarding the land MU4+MU5+MU6 Rail land Parcel, admeasuring approximately 1,24,000 Sq. m. situated along New Bijwasan Railway Station. In this matter the Hon'ble NGT Court has directed the Forest Department to identify if the land in question is the Forest land or not and file an affidavit for the same vide order dated 28.11.2023 and 02.01.2023. (Copy enclosed)

Therefore a joint inspection is to be done between your department and the forest department on 08.02.2024 at 11:00 AM and it is requested to kindly bring all the relevant documents, Maps and KML files so that the land could be identified and the reply may be filed in the Hon'ble Court within stipulated time.



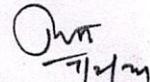
(MANDEEP MITTAL)
DY. CONSERVATOR OF FORESTS
WEST FOREST DIVISION

No.F.1 (265)/Legal/HQ/2023-24/

Dated:

Copy to:-

1. The Conservator of Forest, 'A' Block, 2nd Floor, Vikas Bhawan, I.P. Estate, New Delhi-02.



(MANDEEP MITTAL)
DY. CONSERVATOR OF FORESTS
WEST FOREST DIVISION

संयुक्त निरीक्षण रिपोर्ट

आज दिनांक 08/02/2024 को DCF राइन के मौखिक आदेश पर RLDA की Project site का निरीक्षण करने के लिए RLDA से श्री Santosh Pattak (AE), तथा Forest Department से श्री Rohit Nehra (Forester), श्री Robin Singh (F.G) और श्री Rahul Meena (F.G) जाके पर पहुंचे। RLDA के AE श्री Santosh Pattak Project site का Extend बनाने में असमर्थ रहे जब Project site की KmL भी उपलब्ध नहीं करा पाए। जिस कारण आज संयुक्त निरीक्षण का कार्य पूर्ण नहीं हो सका। रिपोर्ट अनुसार अब अधिमत कार्यवाही हेतु प्रस्तुत है।

Rohit Nehra
8/2/24
(Forester)

भरणी
Robin Singh (F.G)

राहुल

राहुल मीना (F.G)

