

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**  
**ORIGINAL APPLICATION NO. 888/2024**

**IN THE MATTER OF:**

VIJENDRA YADAV

...APPLICANT

VERSUS

GNCTD & ORS

...RESPONDENT

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Through

(JYOTI MENDIRATTA)

Advocate for the Respondent No.2

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New Delhi-110014

MOB NO: +91 9811136141

Dated: 28.10.2025

Delhi

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**ADDITIONAL REPLY OF RESPONDENT NO.2 i.e.**  
**DISTRICT FOREST OFFICER, NCT DELHI APROPOS TO**  
**TREE OFFENCE BOOKED AT 38/1,2,3,4,7,8,9,10**  
**JINDPUR, DELHI**

**MOST RESPECTFULLY SHOWETH: -**

1. The present additional reply is being filed in compliance of order dated 01.08.2025 passed by the Hon'ble National Green Tribunal, Principal Bench in O.A. No. 888/2024 titled as "*Vijendra Yadav Vs. Govt of NCT of Delhi & Ors*" apropos to Tree Offence booked at Khasra No. 38/1,2,3,4, 7,8,9,10 Jindpur, Delhi. Operative part of order dated 01.08.2025. is provided hereunder: -

*"5. Learned counsel appearing for the Respondent No. 2 seeks four weeks' time to file further affidavit responding to the observations made in this order."*

2. That it is most humbly submitted that, on 20.06.2024 an inspection of the site of warehouse located at Khasra No. 38/1,2,3,4, 7,8,9,10 Jindpur, Delhi was carried out by official on behalf of North Forest Division (GNCTD). During the

course of inspection and observations made vide **Google Satellite Image** it was concluded that around **10 – 15 trees** were missing from the site of offence. Consequently, an offence of tree felling/cutting of 15 trees was booked against Sh. Nitin Kumar (Contractor Civil) Khasra No. 38/1, 2, 3, 4, 7, 8, 9, 10.

3. That, furthermore as per the report of MoEF & CC in this present matter i.e. O.A.No. 888/2024 titled as “*Vijendra Yadav Vs. GNCTD & Ors*” it has been submitted that w.r.t counting of existing trees, the Project Proponent reported that they had conducted the Horticulture and Tree Survey Study through M/s Land Landscape Development Report in 2021. The report dated 25.08.2021, inter alia, mentioned that total 428 Trees were identified on the site. Thereafter, on 17.03.2025 a team comprising of representatives of North Forest Division (GNCTD), Project Proponent and MoEF & CC had counted the number of trees and noted that there are 473 number of Trees found during the visit of the day in the project area. Further, the PP had planted 26 number of trees more. A comparative table of the tree count conducted in 2021 and 2025 is provided as hereunder: -

| S.no | Name  | Count in 2021 | Count in 2025 | Increase/Decrease |
|------|---|---------------|---------------|-------------------|
| 1.   | <b>**Subabul</b><br>(Leucaena Leucocephala) | 323           | 315           | -8                |
| 2.   | <b>**Safeda</b><br>(Eucalyptus)             | 39            | 39            | 0                 |
| 3.   | <b>Beri</b>                                 | 9             | 19            | +10               |

|  |  |     |     |     |
|--|--|-----|-----|-----|
|  | (Ziziphus Mauritiana)                          |     |     |     |
| 4.   | <b>Guava</b><br>(Psidium Guajava)              | 6   | 31  | +25 |
| 5.   | <b>Shisham</b><br>(Dalbergia Sissoo)           | 2   | 2   | 0   |
| 6.   | <b>Peepal</b><br>(Ficus Religiosa)             | 2   | 2   | 0   |
| 7.   | <b>Neem</b><br>(Azadirachta Indica)            | 17  | 17  | 0   |
| 8.   | <b>Ashoka</b><br>(Saraca Asoca)                | 3   | 3   | 0   |
| 9.   | <b>Shehtoot</b><br>(Morus Alba)                | 11  | 36  | +25 |
| 10.  | <b>**Kabuli Keekar</b><br>(Prosopis Juliflora) | 9   | 2   | -7  |
| 11.  | <b>Amla</b><br>(Phyllanthus Emblica)           | 3   | 3   | 0   |
| 12.  | <b>Lassoda</b><br>(Cordia Myxa)                | 4   | 4   | 0   |
| <b>TOTAL</b>   |  | 428 | 473 | +45 |
| <b>**NOTE**</b>  |  |     |     |     |
| As per the table Species denoted with (**) are invasive species<br>i.e. (1). Subabul (2). Safeda (10). Kabuli Keekar |  |     |     |     |

4. That, in view of the aforementioned comparative table apropos to tree count of the said site in 2021 and 2025 it can be observed that the tree count has increased from 428 number of trees (in 2021) to 473 number of trees (in 2025); which depicts an increase of (+) 45 number of trees at the said site. Furthermore,

as per the table it can be observed that the trees that were found missing at the said site were of the species Subabul (mentioned at S.No.1 of the Table) and Kabuli Keekar (mentioned at S.No.10 of the Table) which are invasive species in nature.

**COPY OF REPORT OF MoEF & CC DATED 24.03.2025 IS ANNEXED AS ANNEXURE – “A”**

5. That. an order dated 28.10.2025 has been passed by the deponent i.e. Respondent No.2 in furtherance of order dated 10.07.2024 passed apropos to violation of provision of the Delhi Preservation of Trees Act, 1994 by committing the act of illegal felling of trees without permission at the site of offence i.e. Khasra No. 38/1, 38/2, 38/3 & 38/4, Jindpur, Alipur, Delhi-110036. The said order dated 28.10.2025 has been passed in view of the damage caused to the environment and to compensate the environmental loss caused at the site of the offence, thereby, Sh. Nitin Kumar (Ph. No. 9671890095), Khasra No. 38/1, 38/2, 38/3 & 38/4, Opposite Sai Mandir, Jindpur, Alipur, Delhi-110036 has been directed to plant 120 trees of native species having a minimum height of 06 (six) feet in the nearby vicinity of the site of offence i.e. Khasra No. 38/1, 38/2, 38/3 & 38/4, Jindpur, Alipur, Delhi-110036 has been passed in view of Section 11(2) (provided hereunder) of the Delhi Preservation of Trees Act, 1994

**Section 11(2) of the Delhi Preservation of Trees Act, 1994**

*“All the owners shall effectively protect all lands or trees growing in the lands or the areas under their control and where the Tree Officer is of the opinion that adequate measures have not been*

*taken to protect the trees from any damage, he may direct the owner to take such measures as are considered necessary to protect trees from damage. In case of default, the Tree Officer may himself arrange such measures and recover the expenditure thereon from the owner in the prescribed manner”*

**COPY OF ORDER DATED 28.10.2025 IS ANNEXED AS ANNEXURE – “B”**

6. That, the deponent to the present affidavit i.e. Tree Officer / Dy. Conservator of Forests operates under the provision of a statutory act w.r.t. preservation of trees i.e. the Delhi Preservation of Trees Act, 1994 and thereby binded as per provisions of the said act.
7. It is most respectfully and humbly stated that the deponent of the present additional reply has the utmost regard and respect for the majesty of the Hon'ble Tribunal and has in the past, as also in the present instance done and will continue to do everything in its power to ensure compliance of the directions issued by this Hon'ble Tribunal.

**PRAYER**

8. In view of the above stated facts, circumstances and averments made by the deponent it is hereby most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to:

A. Dismiss and dispose of the present application filed vide O.A.No.888/2024 as the same has been dealt with under the provisions of the Delhi Preservation of Trees Act, 1994.

B. Pass any other order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

  
RESPONDENT No. 2

Through

  
(JYOTI MENDIRATTA)

Advocate for the Respondent No.2

H-34, Jangpura Extension,

(Lower Ground Floor),

New Delhi-110014

MOB NO: +91 9811136141

Dated: 28.10.2025

Delhi

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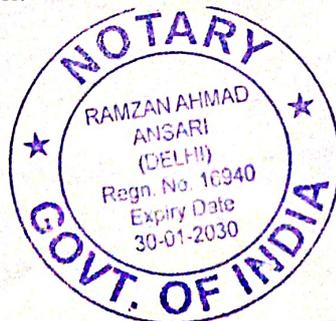
GNCTD & ORS

...RESPONDENT

**AFFIDAVIT**

I, Cheshta Singh O/a MGICCC, Bakoli, Alipur - 110036 aged about 35 years, posted as Dy. Conservator of Forests (North Forest Division), GNCTD, do hereby solemnly affirm on oath and state as follows:

1. That I am the duly authorized to file the reply on behalf of the Respondent No.2 as such I am competent with the facts & circumstances of the present case and am competent to swear on oath this affidavit;
2. That I have read the contents of the accompanying reply and state that the facts stated therein are true and correct to my knowledge and nothing material or relevant has been concealed therefrom.
3. That the facts stated in the accompanying reply kindly be read as part and parcel of this affidavit as the same are not being repeated herein for the sake of brevity and to avoid repetition.



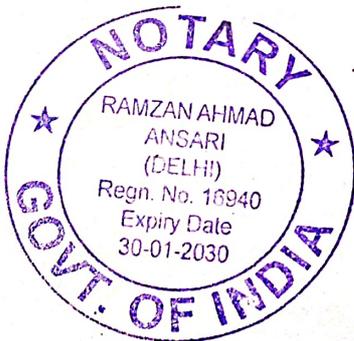
  
DEPONENT

**VERIFICATION**

Verified at New Delhi on this 28<sup>TH</sup> day of October, 2025 and state that the contents of paragraph 1 to 3 of my above affidavit are true to my knowledge & nothing material or relevant has been concealed therefrom.

*Identify the Deponent who has Signed/Put T.I. Before me*

*[Signature]*  
DEPONENT



CERTIFIED THAT THE DEPONENT has solemnly affirmed before me that the contents of the above which have been read & explained to him are true and correct to his/her knowledge

*[Signature]*  
NOTARY DELHI INDIA

28 OCT 2025

**REPORT OF MOEF&CC  
IN THE MATTER OF  
Original Application No. 888/2024 Titled as  
Vijendra Yadav Vs Govt. of NCT of Delhi & Ors.**

**Background:**

Hon'ble NGT, Principal Bench, New Delhi was pleased to pass the order dated 09.12.2024 in the matter Original Application No. 888/2024 titled as Vijendra Yadav Vs Govt. of NCT of Delhi & Ors. and direct to file the reply by way of affidavit especially covering the issue concerning the tree counting and illegal felling of trees and action, if any, proposed for violating the EC conditions. Relevant para of the Hon'ble NGT order is as below: -

".....9. It is reflected in the above condition that counting of existing trees was to be done.

10. Learned Counsel for DDA has submitted that some representative of MoEF&CC must have done tree counting.

11. Hence, we implead the following as additional respondent. Respondent no.6-MoEF&CC, through Secretary.

12. Let notice be issued to above respondent no.6 for filing the reply by way of affidavit especially covering the issue concerning the tree counting and illegal felling of trees and action, if any, proposed for violating the EC conditions.

13. It will be open to all other respondents also to file their response within four weeks.

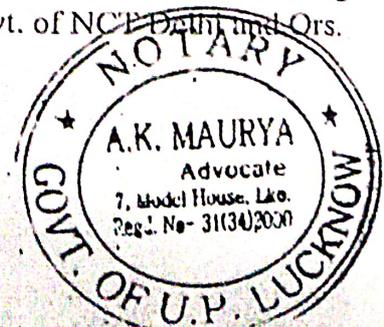
14. DPCC is also directed to file further response on the issue of imposition of Environmental Compensation within four weeks.

15. List on 01.04.2025. "

(A copy of the order of Hon'ble NGT is annexed as Annexure No. 1)

**2. Follow-up Action:**

- (i) In compliance with said order, the MoEF&CC, Delhi, vide letter No. IA-L-11011/2/2025-IA-1, dated 5<sup>th</sup> March 2025, has requested the RO Lucknow for factual status of the project concerning the issues raised in the matter in Original Application No. 888/2024 -Vijendra Yadav Vs. Govt. of NCT of Delhi and Ors.



(A Copy of letter dated 05.03.2025 is annexed as Annexure No. 2)

- (ii) The matter is related to counting of trees and accordingly, RO, MoEFCC, vide letter dated 10.03.2025, inter-alia, requested Delhi Forest Department to participate in site visit held on 17.03.2025. In this regard, DCF (North), Forest Department, GNCTD, vide office order dated 11.03.2025, has deputed the officials of North Forest Division (GNCTD) to assist in the exercise of site Inspection w.r.t. counting of trees.

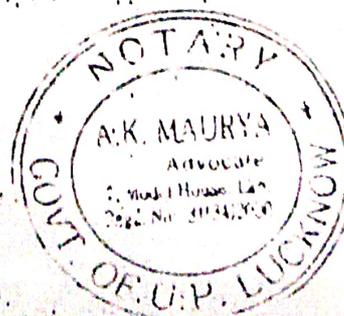
(Copy of letter dated 10.03.2025 & office order dated 11.03.2025 are annexed as Annexure No. 3 & 4 respectively)

- (iii) The site visit of the Warehouse project has been conducted on 17.03.2025 wherein the following officials were present:

- a. Dr. R. B. Lal, Scientist F, RO MoEFCC, Lucknow
- b. Shri Ravinder Kumar, D.R.O., North Forest Division (GNCTD), Delhi
- c. Shri. Dharmendra Kumar Meena, Forester, North Forest Division (GNCTD), Delhi
- d. Shri Ashok, Forester, North Forest Division (GNCTD), Delhi
- e. Shri Sher Singh, Forest Guard, North Forest Division (GNCTD), Delhi
- f. Shri Nitin, Forest Guard, North Forest Division (GNCTD), Delhi
- g. Shri Hardik Jain, Representative of Project Proponent
- h. Shri Sujoy Kumar Das, Representative of Project Proponent
- i. Shri Dinesh Bhardwaj, Representative of Project Proponent
- j. Ms. Deepika Arora, Representative of Consultant Organization

### 3. Observation of the Inspection:

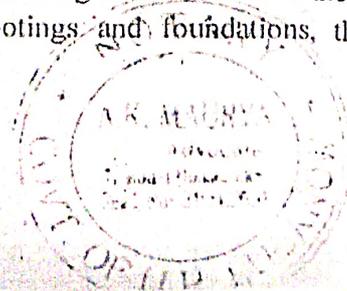
- (i) The Environmental clearance has been granted by the Ministry of Environment, Forest and Climate Change, New Delhi, vide F. No. 21-30/2020-IA-III, dated 14.07.2020 for the 'Construction of Warehouse project' in favour of M/s Anant Raj Limited. The project site is located at Khasra No. 38//1,2,3,7,8,9,10,11,12,26,39/3,4,5,6,7,8,26, Village Jindpur, Tehsil Narela, District North West, Delhi.
- (ii) Further, the SEIAA Delhi, vide F. no. DPCC/SEIAA-IV/C-385/DL/2022/3937-3949, dated 08.07.2022, has transferred the Environmental clearance from "M/s Anant Raj Limited" to "M/s Anant Raj Hotels Private Limited".



- (iii) Project Proponent (PP) has obtained the Consent to Establish (CTE) from Delhi Pollution Control Committee (DPCC), vide Consent Order No. DPCC/CMC/2022/7302257, dated 09.05.2022 which was valid from 05.02.2022 to 04.02.2025. During the visit, PP has reported that they have applied for Consent to Operate (CTO) to DPCC, vide Application No. 11992591 and submitted the Fees on 30.01.2025. The application of CTO is under consideration with DPCC.
- (iv) The PP has obtained Conditional NOC on Sanction plan from the Delhi Fire Service, vide letter No. F.6/DFS/MS/BP/2020/43, dated 05.02.2020.
- (v) Building Plans for Standalone Godown on Khasra No. 38//1,2,3,7,8,9, 10,11,12,26 39//3,4,5,6,7,8,26 at Village Jindpur, New Delhi for area measuring 5.72 ha. (14.14 acres) was sanctioned by Building Section, DDA, vide File no- NAR0090/20-21, dated 12.12.2020.
- (vi) The PP has obtained Electricity permission from the Tata Power Delhi Distribution Limited (Tata Power-DDL).
- (vii) During the visit of the day, the project related to 'Construction of Warehouse' is at advance stage of completion and accordingly the PP has submitted the application for Occupancy Certificate and Consent to Operate.

**Issues related to tree cutting:**

- (viii) It is noted that the Environmental clearance, dated 14.07.2020, inter-alia; mentioned the Specific Condition No. A (viii), that "No tree cutting/transplantation of existing trees has been proposed in the instant project. A minimum of 1 tree for every 80 sqm of land should be planted and maintained. The existing trees will be counted for this purpose. The landscape planning should include plantations of native species. The species with heavy foliage, broad leaves and wide canopy cover are desirable. Water intensive and/or invasive species should not be used for landscaping. As proposed 26,823 sqm (10.1% of total area) area shall be provided for green area development."
- (ix) The Project Proponent has informed that after securing various approvals/NOC (such as Environmental clearance, Consent to Establish, Fire NOC & DDA sanction etc.), the PP has appointed Contractor to carry out specific civil works related to the construction. During the execution of these works, which involved the placement of footings and foundations, the



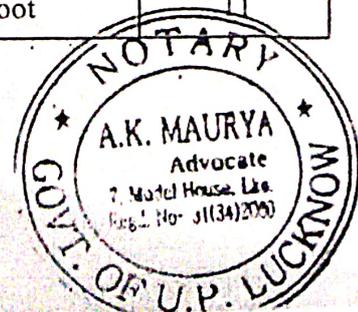
contractor unintentionally and mistakenly caused damage to 15 trees. Immediately upon the occurrence of this incident, all relevant authorities, were promptly informed.

(Copy of letter of PP is annexed as Annexure No. 5)

- (x) With respect to the matter of tree cutting, the representative of North Forest Division (GNCTD), Delhi, has informed that the DCF & Tree Officer, vide letter dated 25.06.2024, has issued a Notice under the Delhi Preservation of Trees Act, 1994. Further, the Forest Department, vide letter dated 10.07.2024, inter-alia, has imposed Rs. 9,00,000/- (Rupees Nine Lakhs only) for illegal cutting of 15 Nos of trees. In accordance with the order, the contractor has deposited Rs. 9,00,000/- through DD.No. 652299 and has also planted 26 trees, in line with the prescribed compensation measures, as reported by PP vide letter dated 20.08.2024. (Copy of Notice dated 25.06.2024, order dated 10.07.2024 and letter dated 20.08.2024 are annexed as Annexure No. 6 (Colly)).
- (xi) As per the EC Specific Condition No. A (viii), w.r.t. counting of existing trees, the Project Proponent reported that they had conducted the Horticulture and Tree Survey Study through M/s Land Landscape Development Report in 2021. The Report dated 25.08.2021, inter-alia, mentioned that total 428 Trees were identified on the site. The details of Trees reported in the Report is as below:

Table 1: Existing Trees as per Report dated 25.08.2021

| S. No. | Tree ID Species            | Common Name | Numbers |
|--------|----------------------------|-------------|---------|
| 1      | <i>Eucalyptus</i>          | Safeda      | 39      |
| 2      | <i>Ziziphus mauritiana</i> | Beri        | 9       |
| 3      | <i>Psidium guajava</i>     | Guava       | 6       |
| 4      | <i>Dalbergia sissoo</i>    | Shisham     | 2       |
| 5      | <i>Ficus religiosa</i>     | Peepal      | 2       |
| 6      | <i>Azadirachta indica</i>  | Neem        | 17      |
| 7      | <i>Saraca asoca</i>        | Ashoka      | 3       |
| 8      | <i>Morus alba</i>          | Shehtoot    | 11      |



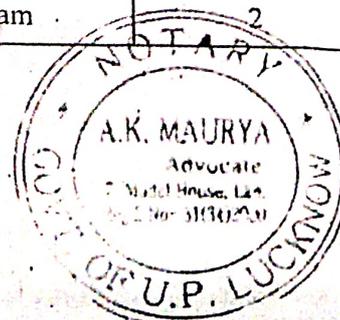
|  |                              |                |     |
|--|------------------------------|----------------|-----|
| 9  | <i>Prosopis juliflora</i>    | Kabuli Keekar. | 9   |
| 10   | <i>Phyllanthus emblica</i>   | Amla           | 3   |
| 11   | <i>Cordia myxa</i>           | Massoda        | 4   |
| 12   | <i>Leucaena leucocephala</i> | Subabul        | 323 |
| Total  |                              |                | 428 |
| Note: The existing species table that Subabul, Keekar and Eucalyptus are the invasive species. |                              |                |     |

(Copy of Horticulture and Tree Survey Study Report dated 25.08.2021 are annexed at Annexure 7).

- (xii) During the visit, a Team comprising of representative of North Forest Division (GNCTD), Project Proponent and MoEFCC have counted the number of trees and noted that there are 473 number of Trees are found during the visit of the day in the project area. Further, the PP has planted 26 number of Trees recently. The details of Trees with species are summarized herewith:

Table 2: Number of Trees in the project area during the day of visit on 17.03.2025

| S. No. | Botanical Name               | Common Name   | Total Nos. |
|--------|------------------------------|---------------|------------|
| 1      | <i>Leucaena leucocephala</i> | Subabul       | 315        |
| 2      | <i>Eucalyptus</i>            | Safeda        | 39         |
| 3      | <i>Ziziphus mauritiana</i>   | Beri          | 19         |
| 4      | <i>Azadirachta indica</i>    | Neem          | 17         |
| 5      | <i>Saraca asoca</i>          | Ashoka        | 3          |
| 6      | <i>Morus alba</i>            | Shehtpot      | 36         |
| 7      | <i>Prosopis juliflora</i>    | Kabuli Keekar | 2          |
| 8      | <i>Dalbergia sissoo</i>      | Shisham       | 2          |



|       |                            |         |     |
|-------|----------------------------|---------|-----|
| 9     | <i>Phyllanthus emblica</i> | Amla    | 3   |
| 10    | <i>Ficus religiosa</i>     | Peepal  | 2   |
| 11    | <i>Cordia myxa</i>         | Lassoda | 4   |
| 12    | <i>Psidium guajava</i>     | Guava   | 31  |
| Total |                            |         | 473 |

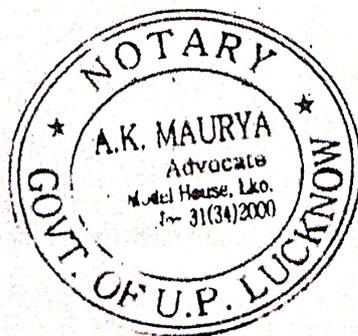
Table 3: New Planted Trees observed in the project area during the day of visit on 17.03.2025

| S. No. | Botanical Name            | Common Name | Total Nos. |
|--------|---------------------------|-------------|------------|
| 1      | <i>Syzygium cumini</i>    | Jamun       | 10         |
| 2      | <i>Azadirachta indica</i> | Neem        | 8          |
| 3      | <i>Bauhinia variegata</i> | Kachnar     | 3          |
| 4      | <i>Mimusops elengi</i>    | Maulsary    | 5          |
| Total  |                           |             | 26         |

(Copy of Report on Counting of Trees is annexed at Annexure 8).

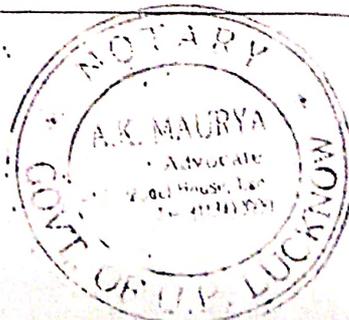
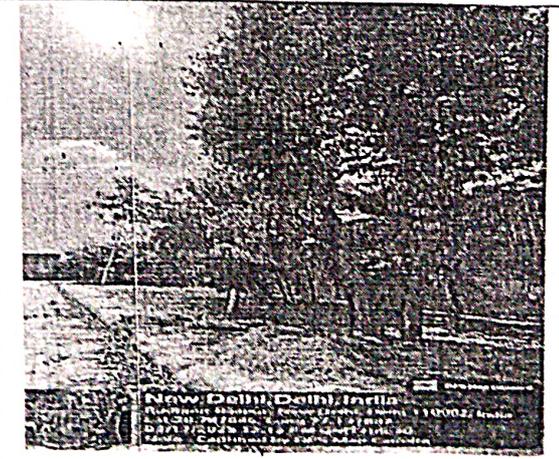
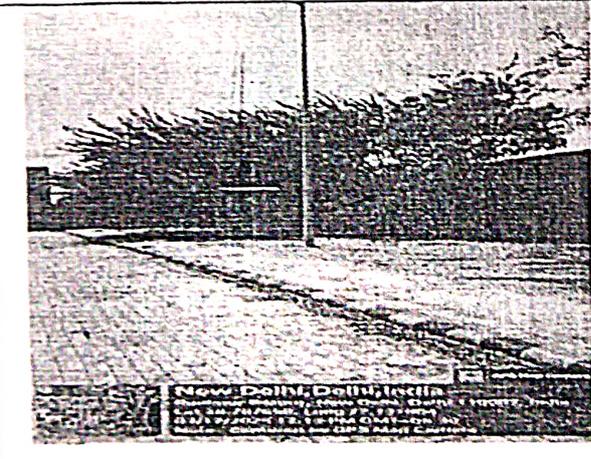
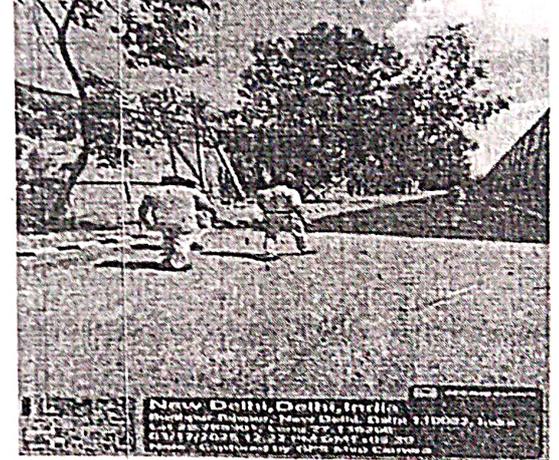
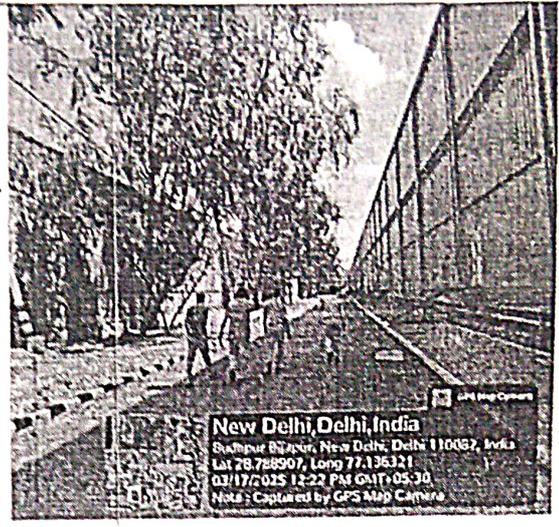
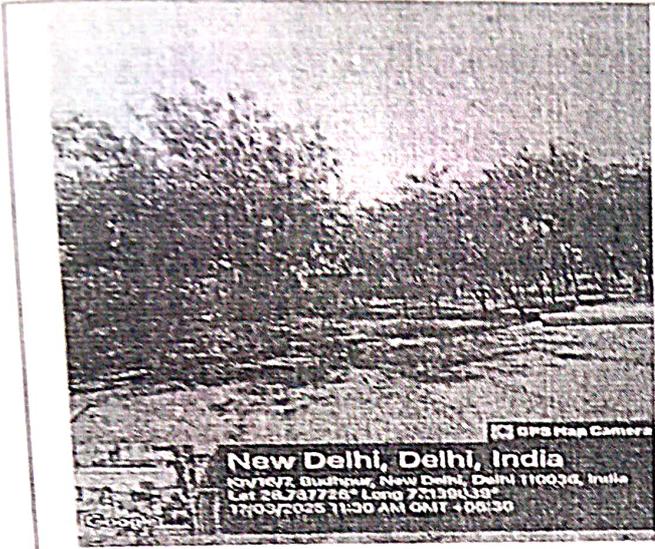
- (xiii) During the visit of the day the Inspection team has counted 499 number of Trees in the project area (i.e. 473 Old Trees + 26 New Planted Trees). The Team has also advised the Project Proponent to plant the remaining Trees immediately in the project area as per the EC dated 14.07.2020, as mentioned in its Specific Condition No. A (viii).

Dated 24.03.2025

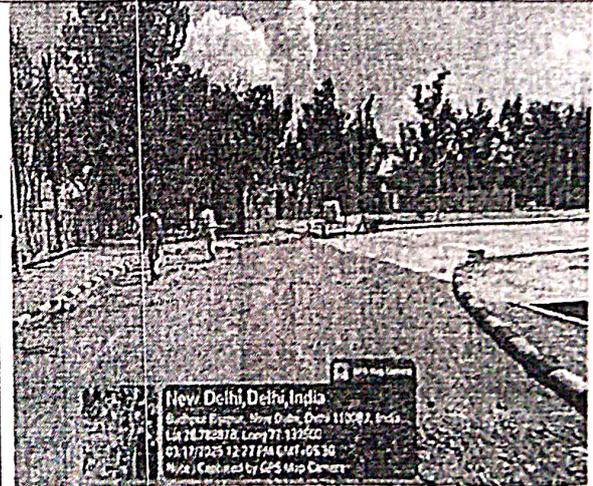
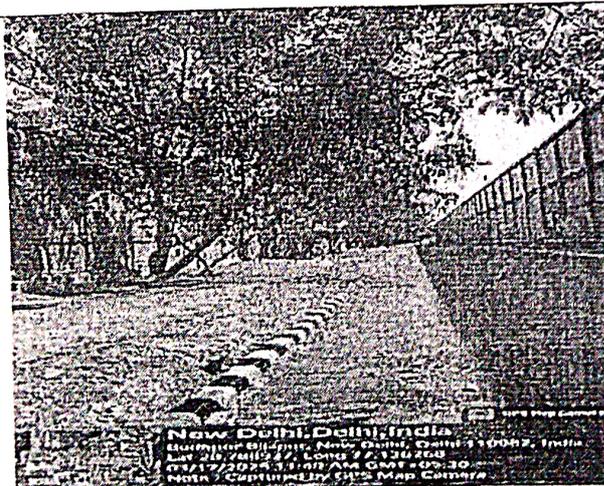
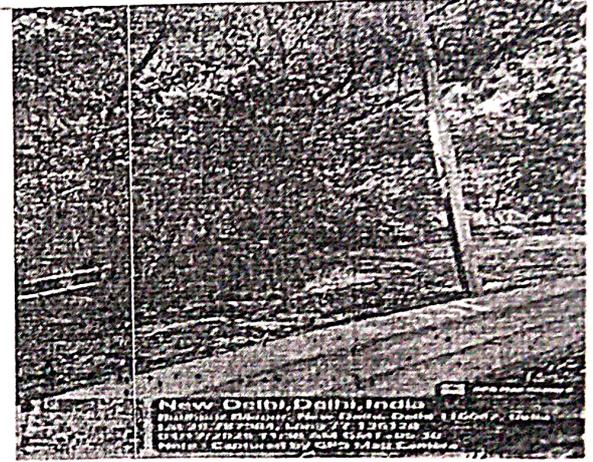
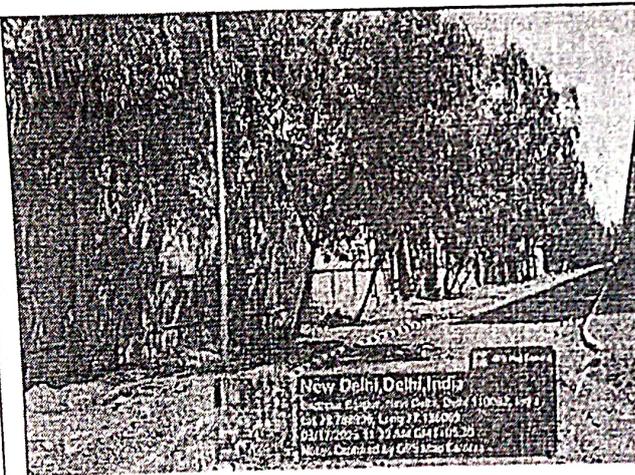
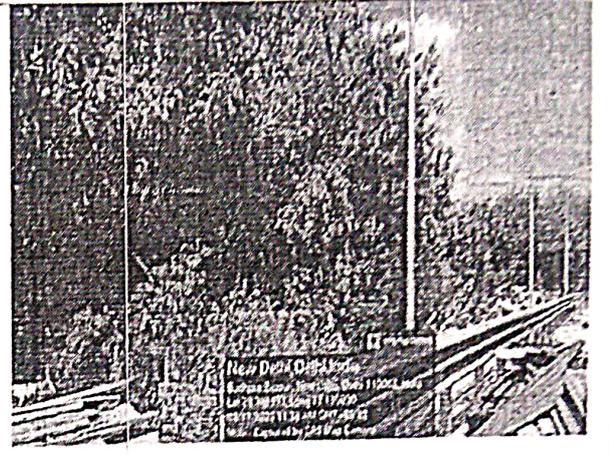
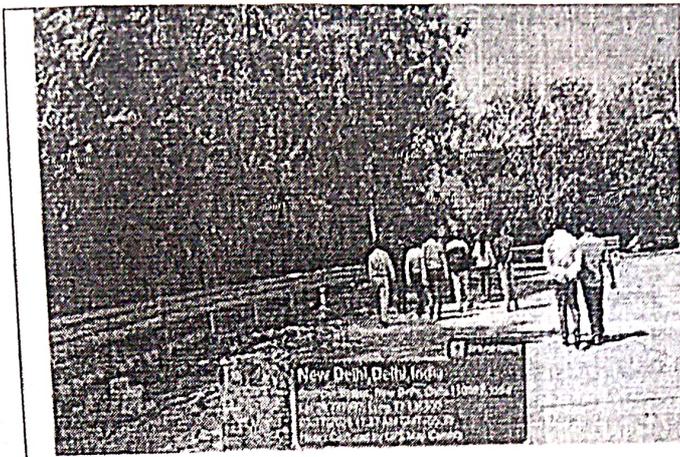


(Dr. R. B. Lal)  
Scientist F,  
Regional Office of  
MoEFCC, Lucknow

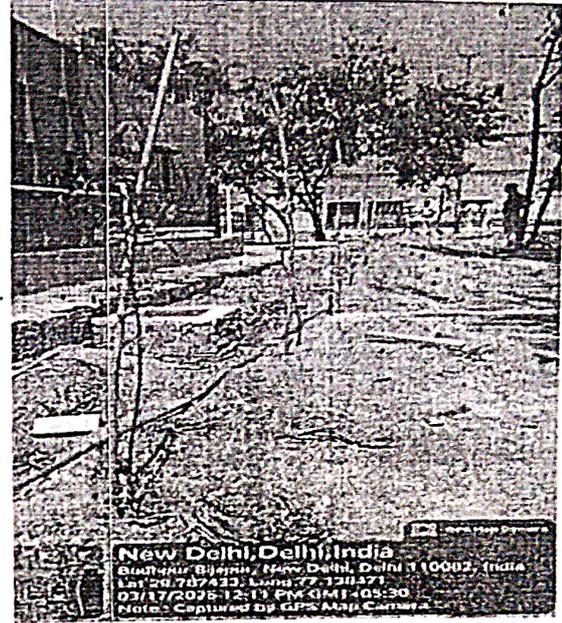
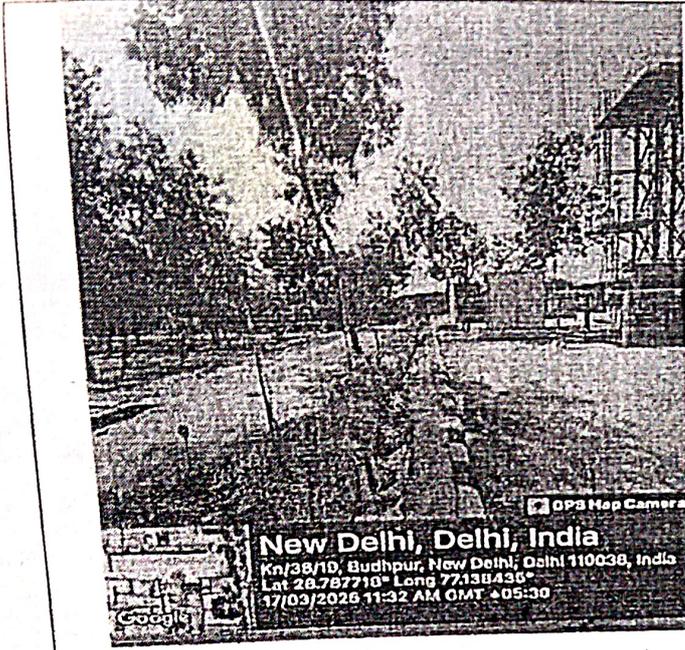
Photos Taken during site visit | Existing Trees in and around boundary of Project



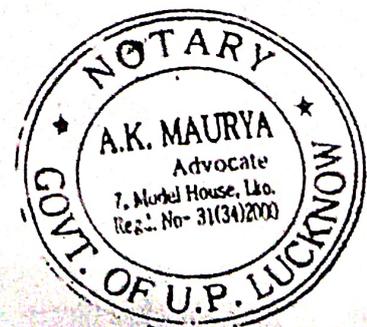
Photos Taken during site visit | Existing Trees in and around boundary of Project



Photos Taken during site visit [New Plantation]



Site Visit Team [Officials from MoEFCC, Delhi Forest Dept. and PP]



GOVT OF NCT OF DELHI  
DEPARTMENT OF FOREST AND WILDLIFE  
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS  
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR,  
NEW DELHI - 110036

File.No.F.41/DCF(N)/Tree Offence/2024-25/3251

DATE: 28-10-2025

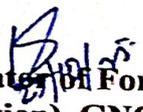
ORDER

This is in furtherance of order dated 10.07.2024 passed by the undersigned apropos to violation of provision of the Delhi Preservation of Trees Act, 1994 by committing the act of illegal felling of trees without permission at the site of offence i.e. Khasra No. 38/1, 38/2,38/3 & 38/4, Jindpur, Alipur, Delhi-110036.

Now, in view of Section 11(2) of the Delhi Preservation of Trees Act, 1994 which provides as hereunder: -

*Section 11(2): All the owners shall effectively protect all lands or Trees growing in the lands or the areas under their control and where the Tree Officer is of the opinion that adequate measures have not been taken to protect the trees from any damage, he may direct the owner to take such measures as are considered necessary to protect trees from damage. In case of default, the Tree Officer may himself arrange such measures and recover the expenditure thereon from the owner in the prescribed manner.*

Hereby, in view of the above and subsequent damage caused to the environment and to compensate the environmental loss, you are hereby further directed to plant 120 trees of native species having a minimum height of 06 (six) feet in the nearby vicinity of the site of offence i.e. Khasra No. 38/1,38/2,38/3 & 38/4, Jindpur, Alipur, Delhi-110036.

  
Dy. Conservator of Forests  
(North Forest Division), GNCTD

TO,

1. Sh. Nitin Kumar (Ph. No. 9671890095), Khasra No. 38/1, 38/2, 38/3 & 38/4,  
Opposite Sai Mandir, Jindpur, Alipur, Delhi-110036.

  
Dy. Conservator of Forests  
(North Forest Division), GNCTD