

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

Original Application No. 1188/2024

**IN THE MATTER OF:**

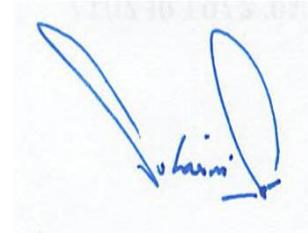
News Item titled “Why efforts to reclaim the Ridge – Delhi’s lungs – is no easy task”  
appearing in the Indian Express dated 09.09.2024

N.D.O.H. – 23.04.2025

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**THROUGH**



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New Delhi  
Date: 22.04.2025

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**  
Original Application No. 1188/2024

**IN THE MATTER OF:**

News Item titled “*Why efforts to reclaim the Ridge – Delhi’s lungs – is no easy task*” appearing in the Indian Express dated 09.09.2024

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 02 (THE MINISTRY  
OF ENVIRONMENT, FOREST & CLIMATE CHANGE)**

I, Sanjay Kumar Chauhan, S/o Shri A.S.Chauhan, aged about 41 years working as Assistant Inspector General of Forests (Forest Protection Division) in the Ministry of Environment, Forest and Climate Change (hereinafter referred to as **MoEF&CC**) at New Delhi do hereby solemnly affirm and say on oath that, I am competent and authorized to swear this affidavit for and on behalf of the Respondent No.-2.

1. That in my official capacity as stated above, I am aware of the facts and circumstances of the present case and am competent to swear to the contents of the present affidavit. I state that my knowledge in this regard is based on the official records available with the Ministry of Environment, Forest &



2. It is submitted that the present Affidavit is being filed by the answering Respondent in respectful compliance of the orders of this Hon'ble Tribunal dated 26.09.2024 and 21.01.2025 and the Answering Respondent humbly seeks liberty to file an additional affidavit in the present matter if so directed by this Hon'ble Tribunal as and when required.

3. That the present application has been registered suo moto by this Hon'ble Tribunal on the basis of the news article titled as "Why efforts to reclaim the Ridge – Delhi's lungs – is no easy task" dated 09.09.2024 in the newspaper titled "the Indian Express". The said article discusses the challenges faced in clearing the various encroachments present in Delhi's Southern Ridge Forest. It provides illustrative instances of encroachments present in the Southern Ridge.

4. In this regard it is most respectfully submitted that the MoEF&CC has the mandate for planning, formulation and promotion of policies and guidelines relating to the protection and conservation of the country's forests, biodiversity, natural resources, wildlife and environmental resources.

5. It is respectfully submitted that section 3 of the Indian Forest Act, 1927 confers power upon the State Government to constitute any forest land or waste land which is the property of the Government or over which the



Government has proprietary rights as a “reserved forest”. Section 4 of the Indian Forest Act, 1927 provides that where the State Government has decided to declare any particular land as a reserved forest it shall issue a notification in the Official Gazette declaring its decision to do so and stipulating as near as possible the limits of such land. The Act also contains detailed provisions for settlement of claims pertaining to the land in question, and thereafter, Section 20 prescribes the procedure by which a final notification is issued demarcating the reserved forest, on completion of the settlement proceedings etc.

6. Additionally, it is respectfully submitted that upon declaration of a particular area of land as a “reserved forest”, various prohibitions and protections applicable over the said land as set out under Section 26 of the Indian Forest Act, 1927 as follows:

**“26. Acts prohibited in such forests.—**

*(1) Any person who—*

- a. *makes any fresh clearing prohibited by Section 5, or*
- b. *sets fire to a reserved forest, or, in contravention of any rules made by the State Government in this behalf, kindles any fire, or leaves any fire burning, in such manner as to endanger such a forest;*

*or who, in a reserved forest—*



*M*

- c. *kindles, keeps or carries any fire except at such seasons as the Forest-officer may notify in this behalf;*
- d. \* \* \*
- e. \* \* \*
- f. *fells, girdles, lops, or burns any tree or strips off the bark or leaves from, or otherwise damages, the same;*
- g. *quarries stone, burns lime or charcoal, or collects, subjects to any manufacturing process, or removes, any forest-produce;*
- h. *clears or breaks up any land cultivation or any other purpose;*
- i. *in contravention of any rules made in this behalf by the State Government hunts, shoots fishes, poisons water or sets traps or snares; or*
- j. *in any area in which the Elephant's Preservation Act, 1879 (6 of 1879) is not in force, kills or catches elephants in contravention of any rules so made, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, in addition to such compensation for damage done to the forest as the convicting Court may direct to be paid.*



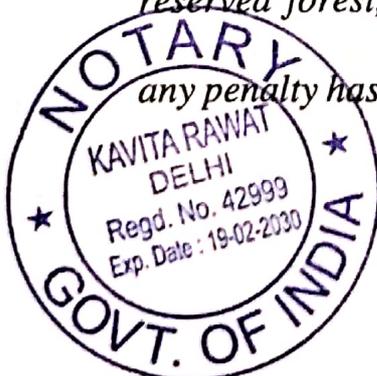
Any person who, in a reserved forest—

- a. *trespasses or pastures cattle, or permits cattle to trespass shall be liable to penalty which may extend to five hundred rupees, in addition to such compensation for damage done to the forest as determined by a Forest-officer empowered under Section 68;*
- b. *causes any damage by negligence in felling any tree or cutting or dragging any timber shall be liable to penalty which may extend to five thousand rupees, in addition to such compensation for damage done to the forest as determined by a Forest-officer empowered under Section 68.*

(2) *Nothing in this section shall be deemed to prohibit—*

- a. *any act done by permission in writing of the Forest-officer, or under any rule made by the State Government; or*
- b. *the exercise of any right continued under clause (c) of sub-section (2) of Section 15, or created by grant or contract in writing made by or on behalf of the Government, and*

(3) *Whenever fire is caused wilfully or by gross negligence in a reserved forest, the State Government may (notwithstanding that any penalty has been inflicted under this section) direct that in such*



*forest or any portion thereof the exercise of all rights of pasture or to forest-produce shall be suspended for such period as it thinks fit.”*

7. Additionally, it is most respectfully submitted that permission for diversion of forest land must be granted by the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 (hereinafter the ‘Adhiniyam’). For ease of reference, the same is reproduced herein below:

“2. Restriction on the de-reservation of forests or use of forest land for non-forest purpose.—

1. Notwithstanding anything contained in any other law for the time being in force in a State, no State Government or other authority shall make, except with the prior approval of the Central Government, any order directing—

i. *that any reserved forest (within the meaning of the expression “reserved forest” in any law for the time being in force in that State)*

*or any portion thereof, shall cease to be reserved;*



- ii. *that any forest land or any portion thereof may be used for any non-forest purpose;*
- iii. *that any forest land or any portion thereof may be assigned by way of lease or otherwise to any private person or to any authority, corporation, agency or any other organization, subject to such terms and conditions, as the Central Government may, by order, specify;*
- iv. *that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reafforestation].*

*Explanation. — For the purposes of this section “non-forest purpose” means the breaking up or clearing of any forest land or portion thereof .....*”

[emphasis supplied]

8. Thus, it is respectfully submitted that from a bare perusal of the above, it is clear that prior approval of the Central Government is required for the diversion of forest land for any non-forest purpose. The proposals for diversion of forest land recommended by the State Government are considered under the provisions of the Adhiniyam on a case-to-case basis,



meticulously scrutinizing the requirements of forest land and its impact on the flora and fauna of the area. The approval for the use of bare minimum forest land is accorded in case it is unavoidable and it is done after taking abundant precautions with necessary mitigative measures which include the necessary land for compensatory afforestation, payment of Net Present Value (NPV), cost for raising compensatory afforestation, soil conservation plan and wildlife management plan, if required, and various other measures.

9. It is respectfully submitted that this Hon'ble Tribunal, in the matter of *Sonya Ghosh v. Government of National Capital Territory of Delhi & Ors.* O.A. No. 58/2013, while dealing with the conservation and preservation of the Delhi Ridge, had vide a detailed judgment dated 15.01.2021 issued the following directions with respect to the following:

*"15. We are thus of the view that there is urgent need to take necessary steps to protect the Ridge by taking necessary steps to finalise the notification under section 20 of the Forest Act for reserved forest and protection by appropriate measures. The land about which there is clarity can be included in such notification and the remaining process can be undergone separately but expeditiously. No non forest activity is permissible in Ridge area.*



16. In view of above, we direct that the Delhi Government through the Chief Secretary, Delhi to ensure that requisite Notification under Section 20 of the Indian Forest Act, 1927 is issued within three months in respect of the area about which there is no controversy. Further actions to be taken by the Delhi Government may include suitable protection by fencing/wall and vigilance. Identification of the remaining area and action plan for removing the encroachments be ensured within next three months. Execution of the action plan will be primarily under the Chief Secretary Delhi, who is also the Chairman of the Ridge Management Board.

17. We direct constitution of an Oversight Committee (OC) to be headed by DG Forest, MoEF&CC, Government of India with the Secretaries Revenue and Forest, Delhi Govt., the PCCF, Delhi, the concerned Deputy Commissioners, Delhi and the nominees of Police Commissioner, Delhi and the Forest Survey of India, Dehradun as members. Main function of the OC will be to oversee progress with regard to the removal of encroachments from the Ridge, its protection by way of fencing/boundary wall and preparation of management plan for its



*restitution. The Committee will be free to co-opt any other authorities/Experts. The Nodal agency will be the PCCF, Delhi for coordination and compliance. First meeting of the Committee may be held within one month and thereafter review may be undertaken periodically preferably at least once in a month till the action plan is executed.”*

[emphasis supplied]

A true copy of order dated 15.01.2021 in *Sonya Ghosh versus Government of National Capital Territory of Delhi & Ors. O.A. No. 58/2013* is annexed herewith and marked as **Annexure-1**.

10. That it is respectfully submitted that in compliance of this Hon'ble Tribunal's order dated 15.01.2021, the Government of National Capital Territory of Delhi constituted 'Oversight Committee' under the chairmanship of Director General of Forest and Special Secretary, MoEF&CC (hereinafter the 'DGF&SS') vide Office Order having F. No. 1(2497)/Legal/HQ/2020-21/10354-66 dated 10.02.2021, having the following composition:

*Composition of the Oversight Committee (OC):*



i.	<i>Director General Forest, MoEF&amp;CC</i>	<i>Chairman</i>
ii.	<i>Addl. Director General of Forests (FC), MoEF&amp;CC, GOI</i>	<i>Co-opted Member (will act as chairman in absence of DGF and SS)</i>
iii.	<i>Principal Secretary/ Secretary (Revenue), Govt. of NCT of Delhi</i>	<i>Member</i>
iv.	<i>Principal Secretary/ Secretary (E&amp;F), Govt. of NCT of Delhi</i>	<i>Member</i>
v.	<i>Director General (Forest), Forest Survey of India, Dehradun</i>	<i>Member</i>
vi.	<i>The Principal Chief Conservator of Forests, Govt. of NCT of Delhi</i>	<i>Member (Nodal Agency)</i>
vii.	<i>Special Commissioner of Police</i>	<i>Members</i>
viii.	<i>Deputy Commissioner (South)</i>	<i>Member</i>
ix.	<i>Deputy Commissioner (South- West)</i>	<i>Member</i>



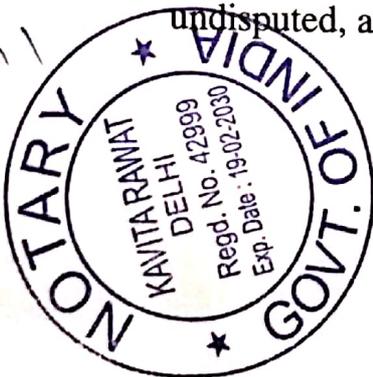
x.	Deputy Commissioner (New Member Delhi)	
xi.	Deputy Commissioner (South-East) East)	Member"

A true copy of MoEF&CC's Office Order having F. No. 1(2497)/Legal/HQ/2020-21/10354-66 dated 10.02.2021 is annexed herewith and marked as Annexure-2.

10. It is humbly submitted that after the constitution of Oversight Committee, 17 meetings have been convened under the chairmanship of DGF&SS. The last 17th meeting of the Oversight Committee was held on 01st April, 2025. As on date, the present status with respect to the two issues flagged by this Hon'ble Tribunal in *Sonya Ghosh v. Government of National Capital Territory of Delhi & Ors. O.A. No. 58/2013* as follows:

(i) Status with respect to Section 20 notifications where there is no dispute with regard to the land:

- Southern Ridge: Out of a total area of 3630.04 ha, which is undisputed, an area of 96.16 ha has been notified under Section 20.



- No other notifications under Section 20 have been notified for any other portions of the Southern, Northern, Central, Nanakpura, South-Central Ridge Areas.

(ii) Status with respect to removal of encroachments: Out of a total encroachment identified of 398.61 ha, 91.15 ha of land have been made free from encroachment.

12. The Oversight Committee is continuing to monitor the progress of the Government of NCT of Delhi in this regard. Additionally, it is respectfully submitted that Execution Application being E.A. 39/2024 has been filed in the above O.A. 58/2013, which was last listed on 09.04.2025, and on which date this Hon'ble Tribunal was pleased to pass the following order:

*“3. Learned Counsel representing the GNCTD has submitted that the Principal Secretary, Environment and Forest has forwarded the draft notification under Section 20 to the Chief Secretary, Delhi which is pending before him. He has sought two weeks time to point out the status and also to disclose the timeline for issuing the final*



4. Thus, we give two weeks to respondent no.1 to file a fresh affidavit and explain why action be not initiated against concerned authorities/officers of respondent no.1 in terms of the provisions of NGT Act, 2010. The DDA is directed to file the reply/response within four weeks to the additional affidavit of Respondent No. 2 dated 05.04.2025 and of Respondent No. 1 dated 18.03.2025.”

A true copy of the order dated 09.04.2025, passed in E.A. 39/2024 in O.A. 58/2013 is annexed hereto as **Annexure-3**.

13. That the present affidavit may kindly be taken on record so as to assist this Hon'ble Tribunal in passing appropriate orders in the present matter as deemed fit. That it is respectfully submitted the Respondent No. 02 undertakes to file a further affidavit if so directed by this Hon'ble Tribunal.



**VERIFICATION**

**DEPONENT**

(बंशु कुमार चौधरी)  
(BANSU KUMAR CHAUDHARY)  
Member of NGT, 10, Bahadur Shah Zafar Road  
New Delhi, 110002, India  
The Government of India, New Delhi  
Govt. of India, New Delhi

22 APR 2025

Verified at New Delhi on this \_\_\_\_\_.day of April, 2025 that the contents of this affidavit based on official record(s) maintained and information available in the office are true and correct, no part of it is false and nothing has been concealed there from.

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



*Handwritten signature of Sanjay Kumar Chauhan*

**DEPONENT**

(संजय कुमार चौहान)  
(SANJAY KUMAR CHAUHAN)  
सहायक वन प्रभारी/Asst. Inspector General of Forests  
पर्यावरण, वन एवं जलवायु परिवर्तन विभाग  
M/o Environment, Forest and Climate Change  
आसानी कवायम, नई दिल्ली  
Govt. of India, New Delhi

CERTIFIED THAT THE DEPONENT

Shri/Smt. *Sanjay Kumar Chauhan*

is/are

R/o *Delhi*

Identified by Shri/Smt. *Surbhi Arora*

has Solemnly affirmed before me at delhi

on *10/25* at Sl. No. *10/25*

that the contents of the affidavit which have

been read & explained to me are true and

correct to his/her knowledge.

22 APR 2025

*Handwritten signature of Notary*

NOTARY DELHI

## Annexure-1

Item No. 05 to 08

Court No. 1

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

Original Application No. 144/2015

Jaipal Singh

Applicant

Versus

Lt. Governor, Delhi &amp; Ors.

Respondent(s)

**WITH**Original Application No. 58/2013  
(M.A. No. 898/2013, M.A. No. 922/2017,  
M.A. No. 329/2018, I.A. No. 387/2019 &  
I.A. No. 388/2019)

Sonya Ghosh

Applicant

Versus

Govt. of NCT of Delhi &amp; Ors.

Respondent(s)

**WITH**Original Application No.116/2015  
(M.A. No. 327/201 & M.A. No. 589/2015)

Prof. Imtiaz Ahmed &amp; Ors.

Applicant(s)

Versus

State of NCT of Delhi &amp; Ors.

Respondent(s)

**WITH**M.A. No. 258/2015  
IN  
Original Application No. 10/2014

Pavit Singh

Applicant(s)

Versus

The State of NCT Of Delhi &amp; Ors.

Respondent(s)

Date of hearing: 15.01.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**Applicant: Mr. Raj Panjwani, Senior Advocate (Amicus Curiae) and Mr.  
Aagney Sail, Advocate in O.A. No. 58/2013  
Ms. Meera Gopal, Advocate in O.A. No. 116/2015Respondent: Mr. Sanjay Dewan, Advocate for Forest Department, NCT of Delhi  
Mr. Kush Sharma, Advocate for DDA  
Ms. Puja Kalra, Advocate for North MCD

**ORDER**

1. The common issue in this group of matters is conservation and protection of Delhi Ridge which is an extension of Aravalli Range extending from Tughlaqabad and branching out in Wazirabad in the north and also other parts of Delhi.
2. The proceedings were initiated on the basis of news item titled 'Three Illegal Roads cut through forest' in Times of India dated 28.02.2013 on the basis of which OA 58/2013 was filed in March, 2013. The Application states that the Ridge protects the city from hot winds of the desert of Rajasthan. It has four zones- Northern Ridge in Delhi University, Central Ridge from Sadar Bazar to Dhaula Kuan, South West Central Ridge near JNU and Southern Ridge upto Asola and Bhatti Wildlife Sanctuary. It is further stated that the ecology of the Ridge is being destroyed, though it has been declared Reserved Forest vide Notification dated 22.05.1994 under Section 4 of the Indian Forest Act, 1927 (Forest Act) which is as follows:-

**"No. F.10(42)-1/PA/DCF/93/2012-17(1)** – In pursuance of the provisions of Section -4 of the Indian Forest Act, 1927 (Act No. 16 of 1927) the Lt. Governor, of National Capital Territory of Delhi hereby declares the lands mentioned in Schedule 'A' below as reserved forest.

**SCHEDULE 'A'**

All forest lands and wastelands which is the property of the government, or over which government has proprietary rights in:

I	Northern Ridge in National Capital Territory of Delhi, surrounded on	<p>North by Jubilee Hall, Government Petrol Pump.</p> <p>South by Crossing of Old G.T. Road and Rani Jhansi Marg, Old Subzi Mandi.</p> <p>East by Mall Road, Rajpur Road, Behind MCD Office.</p>
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		<p>West by Ice Factory, Malka Ganj, Dhobighat, and University Road</p> <p><b>(Approximate area 87 ha.)</b></p>
II	Central Ridge in NCT of Delhi, Surrounded on	<p>North by Link Road along Institutional area.</p> <p>South by Dhaula Kuan, Military Farm, Sardar Patel Marg.</p> <p>East by Mandir Marg, Institutional area and Willingdon Crecent.</p> <p>West by Inderpuri Road and Naraina Industrial area</p> <p><b>(Approximately area 864 ha.)</b></p>
III	South Central Ridge in NCT of Delhi, Surrounded on	<p>North by Qutab Institutional area.</p> <p>South by Vasant Kunj, Kishan Ganj.</p> <p>East by Aurobindo Marg, Nazarika Bagh.</p> <p>West by Jawahar Lal University Road, Vasant Kunj, Mehrauli</p> <p><b>Approximately area 626 ha.)</b></p>
IV	Southern Ridge in NCT of Delhi surrounded on	<p>North by Power line from Mahipalpur to Sultan Gauri Tomb, Telephone Line from Sultan Pur Gauri Tomb to crossing to main power line &amp; Road, Western Boundary of Ghatorni, Western boundary of Aya Nagar, Southern Boundary of Jaunapur, Southern boundary of Fatehpur Beri, Eastern Boundary of Asola village, Eastern Boundary of Shahpur, Eastern Boundary of Chandanhola, Eastern Boundary of Satbari, Eastern Boundary of Maidan Garhi, Southern Boundary of Naib Sarai, South Eastern Boundary of Deoli and Adilabad ruins.</p> <p>South by State of Haryana.</p> <p>East by Surajkund Road and State of Haryana.</p> <p>West by State of Haryana, Eastern Boundary of Rajokari, Eastern</p>

		<p><i>Boundary of Malikpur, Kohli &amp; Rangpuri</i></p> <p><b>Approximately area 6200 ha.)</b></p>
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**No. F.10(42)-I/PA/DCF/93/2018-23(ii).** – In Pursuance of the provision of clause (c) of sub-section (1) of section 4 of the Indian Forest Act, 1927 (Act No. 16 of 1927, the Lt. Governor of National Capital Territory of Delhi is pleased to appoint A.D.M. (revenue) to be the Forest Settlement Officer to enquire into and determine the existence, nature and extent of any rights alleged to exist in favour of any person in or over any land comprised within such limits, as notified vide Notification No. F.10(42)-IPA/DCF/93(I) dated 24<sup>th</sup> May, 1994 or in or over any forest produce and to deal with the same as provided in Chapter II of the Indian Forest Act, 1927.”

3. As per the news item dated 28.02.2013, road cutting across Rajokri Forest in Southern Ridge area was illegally built resulting in unauthorized construction inside the forest and degradation of the forest. There are encroachments by private entities as well as religious institutions, as per preliminary report on the status of Sanjay van from November 2010 to May 2011 published by *Srishti*, an Environmental Group.

4. The Hon’ble Supreme Court issued directions for protection of the Ridge vide order dated 25.01.1996 and 13.03.1996 in *W.P.(C) No. 4677/85, M.C. Mehta v. U.O.I.* It was directed that the uncultivated surplus land of the Gaon Sabha falling in the Ridge area will not vest in the Gaon Sabha under Section 154 of the Delhi Land Reforms Act, 1954. It will be made available for ‘Reserved Forest’ of 50,480 Bighas and 16 Biswas (10,517-10 Acres) in 14 villages. The Notification dated 02.04.1996 issued in pursuance of the order of the Hon’ble Supreme Court is as follows:-

*“Delhi, the 2nd April, 1996*

**No.F.1(29)/PA/DC/95.-** *Whereas the Supreme Court of India in I.A. No. 18 and 22 in Writ Petition (Civil) No. 4677/85 M.C. Mehta V/s Union of India & Others in their orders dated 25-1-96 and 13-3-96 have directed that uncultivated surplus land of Gaon Sabha falling in “Ridge” may be excluded from vesting in Gaon Sabha u/s 154 of the*

*Delhi Land Reforms Act, 1954 and made available for the purpose of creation of Reserved Forest.*

*Now, therefore, in exercise of powers conferred u/s 154 of the Delhi Land Reforms Act, 1954 (8 of 1954), the Lt. Governor of National Capital Territory of Delhi, hereby declares the uncultivated land of Gaon Sabha specified in Column 'III' and Annexure 'A' to 'N', situated in Southern Ridge in respect of Villages mentioned in Column 'II' of table given below as surplus land and lands at the disposal of Forest Department of Government of National Capital Territory of Delhi.*

<b>S. No.</b>	<b>Name of Village</b>	<b>Quantum of Gaon Sabha land Covered in ridge as declared under notified Ridge and proposed by Forest Deptt. for afforestation.</b>
<b>I</b>	<b>II</b>	<b>III (Bigha-Biswa)</b>
1	Nebsarai	466-10
2	Chatterpur	225-10
3	Maidangarhi	4263-02
4	Dera Mandi	9412-05
5	Asola	8387-06
6	Pulpehlad	99-04
7	Devli	5175-06
8	Rangpuri	1365-05
9	Ayanagar	4121-02
10	Rajokri	3106-01
11	Bhatti	11101-19
12	Ghitorni	732-14
13	Saidulazab	65-19
14	Jonapur	1979-13
	<b>Total in Bighas</b>	<b>50,480-16</b>
	<i>Or</i>	
	<b>Total in Acres</b>	<b>10517.10</b> ”

5. In the Application, reference has also been made to a complaint dated 28.03.2012 addressed to the Chief Conservator of Forest by one Pradip Krishen mentioning dumping of the waste on the Ridge and encroachments.

6. The matter was first taken up on 06.03.2013. Notice was issued to the Delhi Government, the Vice-Chairman, DDA, the Chairman of the Ridge Management Board (Chief Secretary, Delhi) and to the

Commissioner of Police, Delhi. Later, the MoEF&CC was also added as a party and Notice was issued to it.

7. Counter affidavit has been filed on 22.04.2013 by the Department of Forest and Wildlife, Delhi to the effect that Notification dated 04.04.1996 was issued by the Revenue Department that uncultivable surplus Gaon Sabha land will be given to the Forest Department. However, some part of the land was converted to Pedestrian path on which illegal road has been constructed in Rajokri Forest area. The Chief Conservator of Forest visited the site on 15.03.2013 and noticed the illegality. Meeting was held on 22.03.2013 to address the issue with the DDA and the Police officials. Work of dismantling the road started. A wall will be constructed to rule out rebuilding of the road. Reply by the DDA was filed on 22.04.2013 with regard to the protection of Sanjay van, which is part of the reserved forest. It was stated that the DDA has erected wall around Sanjay van and employed guards to stop vehicles therein. It has also sent complaints to the PWD and the Police against non-forestry activities. A copy of the minutes of meeting of the Ridge Management Board held on 10.07.2007, under the Chairman of the Chief Secretary who is the Chairman of the Ridge Management Board has also been annexed.

8. The matter has been dealt with on several hearings in the last almost eight years. Reference may only be made to some significant orders by which the issue was dealt with. On 21.07.2016, the Tribunal required filing of a time schedule for demarcation of the Ridge area in South District and New Delhi, Vasant Vihar, Sub-Division. On 16.08.2016, the Tribunal directed the SDM Saket, SDM Mehrauli, SDM Vasant Vihar and SDM Kalkaji Sub-Division to carry out demarcation accordingly. On 09.02.2018, the Tribunal directed completion of demarcation within one month. On 11.03.2019, the Tribunal dealt with the matter in the presence

of the Principal Secretary, Department of Revenue. The Tribunal directed the Principal Secretary, Revenue to give complete details of the forest area and the encroachments.

9. On 03.04.2019, the Divisional Commissioner-cum-Principal Secretary, Revenue Department filed affidavit giving status of demarcation of 19 villages based on TSM survey in compliance with the order of the Tribunal dated 11.03.2019 as follows:

- Total Ridge Area = 71,310-18 Bighas/Biswas
- Demarcated Area = 70,941-02
- Handed over = 65,453-04
- Not handed over = 5,487-18
- Encroached area = 4,684-17

10. Further details of the encroachments are:

		<b>Bighas-Biswas</b>
<b>“5. ENCROACHMENTS</b>	<i>(Bighas-Biswas)</i>	<b>4,684-17</b>
5.1	<b>Ayanagar Village</b> <i>Ridge Area 4,028-09 AnnexureR10 (Pg.1588-1590)</i>	<b>172-00</b>
5.2	<b>Chhattarpur Village</b> <i>Ridge Area 594-04 AnnexureR11 (Pg.1591-1594)</i>	<b>253-08</b>
5.3	<b>Neb Sarai Village</b> <i>Ridge Area 590-01 AnnexureR12 (Pg.1595-1599)</i>	<b>264-09</b>
5.4	<b>Shahoorpur Village</b> <i>Ridge Area 3,306-15 AnnexureR13 (Pg.1600-1601)</i>	<b>238-03</b>
5.5	<b>Devli Village</b> <i>Ridge Area 5,737-16 AnnexureR14 (Pg.1602-1610)</i>	<b>452-14</b>
5.6	<b>Asola Village</b> <i>Ridge Area 9,268-13 AnnexureR15 (Pg.1611-1615)</i> <i>Encroachment of 869-00 removed (Pg. 1657)</i>	<b>675-00</b>
5.7	<b>Bhati Village</b> <i>Ridge Area 12,845-12 AnnexureR16 (Pg.1616-1619)</i> <i>Encroachment of 1,486-00 removed (Pg. 1657-1661)</i>	<b>477-14</b>
5.8	<b>Maidangarhi Village</b> <i>Ridge Area 5,055-16 AnnexureR17 (Pg.1620-1621)</i>	<b>79-03</b>
5.9	<b>Saidulajab Village</b> <i>Ridge Area 410-07 AnnexureR18 (Pg.1622-1623)</i>	<b>109-04</b>
5.10	<b>Satbari Village</b> <i>Ridge Area 1,625-03 AnnexureR19 (Pg.1624-1625)</i>	<b>181-17</b>
5.11	<b>Jaunapur Village</b> <i>Ridge Area 3,855-18 AnnexureR20 (Pg.1626-1631)</i>	<b>287-05</b>
5.12	<b>Dera Mandi Village</b> <i>Ridge Area 10,821-18 AnnexureR21 (Pg.1632-1641)</i>	<b>399-8.5</b>
5.13	<b>Tughlakabad Village</b> <i>Ridge Area 6,491-16 AnnexureR22 (Pg.1642-43)</i>	<b>403-02</b>
5.14	<b>Pulpehladpur Village</b> <i>Ridge Area 680-18 AnnexureR23 (Pg.1644)</i> <i>Encroachment of 8-00 removed (Pg. 1661)</i>	<b>246-03</b>

5.15	<b>Rajokari Village</b> <i>Ridge Area 3,318-15 AnnexureR24 (Pg.1645-1650)</i> <i>Encroachment of 1-18 removed (Pg. 1661)</i>	-	<b>214-02</b>
5.16	<b>Rangpuri Village</b> <i>Ridge Area 1,793-17 AnnexureR25 (Pg.1651-1655)</i> <i>Encroachment of 9-18 removed (Pg. 1661)</i>	-	<b>246-01</b>
5.17	<b>Mahipalpur Village</b> <i>Ridge Area 92-03 AnnexureR26 (Pg.1656)</i>	-	<b>17-04</b>
5.18	<b>Ghitorni Village</b> <i>Ridge Area 732-14</i>	-	<b>NIL</b>
5.19	<b>Rajpur Khurd Village</b> <i>Ridge Area 60-09</i>	-	<b>NIL”</b>

11. Learned Amicus points out that in respect of areas, which are un-encroached and have already been demarcated and handed over to Forest Department as per stand of the Revenue Secretary as above, final Notification under Section 20 of the Forest Act should be issued forthwith. Such area should be covered by boundary wall/fencing in accordance with Section 6 to 8 of the Forest Act. The Forest Department should prepare Management Plan and the statutory authorities must regularly inspect the area and ensure that it is kept encroachment free. With regard to the remaining, the identified encroached areas should be retrieved in second phase by time bound action plan to be executed and monitored by the authorities for which there should also be high powered oversight Committee. We find merit in the suggestion and we propose to issue directions in these terms.

12. Under the scheme of the Forest Act, once Notification under Section 4 has been issued in respect of decision to constitute Reserved Forest by the State, no right can be acquired therein except by a decision of the State in terms of the said Act. There are provisions to deal with any claims in such area, including the remedy for appeal to the State.

13. Learned Counsel for the Forest Department is unable to point out any meaningful objection to the suggestions of learned Amicus except to submit that there are difficulties in removing encroachments.

14. We may note that the Ridge in Delhi has historical and environmental significance. It is made of quartzite rocks. It has special and distinct features and uses. It is part of Aravali hills. Reference may be made to discussion in Supreme Court judgement in *DDA v. Kenneth Builders & Developers (P) Ltd.*, (2016) 13 SCC 561, at page 576, para 22 as follows :

**“.....non-forestry use of land falling in the Ridge was permitted only after a development project was cleared or recommended by the Ridge Management Board and permitted by this Court.** However, a decision was rendered by the Delhi High Court in a case filed by Ashok Kumar Tanwar [WP (C) No. 3339 of 2011 decided on 30-11-2011 to the effect that a development project on land outside the notified Ridge area but having morphological features conforming to the Ridge would also require clearance from the Ridge Management Board and this Court. **Therefore, as far as the present case is concerned though the project land falls outside the Ridge but has morphological features conforming to the Ridge bringing it within the extended Ridge, the project of DDA involving non-forestry use of the land could be permitted only after obtaining clearance from the Ridge Management Board and after obtaining the permission of this Court.”**

15. We are thus of the view that there is urgent need to take necessary steps to protect the Ridge by taking necessary steps to finalise the notification under section 20 of the Forest Act for reserved forest and protection by appropriate measures. The land about which there is clarity can be included in such notification and the remaining process can be undergone separately but expeditiously. No non-forest activity is permissible in Ridge area.

16. In view of above, we direct that the Delhi Government through the Chief Secretary, Delhi to ensure that requisite Notification under Section 20 of the Indian Forest Act, 1927 is issued within three months in respect of the area about which there is no controversy. Further actions to be taken by the Delhi Government may include suitable protection by fencing/wall and vigilance. Identification of the remaining area and action

plan for removing the encroachments be ensured within next three months. Execution of the action plan will be primarily under the Chief Secretary Delhi, who is also the Chairman of the Ridge Management Board.

17. We direct constitution of an Oversight Committee (OC) to be headed by DG Forest, MoEF&CC, Government of India with the Secretaries Revenue and Forest, Delhi Govt., the PCCF, Delhi, the concerned Deputy Commissioners, Delhi and the nominees of Police Commissioner, Delhi and the Forest Survey of India, Dehradun as members. Main function of the OC will be to oversee progress with regard to the removal of encroachments from the Ridge, its protection by way of fencing/boundary wall and preparation of management plan for its restitution. The Committee will be free to co-opt any other authorities/Experts. The Nodal agency will be the PCCF, Delhi for coordination and compliance. First meeting of the Committee may be held within one month and thereafter review may be undertaken periodically preferably at least once in a month till the action plan is executed.

In view of the above, O.A. No. 58/2013 stands disposed of.

O.A. No. 144/2015 seeks removal of encroachment in South Ridge Forest for which no separate order is necessary. The same will stand disposed of. O.A. No. 116/2015 also seeks removal of encroachments from Rangpuri area in South Delhi which will also stand disposed of. O.A. No. 10/2014 which also involves similar issue has already been disposed of by an earlier order of this Tribunal dated 11.11.2014, wherein M.A. No. 258/2015 has been filed for enforcement of earlier order will also stand disposed of.

We place on record our appreciation for the valuable assistance rendered by learned Amicus.

All pending M.A.s/I.A. will also stand disposed of in view of the order passed in main matter.

A copy of this order be forwarded to DG Forest, MoEF&CC, Government of India with the Secretaries Revenue and Forest, Delhi Govt., the PCCF, Delhi, the concerned Deputy Commissioners, Delhi (through PCCF Delhi) and the nominees of Police Commissioner, Delhi and the Forest Survey of India, Dehradun by mail for compliance.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

January 15, 2021  
Original Application No. 144/2015  
and other connected matters  
SN

**DEPARTMENT OF FORESTS & WILDLIFE  
GOVERNMENT OF NCT OF DELHI  
A-BLOCK, 2<sup>ND</sup> FLOOR, VIKAS BHAWAN  
I.P.ESTATE, NEW DELHI-110002  
TELEPHONE NO-01123370679, EMAIL-pccf-gnctd@delhi.nic.in**

F. No. 1(2497)/Legal/HQ/2020-21 10354-66

Dated: 10.02.2021

**OFFICE ORDER**

In pursuance of the direction of Hon'ble NGT Order dated 15.01.2021 in O.A No. 58/2013 in the Matter of Sonya Ghosh Vs. GNCTD, an **Oversight Committee (OC)** headed by Director General Forest, MoEF&CC, GOI has been constituted and the composition of the committee is as under:

**Composition of the Oversight Committee (OC):**

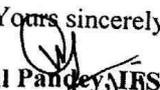
(i)	Director General Forest, MoEF&CC	Chairman
(ii)	Principal Secretary/ Secretary (Revenue), Govt. of NCT of Delhi	Member
(iii)	Principal Secretary/ Secretary (E&F), Govt. of NCT of Delhi	Member
(iv)	Director General (Forest), Forest Survey of India, Dehradun	Member
(v)	The Principal Chief Conservator of Forests, Govt. of NCT of Delhi	Member (Nodal Agency)
(vi)	Special Commissioner of Police	Members
(vii)	Deputy Commissioner (South)	Member
(viii)	Deputy Commissioner (South-West)	Member
(ix)	Deputy Commissioner (New Delhi)	Member
(x)	Deputy Commissioner (South-East)	Member

\* The Oversight Committee may co-opt Addl. Director General of Forests (FC), MoEF&CC, GOI, as one of its member who will be the acting chairperson of the Committee in absence of DGF & SS.

**The mandate of the Oversight Committee (OC) is mentioned as below:**

- (i) To oversee progress with regard to the removal of encroachments from the Ridge;
- (ii) Its protection by way of fencing/boundary wall and preparation of management plan for its restitution.
- (iii) The Nodal agency will be the PCCF, Delhi for coordination and compliance.

This issues with the approval of the Competent Authority.

Yours sincerely,  
  
(Vipul Pandey, IFS)  
DCF (P&M)

F. No. 1(2497)/Legal/HQ/2020-21/10354-66

Dated: 10.02.2021

Copy to:

1. PS to Chief Secretary, Delhi Secretariat, IP Estate, IP Estate, New Delhi.
2. PS to Addl. Chief Secretary, Delhi Secretariat, IP Estate, IP Estate, New Delhi.
3. PS to Director General Forest, MoEF&CC, Jal Wing, 4<sup>th</sup> Floor, MoEF&CC, Indira Paryavaran Bhawana, Jorbagh Road, New Delhi-110003.
4. PS to Principal Secretary/ Secretary (Revenue), Govt. of NCT of Delhi, Office of Divisional Commissioner, Revenue Department (HQ), GNCTD, 5, Sham Nath Marg, Delhi-110054
5. PS to Principal Secretary/ Secretary (E&F), Govt. of NCT of Delhi, C-Wing, Delhi Secretariat.
6. PS to Director General (Forest), Forest Survey of India, Kaulagarh Road, P.O, IPE Dehradun-248195.
7. PS to The Principal Chief Conservator of Forests, Department of Forests and Wildlife, Govt. of NCT of Delhi.
8. PS to Special Commissioner of Police, Office of the Commissioner of Police, Delhi, Police Headquarters, Jai Singh Road, New Delhi 110001.
9. Deputy Commissioner (South), South Delhi, M.B. Road, Saket, New Delhi-110068.
10. Deputy Commissioner (South-West), Old Terminal Tax Building Kapashera, New Delhi-37.
11. Deputy Commissioner (New Delhi), New-Delhi, District Magistrate Office New Delhi, 12/1, Jam Nagar House, Sahajahan Road, New Delhi 110011.
12. Deputy Commissioner (South-East), Old Gargi College Building, Iajpat Nagar-IV New Delhi -110024.

Yours sincerely,

Sd/-

(Vipul Pandey, IFS)

DCF (P&M)

Item No. 23

Court No. 1

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

Execution Application No. 39/2024

In

Original Application No. 58/2013

Sonya Gosh

Applicant

Versus

Govt. of N.C.T. of Delhi &amp; Ors.

Respondent(s)

Date of hearing: 09.04.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Raj Panjwani, Senior Advocate (Amicus Curiae) and Mr. Aayushman Aeron, Advocate in E.A No. 39/2024

Respondent: Ms. Suhasini Sen, Ms. Masooma Rizvi & Ms. Surbhi, Advs. for MoEF & CC  
Mr. Gigi. C. George, Adv. for Delhi Police  
Mr. Siddhant Buxy & Ms. Rupinder Kaur, Advs. for R - 1 & 2  
Mr. Balendu Shekhar & Ms. Tanisha Samanta, Advs. for DPCC (Through VC)  
Ms. Prabhsahay Kaur, Adv. for DDA

**ORDER**

1. By this execution application, the Applicant is seeking compliance with the order dated 15.01.2021 passed in OA No. 144/2015 and OA No. 58/2013.

2. The submission of learned Senior Counsel for the Applicant is that at this stage, the issue needs consideration relating to the issuance of notification under Section 20 of the Indian Forest Act, 1927 in respect of Phase-I of Southern Ridge. He has pointed out that by order dated 15.01.2021, an Oversight Committee was formed headed by the D.G., Forest. He has also referred to Agenda-6 of the minutes of 6<sup>th</sup> meeting of Oversight Committee held on 17.05.2023 and the status of notification under Section 20 of the Act as reflected in Annexure-C to the minutes

dated 06.09.2024 and has submitted that though more than four years have passed after the order of the Tribunal, the final notification under Section 20 has not been issued for Phase-I which relates to the undisputed un-encroached area. He has submitted that these minutes only reflect the movement of file and the gradual reduction of ridge area.

3. Learned Counsel representing the GNCTD has submitted that the Principal Secretary, Environment and Forest has forwarded the draft notification under Section 20 to the Chief Secretary, Delhi which is pending before him. He has sought two weeks time to point out the status and also to disclose the timeline for issuing the final notification.

4. Ms. Prabhsahay Kaur, learned Counsel present in another matter for the DDA has submitted that she will obtain instructions. The DDA is directed to file the reply/response within four weeks to the additional affidavit of Respondent No. 2 dated 05.04.2025 and of Respondent No. 1 dated 18.03.2025.

5. List on 04.07.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

April 09, 2025  
Execution Application No. 39/2024  
In Original Application No. 58/2013  
dv..