

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

Execution Application No. 39 of 2024

IN

Original Application No. 58 of 2013

**IN THE MATTER OF:**

Sonya Ghosh

...Applicant

**VERSUS**

Govt. of NCT of Delhi & Ors.

...Respondents

**LIST OF DOCUMENTS CIRCULATED BY  
MR. RAJ PANJWANI, SR. ADV. (AMICUS CURIAE)**

**INDEX**

<b>No.</b>	<b>Particulars</b>	<b>Pgs.</b>
1.	Affidavit dated 03.04.2019 of the Principal Secretary (Revenue), GNCTD in OA No. 58 of 2013	1108-1250
2.	Order dated 24.07.2015 passed by the Ld. NGT in OA No. 58 of 2013	1251-1252
3.	Order dated 04.02.2016 passed by the Ld. NGT in OA No. 58 of 2013	1253-1255
4.	Order dated 16.08.2016 passed by the Ld. NGT in OA No. 58 of 2013	1256-1260
5.	Order dated 20.12.2017 passed by the Ld. NGT in OA No. 58 of 2013	1261-1263
6.	Order dated 09.02.2018 passed by the Ld. NGT in OA No. 58 of 2013	1264-1267
7.	Order dated 22.05.2019 passed by the Ld. NGT in OA No. 58 of 2013	1268-1270
8.	Judgment dated 28.05.2025 passed by the Hon'ble Supreme Court of India in Bindu Kapurea vs Subhashish Panda & Ors., 2025 INSC 784	1271-1318

# 1107

9.	Judgment dated 15.03.2011 passed by the Hon'ble High Court of Delhi in WP(C) 3338/2001	1319-1337
10.	Judgment dated 24.01.2018 passed by the Hon'ble High Court of Delhi in FAO (OS) No. 200/2017	1338-1432
11.	Judgment dated 24.03.2021 passed by the Hon'ble High Court of Delhi in WP(C) No. 11079/2019	1433-1455
12.	Order dated 08.11.2023 passed by the Hon'ble High Court of Delhi in WP(C) No. 9965/2016	1456-1467
13.	Judgment in Prabhagiya Van Adhikari Awadh Van Prabhag v. Arun Kumar Bhardwaj, (2021) 18 SCC 104	1468-1484

**RAJ PANJWANI, SR. ADVOCATE  
AMICUS CURIAE**

**Filed By:**

*Aayushman  
Aeron*

**AAYUSHMAN AERON**

Advocate for the Applicant

139, Munirka Vihar, New Delhi-110067

Mobile No.: +91-9818670696

E-: aernaayushman@gmail.com

**PLACE: NEW DELHI**

**DATED: 29.07.2025**

1494

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
APPLICATION NO.60 OF 2013**

IN THE MATTER OF:

SONYA GHOSH

...APPLICANT

VERSUS

GOVT. OF NCT OF DELHI &amp; ORS.

...RESPONDENTS

NEXT DATE OF HEARING: 05.04.2019

INDEX

SERIAL NO.	PARTICULAR OF DOCUMENTS	PAGES
1.	AFFIDAVIT OF DIVISIONAL COMMISSIONER CUM PRINCIPAL SECRETARY, REVENUE DEPARTMENT, GNCTD	1496 - 1500
2.	ANNEXURE 1 - DETAILED JOINT STATUS REPORT ON DEMARCATION	1501 - 1506
3.	ANNEXURE 2- COPY OF 19 MAPS ALONG WITH CONSOLIDATED MAP	1507 - 1530
4.	ANNEXURE 3- LIST OF ALLOTMENTS	1531 - 1546
5.	ANNEXURE 4- COPY OF ORDER DATED 29.03.2019	1547
6.	ANNEXURE R-5- LIST OF COURT CASES	1548 - 1573
7.	ANNEXURE R-6- LIST OF MIN KHASRA	1574 - 1578

1495

	NUMBERS WHERE TATTIMA PROCEEDINGS INITIATED IN THE COURT OF RA/SDM	
8.	ANNEXURE R-7- LIST OF KHASRA NUMBERS OF PRIVATE AREA NOTIFIED AS FOREST LAND	1579 - 1583
9.	ANNEXURE R-8- LIST OF KHASRA NUMBERS NOTIFIED IN EXCESS THAN AREA AVAILABLE IN THE REVENUE RECORD	1584 - 1585
10.	ANNEXURE R-9 - VILLAGE WISE DETAIL	1586 - 1587
11.	ANNEXURE R-10-R-26- VILLAGE WISE LIST OF ENCROACHMENTS	1588 - 1653
12.	ANNEXURE R-27- LIST OF VILLAGES FROM WHERE ENCROACHMENT IS REMOVED	1657 - 1661
13.	PROOF OF SERVICE	1662

RESPONDENT

THROUGH

DATE:

PLACE: NEW DELHI

SANJAY DEWAN

ADVOCATE

CHAMBER NO. 167, LAWYERS BLOCK-II

DELHI HIGH COURT

Mob: 9811036782

sdadvocate@rediffmail.com

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

**IN**

**ORIGINAL APPLICATION NO-58 of 2013**

IN THE MATTER OF :-

**Sonya Ghosh**

**...Applicant**

**Versus**

**Government of NCT of Delhi and Others**

**...Respondent**

**AFFIDAVIT**

I, Rajeev Verma, aged about 52 years being the Divisional Commissioner cum Principal Secretary, Revenue Department, GNCT of Delhi, do hereby solemnly affirm and declare as under:

1. That, this Hon'ble Tribunal was pleased to issue directions vide order dated 11-03-2019 directing therein that *"revenue department shall give a complete detail with regard to the khasra number; the total area and the date when such allotments were made. It shall also show as to whether proper approval, in accordance to law, for allotments of forest land had been obtained or not. For the aforesaid exercise, we once again grant opportunity to revenue department to prepare complete maps of all the villages, if required, separately. They should also give the requisite detail as mentioned above. It is further made clear that in case of failure to prepare a complete and proper*

1497

*map before the next date, would entail the officials of the revenue department with coercive orders, which would include cost etc. the map, as well as, other details on an affidavit of Principal Secretary, Revenue Department may be filed before three days of the next date of hearing".*

2. That in compliance to the directions of the Hon'ble Tribunal a detailed joint status report on demarcation and handing over of Forest Land as on 29-03-2019 signed by the Deputy Conservator of Forest (South) and District Magistrate (South) is annexed and marked as **ANNEXURE- 1.**
3. That, the Revenue department and Forest department have conducted joint survey and subsequently with the help of TSM surveyor prepared the TSM survey maps for 19 villages viz. Aya Nagar, Chattarpur, Neb Sarai, Sahoopur, Rajpur khurd, Devli, Asola, Bhati, Maidangarhi, Saidulajab, Satbari, Jaunapur, Dera Mandi, Tughalakabad, Pul Pehlad Pur, Rajokri, Rangpuri, Ghitorni and Mahipalpur. Duly signed Maps by the concerned revenue officials have been handed over to Forest Department. Copies of the said 19 maps along with a consolidated map are marked and annexed as **ANNEXURE-2 (Colly).**
4. That the Revenue Department while preparing the maps have shown separately in different colours the exact status of land. The encroachment free Forest land has been shown in green colour. The land where *Tatima* is not available is shown in green colour with blue

dots. The encroachment on the Forest land has been shown in brown colour strips and lands allotted to the Govt. Departments have been shown in the pattern of stars on the green colour.

5. That, the complete list of allotments has been prepared with the details of khasra numbers, area, date of allotment and the department/agency to which the allotment were made. The list of allotments is annexed and marked as **ANNEXURE-3**. It was found that these allotments post 1994 notification have been made without proper approval in accordance to Law. An inquiry has been ordered with the following terms of reference :

- i. Circumstances in which these allotments have been made without obtaining proper approval in accordance with law;
- ii. Identifying the officers/ officials responsible for above lapse;
- iii. Suggesting further course of action to prevent any such lapse;
- iv. Ascertaining the present status of use of these allotted land parcels and identifying the steps, if any, that may be taken to meet the requirement of law post facto.

Copy of the Order in this regard is at **ANNEXURE-4**.

6. It is further submitted that in cases of land where *Tatima* is not available, the concerned SDMs/RAs have already initiated the process to complete the work.
7. Further, the following directions have been issued to ensure that such deviations/violations of law do not take place in future:

1499

- i. Deputy Commissioners of Revenue Districts shall ensure that khasra numbers of all notified forest lands are entered in Revenue records immediately.
  - ii. A mandatory reference shall be made to Dy. Conservator of forest concerned with a copy to Principal Chief Conservator of Forest before forwarding any proposal of allotment to check that the proposed land does not fall in notified forest lands. Director (Panchayat) shall not process any case of allotment of Gram Sabha Land unless a certificate that the land does not fall in notified forest area is received from Deputy Commissioners concerned.
  - iii. No mutation of forest land shall be effected. If any application is received in this regard, the Dy. Conservator of Forest shall also be informed with a copy to Principal Chief Conservator of Forest, however, the mutation of forest land shall not be carried out, if any mutation of forest land is done, Tehsildar concerned shall be personally held responsible and disciplinary action shall be taken against her/him as per rules.
8. That, the affidavit as directed by this Hon'ble Tribunal is being submitted before this Hon'ble Tribunal for kind consideration and undersigned assures that the orders passed by this Hon'ble Tribunal shall be complied timely in future.

  
**DEPONENT**

1500

**VERIFICATION:**

I, the deponent above-named, do hereby solemnly affirm and declare that the contents of the present affidavit are true and correct to the best of my knowledge and belief and are based upon the documents available in the Department and nothing material has been concealed there from.

Verified at New Delhi on this \_\_\_\_\_ day of April, 2019.



**DEPONENT**

**JOINT STATUS REPORT**

1. That, this is in support to affidavit and in compliance of directions issued by this Hon'ble Tribunal vide order dated 11-03-2019. The following is submitted before this Hon'ble Tribunal.

**Status of Demarcation and handing over of Forest Land as on 29-03-2019:-**

S.No	Title	Area (Bigha-Biswa)	Remarks
1	Total area of Ridge/Forest land in Southern Ridge	71310-18	
2	Total area demarcated with TSM	70941-02	Area notified excess than available in the Revenue Record :- <b>369-16</b> Bigha- Biswa i. Tughlakabad:- 294-10 Bigha-Biswa. ii. Pul Pehladpur:- 0-05 Biswa. iii. Rajokari:- 5-0 Bigha- Biswa. iv. Rangpuri:- 15-01 Bigha- Biswa. v. Mahipalpur:- 55-00 Bigha- Biswa.
3	Total area of Forest land handed over to the Forest Department	65453-04	<b>5487-18</b> Bigha – Biswa area not handed over as explained below:- i. <b>189-10</b> Bigha-Biswa area under stay in Court Cases. ii. <b>1995-13</b> Bigha-Biswa area under <i>Tattima</i> proceedings in the Court of RA/SDM.

			iii. The cases to be settled by the Forest Settlement Officer/ ADM:- a. <b>245-04</b> Bigha – Biswa private area notified. b. Area allotted to the Govt. Depts:- <b>3057-11</b> Bigha-Biswa.
<b>4</b>	The area under stay in court cases	<b>1369-11</b>	The list of Court cases is enclosed as annexure <b>R5</b> .
	a. Stay after area handed over to the Forest Department	<b>1180-01</b>	--
	b. Stay prior to handing over	<b>189-10</b>	--
<b>5</b>	Area under Min khasra nos. where <i>Tattima</i> proceedings initiated in the RA/SDM Court. (Hence not handed over).	<b>1995-13</b>	The list of Min Khasra nos. is enclosed as annexure <b>R6</b> .
<b>6</b>	The cases to be settled by Forest Settlement Officer/ ADM:	<b>3672-04</b>	--
	a. The private area notified as Forest land.	<b>245-04</b>	The list of Khasra nos. is annexed as annexure <b>R7</b> .
	b. The area notified in excess than area available in the Revenue Record	<b>369-16</b>	The list of Khasra nos. is enclosed as annexure <b>R8</b> .
	c. Area	<b>3057-04</b>	The complete list of

1503

	allotted to the Govt. agencies		allotments to the Government departments/agencies has been prepared with the details of khasra numbers, area, date of allotment and the same is annexed and marked as <b>ANNEXURE-3</b> .
7	Boundary wall constructed	i. Boundary wall length: - <b>11196</b> Meters. ii. Fencing: - <b>1500</b> Meters.	The village wise detail is enclosed as annexure <b>R9</b> .
8	No. of pillar fixed	3794	The village wise details is enclosed as annexure <b>R9</b> .
9	No. of Geo-Coordinates on the Map	12573	The village wise details is enclosed as annexure <b>R9</b> .
10	Total area under encroachment	<b>4684-17</b>	i. Village wise list of encroachments are enclosed as annexure <b>R10 to R26</b> ii. <b>2368-07 Bigha-Biswa</b> Encroachment removed. The lists of khasra nos. from which encroachment removed are enclosed as annexure <b>R27</b> iii. The lists of encroachments are forwarded to the Special Task Force (STF) under Chairmanship of Vice-Chairman D.D.A for

18/6/4

			Immediate action and arrangement of necessary Police Force. iv. The religious structures under encroachment are referred to the Religious Committee, Delhi for necessary action.
--	--	--	---

1. That, the Revenue department and Forest department have conducted joint survey and subsequently with the help of TSM surveyor prepared the TSM survey maps for 19 villages viz. Asola, Bhati, Chattarpur, Aya Nagar, Maidangarhi, Satbari, Sahoopur, Saidulajab, Neb Sarai, Jaunapur, Dera Mandi, Devli, Rajpur khurd, Tughalakabd, Pul pehlad pur, Rajokri, Rangpuri, Ghitorni and Mahipalpur. Duly signed Maps by the concerned revenue officials have been handed over to Forest Department. Copies of the said 19 maps along with a consolidated map are marked and annexed as **ANNEXURE-2 (Colly)**.
2. That the Revenue Department while preparing the maps have shown separately in different colours the exact status of land. The encroachment free Forest land has been shown in green colour. The land where *Tatima* is not available is shown in green colour with blue dots. The encroachment on the Forest land has been shown in brown colour strips and lands allotted to the Govt. Departments have been shown in the pattern of stars on the green colour.

1525

3. That, the complete list of allotments has been prepared with the details of khasra numbers, area, date of allotment and the department/agency to which the allotment were made. The list of allotments is annexed and marked as **ANNEXURE-3**. It was found that these allotments post 1994 notification have been made without proper approval in accordance to Law. An inquiry has been ordered with the following terms of reference :

- i. Circumstances in which these allotments have been made without obtaining proper approval in accordance with law;
- ii. Identifying the officers/ officials responsible for above lapse;
- iii. Suggesting further course of action to prevent any such lapse;
- iv. Ascertaining the present status of use of these allotted land parcels and identifying the steps, if any, that may be taken to meet the requirement of law post facto.

Copy of the Order in this regard is at **ANNEXURE-4**.

4. It is further submitted that in cases of land where *Tatima* is not available, the concerned SDMs/RAs have already initiated the process to complete the work.
5. Further, the following directions have been issued to ensure that such deviations/violations of law do not take place in future:
- i. Deputy Commissioners of Revenue Districts shall ensure that khasra numbers of all notified forest lands are entered in Revenue records immediately.

- ii. A mandatory reference shall be made to Dy. Conservator of forest concerned with a copy to Principal Chief Conservator of Forest before forwarding any proposal of allotment to check that the proposed land does not fall in notified forest lands. Director (Panchayat) shall not process any case of allotment of Gram Sabha Land unless a certificate that the land does not fall in notified forest area is received from Deputy Commissioners concerned.
- iii. No mutation of forest land shall be effected. If any application is received in this regard, the Dy. Conservator of Forest shall also be informed with a copy to Principal Chief Conservator of Forest, however, the mutation of forest land shall not be carried out, if any mutation of forest land is done, Tehsildar concerned shall be personally held responsible and disciplinary action shall be taken against her/him as per rules.

  
DM (South)

  
DCF (South)

1531

## ANNEXURE-RE

## LIST OF LAND ALLOTTED TO THE GOVT. DEPARTMENTS (TO BE SETTLED BY FOREST SETTLEMENT OFFICER/ ADM)

SL. NO.	KHASRA NO.	AREA	ALLOTTEE	DATE OF ALLOTMENT	FINAL ALLOTMENT APPROVED BY
ALLOTMENT PRIOR TO NOTIFICATION IN THE YEAR 24/5/1994					
VILLAGE CHATTARPUR					
1	89	4-16	GOVT. SCHOOL	Prior to 1989	*Allotted by Gram Pradhan
2	90	4-16	GOVT. SCHOOL	Prior to 1989	*Allotted by Gram Pradhan
3	95	4-16	GOVT. SCHOOL	Prior to 1989	*Allotted by Gram Pradhan
4	96	4-16	GOVT. SCHOOL	Prior to 1989	*Allotted by Gram Pradhan
5	158	4-16	DELHI JAL BAORD	02.02.1994	GNCT of Delhi
6	159	4-12	DELHI JAL BAORD	02.02.1994	GNCT of Delhi
VILLAGE RAIPUR KHURD					
7	172	1-0	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
8	173	1-1	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
9	174	1-0	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
10	175	4-0	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan Khurd
11	176	4-16	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
12	177	5-7	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
13	179	4-10	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
14	185/2	1-16	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
15	186	3-16	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
16	192	1-16	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
17	193	4-16	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
18	194	5-18	NCIPM (ICAR)	06.01.1989	*Allotted by Gram Pradhan
19	20	1-15	RASTA	SIZRA ROAD	During Chakbandi
20	210	2-18	RASTA	SIZRA ROAD	During Chakbandi
21	44	1-06	RASTA	SIZRA ROAD	During Chakbandi
22	90	6-03	RASTA	SIZRA ROAD	During Chakbandi
23	171	5-13	RASTA	SIZRA ROAD	During Chakbandi

24	195	2-18	RASTA	SIZRA ROAD	During Chakbandi
<b>VILLAGE AOSLA</b>					
25	1754	29-3	20 PP PLOTS	27.07.1983	*Allotted by Gram Pradhan
<b>VILLAGE BHATI</b>					
26	Nil	Nil	Nil	Nil	Nil
<b>VILLAGE NEB SARAI</b>					
27	Nil	Nil	Nil	Nil	Nil
<b>VILLAGE MAIDAN GARHI</b>					
28	569 MIN	85-0	20 PP ALLOTMENT CASE PENDING	1985-86	*Allotted by Gram Pradhan
29	687/570	32-5	IGNOU	20.07.1993	GNCT of Delhi
30	631	129-0	IGNOU	20.07.1993	GNCT of Delhi
<b>VILLAGE SAIDULAJAB</b>					
31	254	9-12	Primary School & Recreation Centre	Prior to 1989	*Allotted by Gram Pradhan
32	221 Min	90-0	DTTDC Five Sense Park.	29.03.1985	GNCT of Delhi
<b>VILLAGE JONAPUR</b>					
33	66/2	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
34	66/3	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
35	66/4	2-19	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
36	66/5	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
37	66/6	4-6	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
38	66/7	3-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
39	66/8	4-12	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
40	66/9	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
41	66/12	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
42	66/13	3-5	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
43	66/14	5-3	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
44	66/15	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi

45	66/17	5-18	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
46	66/18	2-6	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
47	66/19	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
48	66/22	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
49	66/23/1	1-18	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
50	66/23/2	1-14	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
51	66/24	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
52	66/25	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
53	66/26	0-12	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
54	80//2	5-12	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
55	80//3	2-13	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
56	80//4	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
57	80//5	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
58	80//6	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
59	80//7	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
60	80//8	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
61	80//9/1	1-8	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
62	80//9/2	2-5	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
63	80//13	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi

64.	80//14	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
65	80//15	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
66	80//16	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
67	80//17	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
68	80//18	4-16	Marfat Neem Karoli Sewa Trust (lease agreement for 99 Years)	10.02.1992	GNCT of Delhi
<b>VILLAGE DERA MANDI</b>					
69	206	23-16	GOVERNMENT SCHOOL	Prior to 1989	*ALLOTTED BY PRADHAN
70	215	2-16	SAMSHAN BHUMI	Prior to 1989	*ALLOTTED BY PRADHAN
71	5	77-13	DELHI TAL BOARD	08.02.2008	GNCT of Delhi
72	68/24	1-12	MCD School	Prior to 1989	GNCT of Delhi
73	103/20/1	2-7	Govt. School	Prior to 1989	GNCT of Delhi
<b>VILLAGE RAJOKARI</b>					
74	1850	4-16	Education department	24-01-91	GNCT of Delhi
75	1851	4-16	Education department	24-01-91	GNCT of Delhi
76	1852	4-16	Education department	24-01-91	GNCT of Delhi
77	1853	5-8	Education department	24-01-91	GNCT of Delhi
78	1856	3-2	Education department	24-01-91	GNCT of Delhi
79	1857	4-17	Education department	24-01-91	GNCT of Delhi
80	1858	5-9	Education department	24-01-91	GNCT of Delhi
81	1859	4-0	Education department	24-01-91	GNCT of Delhi
82	1861	4-7	Education department	24-01-91	GNCT of Delhi
83	1862	4-16	Education department	24-01-91	GNCT of Delhi
84	1863	4-16	Education department	24-01-91	GNCT of Delhi
85	1864	4-16	Education department	24-01-91	GNCT of Delhi
86	1873	4-16	Education department	24-01-91	GNCT of Delhi
87	1874	4-16	Education department	24-01-91	GNCT of Delhi
88	1875	4-16	Education department	24-01-91	GNCT of Delhi
89	1876	1-7	Education department	24-01-91	GNCT of Delhi
90	1877	1-17	Education department	24-01-91	GNCT of Delhi
91	1879	2-10	Education department	24-01-91	GNCT of Delhi
92	1881	4-3	Education department	24-01-91	GNCT of Delhi
93	2052	4-8	Education department	24-01-91	GNCT of Delhi
94	2053	6-0	Education department	24-01-91	GNCT of Delhi
95	2054	5-3	Education department	24-01-91	GNCT of Delhi
96	2055	3-9	Education department	24-01-91	GNCT of Delhi
97	2056	1-7	Education department	24-01-91	GNCT of Delhi

			department		
VILLAGE RANGPURI					
98	1331	3-8	DDA	30-03-81	GNCT of Delhi
99	1335	1-1	DDA	30-03-81	GNCT of Delhi
100	1336	2-6	DDA	30-03-81	GNCT of Delhi
101	1337	6-13	DDA	30-03-81	GNCT of Delhi
102	1338	6-4	DDA	30-03-81	GNCT of Delhi
103	1339	4-16	DDA	30-03-81	GNCT of Delhi
104	1340	3-5	DDA	30-03-81	GNCT of Delhi
105	1341	6-7	DDA	30-03-81	GNCT of Delhi
106	1342	5-19	DDA	30-03-81	GNCT of Delhi
107	1343	4-8	DDA	30-03-81	GNCT of Delhi
108	1344	3-12	DDA	30-03-81	GNCT of Delhi
109	1345	2-12	DDA	30-03-81	GNCT of Delhi
110	1346	6-8	DDA	30-03-81	GNCT of Delhi
111	1347	4-16	DDA	30-03-81	GNCT of Delhi
112	1348	4-16	DDA	30-03-81	GNCT of Delhi
113	1349	4-16	DDA	30-03-81	GNCT of Delhi
114	1350	4-16	DDA	30-03-81	GNCT of Delhi
115	1351	4-16	DDA	30-03-81	GNCT of Delhi
116	1352	4-16	DDA	30-03-81	GNCT of Delhi
117	1353	4-16	DDA	30-03-81	GNCT of Delhi
118	1354	4-16	DDA	30-03-81	GNCT of Delhi
119	1355	4-16	DDA	30-03-81	GNCT of Delhi
120	1356	4-16	DDA	30-03-81	GNCT of Delhi
121	1357	4-16	DDA	30-03-81	GNCT of Delhi
122	1358	4-16	DDA	30-03-81	GNCT of Delhi
123	1359	4-16	DDA	30-03-81	GNCT of Delhi
124	1360	4-16	DDA	30-03-81	GNCT of Delhi
125	1361	4-16	DDA	30-03-81	GNCT of Delhi
126	1362	4-16	DDA	30-03-81	GNCT of Delhi
127	1363	4-16	DDA	30-03-81	GNCT of Delhi
128	1364	4-16	DDA	30-03-81	GNCT of Delhi
129	1365	4-12	DDA	30-03-81	GNCT of Delhi
130	1366	2-8	DDA	30-03-81	GNCT of Delhi
131	1367	2-9	DDA	30-03-81	GNCT of Delhi
132	1382	6-0	DDA	30-03-81	GNCT of Delhi
133	1383	4-16	DDA	30-03-81	GNCT of Delhi
134	1384	3-4	DDA	30-03-81	GNCT of Delhi
135	1385	4-16	DDA	30-03-81	GNCT of

136	1512	4-16	DDA	30-03-81	Delhi GNCT of Delhi
137	1517	2-16	DDA	30-03-81	GNCT of Delhi
138	1518	4-16	DDA	30-03-81	GNCT of Delhi
139	1519	4-16	DDA	30-03-81	GNCT of Delhi
140	1741	0-4	DDA	30-03-81	GNCT of Delhi
<b>VILLAGE Mahipalpur</b>					
141	834	2-0	DDA	5.10.89	GNCT of Delhi
142	838/1	1-10	DDA	5.10.89	GNCT of Delhi
143	838/2	1-12	DDA	5.10.89	GNCT of Delhi
144	838/3	3-2	DDA	5.10.89	GNCT of Delhi
145	839/2	2-4	DDA	5.10.89	GNCT of Delhi
146	840	2-16	DDA	5.10.89	GNCT of Delhi
147	841/1	2-10	DDA	5.10.89	GNCT of Delhi
148	841/2	1-7	DDA	5.10.89	GNCT of Delhi
149	841/3	1-2	DDA	5.10.89	GNCT of Delhi
150	843/2	1-2	DDA	5.10.89	GNCT of Delhi
151	843/5	5-17	DDA	5.10.89	GNCT of Delhi
152	876/2	4-10	DDA	5.10.89	GNCT of Delhi
153	879/1/2	1-3	DDA	5.10.89	GNCT of Delhi
154	879/2	1-5	DDA	5.10.89	GNCT of Delhi
155	880/1	1-2	DDA	5.10.89	GNCT of Delhi
156	881/1	3-2	DDA	5.10.89	GNCT of Delhi
157	1315/2	0-19	DDA	5.10.89	GNCT of Delhi
	<b>Total (Pre Notification 1994)</b>	<b>1066-19</b>			
<b>ALLOTMENT AFTER THE NOTIFICATION IN THE YEAR 24/5/1994</b>					
<b>VILLAGE CHATTARPUR</b>					
158	142/1	2-06	MCD	09.07.2001	GNCT of Delhi

159	143/1	2-10	MCD	09.07.2001	GNCT of Delhi
160	144/1	2-0	MCD	09.07.2001	GNCT of Delhi
161	145/1	0-08	MCD	09.07.2001	GNCT of Delhi
162	280	0-02	MCD	09.07.2001	GNCT of Delhi
163	298/2	0-07	MCD	09.07.2001	GNCT of Delhi
164	28	4-16	DTTDC	15.02.2010	GNCT of Delhi
165	30	4-16	DTTDC	15.02.2010	GNCT of Delhi
166	133	2-0	TRANSPORT DEPTT.	26.04.2005	GNCT of Delhi
167	179	6-4	T.T.E	15.06.2006	GNCT of Delhi
168	180	5-8	T.T.E	15.06.2006	GNCT of Delhi
169	181	4-16	T.T.E	15.06.2006	GNCT of Delhi
170	182	4-4	T.T.E	15.06.2006	GNCT of Delhi
171	183	3-5	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
172	184	4-16	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
173	185	4-16	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
174	186	4-16	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
175	188	4-16	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
176	189	4-0	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
177	190	6-12	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
178	191	4-9	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
179	192	4-16	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
180	193	4-7	DHS FOR HOSPITAL	18.09.2007	GNCT of Delhi
<b>VILLAGE RAJPUR KHURD</b>					
181	NH	NH	NH	NH	NH
<b>VILLAGE ASOLA</b>					
182	1593	28-5	DIRECTORATE OF EDU. NCT OF DELHI	28.01.2015	GNCT of Delhi
183	1643	1-0	CHAUPAL	2007	GNCT of Delhi
184	1157	6-2	DELHI POLICE	25.03.2015	GNCT of Delhi
<b>VILLAGE Bhati</b>					
185	1311	02-03	Jal Board Department	19.12.2007	GNCT of Delhi
<b>VILLAGE NEB SARAI</b>					
186	420	0-8	Health Department for Dispensary	06.09.2011	GNCT of Delhi
187	96 MIN	4-4	Barat Ghar & Park	2004	GNCT of Delhi
188	74	4-16	DSHDC.	08.06.2007	GNCT of Delhi
189	75	4-11	DSHDC.	08.06.2007	GNCT of Delhi
190	76	2-08	DSHDC.	08.06.2007	GNCT of Delhi
191	77	3-10	DSHDC.	08.06.2007	GNCT of Delhi
192	82	3-06	DSHDC.	08.06.2007	GNCT of Delhi
193	83	4-14	DSHDC.	08.06.2007	GNCT of Delhi
<b>VILLAGE MAIDANGARHI</b>					
194	632	11-5	IGNOU University	25.11.2014	GNCT of

195	391	5-15	SAARC UNIVERSITY	25.11.2014	Delhi GNCT of Delhi
<b>VILLAGE SAIDULAJAB</b>					
196	224	28-15	DTTDC for Tourism Complex	05.04.2005	GNCT of Delhi
197	242	1-10	Rural Medical Society for Hospital	15.03.1994	GNCT of Delhi
198	277 min	10-7	DDH Development Deptt. for construction of park.	23.07.2008	GNCT of Delhi
<b>VILLAGE JAUNAPUR</b>					
199	29//10	4-8	Education Department	17.02.2015	GNCT of Delhi
200	29//9/2	2-10	Education Department	17.02.2015	GNCT of Delhi
201	29//11	4-16	Education Department	17.02.2015	GNCT of Delhi
202	29//12/1	2-3	Education Department	17.02.2015	GNCT of Delhi
203	29//21/1	3-14	Education Department	17.02.2015	GNCT of Delhi
204	30//16	2-18	Education Department	17.02.2015	GNCT of Delhi
205	30//25	3-10	Education Department	17.02.2015	GNCT of Delhi
206	31//5 Min	2-19	Education Department	17.02.2015	GNCT of Delhi
207	31//7	1-10	Education Department	17.02.2015	GNCT of Delhi
208	29/1	3-10	Education Department	17.02.2015	GNCT of Delhi
209	2/1	2-0	Education Department	17.02.2015	GNCT of Delhi
210	10	4-8	Education Department	17.02.2015	GNCT of Delhi
211	9/2	2-10	Education Department	17.02.2015	GNCT of Delhi
212	11	4-16	Education Department	17.02.2015	GNCT of Delhi
213	12/1	2-3	Education Department	17.02.2015	GNCT of Delhi
214	21/1	3-14	Education Department	17.02.2015	GNCT of Delhi
215	20	5-10	Education Department	17.02.2015	GNCT of Delhi
216	30/16	2-18	Education Department	17.02.2015	GNCT of Delhi
217	25	3-10	Education Department	17.02.2015	GNCT of Delhi
218	31/5 Min	2-19	Education Department	17.02.2015	GNCT of Delhi
219	31/7	1-10	Education Department	17.02.2015	GNCT of Delhi
220	105/1	4-16	Dy.Comm. (South Zone ) SDMC, For construction of	24.02.2016	GNCT of Delhi

			primary school.		
221	105/2	2-12	Dy.Comm. (South Zone ) SDMC, For construction of primary school	24.02.2016	GNCT of Delhi
222	105/10	2-10	Dy.Comm. (South Zone ) SDMC, For construction of primary school	24.02.2016	GNCT of Delhi
223	104/4	2-8	Dy.Comm. (South Zone ) SDMC, For construction of primary school.	24.02.2016	GNCT of Delhi
224	104/5	3-12	Dy.Comm. (South Zone ) SDMC, For construction of primary school	24.02.2016	GNCT of Delhi
225	45//8 Min	0-6	MTNL	17.05.2002	GNCT of Delhi
226	79/22	4-16	T.T.E, GNCTD	22.01.2013	GNCT of Delhi
227	79/23	4-7	T.T.E, GNCTD	27.04.2012	GNCT of Delhi
228	24/1/2 min	4-16	T.T.E, GNCTD	27.04.2012	GNCT of Delhi
229	80/22	4-16	T.T.E, GNCTD	22.01.2013	GNCT of Delhi
230	80/23	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
231	80/24	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
232	80/25	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
233	91/1	4-16	T.T.E, GNCTD	22.01.2013	GNCT of Delhi
234	91/2	4-16	T.T.E, GNCTD	22.01.2013	GNCT of Delhi
235	91/3	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
236	91/4	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
237	91/5	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
238	91/6	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
239	91/7	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
240	91/8	4-16	T.T.E, GNCTD	31.10.2011	GNCT of Delhi
241	91/9	4-16	T.T.E, GNCTD	22.01.2013	GNCT of Delhi
242	91/10	4-16	T.T.E, GNCTD	22.01.2013	GNCT of Delhi
243	91//14	4-16	Education Department	31.10.2011	GNCT of Delhi
244	91//15	4-16	Education Department	31.10.2011	GNCT of Delhi
245	91//16	4-16	Education Department.	31.10.2011	GNCT of Delhi

246	91//17	4-16	Education Department	31.10.2011	GNCT of Delhi
247	91//25	4-16	Education Department	31.10.2011	GNCT of Delhi
248	92/2	4-16	Education Department	22.01.2013	GNCT of Delhi
249	92/3	4-16	Education Department	27.04.2012	GNCT of Delhi
250	92/4/1/2	3-13	Education Department	27.04.2012	GNCT of Delhi
251	92/5	4-16	Education Department	22.01.2013	GNCT of Delhi
252	92/6	4-16	Education Department	22.01.2013	GNCT of Delhi
253	92/7	4-8	Education Department	22.01.2013	GNCT of Delhi
254	92/8	4-0	Education Department	27.04.2012	GNCT of Delhi
255	92/9	4-16	Education Department	27.04.2012	GNCT of Delhi
256	92/10	4-16	Education Department	27.04.2012	GNCT of Delhi
257	92/11	4-16	Education Department	27.04.2012	GNCT of Delhi
258	92/12	4-16	Education Department	27.04.2012	GNCT of Delhi
259	92/13/1	1-16	Education Department	27.04.2012	GNCT of Delhi
260	92/13/2	1-16	Education Department	27.04.2012	GNCT of Delhi
261	92/19	5-0	Education Department	27.04.2012	GNCT of Delhi
262	92/20	4-16	Education Department	27.04.2012	GNCT of Delhi
263	92/21	4-16	Education Department	27.04.2012	GNCT of Delhi
264	92/22	3-17	Education Department	27.04.2012	GNCT of Delhi
265	127	28-3	DSIIDC	26.07.2007	GNCT of Delhi
266	128	6-11	DSIIDC	26.07.2007	GNCT of Delhi
267	129	8-5	DSIIDC	26.07.2007	GNCT of Delhi
268	130	23-2	DSIIDC	26.07.2007	GNCT of Delhi
269	131 Min	96-11	DSIIDC	26.07.2007	GNCT of Delhi
270	132 Min	46-1	DSIIDC	26.07.2007	GNCT of Delhi
271	79/2	4-0	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
272	79/8/1	1-14	For setting of Nature Care Home	22.01.2013	GNCT of Delhi

1591

273	79/8/2	2-17	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
274	79/9	4-16	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
275	79/12	4-16	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
276	79/13/1	3-4	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
277	79/13/2	1-12	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
278	79/18/1	1-18	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
279	79/18/2	2-18	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
280	79/19	4-16	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
281	79/22	4-16	For setting of Nature Care Home	22.01.2013	GNCT of Delhi
282	31/6 Min	1-7	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
283	31/14	3-4	For setting of Nature Care Home	22/01/2013	GNCT of Delhi
284	31/16	4-16	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
285	31/23	2-15	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
286	31/17	5-5	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
287	31/24	4-16	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
288	31/25	4-16	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
289	32/10/2	3-1	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
290	32/11	4-7	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
291	32/20	4-2	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
292	32/21	4-7	Shri Ram Arpan Nidhi	22/01/2013	GNCT of Delhi
<b>VILLAGE DERA MANDI</b>					
293	56/8/2	1-0	GOVT. OF NCT OF DELHI DIRECTORATE OF EDUCATION	27-04-2015	GNCT of Delhi
294	56/13/1	4-10	GOVT. OF NCT OF DELHI DIRECTORATE OF EDUCATION	27-04-2015	GNCT of Delhi
295	123//4/1	1-12	DSHDC	16.10.2007	GNCT of Delhi
296	123//7	4-16	DSHDC	16.10.2007	GNCT of Delhi
297	123//8	4-16	DSHDC	16.10.2007	GNCT of Delhi
298	123//13	4-16	DSHDC	16.10.2007	GNCT of Delhi

1542

299	123//14	4-16	DSHDC	16.10.2007	GNCT of Delhi
300	55/16/2	0-7	Education Department, GNCTD	27/04/2015	GNCT of Delhi
301	182/20//2	3-16	DTC	26.11.2008	GNCT of Delhi
302	13	4-16	DTC	26.11.2008	GNCT of Delhi
303	14	4-16	DTC	26.11.2008	GNCT of Delhi
304	15	4-12	DTC	26.11.2008	GNCT of Delhi
305	16	4-16	DTC	26.11.2008	GNCT of Delhi
306	17	4-16	DTC	26.11.2008	GNCT of Delhi
307	24//2	1-18	DTC	26.11.2008	GNCT of Delhi
308	25	4-19	DTC	26.11.2008	GNCT of Delhi
309	142//1	4-14	DSHDC	16.10.2007	GNCT of Delhi
310	142//2	4-16	DSHDC	16.10.2007	GNCT of Delhi
311	142//3/1	1-9	DSHDC	16.10.2007	GNCT of Delhi
312	142//3/2	1-9	DSHDC	16.10.2007	GNCT of Delhi
313	142//4	4-06	DSHDC	16.10.2007	GNCT of Delhi
314	142//5	4-15	DSHDC	16.10.2007	GNCT of Delhi
315	142//6	4-16	DSHDC	16.10.2007	GNCT of Delhi
316	142//7	4-9	DSHDC	16.10.2007	GNCT of Delhi
317	142//8/1	1-9	DSHDC	16.10.2007	GNCT of Delhi
318	142//8/2	3-14	DSHDC	16.10.2007	GNCT of Delhi
319	142//9	4-16	DSHDC	16.10.2007	GNCT of Delhi
320	142//10	4-16	DSHDC	16.10.2007	GNCT of Delhi
321	142//11	4-16	DSHDC	16.10.2007	GNCT of Delhi
322	142//13/2	1-9	DSHDC	16.10.2007	GNCT of Delhi
323	142//14	4-13	DSHDC	16.10.2007	GNCT of Delhi
324	142//25	4-19	DSHDC	16.10.2007	GNCT of Delhi
325	143//1	4-16	DSHDC	16.10.2007	GNCT of Delhi

326	143//2	4-16	DSHDC	16.10.2007	GNCT of Delhi
327	143//3	4-16	DSHDC	16.10.2007	GNCT of Delhi
328	143//4	4-16	DSHDC	16.10.2007	GNCT of Delhi
329	143//5	4-16	DSHDC	16.10.2007	GNCT of Delhi
330	143//6	4-16	DSHDC	16.10.2007	GNCT of Delhi
331	143//7	4-16	DSHDC	16.10.2007	GNCT of Delhi
332	143//8	4-16	DSHDC	16.10.2007	GNCT of Delhi
333	143//9	4-16	DSHDC	16.10.2007	GNCT of Delhi
334	143//10	4-16	DSHDC	16.10.2007	GNCT of Delhi
335	143//11	4-16	DSHDC	16.10.2007	GNCT of Delhi
336	143//12	4-16	DSHDC	16.10.2007	GNCT of Delhi
337	143//13	4-16	DSHDC	16.10.2007	GNCT of Delhi
338	143//14	4-16	DSHDC	16.10.2007	GNCT of Delhi
339	143//15	4-16	DSHDC	16.10.2007	GNCT of Delhi
340	143//16	4-16	DSHDC	16.10.2007	GNCT of Delhi
341	143//17	4-16	DSHDC	16.10.2007	GNCT of Delhi
342	143//18	4-16	DSHDC	16.10.2007	GNCT of Delhi
343	143//19	4-16	DSHDC	16.10.2007	GNCT of Delhi
344	143//20	4-16	DSHDC	16.10.2007	GNCT of Delhi
345	143//21	4-16	DSHDC	16.10.2007	GNCT of Delhi
346	143//22	4-16	DSHDC	16.10.2007	GNCT of Delhi
347	143//23	4-16	DSHDC	16.10.2007	GNCT of Delhi
348	143/24	4-16	DSHDC	16.10.2007	GNCT of Delhi
349	143/25/1	1-12	DSHDC	16.10.2007	GNCT of Delhi
350	156//1	4-12	DSHDC	16.10.2007	GNCT of Delhi
351	156//2	4-12	DSHDC	16.10.2007	GNCT of Delhi
352	156//3	4-12	DSHDC	16.10.2007	GNCT of Delhi

353	156//4/1	3-12	DSHDC	16.10.2007	GNCT of Delhi
354	156//10	4-12	DSHDC	16.10.2007	GNCT of Delhi
355	156//11	4-12	DSHDC	16.10.2007	GNCT of Delhi
356	156//20	4-12	DSHDC	16.10.2007	GNCT of Delhi
357	156//21	4-12	DSHDC	16.10.2007	GNCT of Delhi
358	170//4	4-12	DSHDC	16.10.2007	GNCT of Delhi
359	170//8	4-16	DSHDC	16.10.2007	GNCT of Delhi
360	170//9	4-16	DSHDC	16.10.2007	GNCT of Delhi
361	170//10	4-16	DSHDC	16.10.2007	GNCT of Delhi
362	170//11	4-16	DSHDC	16.10.2007	GNCT of Delhi
363	170//12	4-16	DSHDC	16.10.2007	GNCT of Delhi
364	170//13	4-16	DSHDC	16.10.2007	GNCT of Delhi
365	170//17/2	0-12	DSHDC	16.10.2007	GNCT of Delhi
366	170//18	4-16	DSHDC	16.10.2007	GNCT of Delhi
367	170//19	4-16	DSHDC	16.10.2007	GNCT of Delhi
368	170//20	4-16	DSHDC	16.10.2007	GNCT of Delhi
368	170//21	4-16	DSHDC	16.10.2007	GNCT of Delhi
369	170//22	4-16	DSHDC	16.10.2007	GNCT of Delhi
370	170//23	4-16	DSHDC	16.10.2007	GNCT of Delhi
371	170//24/2	0-12	DSHDC	16.10.2007	GNCT of Delhi
<b>VILLAGE RANGPURI</b>					
378	771	5-14	DDA	22-06-99	GNCT of Delhi Board
379	1071	5-6	PWD	26-02-99	GNCT of Delhi
380	1072	2-14	PWD	26-02-99	GNCT of Delhi
381	1260	4-10	DDA	07-01-99	GNCT of Delhi
382	1261	3-8	DDA	07-01-99	GNCT of Delhi
383	1262	5-19	DDA	07-01-99	GNCT of Delhi

1545

384	1263	6-3	DDA	07-01-99	GNCT of Delhi
385	1264	4-10	DDA	07-01-99	GNCT of Delhi
386	1329	6-0	DDA	07-01-99	GNCT of Delhi
387	1396	4-13	DDA	07-01-99	GNCT of Delhi
388	1397	4-10	DDA	07-01-99	GNCT of Delhi
389	1421	4-16	PWD	26-02-99	GNCT of Delhi
390	1460	4-9	PWD	15-07-98	GNCT of Delhi
391	1461	4-16	PWD	15-07-98	GNCT of Delhi
392	1462	4-16	PWD	15-07-98	GNCT of Delhi
393	1463	4-16	PWD	15-07-98	GNCT of Delhi
394	1464	4-16	PWD	15-07-98	GNCT of Delhi
	1467	4-16	PWD	15-07-98	GNCT of Delhi
395	1471	4-16	PWD	15-07-98	GNCT of Delhi
396	1472	4-16	PWD	15-07-98	GNCT of Delhi
397	1473	4-16	PWD	15-07-98	GNCT of Delhi
398	1474	4-16	PWD	15-07-98	GNCT of Delhi
399	1479	4-16	PWD	15-07-98	GNCT of Delhi
400	1482	4-16	PWD	15-07-98	GNCT of Delhi
401	1484	4-16	PWD	15-07-98	GNCT of Delhi
402	1490	4-16	PWD	15-07-98	GNCT of Delhi
403	1491	4-16	PWD	15-07-98	GNCT of Delhi
404	1493	4-16	PWD	15-07-98	GNCT of Delhi
405	1494	3-17	PWD	15-07-98	GNCT of Delhi
406	1495/1	4-16	PWD	15-07-98	GNCT of Delhi
407	1797	5-2	PWD	15-07-98	GNCT of Delhi
408	1800	4-16	PWD	15-07-98	GNCT of Delhi
409	1801	4-16	PWD	15-07-98	GNCT of Delhi

1545

410	1812	3-2	PWD	26-02-99	GNCT of Delhi
411	1814	5-7	PWD	15-07-98	GNCT of Delhi
412	1819	4-16	PWD	15-07-98	GNCT of Delhi
413	1820	4-16	PWD	15-07-98	GNCT of Delhi
414	1821	4-16	PWD	15-07-98	GNCT of Delhi
415	1822	4-16	PWD	15-07-98	GNCT of Delhi
416	1824	4-16	PWD	15-07-98	GNCT of Delhi
	<b>Total (Post Notification 1994)</b>	<b>1990-15</b>			
	<b>Grand Total (Pre+ Post Notifications)</b>	<b>3057-04</b>			

\*Prior to 1989 the Gram Sabha lands were managed by the Panchayats and allotment was done by the Pradhan of respective Panchayats.

R-7

1547

OFFICE OF THE PR. SECRETARY-CUM-DIVISIONAL COMMISSIONER  
DEPARTMENT OF REVENUE, GOVT. OF NCT OF DELHI  
3 SHANARATI MARG, NEW DELHI-110004

No.PA/DM(S)/2019/408/CH.No.106438/1/13

Date: 29/03/2019

ORDER

**Sub: Inquiry regarding allotment of forest land in Southern Ridge post 1994 notification.**

Whereas in Sonva Ghazi matter in PA No. 38/2013, an exercise was carried out on the decision of Wildlife NCF and it has been found that a number of allotments of forest land in Southern Ridge have been made after 1994 notification without obtaining proper approval in accordance to law.

Now, therefore, Sanjiv Verma, District Magistrate (South West), Government of NCT of Delhi is hereby appointed as Inquiry Officer to conduct an inquiry with the following terms of reference:-

- i) Circumstances in which these allotments have been made without obtaining proper approval in accordance with law.
- ii) Identifying the officers/officials responsible for these lapses.
- iii) Suggesting to the concerned authorities preventive measures.
- iv) Ascertaining the present status of these alienated land parcels and identifying the steps, if any, that may be taken to rectify the requirement of law post facto.

Sanjiv Verma, District Magistrate (South West), Government of NCT of Delhi will complete the said inquiry and submit the report along with recommendations in 30 days.

(S) JEEV VERMA

PR. SECRETARY-CUM-DIVISIONAL COMMISSIONER

DR. RAHUL SINGH  
District Magistrate (South West)

No.PA/DM(S)/2019/418/CH.No.106438/1/13

Date: 27/03/2019

Copy for circulation:-

- 1. The Principal Secretary to Hon. Min. of Govt. of Delhi.
- 2. The OIC to OIA, South Wing, G-10, Noida, Greater Noida.
- 3. The Joint Chief Conservator of Forests (C-III), Forest Department, Delhi.
- 4. The District Magistrate (South West), New Delhi.
- 5. The District Magistrate (South West), District College Bldg., New Delhi.
- 6. The District Magistrate (New Delhi), Jan Nagar House, New Delhi.
- 7. The Director, Planning, GNCTD, Delhi.
- 8. The Dy. Commissioner (I) (R.O.), Revenue Deptt., GNCTD, Delhi.

(S) JEEV VERMA

PR. SECRETARY-CUM-DIVISIONAL COMMISSIONER

## Annexure-R5

## Area under Stay of Court Cases:-

S. No.	WPC / Case No.	Case Title	Order	Area and Kh.Nos.
1	Civil writ Petition no. 6579/2018 (Asola Village)	Radha Soami Satsang Beas and Anr v/s Govt of NCT, Delhi	NDOH-10/07/2019. Vide order dated 11/06/2018 the court directed for no coercive action against the Petitioners till next date of hearing. This interim order is still continued.	Total area:- <b>696-10</b> Bigha-Biswa i. Stay after handed over:- Total area :- <b>612-09</b> Bigha - Biswa (Kh.No. 1736 (11-01), 1748 (28-16), 1749 (6-5), 1746(36-0), 1738 (0-14), 1740 (5-07), 1742 (4-0), 1744 (25-11), 1750(170-0), 1573 (1-0), 1576 (19-12), 1552 (103-08), 1547 (5-4), 1517 (17-19), 1528 (8-0), 1552 (23-10), 1521 (14-09), 1523 (32-14), 1590 (0-7), 1586 (1-12), 1582 (1-09), 1506 (17-14), 1498 (29-10), 1500 (37-19), 654 (8-0), 1490 (2-8)) village Asola. Copy of order enclosed <b>R5(A).</b> ii. Stay prior to hand over:- Total area:- <b>84-01</b> Bigha-Biswa (Kh.No. 1435(43-05), 1437 (40-17))
2		M/s Swastik	NDOH-	Total area :- <b>7-17</b>

	W.P. (C) NO: 12218/2015 & CM APPL.32437/2018 (Village Asola)	Construction & Builders Pvt. Ltd.	22/04/2019	Bigha – Biswa Stay prior to the hand over :- <b>7-17</b> Bigha- Biswa (Kh.No.1876/1310 (7-17)) Copy of order enclosed <b>R5(B)</b> .
3	WPC No. 9015/2018 (Bhati Village)	Radha Soami Satsang Beas v/s Govt. of NCT of Delhi	NDOH- 10/07/2019. In the hearing on 20/12/2018, the Hon'ble Court directed the petitioners to assist Revenue Authorities for their demarcation subject to the cost incurred.	Total area:- 503-5 Bigha- Biswa  i. Stay after hand over:- Total area <b>433-05</b> Bigha- Biswa (Kh.No., 648 (3-06), 659 (5- 00), 665(7-0), 666(7-0), 708 (20-00),712 (32-07),715 (34-10), 745(8- 0). Copy of order enclosed <b>R5(C)</b> .  ii. <b>Stay prior to hand over :- 70-0 Bigha- Biswa</b> (Kh.No. 511 (10-05), 517 (2-13), 518 (0- 02), 519 (1- 04), 520 (2- 19),521 (0-18), 526 (16- 15),527 (5-12), 574 (7-7), 898 (2-10), 931 (10-0), 593 (9- 03), 595 (1- 02)).
4	WPC No 10505/2018 (Bhati Village)	Anant Raj Ltd V/S Govt. of NCT of Delhi & Others	Pending NDOH- 30/07/2019	<b>Total area :- Stay after hand over: 119-2 Bigha- Biswa</b> ( (Kh.No. 840 (35- 12),848 (6-11), 1478 (11-15), 1482 (5-4), 1486 (48-

1550

				17), 1488 (1-0), 1489 (3-4), 1490 (1-11) & 1512 (5-8)). Copy of order enclosed <b>R5(D)</b> .
5	WP(C) No. 4029/2018 (Village Neb Sarai)	SOHAG DEVI AND OTHERS V/S GOVT.OF NCT OF DELHI (khasra no. 435, village Neb Sarai)	Pending NDOH 17-07-2019	Total area:- Stay after hand over <b>15-05 Bigha- Biswa</b> (Kh.No. 435 (15-5)) Copy of order enclosed <b>R5(E)</b> .
6.	WP (C) 11246/2018 & C.M. 43680/2018 (Village Dera Mandi)	<b>26/19, 26/20 Min, 26/21 Min, 26/22</b>	Stay Order Dated. 16.10.2018	Total Area: <b>16-12 bigha-biswa</b> stay prior to the handover Copy of order enclosed <b>R5(F)</b> .
7.	WP (C) 6479/2018 and 6569/2018 (Village Ghitorni)	<b>628 (5-10) and 629/2 (5-10)</b>	Stay Order Dated. 24.07.2019	Total area : <b>11-00 Bigha- Biswa</b> . Copy of order enclosed <b>R5 (G)</b>
<b>Total area under stay: 1369-11 Bigha- Biswa</b>				
i. <b>Stay after hand over: 1180-01 Bigha – Biswa</b>				
ii. <b>Stay prior to hand over: 189-10 Bigha- Biswa</b>				

1557

N D O H R I C A )  
10/01/19 1292

§-30

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 6579/2018, CM APPL. Nos. 25104/2018, 25172/2018,  
37747/2018, 42488/2018 & 45974/2018

RADHA SOAMI SATSANG BEAS &amp; ANR ..... Petitioners

Through: Mr. Sandeep Sethi, Sr. Advocate with  
Mr. Pramod Kumar Ahuja,  
Mr. Davinder Verma, Mr. H.S. Sharma,  
Mr. Deepak Khosla and Mr. Sohan  
Kumar, Advocates.

versus

GOVT OF NCT OF DELHI &amp; ORS ..... Respondents

Through: Mr. Naushad Ahmed Khan, ASC  
(Civil) GNCTD with Mohd. Tauheed  
Arshi and Ms. Manisha Chauhan,  
Advocates.

CORAM:

- HON'BLE MR. JUSTICE I.S. MEHTA

ORDER

%

04.02.2019

Previous order dated 26.11.2018 be complied with.

List on 10.07.2019.

Interim order to continue.

As prayed, copy of this order be given *dasti* under the signatures of  
Court Master.

FEBRUARY 04, 2019

sr

I.S. MEHTA, J

10/01/19 1292

1552

ORDER dt: 11/11/2018

134

17

Annexure 1

IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 6579/2018

RADHA SOAMI SATSANG BEAS &amp; ANR .....Petitioners

Through: Mr. Sanjeev Pari, Senior Adv., with Mr.  
Pramod Kumar Ahuja and Mr. H.S. Sharma,  
Advocates.

Versus

GOVT OF NCT OF DELHI &amp; ORS .....Respondents

Through: Mr. Naushad Khan, Advocate for GNCTD.

CORAM:

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL  
HON'BLE MR. JUSTICE C. HARI SHANKAR

1. The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ/order and/or direction in the nature of mandamus, certiorari or any other appropriate writ or direction for quashing of order dated 28.11.2017, demarcation notice dated 28.11.2017, notice/notification dated 19.02.2018 and 01.03.2018, notice/notification dated 03.05.2018, all issued by respondent No. 2 and for issuance of a writ/order and/or direction in the nature of certiorari or any other appropriate writ for quashing the map and report prepared by M/s. Dhyani Consultants Inc., demolition report dated 17.03.2018 of respondent No. 2 declaring the demolition carried by respondents on 14.03.2018 as null and void besides issuing writ of mandamus directing the respondents to initiate the process of

Attended

Sunita Gosain  
12.6.18SUNITA GOSAIN  
Assistant Registrar  
High Court of Delhi  
New Delhi

HS

HS

1553

1284

18

demarcation of Village Asola, New Delhi as per law and to carry out consolidation of the entire land of Village Asola, Tehsil Saket, New Delhi.

2. Aggrieved by the action carried out by respondent No. 2, learned Senior Counsel appearing for the petitioners submits that the petitioner No. 1 is a legal and absolute owner and in possession of the land measuring 12 Bighas 03 Biswas comprised in Khasra Nos. as detailed in Para 9 (e) of the writ petition. He further submits that the respondent No. 2 carried out illegal demarcation and demolition of the property of the petitioner No. 1 without serving a notice and also violated the stay order dated 23.09.2017 granted by the Senior Civil Judge, Saket, New Delhi.
3. Learned counsel appearing for the respondent No. 2 submits that it is impossible for them to issue notices to each person individually and therefore common public notices have been issued. Notice dated 19.02.2018 was issued by the office of Sub-Divisional Magistrate (Saket), Govt. of NCT of Delhi, M. B. Road, New Delhi with respect to Khasra No. 1517 (17-19), 1528 (8-0), 1752 (103-8), 1750 (170-0), 1573 (1-0), 1748 (28-16), 1736 (11-01), 1735 (0-19), 1746 (36-0), 1744 (25-11), 1728 (131-0), 1354 (25-10), 1348 (11-13), 1435 (43-05), 1437 (40-17), 1632 (3-11), 1082 (0-11), 1593 (28-5), 654 (8-0), 1552 (23-10), 1479 (3-14), 1547 (5-4), 1576 (19-12), 1740 (5-7), 1742 (4-0), 447 (4-16), 1334 (13-4), 1498 (29-10), 1749 (6-5), 1500 (37-19), 1306 (17-14), 1495 of Village Asola Tehsil Saket followed by

Attended  
 Sunita Gosain  
 12.6.18  
**SUNITA GOSAIN**  
 Assistant Registrar  
 High Court of Delhi  
 New Delhi

H.S.  
 12.6.18

3.5.18

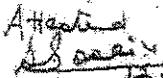
1554

1315

14

another notice dated 01.03.2018 with respect to Khasra Nos. 1517(17-19), 1528(8-0), 1752(103-8), 1750(170-0), 1573(1-0), 1748(28-16), 1736(11-01), 1735(0-19), 1746(36-0), 1744(25-11), 1728(131-0), 1354(25-10), 1348(11-13), 1435(43-05), 1437(40-17), 1632(3-11), 1082(0-11), 1593(28-5), 654(8-0), 1552(23-10), 1479(3-14), 1547(5-4), 1576(19-12), 1740(5-7), 1742(4-0), 447(4-16), 1334(13-4), 1498(29-10) 1749(6-5), 1500(31-19), 1506(17-14), 1495, 1643(32-15), 1667(38-1), 1668(28-15), 1661(0-15), 1332(58-7), 1601(0-8), 1521(14-9), 1523(32-14), 1590(0-7), 1586(1-12), 1582(1-9), 1510(15-17), 1490(2-8), 1724(59-06), 1738(0-14), and further notice dated 03.05.2018 with respect to Khasra Nos. 46(1-0), 447(4-16), 1082(0-11), 1437(40-17), 1435(43-05), 1632(3-11), 1513(08-06), 1517(17-19) and 1510(15-17) whereby all the encroachers were directed to remove all kinds of encroachments from aforesaid khasra numbers.

4. Learned Senior Counsel appearing for the petitioner No. 1 submits that none of the khasra no. mentioned in the aforesaid notices are within the occupation of the petitioner No. 1 and Khasra Nos. in the possession of the petitioner No. 1 have been detailed in para 9 (e) of the writ petition.
5. It is pertinent to notice that in the notice dated 19.02.2018, it is mentioned that "*And whereas, the Supreme Court Monitoring Committee had visited District South in particular village Asola on 19/02/2018. The Committee had made certain observations after*

Attested  
  
 12-2-18  
**SUNITA GOBAIN**  
 Assistant Registrar  
 High Court of Delhi  
 New Delhi

1555

13/c

20

seeing the unauthorized/illegal construction on the Govt./Forest/Gaon Sabha land and had directed the District Task Force (district South) to take legal course of action to remove the same and submit action taken report within a week in this regard."

6. Supreme Court Monitoring Committee has not been made a party to the present writ petition. Learned Senior Counsel for the petitioner No. 1 seeks time to move an appropriate application to implead the Supreme Court Monitoring Committee as respondent to the present writ petition. He further submits that there is a threat of demolition on the property of the petitioner No. 1.
7. Learned counsel for the respondent No. 2 submits that he will request the concerned officers to hold their hands till 13.06.2018.
8. List on 13.06.2018.
9. No coercive steps shall be taken by the respondents till the next date of hearing.
10. *Dasti* under the signatures of the Court Master.

Sd/-  
SANGITA DHINGRA SEHGAL, J.

Sd/-  
C. HARI SHANKAR, J.

JUNE 11, 2018

gr

Attested  
Bosain  
11.6.18  
BUNITA BOSAIN  
Asst. Registrar  
High Ct. of Delhi  
New Delhi

1556

N D O H  
22/04/19 1252  
R/CB

§-9

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 12218/2015 & CM APPL.32437/2015  
M/S SWASTIK CONSTRUCTION & BUILDERS PVT. LTD.

..... Petitioner  
Through: Mr.Kumar Vikram, Advocate

versus

UNION OF INDIA & ORS ..... Respondents  
Through: Mr.Yeeshu Jain, Advocate with  
Ms.Jyoti Tyagi, Advocate for R-1.  
Mr.Naushad Ahmed Khan, ASC  
(Civil) GNCTD with Mr.Zahid  
Hanief, Advocate.

CORAM:  
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER  
% 08.02.2019

Counsel for the petitioner submits that in the order dated 07.12.2018, the name of the place is wrongly mentioned as 'Khasra No. 1314/1315 situated at C-2, A-16 Village, New Delhi.' instead of 'Khasra No. 1922/1314, 1315 situated at C-2/A, village Asola, New Delhi.' and prays that the order be modified.

The prayer is allowed.

The order dated 07.12.2018 is modified to the extent that 'Khasra No. 1314/1315 situated at C-2, A-16 Village, New Delhi.' be read as 'Khasra No. 1922/1314, 1315 situated at C-2/A, village Asola, New Delhi.'

Mr.Naushad Ahmed Khan, learned ASC submits that he has already filed the status report vide diary No.22209 dated 07.02.2019. Registry is

1557

1358

directed to trace it and place on record.

Advance copy of the demarcation plan along with status report is supplied to the counsel for the petitioner.

Renotify on 22.04.2019.

Interim order to continue.

FEBRUARY 08, 2019

sr

I.S.MEHTA, J.

1558

ORD  
C  
ORDER  
07/12/18

8-7

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 12218/2015 & CM APPL.32437/2015

M/S SWASTIK CONSTRUCTION & BUILDERS  
PVT. LTD. .... Petitioner

Through: Ms.Neha Wafia, Petitioner in person.

versus.

UNION OF INDIA & ORS ..... Respondents

Through: Mr. Zahid Hanif, Advocate for  
Mr.Naushad Ahmed Khan, ASC,  
Civil GNCTD.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

%

07.12.2018

Mr. Naushad Ahmed Khan, learned ASC was present before the Court in the morning session and now in the post lunch session, Mr. Zahid Hanief is present on his behalf.

The petitioner submits that the respondents are threatening of demolishing the structure raised on Khasra No. 1314/1315 situated at C 2, A-16 Village, New Delhi.

The revenue record shows that the ownership and possession is still with the petitioner.

In these circumstances, the respondents are directed to maintain status quo till the next date of hearing.

List on 08.02.2019.

I.S.MEHTA, J

DECEMBER 07, 2018  
Pallavi

1559

14/02  
AD 111  
10/7/19  
RSCC

S-24

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 9015/2018

RADHA SOAMI SATSANG BEAS ..... Petitioner

Through: Mr. Sandeep Sethi, Sr. Advocate with  
Mr. Pramod Kumar Abuja,  
Mr. Davinder Verma, Mr. H.S. Sharma,  
Mr. Deepak Khosla and Mr. Sohan  
Kumar, Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS. .... Respondents

Through: Mr. Naushad Ahmed Khan, ASC  
(Civil) GNCTD with Mohd. Tauheed  
Arshi and Ms. Manisha Chauhan,  
Advocates.

CORAM:

HON'BLE MR. JUSTICE I.S. MEHTA

ORDER

%

04.02.2019

CM APPL. 52271 in W.P.(C) 9015/2018Parties are directed to appear before the SDM Office for the purpose  
of demarcation from 26.02.2019 to 28.02.2019 at 10:30 am.

List on 10.07.2019.

Interim order to continue.

As prayed, copy of this order be given *dasti* under the signatures of  
Court Master.

I.S. MEHTA, J

FEBRUARY 04, 2019

sr

1560

6901

S-1-

\*

+

IN THE HIGH COURT OF DELHI AT NEW DELHI  
W.P.(C) 9015/2018

RADHA SOAMI SATSANG BEAS

..... Petitioner

Through: Mr. Pramod Kumar Ahuja, Advocate  
with Mr. Davinder Verma, Mr. H.S.  
Sharma, Mr. Deepak Khosla and  
Mr. Sohan Kumar, Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mr. Naushad Ahmed Khan, ASC  
(Civil) with Mr. Zahid Hanief,  
Advocate.

CORAM:

HON'BLE MR. JUSTICE I.S. MEHTA

ORDER

%

20.12.2018

CM APPL. 52271/2018 in W.P.(C) 9015/2018

Amended memo of parties is taken on record.

Petitioner is directed to assist revenue authorities for their demarcation, subject to the cost incurred.

List on 04.02.2019.

Interim order to continue.

As prayed, copy of this order be given *dasti* under the signatures of Court Master.

I.S. MEHTA, J

DECEMBER 20, 2018

*nd*

1561

§-38

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
 + W.P.(C) 10505/2018, CM APPL No. 41006/2018, 43843/2018  
 ANANT RAJ LTD.

..... Petitioner

Through : Mr. Deepak Khosla, Mr. Samit Khosla  
 and Mr. Soham Kumar, Advs.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through : Mr. Naushad Ahmed Khan, ASC with  
 Mr. Zahid Hanief and Ms. Manisha,  
 Advs. for R-1

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

%

19.03.2019

Rejoinder is to be filed by the petitioner to the counter affidavit  
 filed by the respondent. Be filed within four weeks from today.

List on 30<sup>th</sup> July, 2019.

YOGESH KHANNA, J.

MARCH 19, 2019

VCD

1562

1403 ORDER DATED  
16/10/2018

§-43

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 10505/2018

ANANT RAJ LTD.

.....Petitioner

Through: Mr. Amit Sibbal, Senior Advocate  
with Mr. Deepak Khosla, Mr. H.S.  
Sharma & Mr. Sohan Kumar,  
Advocates

Versus

GOVT. OF NCT OF DELHI &amp; ORS.

..... Respondents

Through: Nemo.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

16.10.2018

%

C.M. 43843/2018

By way of this application, petitioner seeks early hearing of C.M. 41006/2018 and prays for interim orders till the next date of hearing. Advance copy of the application has been supplied to the side opposite but there is no representation on their behalf.

Upon petitioner taking steps, notice of the application be issued to respondents by speed post, returnable on the date fixed i.e. 1<sup>st</sup> November, 2018. Let the tracking report of speed post and affidavit of service be filed on or before the next date of hearing.

List on the date fixed i.e. 1<sup>st</sup> November, 2018.

In view of averments made in paragraph No.3 of the application, *status quo*, as of today, in respect of subject property be maintained.

1563

1908

A copy of this order be given *dasti* under the signatures of Court  
Master to counsel for petitioner.

OCTOBER 16, 2018

SUNIL GAUR, J

1564

NDCH RILEE  
17/7/19 1405

S-21

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 4029/2018 &amp; CM APPL. 15940/2018

SOHAG DEVI AND ORS.

..... Petitioners

Through: Mr. Vishal Raj Sehijpal, Advocate  
with Mr. Suhail Khan and Mr. Sunil  
Sagar, Advocates.

versus

GOVERNMENT OF NCT OF DELHI AND ORS. .... Respondents

Through: Mr. Anupama Srivastava, ASC for  
GNCTD with Mr. Dhairya Gupta,  
Advocate for R-1, R-2 and R-3.

CORAM:

HON'BLE MR. JUSTICE I.S. MEHTA

ORDER

%

11.02.2019

Previous order be complied with.

List on 17.07.2019.

Interim order to continue.

I.S. MEHTA, J

FEBRUARY 11, 2019

nd

1565

ORDER dt: 23/4/2018

ORDER dt: 23/04/2018 / 806

§-52

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 4029/2018 &amp; C.M.No.15940/2018

SOHAG DEVI AND ORS.

..... Petitioner

Through Mr. Vishal Raj Sehijpal, Adv.

versus

GOVERNMENT OF NCT OF DELHI AND ORS. .... Respondent

Through None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

%

23.04.2018

C.M.No.15941/2018

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 4029/2018 & C.M.No.15940/2018

Vide the present petition, the petitioners are seeking quashing of the impugned notification dated 02.04.1996 issued by the Revenue Department of the Govt. of NCT of Delhi, to the extent of reserving Khasra no.435, Village Neb Sarai, Tehsil Mehrauli, Delhi as Forest Land, which land was allotted to the petitioners/their predecessors by the Government itself in 1981.

Learned counsel for the petitioners submits that the petitioners have been in possession of the land on the aforesaid Khasra for the last 35 years after being allotted the same under the 20 Point

1566

1107

Programme in 1980-83 as a part of the Indira Avas Yojana.

He further submits that, after the land was allotted to them, the petitioners were provided electricity and water connections, and were also issued Election Identity Cards, Aadhaar Cards and other documents by the concerned Government departments. He submits that the respondents initiated steps to demolish the properties of the petitioners on the said land in gross violation of the principles of natural justice, and by ignoring the admitted position that the aforesaid land was allotted to them only as a part of the Indira Avas Yojana.

Learned counsel for the petitioners submits that the petitioners were never informed of the impugned notification dated 02.04.1996 or of any order passed by the National Green Tribunal against the land lawfully owned by the petitioners, and submits that he learned about the Impugned Notification during the hearing of W.P.(C) No. 3704/2018 on 16.04.2018, which petition was then withdrawn with liberty to challenge the notification. He further submits that a copy of the said order passed in W.P.(C) No. 3704/2018 has not been made available to him till date. He places reliance on the order dated 08.05.2017 passed by the Division Bench in LPA No.345/2017. In that case, while considering an Appeal against order dated 09.03.2017 passed by the Single Judge in W.P.(C) No. 2146/2017 rejecting a challenge to the same notification dated 02.04.1996, the Division Bench has directed the parties to maintain status quo regarding the title, possession and construction of the properties.

Despite service, none appears for the respondents.

1567

1408

Having heard learned counsel for the petitioners, I am of the view that the petitioners have been able to make out a prima facie case and grave prejudice would be caused to them if the respondents are not restrained from undertaking any further demolition in respect of the land in question.

Till the next date of hearing, the respondents are restrained from taking any further demolition action on the land in question. The parties shall maintain status quo with respect to the title, possession and construction of the property.

Upon the petitioner filing process fee, issue notice to the respondents through ordinary process, registered A.D. and speed post returnable on 24.07.2018.

*Dasti* under the signature.

APRIL 23, 2018

sr

REKHA PALLI, J

1568

R-5 (F)  
14.10.18

S-39

\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ W.P.(C) 11246/2018 & C.M. 43680/2018

ASHISH SINGH AND ANR.

..... Petitioners

Through: Mr. Sanjay Podar, Senior Advocate  
with Mr. Hardik Luthra &  
Mr. Alok Shukla, Advocates

Versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Abhay Prakash Sahay,  
Advocate for respondent No.1-UOI  
Mr. Anupam Srivastava, Addl.  
Standing Counsel for GNCTD with  
Ms. Niharika, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

**ORDER**

16.10.2018

%

The grievance of petitioners is that their Representation (*Annexure P-11*) made on 4<sup>th</sup> June, 2018 is still pending.

Learned senior counsel for petitioners submits that Corrigendum sought in respect of subject land ought to be granted, as in similarly situated case, it has been already granted on the application of 29<sup>th</sup> July, 2018 (*Annexure P-12*).

In view of aforesaid, it is deemed appropriate to dispose of this petition and application with direction to the sixth respondent to consider petitioners' Representation (*Annexure P-11*) of 4<sup>th</sup> June, 2018 in the light of decision of this Court (*Annexure P-13*) and of Forest Settlement

1569

14/10

Officer (Annexure- P14) and decide it within twelve weeks by passing a speaking order. If deemed appropriate, an opportunity of personal hearing be also afforded to the Authorized Representative of petitioners. The fate of petitioners' Representation (Annexure P-11) of 4<sup>th</sup> June, 2018 be made known to them within two weeks thereafter, so that they may avail of the remedies, as available in law, if need be.

Till then, *status quo*, as of today, in respect of subject land be maintained.

With aforesaid directions, this petition and the application are accordingly disposed of.

*Dasti.*

(SUNIL GAUR)  
JUDGE

OCTOBER 16, 2018

1570

§-13 &amp; 14

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 6479/2018 & CM Appl. 24874/2018  
SHRI DEV RAJ AND ORS. .... Petitioners

versus

LIEUTENANT GOVERNOR, DELHI AND ORS. .... Respondents

+ W.P.(C) 6569/2018 & CM Appl. 25073/2018  
VED PAL .... Petitioner

versus

LT GOVERNOR &amp; ORS .... Respondents

**Counsel for the petitioner:**

Mr. N.S. Vashisht, Mr. M.P. Bhargava, Advocates

**Counsel for the respondent:**Mr. Devesh Singh, Additional Standing Counsel for Govt. of  
NCT of Delhi for respondent No. 1 to 4.Mr. Zahid Advocate for Mr. Naushad Ahmed Khan  
Additional Standing Counsel for Govt. of NCT of Delhi in  
item 14.**CORAM:****HON'BLE MR. JUSTICE S. RAVINDRA BHAT****HON'BLE MR. JUSTICE PRATEEK JALAN****ORDER**

% 25.02.2019

List on 24.07.2019.

Interim orders to continue.

On the next date of hearing, the relevant records shall be produced  
by the respondents.

S. RAVINDRA BHAT, J

PRATEEK JALAN, J

FEBRUARY 25, 2019

pkb

1571

**Devesh Singh**  
Advocate

Addl. Standing Counsel (Civil)  
Govt. of NCT of Delhi  
Chamber No.100, Patiala House  
New Delhi - 110001  
E-mail: [deveshsingh@gmail.com](mailto:deveshsingh@gmail.com)  
Mobile No. 9810644355

Date: 01.03.2019

**Most Urgent**

To,

The Dy. Conservator of Forests,  
Govt. of NCT of Delhi,  
Department of Forests and Wildlife,  
West Forest Division, Mandir Lane,  
New Delhi- 110060.

Re.: Directions contained in the Order dated 25.02.2019, in WP(C) No. 6479 of 2018, in the matter of Dev Raj & Ors. vs. Lt. Governor of NCT of Delhi & Ors. and in WP(C) No. 6569 of 2018 in the matter of Ved Pal vs. Lt. Governor & Ors.

Sir,

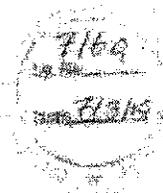
The abovesaid Petitions were listed before a Division Bench of the Hon'ble Delhi High Court (Coram: the Hon'ble Mr. Justice S. Ravindra Bhat and the Hon'ble Mr. Justice Prateek Jalan) on the 25<sup>th</sup> of February, 2019, when the Hon'ble Court was pleased to direct that the interim orders in the said Petitions were to continue. Furthermore, the Hon'ble Court while fixing the matter for the 24<sup>th</sup> of July, 2019, was pleased to direct the undersigned to produce relevant records of the abovesaid cases with the respondents. In this view of the matter, you are requested to kindly produce all the relevant records of the abovesaid two Petitions before the Hon'ble Court on the next date of hearing which is the 24<sup>th</sup> of July, 2019. Kindly treat this as **Most Urgent**.

If this is for your information and necessary action.

Your sincerely,



Devesh Singh  
Addl. Standing Counsel,  
Govt. of NCT of Delhi



Legal Council

1572

S-23

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
 + **W.P.(C) 6479/2018 & CM No.24874/2018 (stay)**  
**SHRI DEV RAJ AND ORS.** ..... Petitioners  
 Through: Mr.N.S. Vasisht, Mr.Vishal Singh, Ms.Jyoti  
 Kataria Bajaj and Mr.M.P. Bhargawa,  
 Advocates.

versus

**LIEUTENANT GOVERNOR, DELHI AND ORS.** ..... Respondents  
 Through: Ms.Urvi Mohan, Adv. for Mr.Sanjay Ghose,  
 ASC for GNCTD.

**CORAM:**  
**HON'BLE MR. JUSTICE G.S.SISTANI**  
**HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL**

**ORDER**

% **01.06.2018**

**CM No.24875/2018 (exemption)**

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

**W.P.(C) 6479/2018 & CM No.24874/2018 (stay)**

The present writ petition is directed against the order dated 17.05.2018 which has been styled as a notice.

Mr.Vashisht, counsel for the petitioners, submits that by the aforesaid notice, the petitioners have been asked to remove encroachment/unauthorized occupancy failing which the structures would be demolished. The petitioners claim right over the land being an Asami under Section 74 (2) of the Delhi Land Reforms Act and they are liable to be declared as *bhumidar* under Section 74(4) read with Section 73 of the Delhi Land Reforms Act. Mr Vasisht further submits that the land is being used

1573

only for farming. He further submits that no notice to show cause has been issued to the petitioners to enable petitioners to produce the relevant documents before the Deputy Conservator of Forest, West Forest Division.

No right of hearing has been granted, neither any principle of natural justice has been followed.

Notice to show cause as to why the petition be not admitted. Counsel appearing on behalf of the respondent Nos.1 to 4 accept notice.

Counter affidavit be filed on or before 02.07.2018. Rejoinder, if any, be filed within one week thereafter.

List on 10.07.2018.

Till the next date of hearing, no coercive action shall be taken against the petitioners.

*Dasti* under the signature of Court Master.

G. S. SISTANI, J

SANGITA DHINGRA SEHGAL, J

JUNE 01, 2018  
afa

1574

**Annexure-R 6****AREA UNDER MIN KHASRA NOS. FOR WHICH TATTIMA PROCEEDINGS INITIATED IN THE COURT OF RA/SDM**

Khasra No.	Total area of the Khasra as per Revenue Record		Area of the forest land for which Tattima is required	
	Bigha	Biswa	Bigha	Biswa
<b>1. Village Neb Sarai:</b>				
96	6	8	4	8
170/2	1	8	1	1
420	23	2	5	10
	<b>Total</b>		<b>10</b>	<b>19</b>
<b>2. Village Deoli:</b>				
24	5	2	0	6
25	5	15	0	19
63	106	0	96	8
64	120	0	115	4
12	6	10	0	4
13	5	14	4	7
19	4	16	4	8
20	4	16	3	0
4/2	4	16	4	13
17	4	16	2	8
7/3	7	4	0	4
	<b>Total</b>		<b>232</b>	<b>01</b>
<b>3. Village Asola:</b>				
121	15	12	13	17
253	13	0	5	0
803	40	11	15	8
1007	33	0	2	0
1134	27	3	13	13
1246	40	6	37	2
1454	23	3	4	3
1521	21	8	14	9
1523	30	14	20	14
1673	25	14	2	14
1675	25	7	2	7
1722	21	8	12	8
1723	176	5	146	5
	<b>Total</b>		<b>293</b>	<b>00</b>
<b>4. Village Bhati:</b>				
239	28	4	20	0
295	12	17	1	0
328	21	09	7	9
378	23	17	18	7

1575

400	12	16	3	16
427	21	6	6	5
459	14	10	2	19
460	94	0	16	0
708	137	05	117	10
712	102	7	32	7
730	5	17	0	02
742	0	14	0	04
743	3	02	0	2
761	6	01	0	2
764	24	18	23	08
770	2	13	1	13
774	47	9	35	7
867	4	18	3	0
954	16	16	8	8
961	15	7	7	13
963	12	16	2	8
969	2	13	1	11
1031	11	13	3	0
1113	3	5	2	5
1138/2	6	10	3	10
2076/ 1276	3	02	0	18
2078/ 1278	1	12	1	12
1304	7	17	3	19
1306	28	8	25	12
1385	9	9	7	9
1474	26	1	15	7
1476	4	16	3	19
1486	50	7	48	17
1548	7	11	3	11
1604	37	6	5	6
1605/2	8	7	4	0
1740	7	4	7	04
1744	8	9	8	09
<b>Total</b>			<b>306</b>	<b>17</b>
<b>5. Village Maidangarhi:</b>				
1	52	10	52	10
778/330	5	11	0	9
1001/424 Min	36	19	18	15
541	10	14	10	0
908/547	11	8	11	8
569	111	12	18	0
687/570	236	18	198	12
572	254	5	126	5
690/574	218	5	68	3

1576

591	15	04	13	14
927/602	4	6	3	3
936/760/ 613	17	18	1	11
662	119	14	92	14
<b>Total</b>			<b>615</b>	<b>4</b>
<b>6. Village Satbari:</b>				
1049	44	1	5	1
1134	154	4	115	4
<b>Total</b>			<b>120</b>	<b>5</b>
<b>7. Village Jaunapur:</b>				
47//23 Min	5	12	4	16
53//9	4	16	2	8
89//2	4	16	1	8
53//13	4	16	4	4
57//12	4	16	0	12
<b>Total</b>			<b>44</b>	<b>00</b>
<b>8. Village Dera Mandi:</b>				
24/10/1	3	4	1	0
24/12	4	16	2	8
24/20/1	3	16	1	5
56/3	4	12	1	6
61/25	4	16	1	17
203	71	14	71	14
86/2	4	16	2	8
86/9	4	16	2	8
91/8	4	16	2	16
91/16	4	15	0	19
107/11/2	2	4	1	6
<b>Total</b>			<b>110</b>	<b>18</b>
<b>9. Village Tughalakabad:</b>				
2639/742	0	14	0	14
2209/1046	31	19	31	19
2218/1051	0	8	0	8
2220/1051	2	9	2	9
2222/1052	1	1	1	1
2225/1053	0	14	0	14
2226/1053	0	19	0	19
2228/1053	0	9	0	9
2071/1055	1	7	1	7
2072/1055	0	3	0	3
2073/1055	0	1	0	1
1258/2	0	9	0	9
2639/1953/1406	0	17	0	17
1483	5	1	5	1
2253/1509	0	4	0	4

1577

2254/1509	0	6	0	6
2259/2260/1509	0	18	0	18
2271/1518	1	2	1	2
2273/1518	2	13	2	13
2162/1523	2	4	2	4
2284/1543	1	1	1	1
2287/1545	12	3	12	3
2288/1545	3	17	3	17
2289/1545	13	1	13	1
2290/1545	1	7	1	7
2291/1545	3	17	3	17
2292/1545	25	15	25	15
2294/1545	14	5	14	5
2304/1565	1	19	1	19
2307/1565	2	7	2	7
2696/1588	1	2	1	2
2178/1594	1	16	1	16
2179/1594/3/2	0	12	0	12
2315/1597	12	19	12	19
2316/1597	3	5	3	5
2317/1597	2	14	2	14
2327/1614	1	1	1	1
2329/1615	4	4	4	4
2341/1616	5	1	5	1
<b>Total</b>			<b>166</b>	<b>4</b>
<b>10. Village Pul Pehladpur:</b>				
241/2/2	2	15	0	12
<b>TOTAL</b>			<b>0</b>	<b>12</b>
<b>11. Village Rajokari:</b>				
1164	19	4	17	0
1174	4	16	2	16
1232	4	16	2	5
1915/1	17	9	8	16
1916	10	12	6	3
<b>Total</b>			<b>37</b>	<b>0</b>
<b>12. Village Rangpuri:</b>				
869	5	4	5	0
870	4	16	3	0
871	4	16	2	8
885	4	16	1	10
890	4	16	3	0
892	4	16	0	16
895	4	16	2	0
898	4	16	4	4
900	4	16	1	0
905	4	16	2	10
906	4	16	4	6
938	4	16	3	0
987	5	<b>9</b>	3	9

1578

1003	5	8	5	6
1034	6	4	4	16
1067	4	16	4	1
1416	4	16	4	3
1508	4	16	2	8
1511	4	16	3	16
<b>Total</b>			<b>58</b>	<b>13</b>
<b>Grand Total</b>			<b>1995</b>	<b>13</b>

1579

## Annexure -R7

**LIST OF PRIVATE AREA NOTIFIED AS FOREST ( TO BE SETTLED BY THE FOREST SETTLEMENT OFFICER/ ADM)**

S.No.	Name of village	Kh.No.& Area as per Revenue Record	Private area Notified
1.	Neb Sarai	458 (4-16)	4-16
		533/1 and 533/1 (2-14)	2-14
			<b>Total area :-7 Bigha -10 Biswa</b>
2.	Deoli	46/16 (4-16)	2-8
			<b>Total area:-2 Bigha-08 Biswa</b>
3.	Bhati	1489 (3-4)	3-14
		1681 (1-17).	1-17
			<b>Total area:-05 Bigha -01 Biswa</b>
4.	Maidangarhi	213 Min (3-14)	3-14
		523 (12-2)	12-2
		548 (2-11)	2-11
			<b>Total area :-19 Bigha -07 Biswa</b>
5.	Jonapur	29//13 MIN	0-2
		33//24/2 MIN	0-16
		42//16 MIN	0-12
		42//17 MIN	0-4
		45/3/2 MIN	2-13
		45//22 MIN	0-7
		46//11 MIN	0-13
		46//16 MIN	0-6
		46//18 MIN	0-1
		19 MIN	0-8
		46//20 MIN	0-18
		21 MIN	0-5

		22 MIN	0-7
		23 MIN	0-1
		47//6/1 MIN	0-11
		69//7	4-16
		82/1 MIN	0-4
		10 MIN	0-4
		120//1 MIN	0-14
		120/2 MIN	0-11
		82/1 MIN	0-4
		45//21 MIN	0-7
		108/4	3-19
		108/5	3-6
		108/7	5-0
		47//2	5-16
			<b>Total Area : 33-05</b>
6.	Dera Mandi	142/3/1 Min	2-8
		27/14	4-12
		27/15	4-12
		27/16/1	2-0
		27/16/2	2-16
		27/17	4-16
		27/24	4-16
		27/25	0-16
		44/20 min	2-17
		47/10 Min	0-12
		47/10 Min	3-8
		47/10 Min	0-16
		90/14/1	1-1
		102/25/1	2-1 Status Quo

	102/25/2 Min	1-19
	108/1/1	2-0
	108/9/2	3-14
	108/10/2	3-14
	108/11	4-16
	108/12	4-16
	109/4	4-10
	109/5	4-10
	109/6	4-16
	109/7	4-16
	118/19	4-16
	34/4	3-4
	37/2/1 Min	1-5
	56/16/2	3-0
	56/17	4-16
	24/8 Min	1-0
	119/2	4-12
	119/3	4-12
	119/4/1	2-1
	119/4/2	2-0
	119/7	3-13
	119/8	5-8
	119/13	3-17
	119/14	5-4
	119/17	4-16
	119/18/1	2-0

		119/18/2	2-06
		119/23/1	0-15
		119/23/2	3-10
		119/24	4-16
		18/15/2	2-2
		44/20 Min	2-14
		115/3	6-1
		183/23	4-16
		168/1/1	1-4
		157/12	4-16
			<b>Total area:-174-05 Bigha- Biswa</b>
7.	Rajokari	1224 (4-16)	(2-16)
		1234/1(4-16)	(4-16)
		1234/4(4-16)	(4-16)
		1234/5 (4-16)	(4-16)
		1234/6 (4-16)	(4-16),
		1234/7(4-16)	(4-16)
		1568 (4-10)	(5-2)
		1812/1 (1-16)	(1-16)
		1990 (4-8)	(4-8)
		1996 (3-8)	(2-1)
		1997 (2-8)	(2-8)
		2051 (4-4)	(4-4)

1583

		2057 (4-16)	(4-16)
			<b>Total area:-27-13 Bigha-Biswa</b>
8.	Rangpuri	1012/2 (3-8) 1498 (3-15)	(3-8) (3-15)
			<b>Total area:- 07-03 Bigha- Biswa</b>
	<b>Total</b>	<b>244-04 Bigha- Biswa</b>	

1584

## ANNEXURE - R8

**AREA NOTIFIED IN EXCESS THAN AREA AVAILABLE IN THE REVENUE RECORD ( TO BE SETTLED BY FOREST SETTLEMENT OFFICER/ ADM).**

S.No.	Name of village	Khasra No.s	Excess Area notified
1.	Tughlakabad	2259/1509, 2260/1509, 2254/1509, 2289/1545, 2292/1545, 2315/1597, 2327/1614, 2344/1617 to 2356/1617, 2384/1621, 2379/1623, 2409/1625to2440/ 1625, 2457/1764/1625, 2458/1767/1625, 2697/2438/1625, 2699/2440/1625, 2700/2440/1625, 2701/2446/1625, 2702/2446/1625, 2703/2446/1625, 2703/2446/1625, 4070/2424/1625, 4070/2442/1625, 1796/1628, 2459/1767/1628, 2704/2456/1628, 2705/2456/1628, 2705/2456/1763/1628, 2706/1765/1628, 2706/2456/1628, 2707/1765/1628, 4108/2704/2456/1628, 4109/2704/2456/1628, 4110/2704/2456/1628, 4111/2704/2456/1628, 4112/2704/2456/1628, 4113/2704/2456/1628, 4114/2704/2456/1628, 2460/1768/1631, 2462/1768/1631, 2712/1461/1631, 4055/2713/1631, 4056/2713/1631, 4057/2713/1631, 2465/1637, 2470/1637/1637, 2704/2471/1637, 3070/2469/1637, 4106/2715/1637, 4106/2715/2414/1637, 4107/2715/1637, 4107/2715/2414/1637, 1771/1639, 2491/1644, 2956/2512/1773/1647, 2537/1675, 2538/1675, 2538/1676, 4095/1678, 2541/1679, 4058/2676, 4059/2647	294-10 Bighas- Biswa
2.	Pulpehladpur	315 (0-5)	0-05 Bighas- Biswa
3.	Rajokari	1308 (0-7), 1486 (0-2), 1568(0-12), 1726 (0-2). 1856 (0-1).1990 (0-8).	5-00 Bichas-

1585

		1997 (2-8) & 2075 (1-0)	Biswa
4.	<b>Ranpuri</b>	847 (0-6), 872 (11-4), 1390 (0-4), 1496/1 (1-0), 1498 (1-1) & 1519 (1-6)	15-01 Bighas- Biswa
5.	<b>Mahipalpur</b>	The land does not exist in the field book	55-00 Bigha Biswa
	<b>Total</b>		<b>369-16</b> <b>Bigha-</b> <b>Biswa</b>

1586

## Annexure-R9

Village wise list of boundary wall , Pillars and Geo-Co-ordinates

S.No.	Name of village	Boundary wall (In Meters)	Pillars	Geo-Co-ordinates
1	Aya Nagar	2200 mtrs. (Remaining area is surrounded by Forest on all sides, hence boundary is not required.)	289	432
2	Chattarpur	168-09 Bigha-Biswa of area is already under boundary wall and in possession with Forest Department.	84	248
3	Neb Sarai	800 meters of boundary wall & 1500 meters fencing.	100	439
4	Sahoorpur	3024- 08 Bigha-Biswa of area is already under boundary wall and in possession with Forest Department.	88	291
5	Rajpur Khurd	N.A. (land allotted to Govt. Dept.)	132	132
6	Deoli	4981 Bigha of area is already under boundary wall, and in possession of Forest Dept.	203	472
7	Asola	3600 mtrs. new boundary wall. 8062-12 Bigha of the area is already under boundary wall and possession of Forest Department.	810	496

1587

8	Bhati	2000 mtrs.	1353	2630
9	Maidangarhi	3476 - 00 Bigha-Biswa of area is already under boundary wall.	106	1021
10	Saidulajab	Nil	16	366
11	Satbari	980 - 12 Bigha-Biswa of area is already under boundary wall and in possession with Forest Department.	0	329
12	Jaunapur	1796	247	733
13	Dera Mandi	8850 - 12 Bigha-Biswa of area is already under boundary wall	250	1412
14	Tughlakabad	3760-10 Bigha - Biswa Area already under boundary wall	281	899
15	Pulpehladpur	Nil	165	628
16	Rajokari	Nil	212	1127
17	Rangpuri	Nil	211	807
18	Ghitorni	800 mtrs.	57	63
19	Mahipalpur	N.A. (land allotted to Govt. Dept.)	N.A. (land allotted to Govt. Dept.)	48
	<b>Total</b>	i. <b>11196 Meters Boundary wall,</b> ii. <b>1500 Meters fencing,</b>	<b>3794</b>	<b>12573</b>

**R10**  
**ENCROACHMENT IN THE FOREST AREA OF AAYA**  
**NAGAR**

S.No.	Khasia No	Area	Area of the Consolidated forest	Encroachment As Per Site	Status as Per Site
1	777	4-10	0-16	0-16	Unauthorized colony
2	779	2-19	2-19	1-13	Unauthorized colony
3	781	2-16	2-16	2-16	Unauthorized colony
4	782	6-8	6-8	1-19	Unauthorized colony
5	805	4-16	4-16	0-19	Unauthorized colony
6	843	4-16	4-16	0-12	Unauthorized colony
7	848	4-16	4-16	0-14	Unauthorized colony
8	879	4-16	4-16	0-13	Unauthorized colony
9	886	4-16	4-16	0-08	Unauthorized colony
10	919	4-16	4-16	0-08	Unauthorized colony
11	204	4-16	4-12	4-12	Unauthorized colony
12					
13					
14	206	4-12	4-12	4-12	Unauthorized colony
15	207	2-14	2-14	2-14	Unauthorized colony
16	1354	4-16	4-16	0-08	Unauthorized colony
17	1358	4-16	4-16	1-02	Peer Mazar
18	1359	4-16	4-16	1-16	Peer Mazar
19	1360	4-16	1-16	0-14	Unauthorized colony
20	1361	4-16	4-16	1-07	Unauthorized colony
21	1362	4-16	4-16	0-08	Unauthorized colony
22	1365	4-16	1-6	0-07	Unauthorized colony
23	1366	4-16	1-16	1-00	Unauthorized colony
24	1367	4-16	1-6	1-04	Unauthorized

<b>R10 ENCROACHMENT IN THE FOREST AREA OF AAYA NAGAR</b>					
<b>S.No.</b>	<b>Khasra No</b>	<b>Area</b>	<b>Area of the Consolid ated forest</b>	<b>Encroac hment As Per Site</b>	<b>Status as Per Site</b>
25	1368	4-16	1-0	1-00	Unauthorized colony
26	1369	4-16	3-0	2-17	Unauthorized colony
27	1371	4-16	2-0	0-12	Unauthorized colony
28	1376	4-16	1-0	0-12	Unauthorized colony
29	1377	4-16	4-0	2-14	Unauthorized colony
30	1397	4-16	4-16	0-04	Unauthorized colony
31	1402	4-16	4-16	2-00	Unauthorized colony
32	1403	4-16	4-16	2-04	Unauthorized colony
33	1404	4-16	4-16	0-06	Unauthorized colony
34	1407	4-16	4-16	0-14	Unauthorized colony
35	1412	4-16	1-16	0-11	Unauthorized colony
36	1413	4-16	1-0	0-04	Unauthorized colony
37	1414	4-16	1-0	0-04	Unauthorized colony
38	1415	4-16	1-10	0-15	Unauthorized colony
39	1417	4-16	2-0	1-00	Unauthorized colony
40	1418	4-16	1-0	1-00	Unauthorized colony
41	1419	4-16	1-10	0-09	Unauthorized colony
42	1420	4-16	1-10	0-04	Unauthorized colony
43	1421	4-16	1-0	0-14	Unauthorized colony
44	1422	4-16	1-0	4-16	Unauthorized colony
45	1423	4-16	1-0	4-16	Unauthorized colony

1590

<b>R10</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF AAYA NAGAR</b>					
<b>S.No.</b>	<b>Khasra No</b>	<b>Area</b>	<b>Area of the Consolidated forest</b>	<b>Encroachment As Per Site</b>	<b>Status as Per Site</b>
46	1424	4-16	2-8	2-04	Unauthorized colony
47	1425	4-16	1-0	0-05	Unauthorized colony
48	1427	4-16	2-6	4-16	Unauthorized colony
49	1428	4-16	1-6	4-16	Unauthorized colony
50	1438	4-16	1-6	0-14	Unauthorized colony
51	1440	4-16	4-16	2-00	Unauthorized colony
52	1444	1-14	1-14	1-04	Unauthorized colony
53	1949	4-16	2-10	0-06	Unauthorized colony
54	1954	4-16	1-0	0-03	Unauthorized colony
55	1955	4-16	1-0	0-06	Unauthorized colony
56	1956	4-16	1-10	0-16	Unauthorized colony
57	1957	4-16	1-10	1-04	Unauthorized colony
58	1961	3-5	3-5	0-05	Unauthorized colony
59	1978	4-16	4-16	1-16	Unauthorized colony
60	1979	4-16	4-16	2-05	Unauthorized colony
61	1980	4-16	4-16	1-09	Unauthorized colony
62	1981	4-16	4-16	0-14	Unauthorized colony
	<b>Total</b>			<b>172-00</b>	

1591

R11					
ENCROACHMENT IN THE FOREST AREA OF CHATTARPUR					
S.N O.	KHASRA	KHASRA AREA	Area of the Consolidat ed forest land	ENCROACH MENT AS PER SITE	REMARK
1	28	4-16	4-7	4-7	UNAUTHORIZED COLONY
2	29	4-16	4-16	4-16	UNAUTHORIZED COLONY
3	30	3-8	1-8	1-8	UNAUTHORIZED COLONY
4	31	0-6	0-6	0-6	UNAUTHORIZED COLONY
5	36	2-18	2-18	2-18	UNAUTHORIZED COLONY
6	37	4-16	4-16	4-16	UNAUTHORIZED COLONY
7	59	7-1	7-1	7-1	UNAUTHORIZED COLONY
8	89	4-16	4-16	4-16	UNAUTHORIZED COLONY
9	90	4-16	4-16	4-16	UNAUTHORIZED COLONY
10	95	4-16	4-16	4-16	UNAUTHORIZED COLONY
11	96	4-16	4-16	4-16	UNAUTHORIZED COLONY
12	98	5-4	5-4	5-4	UNAUTHORIZED COLONY
13	99	4-16	4-16	4-16	UNAUTHORIZED COLONY
14	100	4-16	4-16	4-16	UNAUTHORIZED COLONY
15	101	4-16	4-16	4-16	UNAUTHORIZED COLONY
16	102	3-18	3-18	3-18	UNAUTHORIZED COLONY
17	103	5-19	5-19	5-19	UNAUTHORIZED COLONY
18	104	7-4	7-4	7-4	UNAUTHORIZED COLONY
19	105	4-16	4-16	4-16	UNAUTHORIZED COLONY
20	106	4-16	4-16	4-16	UNAUTHORIZED COLONY
21	107	4-16	4-16	4-16	UNAUTHORIZED COLONY

1592

R11 ENCROACHMENT IN THE FOREST AREA OF CHATTARPUR					
S.N O.	KHASRA	KHASRA AREA	Area of the Consolidat ed forest land	ENCROACH MENT AS PER SITE	REMARK
22	108	7-8	7-8	7-8	UNAUTHORIZED COLONY
23	109	4-16	4-16	4-16	UNAUTHORIZED COLONY
24	110	4-16	4-16	4-16	UNAUTHORIZED COLONY
25	111	4-16	4-16	4-16	UNAUTHORIZED COLONY
26	112	4-16	4-16	4-16	UNAUTHORIZED COLONY
27	113	4-16	4-16	4-16	UNAUTHORIZED COLONY
28	114	4-2	4-2	4-2	UNAUTHORIZED COLONY
29	115	2-10	2-1	2-1	UNAUTHORIZED COLONY
30	116	5-12	5-12	5-12	UNAUTHORIZED COLONY
31	120	6-16	6-16	6-16	UNAUTHORIZED COLONY
32	121	5-18	5-18	5-18	UNAUTHORIZED COLONY
33	122	5-0	5-0	5-0	UNAUTHORIZED COLONY
34	123	4-2	4-2	4-2	UNAUTHORIZED COLONY
35	125	4-16	4-16	4-16	UNAUTHORIZED COLONY
36	127	3-4	3-4	3-4	UNAUTHORIZED COLONY
37	128	7-8	4-8	4-8	UNAUTHORIZED COLONY
38	129	4-16	4-16	4-16	UNAUTHORIZED COLONY
39	130	4-16	4-16	4-16	UNAUTHORIZED COLONY
40	131	4-16	4-16	4-16	UNAUTHORIZED COLONY
41	132	4-16	4-16	4-16	UNAUTHORIZED COLONY
42	138	5-14	5-14	5-14	COLONY
43	139	4-16	4-16	4-16	UNAUTHORIZED COLONY

1593

<b>R11</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF CHATTARPUR</b>					
<b>S.N O.</b>	<b>KHASRA</b>	<b>KHASRA AREA</b>	<b>Area of the Consolidat ed forest land</b>	<b>ENCROACH MENT AS PER SITE</b>	<b>REMARK</b>
44	140	4-16	4-16	2-10	UNAUTHORIZED COLONY
45	144	4-0	4-0	0-06	UNAUTHORIZED COLONY
46	147	4-16	4-16	0-10	UNAUTHORIZED COLONY
47	148	4-16	4-16	0-05	UNAUTHORIZED COLONY
48	151	5-8	5-8	0-18	UNAUTHORIZED COLONY
49	152	4-16	4-16	0-01	UNAUTHORIZED COLONY
50	157	4-16	4-16	0-09	UNAUTHORIZED COLONY
51	158	4-16	4-16	2-16	UNAUTHORIZED COLONY
52	159	4-12	4-12	3-10	UNAUTHORIZED COLONY
53	163	4-16	4-16	0-02	UNAUTHORIZED COLONY
54	164	3-11	3-11	2-08	UNAUTHORIZED COLONY
55	167	7-0	7-0	0-06	UNAUTHORIZED COLONY
56	197	5-10	5-10	0-17	UNAUTHORIZED COLONY
57	204	6-12	6-12	2-07	UNAUTHORIZED COLONY
58	205	5-6	5-6	0-14	UNAUTHORIZED COLONY
59	208	4-7	4-7	0-10	UNAUTHORIZED COLONY
60	211	7-18	7-18	1-12	UNAUTHORIZED COLONY
61	223	4-9	4-9	4-9	UNAUTHORIZED COLONY
62	224	3-17	3-17	2-08	UNAUTHORIZED COLONY
63	225	4-17	4-17	4-17	UNAUTHORIZED COLONY
64	226	4-16	4-16	4-16	UNAUTHORIZED COLONY

1594

R11					
ENCROACHMENT IN THE FOREST AREA OF CHATTARPUR					
S.N O.	KHASRA	KHASRA AREA	Area of the Consolidat ed forest land	ENCROACH MENT AS PER SITE	REMARK
65	230	5-17	5-17	1-13	UNAUTHORIZED COLONY
66	277	6-0	6-0	1-17	UNAUTHORIZED COLONY
67	298	3-5	3-5	3-5	UNAUTHORIZED COLONY
68	845	1-8	1-8	1-8	UNAUTHORIZED COLONY
69	847	1-12	1-12	1-12	UNAUTHORIZED COLONY
70	895/1/2	3-13	3-13	1-16	UNAUTHORIZED COLONY
71	1022	0-18	0-18	0-18	UNAUTHORIZED COLONY
	<b>Total</b>			<b>253-08</b>	

1595

<b>R12</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF NEB SARAI</b>					
<b>SN O.</b>	<b>Khasra No.</b>	<b>Khasra Area</b>	<b>Area of the Consolidated forest land</b>	<b>Encroachment Area</b>	<b>Remark</b>
1	7	4-16	4-16	1-08	UNAUTHORISED COLONY
2	8	4-16	4-16	2-15	UNAUTHORISED COLONY
3	15	4-16	4-16	2-08	UNAUTHORISED COLONY
4	16	4-16	4-16	2-10	UNAUTHORISED COLONY
5	24	4-16	4-16	2-10	UNAUTHORISED COLONY
6	25	4-16	4-16	2-12	UNAUTHORISED COLONY
7	26	6-8	6-08	6-08	UNAUTHORISED COLONY
8	27	6-18	6-18	2-12	UNAUTHORISED COLONY
9	28	4-16	4-16	4-16	UNAUTHORISED COLONY
10	29	2-17	2-17	2-17	UNAUTHORISED COLONY
11	30	5-0	5-00	5-00	UNAUTHORISED COLONY
12	31	3-5	3-05	3-05	UNAUTHORISED COLONY
13	32	4-16	4-16	4-16	UNAUTHORISED COLONY
14	33	4-16	4-16	4-16	UNAUTHORISED COLONY
15	34	4-06	4-06	4-06	UNAUTHORISED COLONY
16	36	4-16	4-16	4-16	UNAUTHORISED COLONY
17	37	4-16	4-16	4-16	UNAUTHORISED COLONY
18	39	4-16	4-16	4-16	UNAUTHORISED COLONY
19	40	4-16	4-16	4-16	UNAUTHORISED COLONY
20	41	4-16	4-16	0-10	UNAUTHORISED COLONY

1596

<b>R12</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF NEB SARAI</b>					
<b>SN O.</b>	<b>Khasra No.</b>	<b>Khasra Area</b>	<b>Area of the Consolidated forest land</b>	<b>Encroachment Area</b>	<b>Remark</b>
21	42	3-19	3-19	3-19	UNAUTHORISED COLONY
22	43	3-19	3-19	3-19	UNAUTHORISED COLONY
23	44	4-16	4-16	0-05	UNAUTHORISED COLONY
24	52	4-8	4-08	4-08	UNAUTHORISED COLONY
25	63/1	1-19	1-19	1-19	UNAUTHORISED COLONY
26	64	4-16	4-16	4-16	UNAUTHORISED COLONY
27	77	3-10	3-10	0-10	UNAUTHORISED COLONY
28	82	3-06	3-06	3-06	UNAUTHORISED COLONY
29	83	4-14	4-14	0-08	UNAUTHORISED COLONY
30	84	4-04	4-04	4-04	UNAUTHORISED COLONY
31	85	3-17	3-17	3-04	UNAUTHORISED COLONY
32	94/1	0-16	0-16	0-16	UNAUTHORISED COLONY
33	96	6-08	4-08	4-08	UNAUTHORISED COLONY
34	134	1-18	1-18	1-18	UNAUTHORISED COLONY
35	135	4-16	4-16	4-16	UNAUTHORISED COLONY
36	136	4-16	4-16	4-16	UNAUTHORISED COLONY
37	137	3-1	3-1	3-1	UNAUTHORISED COLONY
38	138	4-2	4-2	4-2	UNAUTHORISED COLONY
39	139	5-2	5-2	5-2	UNAUTHORISED COLONY
40	140	3-6	3-6	3-6	UNAUTHORISED COLONY

1597

<b>R12</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF NEB SARAI</b>					
<b>SN O.</b>	<b>Khasra No.</b>	<b>Khasra Area</b>	<b>Area of the Consolidated forest land</b>	<b>Encroachment Area</b>	<b>Remark</b>
41	170/2	1-08	1-01	1-01	UNAUTHORISED COLONY
42	173	0-14	0-14	0-14	UNAUTHORISED COLONY
43	263	1-00	1-00	1-00	UNAUTHORISED COLONY
44	311/3	0-17	0-17	0-17	UNAUTHORISED COLONY
45	362	0-14	0-14	0-14	UNAUTHORISED COLONY
46	435	15-05	15-05	8-00	UNAUTHORISED COLONY
47	436	1-09	1-09	1-09	UNAUTHORISED COLONY
48	437	3-18	3-18	3-18	UNAUTHORISED COLONY
49	439	4-03	4-03	4-03	UNAUTHORISED COLONY
50	440	5-10	5-10	5-10	UNAUTHORISED COLONY
51	441	2-9	2-09	2-09	UNAUTHORISED COLONY
52	443	1-16	1-16	1-16	UNAUTHORISED COLONY
53	444	1-18	1-18	1-18	UNAUTHORISED COLONY
54	445	3-01	3-01	3-01	UNAUTHORISED COLONY
55	446	5-4	5-4	5-4	UNAUTHORISED COLONY
56	447	6-10	6-10	6-10	UNAUTHORISED COLONY
57	448	3-07	3-07	3-07	UNAUTHORISED COLONY
58	449	4-16	4-16	4-16	UNAUTHORISED COLONY
59	450/1	4-03	4-03	4-03	UNAUTHORISED COLONY
60	450/2	3-16	3-16	3-16	UNAUTHORISED COLONY

1598

R12					
ENCROACHMENT IN THE FOREST AREA OF NEB SARAI					
SN O.	Khasra No.	Khasra Area	Area of the Consolid ated forest land	Encroach ment Area	Remark
61	451	3-09	3-09	3-09	UNAUTHORISED COLONY
62	452	4-14	4-14	4-14	UNAUTHORISED COLONY
63	456	4-8	4-08	4-08	UNAUTHORISED COLONY
64	457	3-16	3-16	3-16	UNAUTHORISED COLONY
65	458	4-16	4-16	4-16	UNAUTHORISED COLONY
66	459	3-12	3-12	3-12	UNAUTHORISED COLONY
67	460	3-12	3-12	0-10	UNAUTHORISED COLONY
68	477	3-06	3-06	0-14	UNAUTHORISED COLONY
69	480	4-16	4-16	2-08	UNAUTHORISED COLONY
70	482	3-18	3-18	0-12	UNAUTHORISED COLONY
71	483	4-16	4-16	0-08	UNAUTHORISED COLONY
72	485	4-16	4-16	2-16	UNAUTHORISED COLONY
73	486	3-19	3-19	1-02	UNAUTHORISED COLONY
74	487	4-16	4-16	2-03	UNAUTHORISED COLONY
75	488	4-16	4-16	0-02	UNAUTHORISED COLONY
76	491	2-0	2-0	0-10	UNAUTHORISED COLONY
77	493	3-11	3-11	0-08	UNAUTHORISED COLONY
78	494	4-13	4-13	0-04	UNAUTHORISED COLONY
79	495	5-07	5-07	0-16	UNAUTHORISED COLONY
80	501	4-16	4-16	1-08	UNAUTHORISED COLONY

1599

<b>R12</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF NEB SARAI</b>					
<b>SN O.</b>	<b>Khasra - No.</b>	<b>Khasra Area</b>	<b>Area of the Consolid ated forest land</b>	<b>Encroach ment Area</b>	<b>Remark</b>
81	507	4-16	4-16	1-07	UNAUTHORISED COLONY
82	516	12-9	12-9	1-02	UNAUTHORISED COLONY
83	532	34-11	34-11	7-11	UNAUTHORISED COLONY
84	533	8-18	8-18	8-18	UNAUTHORISED COLONY
85	534	1-15	1-15	1-15	UNAUTHORISED COLONY
86	546	1-01	1-01	1-01	UNAUTHORISED COLONY
87	634	29-3	29-3	3-10	UNAUTHORISED COLONY
88	649	4-4	4-04	0-3	UNAUTHORISED COLONY
<b>Total</b>		<b>617-19</b>	<b>590-01</b>	<b>264-09</b>	

1600

**R13**  
**ENCROACHMENT IN THE FOREST AREA OF SAHOORPUR**

S.N O.	KHASRA	KHASRA AREA	Area of the Consolid	ENCROACH MENT AS PER SITE	REMARK
1	25	0-10	0-10	0-10	Abadi encroachment
2	92	9-1	9-1	9-1	Abadi encroachment
3	329	1-4	1-4	1-4	Farm house encroachment
4	331	28-14	28-14	18-14	Farm house encroachment
5	336	1-0	1-0	1-0	Farm house encroachment
6	340	2-0	2-0	2-0	Raj vidya Kendra encroachment
7	345	30-6	30-6	25-6	Raj vidya Kendra encroachment
8	347	1-7	1-7	1-7	Raj vidya Kendra encroachment
9	349	46-0	46-0	46-0	Raj vidya Kendra encroachment
10	350	0-14	0-14	0-14	Raj vidya Kendra encroachment
11	351	0-18	0-18	0-18	Raj vidya Kendra encroachment
12	357	2-14	2-14	2-14	Raj vidya Kendra encroachment

1601

13	364	98-7	60-7	58-11	Kendra
					Raj vidya Kendra encroachment
14	370	16-13	16-13	16-13	
					Raj vidya Kendra encroachment
15	371	27-18	27-18	27-18	
					Farm house encroachment
16	407	1-17	1-17	1-17	
					Farm house encroachment
17	411	0-14	0-14	0-14	
					Farm house encroachment
18	424	1-0	1-0	1-0	
					Farm house encroachment
19	486	22-1	22-1	3-02	
					Farm house encroachment
20	489	66-4	66-4	1-12	
					Farm house encroachment
21	496	3-7	8-7	8-7	
					Farm house encroachment
22	501	9-1	9-1	9-1	
					Farm house encroachment
	<b>Total</b>			<b>238-03</b>	

1602

<b>R14</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF DEVLI</b>					
<b>S. NO.</b>	<b>BLOCK NO.</b>	<b>KHASRA NO.</b>	<b>Forest Area As Per List</b>	<b>Encroached Area As Per Site</b>	<b>REMARK</b>
1	20	22	4-06	4-06	UNAUTHORIZED COLONY
2	20	23/1	3-00	3-00	UNAUTHORIZED COLONY
3	21	25/2	0-19	0-19	UNAUTHORIZED COLONY
4	25	22/1	1-10	1-10	UNAUTHORIZED COLONY
5	38	3/1	3-13	3-13	UNAUTHORIZED COLONY
6	38	8/2	1-19	1-19	UNAUTHORIZED COLONY
7	40	21	4-18	4-18	UNAUTHORIZED COLONY
8	40	26	10-10	10-10	UNAUTHORIZED COLONY
9	41	9	3-05	3-05	UNAUTHORIZED COLONY
10	41	10	6-08	6-08	UNAUTHORIZED COLONY
11	41	11	6-06	6-06	UNAUTHORIZED COLONY
12	41	16	4-00	4-00	UNAUTHORIZED COLONY
13	41	17	5-10	5-10	UNAUTHORIZED COLONY
14	41	20/1	2-02	2-02	UNAUTHORIZED COLONY
15	41	21/2	0-13	0-13	UNAUTHORIZED COLONY
16	41	24	6-00	6-00	UNAUTHORIZED COLONY
17	41	25	4-12	4-12	UNAUTHORIZED COLONY

1603

18	42	5/2	2-13	2-13	UNAUTHORIZED COLONY
19	42	6	4-16	4-16	UNAUTHORIZED COLONY
20	42	7/1	1-03	1-03	UNAUTHORIZED COLONY
21	42	10/2	0-07	0-07	UNAUTHORIZED COLONY
22	42	11/1	2-13	2-13	UNAUTHORIZED COLONY
23	42	14	4-05	4-05	UNAUTHORIZED COLONY
24	42	15	4-16	4-16	UNAUTHORIZED COLONY
25	42	16/1	2-04	2-04	UNAUTHORIZED COLONY
26	42	17	4-15	4-15	UNAUTHORIZED COLONY
27	42	20	5-00	5-00	UNAUTHORIZED COLONY
28	42	21	4-16	4-16	UNAUTHORIZED COLONY
29	42	22/1	2-04	2-04	UNAUTHORIZED COLONY
30	42	25/2	2-16	2-16	UNAUTHORIZED COLONY
31	43	6	5-00	5-00	UNAUTHORIZED COLONY
32	43	7/1	3-00	3-00	UNAUTHORIZED COLONY
33	43	15/1	4-06	4-06	UNAUTHORIZED COLONY
34	43	16/1	1-15	1-15	UNAUTHORIZED COLONY
35	43	21/2	1-12	1-12	UNAUTHORIZED COLONY
36	43	22/2	2-12	2-12	UNAUTHORIZED COLONY
		23/2			UNAUTHORIZED COLONY

1604

38	43	25/2	0-09	0-09	UNAUTHORIZED COLONY
39	44	11/1	2-10	2-10	UNAUTHORIZED COLONY
40	44	12	4-16	4-16	UNAUTHORIZED COLONY
41	44	19	3-16	3-16	UNAUTHORIZED COLONY
42	44	22	3-07	3-07	UNAUTHORIZED COLONY
43	44	23/1	1-12	1-12	UNAUTHORIZED COLONY
44	44	24/2	1-04	1-04	UNAUTHORIZED COLONY
45	45	23	1-02	1-02	UNAUTHORIZED COLONY
46	45	27	10-04	10-04	TEMPLE
47	46	4/2	4-13	4-13	UNAUTHORIZED COLONY
48	46	6/2	1-00	1-00	UNAUTHORIZED COLONY
49	46	7	4-00	4-00	UNAUTHORIZED COLONY
50	46	15	7-04	4-16	UNAUTHORIZED COLONY
51	46	16	7-04	4-16	UNAUTHORIZED COLONY
52	46	17	2-08	2-08	UNAUTHORIZED COLONY
53	46	24/2	2-00	2-00	UNAUTHORIZED COLONY
54	46	25	4-16	4-16	UNAUTHORIZED COLONY
55	49	5/1	2-00	0-03	UNAUTHORIZED COLONY
56	49	6/2	1-15	0-16	UNAUTHORIZED COLONY
57	56	2	4-16	0-05	UNAUTHORIZED COLONY

1605

58	56	3	4-16	4-06	UNAUTHORIZED COLONY
59	56	18/2	3-00	1-04	UNAUTHORIZED COLONY
60	56	21/2	4-04	1-00	UNAUTHORIZED COLONY
61	58	3	5-09	5-09	UNAUTHORIZED COLONY
62	58	8	6-09	5-00	UNAUTHORIZED COLONY
63	58	13	5-06	1-10	UNAUTHORIZED COLONY
64	58	14	3-13	1-10	UNAUTHORIZED COLONY
65	58	15	4-12	0-12	UNAUTHORIZED COLONY
66	58	18	4-16	0-12	UNAUTHORIZED COLONY
67	58	23	4-16	0-05	UNAUTHORIZED COLONY
68	59	1	4-12	4-12	UNAUTHORIZED COLONY
69	59	7	3-02	3-02	UNAUTHORIZED COLONY
70	59	8	4-16	4-16	UNAUTHORIZED COLONY
71	59	9	4-16	4-16	UNAUTHORIZED COLONY
72	59	10	4-12	4-12	UNAUTHORIZED COLONY
73	59	11	4-16	2-00	UNAUTHORIZED COLONY
74	59	12	4-16	4-16	UNAUTHORIZED COLONY
75	59	13	4-16	4-16	UNAUTHORIZED COLONY
76	59	14	5-01	5-01	UNAUTHORIZED COLONY
77	59	17	4-16	1-14	UNAUTHORIZED COLONY

1606

78	59	18	4-16	4-16	UNAUTHORIZED COLONY
79	59	19	4-16	4-16	UNAUTHORIZED COLONY
80	59	20	4-16	3-06	UNAUTHORIZED COLONY
81	59	21	4-16	3-00	UNAUTHORIZED COLONY
82	59	22	4-16	4-16	UNAUTHORIZED COLONY
83	59	23	4-16	4-16	UNAUTHORIZED COLONY
84	59	24	4-16	1-16	UNAUTHORIZED COLONY
85	60	1/2	3-07	3-07	UNAUTHORIZED COLONY
86	60	2/1	4-07	1-10	UNAUTHORIZED COLONY
87	60	4	4-16	0-02	UNAUTHORIZED COLONY
88	60	5	4-16	3-12	UNAUTHORIZED COLONY
89	60	6	4-16	0-02	UNAUTHORIZED COLONY
90	60	9	4-16	0-02	UNAUTHORIZED COLONY
91	60	10/1	2-01	2-01	UNAUTHORIZED COLONY
92	60	10/3	1-07	1-07	UNAUTHORIZED COLONY
93	60	12	5-14	1-12	UNAUTHORIZED COLONY
94	60	19	4-12	0-10	UNAUTHORIZED COLONY
95	60	20/1	4-04	1-04	UNAUTHORIZED COLONY
96	61	1/1	0-12	0-12	UNAUTHORIZED COLONY
97	61	4	4-16	4-16	UNAUTHORIZED COLONY

1607

98	61	5	4-12	4-12	UNAUTHORIZED COLONY
99	61	6	4-12	4-12	UNAUTHORIZED COLONY
100	61	7	4-16	4-16	UNAUTHORIZED COLONY
101	61	10/2	2-06	2-00	UNAUTHORIZED COLONY
102	61	11	4-0	1-10	UNAUTHORIZED COLONY
103	61	19	5-04	5-00	UNAUTHORIZED COLONY
104	61	20	4-16	0-04	UNAUTHORIZED COLONY
105	61	23	4-16	4-16	UNAUTHORIZED COLONY
106	61	24MIN	0-06	0-06	UNAUTHORIZED COLONY
107	61	25MIN	0-19	0-19	UNAUTHORIZED COLONY
108	63MIN		96-08	28-08	UNAUTHORIZED COLONY
109	64MIN		115-04	8-04	UNAUTHORIZED COLONY
110	67	2/2	2-16	2-16	UNAUTHORIZED COLONY
111	67	9/1	2-06	2-06	UNAUTHORIZED COLONY
112	67	10/1	2-0	2-0	UNAUTHORIZED COLONY
113	67	11	4-16	0-06	UNAUTHORIZED COLONY
114	67	20/1	3-14	1-14	UNAUTHORIZED COLONY
115	67	20/2	1-02	1-02	UNAUTHORIZED COLONY
116	67	21/1	2-04	2-04	UNAUTHORIZED COLONY
117	67	21/2	2-11	1-06	UNAUTHORIZED COLONY

1608

118	68	3/3	0-14	0-14	UNAUTHORIZED COLONY
119	68	6	4-02	0-18	UNAUTHORIZED COLONY
120	68	7	8-14	3-04	UNAUTHORIZED COLONY
121	68	10/2	2-08	2-08	UNAUTHORIZED COLONY
122	68	14	4-10	4-10	UNAUTHORIZED COLONY
123	68	15/1	3-04	3-04	UNAUTHORIZED COLONY
124	68	15/2	1-12	1-0	UNAUTHORIZED COLONY
125	68	16/1	1-00	1-00	UNAUTHORIZED COLONY
126	68	25/2	0-09	0-09	UNAUTHORIZED COLONY
127	69	1	4-16	4-16	UNAUTHORIZED COLONY
128	69	2	4-16	0-07	UNAUTHORIZED COLONY
129	69	6	4-16	0-13	UNAUTHORIZED COLONY
130	69	7	4-16	1-07	UNAUTHORIZED COLONY
131	69	10	4-13	4-13	UNAUTHORIZED COLONY
132	69	14	3-18	1-06	UNAUTHORIZED COLONY
133	69	16/2	1-05	0-14	UNAUTHORIZED COLONY
134	69	25/1	1-05	0-13	UNAUTHORIZED COLONY
135	70	6/2	2-11	2-11	UNAUTHORIZED COLONY
136	70	10/1	1-08	1-05	UNAUTHORIZED COLONY
137	70	10/2	3-03	1-05	UNAUTHORIZED COLONY

1609

138	70	11	5-06	1-08	UNAUTHORIZED COLONY
139	70	16/2	1-17	0-07	UNAUTHORIZED COLONY
140	70	20	6-07	3-12	UNAUTHORIZED COLONY
141	70	21	4-16	2-08	UNAUTHORIZED COLONY
142	71	2	4-12	2-12	UNAUTHORIZED COLONY
143	71	9	4-00	4-00	UNAUTHORIZED COLONY
144	75	1	4-16	1-10	UNAUTHORIZED COLONY
145	75	2	4-16	4-00	UNAUTHORIZED COLONY
146	75	3/1	1-18	1-18	UNAUTHORIZED COLONY
147	75	7/1	0-16	0-08	UNAUTHORIZED COLONY
148	75	8	4-16	0-08	UNAUTHORIZED COLONY
149	76	5/2	1-12	0-15	UNAUTHORIZED COLONY
150	76	6/2	1-12	0-09	UNAUTHORIZED COLONY
151	76	14	4-18	1-00	UNAUTHORIZED COLONY
152	77	5/2	0-08	0-08	UNAUTHORIZED COLONY
153	78	1	4-08	3-18	UNAUTHORIZED COLONY
154	78	2	4-16	0-04	UNAUTHORIZED COLONY
155	78	9	5-14	2-14	UNAUTHORIZED COLONY
156	78	12	3-16	1-00	UNAUTHORIZED COLONY
157	78	19	4-03	1-00	UNAUTHORIZED COLONY

117610

TOTAL AREA		452-14
------------	--	--------

## Annexure- R15

## ENCROACHMENT IN THE FOREST AREA OF ASOLA

Khasra No.	Area (As per Field Book)		Area of the Consolidated forest land		Area Encroached		Remarks
	Bigha	Biswa	Bigha	Biswa	Bigha	Biswa	
149	2	2	2	2	02	02	Unauthorized colony
221	1	2	1	2	01	02	Farm house encroachment
242	1	10	1	10	01	10	Unauthorized colony
483	1	14	1	14	01	14	Unauthorized colony
507	1	14	1	14	01	14	Unauthorized colony
518	5	16	5	16	05	16	Unauthorized colony
535	3	12	3	12	03	12	Unauthorized colony
693	2	6	2	6	02	06	Farm house encroachment
733	8	16	8	16	08	16	farm house encroachment
750	1	1	1	1	01	01	farm house encroachment
752	2	18	2	18	02	18	farm house encroachment
835	2	13	2	13	02	13	farm house encroachment
869	1	7	1	7	01	07	farm house D-19 Prashant Chowdary
896	10	3	10	3	10	03	farm house encroachment
902	1	13	1	13	01	13	In the farm house of D-34

1612

903	2	13	2	13	02	13	farm house encroachment
1077	1	19	1	19	01	19	farm house encroachment
1113	1	14	1	14	01	14	farm house encroachment
1141	6	7	6	7	06	07	farm house encroachment
1157	6	2	6	2	06	02	farm house encroachment
1194	13	11	13	11	13	11	Farm house encroachment
1257	21	19	21	19	21	19	Farm house encroachment
1264	1	1	1	1	01	01	Farm house encroachment
1272	5	6	5	6	05	06	Farm house encroachment
1274	38	1	38	1	38	01	Farm house encroachment
1300	17	6	17	6	17	06	Farm house encroachment
1309	8	8	8	8	08	08	Farm house encroachment
1312	1	19	1	19	01	19	Farm house encroachment
1313	5	2	5	2	05	02	Farm house encroachment
1318	25	18	25	18	25	18	Farm house encroachment
1356	1	15	1	15	01	07	Farm house

1613

							encroachment
1362	3	8	3	8	02	19	Farm house encroachment
1387	5	2	5	2	05	02	Farm house encroachment
1392	5	2	5	2	05	02	Farm house encroachment
1404	1	6	1	6	01	06	Farm house encroachment
1424	19	13	19	13	19	13	Farm house encroachment
1430	22	15	22	15	22	15	Farm house encroachment
1435	43	5	43	5	43	05	Farm house encroachment
1443	2	1	2	1	02	01	Farm house encroachment
1455	2	11	2	11	02	11	Farm house encroachment
1456	4	17	4	17	04	17	Farm house encroachment
1465	5	10	5	10	05	10	Farm house encroachment
1470	1	18	1	18	01	18	Farm house encroachment
1491	1	3	1	3	01	03	Farm house encroachment

1614

					08	06	Farm house encroachment
1513	8	6	8	6			
1515	1	15	1	15	01	15	Farm house encroachment
1555	0	11	0	11	00	11	Farm house encroachment
					02	04	Farm house encroachment
1613	2	4	2	4			
1618	4	13	4	13	04	13	Farm house encroachment
					01	03	Farm house encroachment
1619	1	3	1	3			
					01	00	Farm house encroachment
1622	1	0	1	0			
					01	07	Farm house encroachment
1625	4	3	4	3			
					12	12	Farm house encroachment
1628	12	12	12	12			
					03	11	Farm house encroachment
1632	3	11	3	11			
1669	2	17	2	17	02	17	Farm house encroachment
1671	6	16	6	16	06	16	Farm house encroachment
1677	232	12	232	12	50	16	Farm house encroachment
1753	110	15	110	15	04	11	Farm house

1615

							encroachment
1754	237	19	237	19	118	03	Farm house encroachment
1761	257	4	257	4	51	02	Farm house encroachment
1763	221	12	221	12	01	13	Farm house encroachment
	<b>TOTAL</b>				<b>675- 00 Bigha- Biswa</b>		

\*Encroachment of 869-00 Bigha – Biswas removed on 14/03/2018. (List of khasra nos. listed in Annexure-27)

<b>R16</b>				
<b>ENCROACHMENT IN THE FOREST AREA OF BHATI</b>				
<b>S. No.</b>	<b>Khasra No.</b>	<b>Area as per Forest list</b>	<b>Encroachment Area as per site</b>	<b>Remark</b>
1	511	10-05	10-05	Radha Swami Encroachment
2	517	2-13	2-13	Radha Swami Encroachment
3	518	0-02	0-02	Radha Swami Encroachment
4	519	1-04	1-04	Radha Swami Encroachment
5	520	2-19	2-19	Radha Swami Encroachment
6	521	0-18	0-18	Radha Swami Encroachment
7	593	9-03	9-03	Radha Swami Encroachment
8	595	1-02	1-02	Radha Swami Encroachment
9	771	0-10	0-10	Hanslok Ashram Encroachment
10	775	1-04	0-10	Hanslok Ashram Encroachment
11	1031	3-00	3-00	Sahni Farm Encroachment
12	1111	1-07	1-07	Brahmwati & Group Benefit Trust
13	1113	2-05	2-05	Brahmwati & Group Benefit Trust
14	1302	16-15	16-15	Farm House Encroachment
15	1333	5-02	5-02	Farm House Encroachment
16	1376	12-13	12-13	Farm House Encroachment
17	1476	3-19	3-19	Farm House Encroachment
18	1555	0-09	0-09	Uday Agarwal Farm Encroachment
19	1604	5-06	5-06	Anand Videos, Asha Ch. & Bagga Farm Encroachment
20	1605/2	4-0	4-0	Anand Videos Encroachment
21	1708	9-01	4-17	Khosla & Vandana Sikka Farm Encroachment
22	1736	26-06	26-06	Village Abadi Encroachment
23	1738	27-04	27-04	Village Abadi Encroachment
24	1740	6-13	6-13	Village Abadi Encroachment

1617

R16				
ENCROACHMENT IN THE FOREST AREA OF BHATI				
S. No.	Khasra No.	Area as per Forest list	Encroachment Area as per site	Remark
25	1758	1-04	1-04	Village Abadi Encroachment
26	1764	2-07	2-07	Village Abadi Encroachment
27	1771	1-03		Village Abadi Encroachment
28	1772	0-18	0-18	Village Abadi Encroachment
29	1774	2-14	2-14	Village Abadi Encroachment
30	1776	1-14	1-14	Village Abadi Encroachment
31	1782	0-18	0-18	Village Abadi Encroachment
32	1790	5-08	5-08	Village Abadi Encroachment
33	1793	2-03	2-03	Village Abadi Encroachment
34	1805	1-12	1-12	Village Abadi Encroachment
35	1828	7-17	4-13	Farming Inside Boundary
36	1840	1-10	1-10	Village Abadi Encroachment
37	1865	102-09	47-05	Village Abadi Encroachment
<del>38</del>	<del>1868</del>	8-17	8-14	Village Abadi Encroachment
39	1873	15-07	4-04	Village Abadi Encroachment
40	1874	7-09	0-05	Village Abadi Encroachment
41	1910	300-00	15-0	Sanjay Colony
42	1911	267-13	60-00	Sanjay Colony
43	1912	216-12	216-12	Sanjay Colony
44	1913	159-17	102-10	Sanjay Colony
45	1914	300-00	27-05	Sanjay Colony
46	1915	300-00	230-00	Sanjay Colony
47	1916	300-00	22-00	Sanjay Colony
48	1917	300-00	32-00	Sanjay Colony
49	1076/1276	0-18	0-18	Farm House Encroachment
50	1138/2	3-10	3-10	Farm House Encroachment
51	129/2	3-05	3-05	Farm House Encroachment
52	1605/2	4-00	4-00	Farm House Encroachment

<b>R16</b>				
<b>ENCROACHMENT IN THE FOREST AREA OF BHATI</b>				
<b>S. No.</b>	<b>Khasra No.</b>	<b>Area as per Forest list</b>	<b>Encroachment Area as per site</b>	<b>Remark</b>
53	265		02-Aug	Dishyama Foundation Encroachment
54	280	1-7	1-7	Farm House Encroachment
55	286	0-11	0-11	Farm House Encroachment
56	289 Min	0-15	0-15	Abadi Encroachment
57	316	4-17	4-17	Farm House Encroachment
58	328 Min	7-9	7-9	Farm House Encroachment
59	359	0-11	0-11	Abadi Encroachment
60	367	0-12	0-12	Abadi Encroachment
61	369	0-16	0-16	Abadi Encroachment
62	370	0-10	0-10	Abadi Encroachment
63	373	11-5	11-5	Rose Midos Encroachment
64	374	3-1	3-1	Farm House Encroachment
65	375	3-16	3-16	Mangat Sangat Farm House Encroachment
66	377	2-1	2-1	Mangat Sangat Farm House Encroachment
67	378 Min	18-7	18-7	Mangat Sangat Farm House Encroachment
68	402	0-6	0-6	Mangat Sangat Farm House Encroachment
69	403	1-0	1-0	Mangat Sangat Farm House Encroachment
70	404	0-16	0-16	Mangat Sangat Farm House Encroachment
71	405	0-3	0-3	Mangat Sangat Farm House Encroachment
72	427 Min	6-15	6-15	Farm House Encroachment
73	459 Min	2-19	2-19	Radha swami Encroachment
74	460 Min	16-0	16-0	Radha swami & Others Ench.
75	467	1-0	1-0	Farm House Encroachment
76	468	0-12	0-12	Farm House Encroachment
77	484	1-2	1-2	Radha swami Encroachment
78	499	1-2	1-2	Farm House Encroachment
79	526 Min	16-15	16-15	Radha swami Encroachment
80	527	5-12	5-12	Radha swami Encroachment
81	574	7-7	7-7	Radha swami Encroachment

R16 ENCROACHMENT IN THE FOREST AREA OF BHATI				
S. No.	Khasra No.	Area as per Forest list	Encroachment Area as per site	Remark
82	745	8-0	5-10	Radha swami Encroachment
83	747	10-1	8-10	Farm House Encroachment
84	761 Min	0-19	0-19	Farm House Encroachment
85	898	2-0	2-0	Radha swami Encroachment
86	931 Min	10-0	10-0	Radha swami Encroachment
87	963 Min	2-8	2-8	Farm House Encroachment
88	1311	2-3	2-3	Farm House Encroachment
89	1582	3-3	0-14	Farm House Encroachment
	<b>-Total</b>	<b>—</b>	<b>477-14</b>	

Encroachment of 1486-00 Bigha – Biswas removed on 28/08/2018 and 25/09/2018. (List of khasra nos. listed in Annexure-27)

1620

**R17**

**ENCROACHMENT IN THE FOREST AREA OF MAIDANGARHI**

Khasra No.	KHASRA AREA	CONSOLIDATED FOREST AREA	ENCROACHMENT	STATUS AS PER SITE
15	8-7	8-7	8-07	ABADI ENCROACHMENT
30	6-1	6-1	2-04	ABADI ENCROACHMENT
97	0-9	0-9	0-09	ABADI ENCROACHMENT
125	3-1	3-1	2-17	ABADI ENCROACHMENT
423	3-6	3-6	3-06	FARMHOUSE ENCROACHMENT
518	2-11	2-11	2-11	FARMHOUSE ENCROACHMENT
522	9-7	9-7	1-09	FARMHOUSE ENCROACHMENT
529	5-15	5-15	0-14	GUMMAT TEMPLE
553	11-15	11-15	1-00	ABADI ENCROACHMENT
555	7-3	7-3	7-03	ABADI ENCROACHMENT
556	0-9	0-9	0-09	ABADI ENCROACHMENT
560	0-18	0-18	0-18	ABADI ENCROACHMENT
981/562Min	0-16	0-16	0-16	ABADI ENCROACHMENT
982/562V	0-6	0-6	0-06	ABADI ENCROACHMENT

1621

566/1	0-5	0-5	0-05	ABADI ENCROACHMENT
572	254-5	126-5	20-0	ABADI ENCROACHMENT
582	20-16	20-16	3-17	FARM HOUSE ENCHROACHMENT
1005/598/2	11-14	11-14	3-05	FARM HOUSE ENCHROACHMENT
599	35-4	35-4	9-00	FARM HOUSE ENCHROACHMENT
610	16-0	16-0	7-12	FARM HOUSE ENCHROACHMENT
624	57-17	57-17	1-06	FARM HOUSE ENCHROACHMENT
630	55-7	55-7	1-04	FARM HOUSE ENCHROACHMENT
<b>Total</b>			<b>79-03</b>	

1622

<b>R18</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF SAIDULAJAB</b>					
<b>SN O.</b>	<b>Khasra No.</b>	<b>AREA AS PER FIELD</b>	<b>Area of the Consolidated forest</b>	<b>ENCRAOCH MNET AS PER SITE</b>	<b>REMARKS</b>
1	200/2	1-0	1-0	1-0	UNAUTHORIZED COLONY
2	202Min	0-4	0-4	0-4	UNAUTHORIZED COLONY
3	209	19-0	19-0	5-11	UNAUTHORIZED COLONY
4	221	110-3	110-3	9-04	UNAUTHORIZED COLONY
5	223	18-5	28-5	0-17	UNAUTHORIZED COLONY
6	224	28-15	28-15	2-14	UNAUTHORIZED COLONY
7	225	1-6	1-6	1-6	UNAUTHORIZED COLONY
8	226	2-3	2-3	2-3	UNAUTHORIZED COLONY
9	227	7-18	7-18	7-18	UNAUTHORIZED COLONY
10	229	17-9	17-9	5-10	UNAUTHORIZED COLONY
11	236	1-13	1-13	0-10	UNAUTHORIZED COLONY
12	237	1-11	1-11	1-02	UNAUTHORIZED COLONY
13	238	1-1	1-1	1-1	UNAUTHORIZED COLONY
14	239	1-5	1-5	1-02	UNAUTHORIZED COLONY
15	240	0-15	0-15	0-10	UNAUTHORIZED COLONY
16	241	1-3	1-3	1-3	UNAUTHORIZED COLONY
17	242	2-17	2-17	2-17	UNAUTHORIZED COLONY
18	243	3-2	3-2	2-12	UNAUTHORIZED COLONY
19	244	1-18	1-18	1-18	UNAUTHORIZED COLONY
20	245	12-12	12-12	2-07	UNAUTHORIZED COLONY
21	246	20-19	20-19	5-18	UNAUTHORIZED COLONY

1623

22	251	4-8	4-8	2-05	UNAUTHORIZED COLONY
23	255	3-18	3-18	3-18	UNAUTHORIZED COLONY
24	256	4-18	4-18	4-18	UNAUTHORIZED COLONY
25	257	1-0	1-0	1-0	UNAUTHORIZED COLONY
26	263	1-15	1-15	1-00	UNAUTHORIZED COLONY
27	273	8-10	4-16	1-18	UNAUTHORIZED COLONY
28	274	4-00	1-0	4-00	UNAUTHORIZED COLONY
29	277	10-7	10-7	10-7	TEMPLE
30	278	15-02	10-17	10-17	UNAUTHORIZED COLONY
31	292	4-5	4-5	4-5	UNAUTHORIZED COLONY
32	296	7-3	7-3	4-10	UNAUTHORIZED COLONY
33	305	1-3	1-3	1-3	UNAUTHORIZED COLONY
34	306	1-16	1-16	1-16	UNAUTHORIZED COLONY
	<b>Total</b>			<b>109-04</b>	

1624

**R19**

**ENCROACHMENT IN THE FOREST AREA OF SATBARI**

Sno.	KHAS RA	KHAS RA AREA	Area of the Consolidated forest land	ENCROACHMENT AS PER SITE	REMARK
1	464	23-5	23-5	16-00	UNAUTHORIZED COLONY
2	565	10-16	10-16	10-16	UNAUTHORIZED COLONY
3	639	4-4	4-4	4-4	UNAUTHORIZED COLONY
4	696	12-3	12-3	3-06	UNAUTHORIZED COLONY
5	740	30-1	30-1	3-03	UNAUTHORIZED COLONY
6	756	13-1	13-1	1-04	UNAUTHORIZED COLONY
7	822	10-4	10-4	10-4	UNAUTHORIZED COLONY
8	899	64-3	64-3	64-3	UNAUTHORIZED COLONY
9	923	1-9	1-9	1-9	UNAUTHORIZED COLONY
10	947	2-6	2-6	2-6	UNAUTHORIZED COLONY
11	977	10-1	10-1	10-1	UNAUTHORIZED COLONY
12	978	9-19	9-19	9-19	UNAUTHORIZED COLONY
13	983	7-16	7-16	7-16	UNAUTHORIZED COLONY
14	999	8-16	8-16	4-01	UNAUTHORIZED COLONY
15	1007	4-10	4-10	1-00	UNAUTHORIZED COLONY
16	1076	5-9	5-9	5-9	UNAUTHORIZED COLONY
17	1080	11-11	11-11	11-11	UNAUTHORIZED COLONY
18	1091	9-15	9-15	3-00	UNAUTHORIZED COLONY
19	1092	1-10	1-10	1-10	UNAUTHORIZED COLONY
20	1099	120-0	120-0	2-00	UNAUTHORIZED COLONY
21	1113	4-16	4-16	4-16	UNAUTHORIZED COLONY

1625

<b>R19</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF SATBARI</b>					
<b>Sno.</b>	<b>KHAS RA</b>	<b>KHAS RA AREA</b>	<b>Area of the Consolidat ed forest land</b>	<b>ENCROACH MENT AS PER SITE</b>	<b>REMARK</b>
22	1114	1-10	1-10	1-10	UNAUTHORIZED COLONY
23	1127	99-12	99-12	2-09	UNAUTHORIZED COLONY
	<b>Total</b>			<b>181-17</b>	

R20  
ENCROACHMENT IN THE FOREST AREA OF JAUNAPUR

S.NO.	KHASRA No.	Area	Area of the Consolidated forest land	Encorachment As Per Site	STATUS AS PER SITE
1	29//9/2	2-10	2-10	0-14	FARM HOUSE
2	12/1	2-3	2-3	1-02	FARM HOUSE ENCROACHMENT
3	32//10/2	3-01	3-01	0-05	FARM HOUSE ENCROACHMENT
4	11	4-7	4-7	0-08	FARM HOUSE ENCROACHMENT
5	20	4-2	4-2	0-12	FARM HOUSE ENCROACHMENT
6	21	4-7	4-7	0-15	FARM HOUSE ENCROACHMENT
7	33//24/2	0-16	0-16	0-16	FARM HOUSE ENCROACHMENT
8	36//26	0-8	0-8	0-08	Abadi Encroachment
9	43//4/1	0-12	0-12	0-12	Farm House Encorachment
10	8	4-1	4-1	4-01	Farm House Encorachment
11	46//4/1	1-5	1-5	1-05	Farm House Encorachment
12	2	5-16	5-16	5-05	Farm House Encorachment
13	9	4-6	4-6	2-05	Farm House Encorachment
14	19	4-15	4-15	0-12	Farm House Encorachment
15	25/1	1-16	1-16	1-16	Farm House Encorachment
16	53//9	2-8	2-8	2-08	FARM HOUSE ENCROACHMENT
17	67//1	4-16	4-16	1-16	UNAUTHORIZED COLONY (BHEM BASTI)
18	2/1	1-9	1-9	1-04	UNAUTHORIZED COLONY (BHEM BASTI)
19	9/2	1-9	1-9	1-09	UNAUTHORIZED COLONY (BHEM BASTI)
20	10	4-16	4-16	1-00	UNAUTHORIZED COLONY (BHEM BASTI)
21	11	4-16	4-16	2-00	UNAUTHORIZED COLONY (BHEM BASTI)

22	12/1.	1-9	1-9	1-09	UNAUTHORIZED COLONY (BHEM BASTI)
23	19/2	1-9	1-9	1-09	UNAUTHORIZED COLONY (BHEM BASTI)
24	20	4-16	4-16	3-10	UNAUTHORIZED COLONY (BHEM BASTI)
25	21	4-16	4-16	3-00	UNAUTHORIZED COLONY (BHEM BASTI)
26	22/1	1-9	1-9	1-09	UNAUTHORIZED COLONY (BHEM BASTI)
27	78//1	4-16	4-16	2-00	FARM HOUSE ENCROACHMENT
28	2	4-16	4-16	1-18	FARM HOUSE ENCROACHMENT
29	3	4-16	4-16	0-07	FARM HOUSE ENCROACHMENT
30	8	4-16	4-16	1-14	FARM HOUSE ENCROACHMENT
31	11	4-16	4-16	0-09	FARM HOUSE ENCROACHMENT
32	20	4-16	4-16	0-14	FARM HOUSE ENCROACHMENT
33	21	4-16	4-16	0-15	FARM HOUSE ENCROACHMENT
34	79//1	4-16	4-16	1-10	UNAUTHORIZED COLONY (BHEM BASTI)
35	2	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)
36	8/1	1-14	1-14	1-14	UNAUTHORIZED COLONY (BHEM BASTI)
37	8/2.	2-17	2-17	2-17	UNAUTHORIZED COLONY (BHEM BASTI)
38	9	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)
39	10	4-16	4-16	0-10	UNAUTHORIZED COLONY (BHEM BASTI)
40	11	4-16	4-16	1-02	UNAUTHORIZED COLONY (BHEM BASTI)
41	12	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)
42	13/1	3-4	3-4	0-04	UNAUTHORIZED COLONY (BHEM BASTI)

43	13/2	1-12	1-12	0-04	UNAUTHORIZED COLONY (BHEM BASTI)
44	18/2	2-18	2-18	1-09	UNAUTHORIZED COLONY (BHEM BASTI)
45	19	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)
46	20	4-16	4-16	2-00	UNAUTHORIZED COLONY (BHEM BASTI)
47	21	4-16	4-16	2-11	UNAUTHORIZED COLONY (BHEM BASTI)
48	10	3-8	3-8	3-06	FARM HOUSE ENCROACHMENT
49	11	4-16	4-16	4-16	SINGAPORE UNIVERSITY BOUNDARY WALL
50	12	4-16	4-16	3-12	SINGAPORE UNIVERSITY BOUNDARY WALL
51	13	4-16	4-16	3-05	SINGAPORE UNIVERSITY BOUNDARY WALL
52	18	4-16	4-16	1-05	SINGAPORE UNIVERSITY BOUNDARY WALL
53	20	4-16	4-16	4-06	UNAUTHORIZED COLONY (BHEM BASTI)
54	21	4-16	4-16	4-03	UNAUTHORIZED COLONY (BHEM BASTI)
55	22	4-16	4-16	0-04	UNAUTHORIZED COLONY (BHEM BASTI)
56	23	4-16	4-16	0-10	SINGAPORE UNIVERSITY BOUNDARY WALL
57	24	4-16	4-16	2-12	SINGAPORE UNIVERSITY BOUNDARY WALL
58	92//1	4-16	4-16	2-10	SINGAPORE UNIVERSITY BOUNDARY WALL
59	14	4-6	4-6	0-12	UNAUTHORIZED COLONY (BHEM BASTI)
60	15	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)
61	16	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)

82	4	4-16	4-16	0-16	UNAUTHORIZED COLONY (BHEM BASTI)
83	5	4-16	4-16	1-11	SINGAPORE UNIVERSITY BOUNDARY WALL
84	7	4-16	4-16	0-10	UNAUTHORIZED COLONY (BHEM BASTI)
85	8	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)
86	9	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)
87	10	4-16	4-16	4-16	UNAUTHORIZED COLONY (BHEM BASTI)
88	11	4-16	4-16	1-00	UNAUTHORIZED COLONY (BHEM BASTI)
89	12	4-16	4-16	4-03	UNAUTHORIZED COLONY (BHEM BASTI)
90	13	4-16	4-16	4-00	UNAUTHORIZED COLONY (BHEM BASTI)
91	3	4-16	4-16	0-16	FARM HOUSE ENCROACHMENT
92	8/2	3-3	3-3	1-10	FARM HOUSE ENCROACHMENT
93	12	4-16	4-16	0-16	FARM HOUSE ENCROACHMENT
94	19/2	3-10	3-10	3-10	FARM HOUSE ENCROACHMENT
95	10	4-16	4-16	0-07	FARM HOUSE ENCROACHMENT
96	11	1-8	1-8	1-08	FARM HOUSE ENCROACHMENT
97	12	3-14	3-14	3-14	FARM HOUSE ENCROACHMENT
98	13	5-16	5-16	0-10	FARM HOUSE ENCROACHMENT
99	4	4-18	4-18	0-14	FARM HOUSE ENCROACHMENT
100	115	15-16	15-16	0-12	FARM HOUSE ENCROACHMENT
101	116	7-18	7-18	7-02	FARM HOUSE ENCROACHMENT
102	119	4-16	4-16	4-16	FARM HOUSE ENCROACHMENT

1631

103	125--	46-10	46-10	15-10	FARM HOUSE ENCROACHMENT
104	126	11-13	11-13	3-06	FARM HOUSE ENCROACHMENT
105	127	28-3	28-3	1-00	FARM HOUSE ENCROACHMENT
106	130	23-2	23-2	1-10	FARM HOUSE ENCROACHMENT
107	131min	106-03	96-11	1-11	FARM HOUSE ENCROACHMENT
108		55-13	46-1	14-00	FARM HOUSE ENCROACHMENT
109	133	10-4	10-4	2-10	FARM HOUSE ENCROACHMENT
110	134	99-6	99-6	3-06	FARM HOUSE ENCROACHMENT
111	137	19-5	19-5	7-05	FARM HOUSE ENCROACHMENT
	<b>Total</b>			<b>287-05</b>	

R21

## ENCROACHMENT IN THE FOREST AREA OF DERA MANDI

S.NO	MUSTATIL NO.	KHASRA NO	TOTAL AREA	ENCROACHMENT AREA	REMARK
1	5	5	87-19	20-16	Jawahar Colony
2	6	6	4-16	1-14	Farm House Encroachment
3	-	7	4-16	3-11	Farm House Encroachment
4		8	4-16	2-18	Farm House Encroachment
5		9	4-16	1-06	Farm House Encroachment
6		11	4-16	3-00	Farm House Encroachment
7		12	4-16	3-17	Farm House Encroachment
8		13/2	1-2	1-2	Farm House Encroachment
9		19	4-16	2-06	Farm House Encroachment
10		20	4-16	4-16	Jawahar Colony
11		21	4-16	4-03	Jawahar Colony
12		22	4-16	2-12	Jawahar Colony
13	11	15	4-3	4-3	Farm House Encroachment
14		16/2	2-0	2-0	Farm House Encroachment
15	16	9/2	2-5	2-5	Farm House Encroachment
16	19	19//6/2	2-0	2-0	Farm House Encroachment
17	25	25//1	4-8	2-15	Farm House Encroachment
18		2	4-12	0-09	Farm House Encroachment
19		5	4-8	2-15	Farm House Encroachment
20		6	4-12	4-12	Farm House Encroachment
21		7	4-16	1-05	Farm House Encroachment
22		9	4-16	0-05	Abadi ENCROACHMENT
23		10	4-12	2-17	Abadi ENCROACHMENT

24		11	4-8	2-05	Abadi ENCROACHMENT
25		12	4-12	0-07	Abadi ENCROACHMENT
26		14	4-12	3-02	Farm House Encroachment
27		15	4-8	4-8	Farm House Encroachment
28		16	4-12	3-11	Farm House Encroachment
29		17	4-16	2-12	Farm House Encroachment
30		18	4-12	0-17	Farm House Encroachment
31		21/1	2-8	02-08.	Farm House Encroachment
32		23	4-8	0-12	Farm House Encroachment
33		25	4-12	0-15	Farm House Encroachment
34	<b>26</b>	26//1	4-12	0-07	Farm House Encroachment
35		2	4-12	0-10	Farm House Encroachment
36		3	4-8	0-11	Farm House Encroachment
37		11/2	1-0	0-11	Farm House Encroachment
38		12	4-16	4-16	Farm House Encroachment
39		14/1Min	1-16	1-16	Farm House Encroachment
40		15/2	1-12	0-16	Farm House Encroachment
41	<b>27</b>	21	4-16	0-5	Farm House Encroachment
42		22	4-16	0-7	Farm House Encroachment
43		23	4-16	0-8	Farm House Encroachment
44	<b>33</b>	8	4-16	0-14	ABADI ENCROACHMENT
45	<b>36</b>	8	4-16	1-06	ABADI ENCROACHMENT
46		17/1	1-8	1-8	ABADI ENCROACHMENT

47		17/3	2-8	2-8	ABADI ENCROACHMENT
48	<b>37</b>	2/3/1	0-06	1-5	ABADI ENCROACHMENT
49		3/1	0-11	0-11	ABADI ENCROACHMENT
50		8/1	2-8	2-8	ABADI ENCROACHMENT
51		9/1	0-15	0-15	ABADI ENCROACHMENT
52	<b>39</b>	6	4-12	1-00	ABADI ENCROACHMENT
53		14/2	1-5	1-5	ABADI ENCROACHMENT
54		17/1	1-16	1-16	ABADI ENCROACHMENT
55		17/2	0-2	0-2	ABADI ENCROACHMENT
56		20/1	1-6	1-6	ABADI ENCROACHMENT
57		21/2	1-6	1-6	ABADI ENCROACHMENT
58	<b>40</b>	40//1	4-16	1-12	ABADI ENCROACHMENT
59		10	4-12	1-10	Farm House Encroachment
60	<b>41</b>	12	4-16	4-16	ABADI ENCROACHMENT
61		23/2	1-9	1-9	ABADI ENCROACHMENT
62		25/2	0-5	0-5	ABADI ENCROACHMENT
63	<b>42</b>	21/2	1-18	1-18	ABADI ENCROACHMENT

64	44	44//7/2	1-4	1-4	ABADI ENCROACHMENT
65	45	45//3/1	3-7	3-7	ABADI ENCROACHMENT
66		11/1	1-8	1-8	ABADI ENCROACHMENT
67		21/1	1-4	1-4	ABADI ENCROACHMENT
68	47	47//9/2	2-0	2-0	ABADI ENCROACHMENT
69		23/2	2-9	2-9	ABADI ENCROACHMENT
70		24	1-5	1-5	ABADI ENCROACHMENT
71	49	49//25/1	1-14	1-14	ABADI ENCROACHMENT
72	54	17/2	1-3	1-3	ABADI ENCROACHMENT
73	55	55//14/2	3-0	3-0	ABADI ENCROACHMENT
74	56	56//3	4-12	1-6	Farm House Encroachment
75	60	60//4	4-12	4-12	Farm House Encroachment
76		7	4-12	4-12	Farm House Encroachment
77	61	21	4-12	0-13	Farm House Encroachment
78		22	4-12	0-11	Farm House Encroachment
79		23/1	3-1	0-07	Farm House Encroachment
80		25	4-16	1-17	Farm House Encroachment
81	62	4	4-16	0-11	Farm House Encroachment
82		5	4-16	4-16	Farm House Encroachment
83		25	4-16	3-10	Farm House Encroachment

84	<b>65</b>	65//5/1	2-0	2-0	Farm House Encroachment
85		5/2	0-5	0-5	Farm House Encroachment
86	<b>69</b>	69//	1-3	1-3	ABADI ENCROACHMENT
87	<b>73</b>	73//14/2	1-17	1-17	ABADI ENCROACHMENT
88		19/2	4-10	4-10	ABADI ENCROACHMENT
89	<b>75</b>	75//17/2	1-4	1-4	ABADI ENCROACHMENT
90	<b>77</b>	19/1	2-4	2-4	ABADI ENCROACHMENT
91	<b>78</b>	18/2	0-14	0-14	ABADI ENCROACHMENT
92		20/1	0-16	0-16	ABADI ENCROACHMENT
93		21/1	1-3	1-3	ABADI ENCROACHMENT
94		22/3	2-3	2-3	ABADI ENCROACHMENT
95		23/2	0-13	0-13	ABADI ENCROACHMENT
96	<b>79</b>	79//25/2	2-0	2-0	ABADI ENCROACHMENT
97	<b>81</b>	81//24	3-4	3-4	ABADI ENCROACHMENT
98	<b>82</b>	82//19	1-16	1-16	ABADI ENCROACHMENT
99	<b>84</b>	84//11/2	1-19	1-19	ABADI ENCROACHMENT
100	<b>85</b>	85//1/2	1-0	1-0	ABADI ENCROACHMENT

1637

101		2/1	1-14	1-00	ABADI ENCROACHMENT
102		6/2	1-10	1-10	ABADI ENCROACHMENT
103		12/2	3-11	3-11	ABADI ENCROACHMENT
104		25/2	2-4	2-4	ABADI ENCROACHMENT
105	<b>87</b>	9/2	1-2	1-2	ABADI ENCROACHMENT
106		10/1	1-3	1-3	ABADI ENCROACHMENT
107		16	4-12	4-12	ABADI ENCROACHMENT
108		14/2	3-11	3-11	ABADI ENCROACHMENT
109	<b>91</b>	16	0-19 ½	0-19 ½	ABADI ENCROACHMENT
110	<b>96</b>	96//12/1	2-8	2-8	ABADI ENCROACHMENT
111		14/2	2-8	2-8	ABADI ENCROACHMENT
112		19/1	2-3	1-00	ABADI ENCROACHMENT
113	<b>103</b>	103//20/1	2-7	2-7	ABADI ENCROACHMENT
114	<b>104</b>	20/2	0-6	0-6	ABADI ENCROACHMENT
115	<b>106</b>	106//12/1	1-12	2-0	ABADI ENCROACHMENT
116	<b>108</b>	2/2	1-6	1-6	ABADI ENCROACHMENT
117	<b>108</b>	13/2	3-12	1-03	ABADI ENCROACHMENT

118		14	4-16	0-16	ABADI ENCROACHMENT
119		20	4-16	0-08	ABADI ENCROACHMENT
120	<b>110</b>	3/1	0-8	0-8	ABADI ENCROACHMENT
121		12	4-16	0-16	ABADI ENCROACHMENT
122		21/1-2	4-16	0-06	ABADI ENCROACHMENT
123		22	4-16	0-12	ABADI ENCROACHMENT
124		24/2	3-2	3-2	ABADI ENCROACHMENT
125	<b>111</b>	2/1	2-4	0-14	ABADI ENCROACHMENT
126		4/1	1-3	1-3	ABADI ENCROACHMENT
127		7/2	1-0	1-0	ABADI ENCROACHMENT
128		8/2	1-12	1-12	ABADI ENCROACHMENT
129		18/1	2-0	2-0	ABADI ENCROACHMENT
130	<b>112</b>	3	4-12	0-02	ABADI ENCROACHMENT
131		4	4-12	0-10	ABADI ENCROACHMENT
132		5/1	1-18	0-06	ABADI ENCROACHMENT
133		7	4-16	0-16	ABADI ENCROACHMENT
134	<b>118</b>	21	4-16	1-14	ABADI ENCROACHMENT

1639

135	<b>119</b>	119//1	4-12	0-10	ABADI ENCROACHMENT
136		9	4-16	1-00	ABADI ENCROACHMENT
137		12	4-16	1-04	ABADI ENCROACHMENT
138		19	4-16	1-08	ABADI ENCROACHMENT
139		22	4-16	1-12	ABADI ENCROACHMENT
140	<b>120</b>	120//1	4-12	0-09	ABADI ENCROACHMENT
141		6/1	2-16	2-00	ABADI ENCROACHMENT
142		10	4-16	0-14	ABADI ENCROACHMENT
143		11	4-16	1-00	ABADI ENCROACHMENT
144		13	4-16	1-00	ABADI ENCROACHMENT
145		14	4-16	2-13	ABADI ENCROACHMENT
146		15	4-16	0-07	ABADI ENCROACHMENT
147	<del>122</del>	122//5	4-12	4-12	ABADI ENCROACHMENT
148	<b>123</b>	123//3/2	1-16	1-16	ABADI ENCROACHMENT
149		4/2	1-17	1-17	ABADI ENCROACHMENT
150		5	5-12	5-12	ABADI ENCROACHMENT
151		6	3-0	3-0	ABADI ENCROACHMENT

1640

152		11/2	2-16	1-07	ABADI ENCROACHMENT
153		12	4-16	1-13	ABADI ENCROACHMENT
154		15	4-16	2-16	ABADI ENCROACHMENT
155		16	4-16	4-16	ABADI ENCROACHMENT
156		17	4-16	4-16	ABADI ENCROACHMENT
157		18	4-16	4-16	ABADI ENCROACHMENT
158		19	4-16	4-16	ABADI ENCROACHMENT
159		20	4-16	4-16	ABADI ENCROACHMENT
160		21	4-16	4-16	ABADI ENCROACHMENT
161		22	4-16	4-16	ABADI ENCROACHMENT
162		23	4-16	4-16	ABADI ENCROACHMENT
163		24	4-16	4-16	ABADI ENCROACHMENT
164		25	4-16	4-16	ABADI ENCROACHMENT
165	124	124//1	5-8	5-8	ABADI ENCROACHMENT
166		2	2-15	2-15	ABADI ENCROACHMENT
167		9	2-1	2-1	ABADI ENCROACHMENT
168		10	4-1	4-1	ABADI ENCROACHMENT

1641

169		11	3-6	3-6	ABADI ENCROACHMENT
170		12	2-5	2-5	ABADI ENCROACHMENT
171		19	0-19	0-19	ABADI ENCROACHMENT
172		20	4-4	4-4	ABADI ENCROACHMENT
173		21	4-9	4-9	ABADI ENCROACHMENT
174	<b>125</b>	125	13-9	12-12	ABADI ENCROACHMENT
175	<b>126</b>	126	120-0	15-00	ABADI ENCROACHMENT
176	<b>131</b>	131	120-0	1-00	ABADI ENCROACHMENT
<b>TOTAL AREA</b>				<b>399-8.5</b>	

1642

R-22

## Encroachment in Village Tughlakabad

Khasra No	Area (As Per Field Book)	Area of the Consolidated forest	Encroachment Area as per site	Forest Area as per site	STATUS AS PER SURVEY
745	19-18	19-18	6-10	13-08	Abadi Enroachment
2143/749	1-2	1-2	1-02	0	Abadi Enroachment
2209/1046	31-19	31-19	29-11	2-08	Abadi Enroachment
2672/1049	0-4	0-4	0-04	0	Abadi Enroachment
2673/1049	0-4	0-4	0-04	0	Abadi Enroachment
2674/1049	0-7	0-7	0-07	0	Abadi Enroachment
4058/2675/1049	1-6	1-6	1-06	0	Abadi Enroachment
4059/2675/1049	2-18	2-18	2-18	0	Abadi Enroachment
2218/1051	0-8	0-8	0-08	0	Abadi Enroachment
2220/1051	2-9	2-9	2-09	0	Abadi Enroachment
2222/1052	1-1	1-1	1-01	0	Abadi Enroachment
2225/1053	0-14	0-14	0-14	0	Abadi Enroachment
2226/1053	0-19	0-19	0-19	0	Abadi Enroachment
2228/1053	0-9	0-9	0-09	0	Abadi Enroachment
2071/1055	1-7	1-7	1-07	0	Abadi Enroachment
2072/1055	0-3	0-3	0-03	0	Abadi Enroachment
2073/1055	0-1	0-1	0-01	0	Abadi Enroachment
1258/2	0-9	0-9	0-9	0	Abadi Enroachment
2639/1953/1406	0-17	0-17	0-17	0	Abadi Enroachment
1483	5-1	5-1	5-01	0	Abadi Enroachment
2253/1509	0-4	0-4	0-04	0	Abadi Enroachment
2259/2260/1509	0-18	0-18	0-18	0	Abadi Enroachment
2271/1518	1-2	1-2	1-02	0	Abadi Enroachment
2273/1518	2-13	2-13	2-13	0	Abadi Enroachment
1520	3-0	3-0	3-00	0	Abadi Enroachment
2162/1523	2-4	2-4	2-04	0	Abadi Enroachment
1540	1-2	1-2	1-02	0	Abadi Enroachment
1541	7-7	7-7	7-07	0	Abadi Enroachment
1542	2-1	2-1	2-01	0	Abadi Enroachment
2279/1543	0-03	0-3	0-03	0	Abadi Enroachment
2280/1543	0-15	0-15	0-15	0	Abadi Enroachment
2281/1543	0-11	0-11	0-11	0	Abadi Enroachment
2282/1543	1-6	1-6	1-06	0	Abadi Enroachment
2283/1543	0-2	0-2	0-02	0	Abadi Enroachment
2284/1543	1-1	1-1	1-01	0	Abadi Enroachment
2287/1545	12-3	12-3	12-03	0	Abadi Enroachment
2288/1545	3-17	3-17	3-17	0	Abadi Enroachment
2289/1545	13-01	13-01	13-01	0	Abadi Enroachment
2290/1545	1-7	1-7	1-07	0	Abadi Enroachment
2291/1545	3-17	3-17	3-17	0	Abadi Enroachment
2292/1545	25-15	25-15	25-15	0	Abadi Enroachment
2294/1545	14-5	14-5	14-05	0	Abadi Enroachment
1555	5-1	3-0	3-00	0	Abadi Enroachment
1563	15-15	15-15	15-15	0	Abadi Enroachment
2304/1565	1-19	1-19	1-19	0	Abadi Enroachment
2307/1565	2-7	2-7	2-07	0	Abadi Enroachment
1576	2-6	2-6	2-06	0	Abadi Enroachment

Khasra No	Area (As Per Field Book)	Area of the Consolidated forest	Encroachment Area as per site	Forest Area as per site	STATUS AS PER SURVEY
1586	0-11	0-11	0-11	0	Abadi Enroachment
1587	13-5	13-5	13-05	0	Abadi Enroachment
2696/1588	1-2	1-2	1-02	0	Abadi Enroachment
1589	0-19	0-19	0-19	0	Abadi Enroachment
2178/1594	1-16	1-16	1-16	0	Abadi Enroachment
2179/1594/3/2	0-12	0-12	0-12	0	Abadi Enroachment
2315/1597	12-19	12-19	12-07	1-12	Abadi Enroachment
2316/1597	3-5	3-5	3-05	0	Abadi Enroachment
2317/1597	2-14	2-14	2-14	0	Abadi Enroachment
2318/1601	5-1	5-1	5-01	0	Abadi Enroachment
4066/2319/1601	2-13	2-13	2-13	0	Abadi Enroachment
4067/2319/1601	0-14	0-14	0-14	0	Abadi Enroachment
4068/2319/1601	6-4	6-4	6-04	0	Abadi Enroachment
1604	14-18	14-18	13-02	1-16	Abadi Enroachment
1606	19-11	19-11	19-11	0	Abadi Enroachment
2320/1607	1-13	1-13	1-13	0	Abadi Enroachment
2321/1607	4-12	4-12	4-12	0	Abadi Enroachment
2322	2-6	2-6	2-06	0	Abadi Enroachment
2323/1607	0-10	0-10	0-10	0	Abadi Enroachment
1608	1-12	1-12	1-12	0	Abadi Enroachment
2327/1614	1-01	1-01	1-01	0	Abadi Enroachment
2341/1616	5-1	5-1	5-01	0	Abadi Enroachment
2343/1616	0-12	0-12	0-12	0	Abadi Enroachment
2344/1617 to 2356/1617	5-08	5-08	1-12	3-16	Abadi Enroachment
2389/1623	28-6	28-6	13-16	14-10	Abadi Enroachment
1772/1647 TO 1773/1647	288-15	288-15	45-10	243-05	Abadi Enroachment
1666	290-1	290-1	1-16	288-05	Abadi Enroachment
2531/1668/1669	31-10	31-10	15-10	16-00	Abadi Enroachment
1670	14-5	14-5	1-14	12-11	BARBER'S MOSQUE
1671	159-11	159-11	43-00	116-11	Abadi Enroachment
<b>Total</b>	<b>6760-12</b>	<b>6197-06</b>	<b>403-02</b>		

<b>R23</b>					
<b>ENCROACHMENT IN THE FOREST AREA OF PULPEHLADPUR</b>					
<b>S.NO.</b>	<b>Khasra No</b>	<b>Total Area (In Bigha-Biswa)</b>	<b>Total Forest Area Khasra Vise (In Bigha - Biswa)</b>	<b>Encroachment Area</b>	<b>Remark</b>
1	309	2-16	2-16	1-18	ABADI ENCROACHMENT
2	310	157-7	157-07	47-09	ABADI ENCROACHMENT
3	311	120-0	120-0	52-10	ABADI ENCROACHMENT
4	312	72-19	72-19	16-10	ABADI ENCROACHMENT
5	313	123-17	123-17	34-16	ABADI ENCROACHMENT
6	314	47-09	47-09	12-10	ABADI ENCROACHMENT
7	315	155-18	155-13	72-10	ABADI ENCROACHMENT
	<b>TOATL</b>			<b>246-03</b>	
<b>*Encroachment of 8-0 Bigha – Biswas in Khasra nos. 310 (8-0) removed on 08/03/2019.</b>					

1645

## Annexure-R24

Encroachment in the Forest area of Rajokari						
S.NO.	Khasra No.	Area as per Revenue record		Forest Area As Per Site	Encroachment As Per Site	Status as Per Site
		Bigha	Biswa			
1						
2	124	3	16	0	3-16	Farm House Encroachment
3	125	1	16	0-06	1-10	Farm House Encroachment
4	155	4	16	2-16	2-00	Farm House Encroachment
5	1137/2	0	16	0-02	0-14	Abadi Encroachment
6	1151	2	17	0-09	2-08	Abadi Encroachment
7	1154	4	7	0-07	4-00	Abadi Encroachment
8	1155	4	16	4-11	0-05	Abadi Encroachment
9	1156	4	16	0	4-16	Abadi Encroachment
10	1157	4	2	0	4-02	Abadi Encroachment
11	1158	3	7	0-13	2-14	Abadi Encroachment
12	1159	4	16	1-16	3-00	Abadi Encroachment
13	1160	4	16	4-08	0-08	Abadi Encroachment
14	1162	4	16	4-04	0-12	Abadi Encroachment
15	1163	4	16	4-08	4-08	Abadi Encroachment
16	1169	4	16	0-09	4-07	Abadi Encroachment
17	1172	5	8	5-00	0-08	Farm House Encroachment
18	1173	7	0	6-16	0-04	Farm House Encroachment
19	1177	2	2	0-18	1-04	Farm House Encroachment
20	1180	4	2	3-03	0-19	Farm House Encroachment
21	1184	2	14	1-09	1-05	Farm House

						Encroachment
22	1185	1	18	1-09	0-09	Farm House Encroachment
23	1186	2	5	0	2-05	Farm House Encroachment
24	1187	3	8	2-11	0-17	Farm House Encroachment
25	1190	4	16	4-13	0-03	Farm House Encroachment
26	1227	4	16	0-02	4-14	Abadi Encroachment
27	1228	4	16	0-14	4-02	Abadi Encroachment
28	1229	3	16	3-02	0-14	Abadi Encroachment
29	1233	4	16	2-16	2-0	Abadi Encroachment
30	1234/1	4	16	0	4-16	Abadi Encroachment
31	1234/4	4	16	2-10	2-06	Abadi Encroachment
32	1234/5	4	16	2-10	2-06	Abadi Encroachment
33	1234/6	4	16	0	4-16	Abadi Encroachment
34	1235	4	16	0-10	4-06	Abadi Encroachment
35	1236	4	16	0	4-16	Abadi Encroachment
36	1237	4	16	3-18	0-18	Abadi Encroachment
37	1239	4	16	0-17	3-19	Abadi Encroachment
38	1240	4	16	0-07	4-09	Abadi Encroachment
39	1241	4	16	2-00	2-16	Abadi Encroachment
40	1242	4	16	4-07	0-09	Abadi Encroachment
41	1244	4	16	4-00	0-16	Abadi Encroachment
42	1251	4	16	4-09	0-07	Abadi Encroachment
43	1258	4	16	3-17	0-19	Abadi Encroachment
44	1259	4	16	2-04	2-12	Abadi

1644

						Encroachment
45	1260	4	16	4-12	0-04	Abadi Encroachment
46	1265	4	16	4-14	0-02	Abadi Encroachment
47	1266	4	16	3-14	1-02	Abadi Encroachment
48	1291	4	16	3-06	1-10	Farm House Encroachment
49	1292	4	14	1-14	3-00	Farm House Encroachment
50	1293	5	16	0-08	5-08	Farm House Encroachment
51	1351	4	16	3-12	1-04	Abadi Encroachment
52	1352	4	16	3-03	1-13	Abadi Encroachment
53	1353	4	16	3-16	1-0	Abadi Encroachment
54	1355	4	16	4-08	0-08	Abadi Encroachment
55	1356	4	16	3-19	0-17	Abadi Encroachment
56	1447	4	16	4-08	0-08	Farm House Encroachment
57	1448	4	16	4-04	0-12	Farm House Encroachment
58	1449	4	16	4-04	0-12	Farm House Encroachment
59	1459	3	14	2-19	0-15	Farm House Encroachment
60	1463	3	0	1-14	1-06	Farm House Encroachment
61	1464	7	5	6-05	1-0	Farm House Encroachment
62	1465	6	13	5-13	1-0	Farm House Encroachment
63	1482	5	17	5-02	0-15	Farm House Encroachment
64	1483	5	4	4-14	0-10	Farm House Encroachment
65	1511	4	16	3-17	0-19	Abadi Encroachment

1648

66	1536	4	16	4-13	0-03	Abadi Encroachment
67	1537	4	16	1-06	3-10	Abadi Encroachment
68	1538	4	16	2-16	2-0	Abadi Encroachment
69	1539	4	16	2-14	2-02	Abadi Encroachment
70	1540	4	16	3-02	1-14	Abadi Encroachment
71	1541	4	16	4-08	0-08	Abadi Encroachment
72	1542	4	16	0-14	4-02	Abadi Encroachment
73	1543	4	16	1-04	3-12	Abadi Encroachment
74	1544	4	9	1-19	2-10	Abadi Encroachment
75	1545	4	6	3-11	0-15	Abadi Encroachment
76	1548	4	16	1-10	3-16	Farm House Encroachment
77	1569	5	2	4-00	1-02	Abadi Encroachment
78	1571	4	16	4-13	0-03	Abadi Encroachment
79	1572	4	16	3-12	1-04	Abadi Encroachment
80	1585	4	16	3-14	1-02	Farm House Encroachment
81	1587	4	16	4-09	0-07	Farm House Encroachment
82	1595	4	16	2-10	2-06	Abadi Encroachment
83	1596	4	16	4-08	0-08	Abadi Encroachment
84	1610	8	4	7-06	0-18	Factory Encroachment
85	1635	2	16	2-12	0-04	Abadi Encroachment
86	1636	1	10	1-03	0-07	Factory Encroachment
87	1689	32	16	30-00	2-16	Abadi Encroachment
88	1695	5	13	5-00	0-13	Farm House Encroachment
89	1696	5	9	5-07	0-02	Farm House Encroachment
90	1781	3	6	2-19	0-07	Abadi Encroachment

H50 1649

91	1783	4	16	3-07	1-09	Abadi Encroachment
92	1791	4	16	4-00	0-16	Farm House Encroachment
93	1795	2	18	2-14	0-04	Farm House Encroachment
94	1798	4	16	4-09	0-07	Farm House Encroachment
95	1812	4	16	1-12	3-04	Farm House Encroachment
96	1814	2	12	2-05	0-07	Farm House Encroachment
97	1815	2	3	1-16	0-07	Farm House Encroachment
98	1823	4	16	3-17	0-19	TEMPLE
99	1824	4	16	3-06	1-10	TEMPLE
100	1827	4	16	2-10	2-06	TEMPLE
101	1828	4	16	2-17	1-19	TEMPLE
102	1832	4	16	4-11	0-05	Farm House Encroachment
103	1837	1	7	0	1-7	Farm House Encroachment
104	1839	4	19	4-15	0-04	Farm House Encroachment
105	1853	5	8	5-00	0-08	Farm House Encroachment
106	1856	3	3	2-18	0-05	Farm House Encroachment
107	2051	4	4	0-14	3-10	Farm House Encroachment
108	2057	4	16	0-08	4-08	Farm House Encroachment
109	2096	2	4	1-16	0-08	Farm House Encroachment
110	2097	1	17	1-12	0-05	Farm House Encroachment
111	2111	4	16	3-10	1-06	TEMPLE
112	2116	2	5	1-18	0-07	Farm House Encroachment
113	2127	2	14	2-07	0-07	Farm House Encroachment
114	2132	4	16	2-16	2-00	TEMPLE
115	2133	4	16	4-10	0-06	TEMPLE
116	2141	4	6	4-03	0-03	Farm House Encroachment
117	2148	3	7	2-19	0-08	Farm House Encroachment
118	2163	4	7	3-17	0-10	Farm House

1650

						Encroachment
119	2168	4	16	4-06	0-10	Farm House Encroachment
120	2183	5	0	4-10	0-10	Farm House Encroachment
	<b>Total</b>					<b>214-02 Bigha- Biswa</b>

**\*Encroachment of 1-18 Bigha – Biswas in Khasra nos. 1817 (1-18) removed on 07/03/2019.**

1654 R-25

Encroachment in the Forest area of Rangpuri						
S. no.	Khasra No.	Area as per Revenue record		Forest Area As per Site (Bigha-biswara)	Encroachment Area AS Per Site	Status As Per Site
		Big ha	Bis wa			
1	771	6	14	0	6-14	Farm House Encroachment
2	828	1	15	1-03	0-12	Farm House Encroachment
3	829	2	11	0	2-11	Farm House Encroachment
4	830	4	2	0	4-02	Farm House Encroachment
5	831	3	10	0	3-10	Farm House Encroachment
6	832	4	1	0	4-01	Farm House Encroachment
7	833	4	16	0	4-16	Farm House Encroachment
8	834	4	16	0	4-16	Farm House Encroachment
9	835	4	16	0	4-16	Farm House Encroachment
10	836	4	16	1-00	3-16	Farm House Encroachment
11	837	4	16	3-00	1-16	Farm House Encroachment
12	843	4	16	2-06	2-10	Farm House Encroachment
13	844	4	16	2-10	2-06	Abadi Encroachment
14	845	4	16	3-02	1-14	Abadi Encroachment
15	846	4	16	2-05	2-11	Abadi Encroachment
16	848	3	2	0	3-02	Abadi Encroachment
17	849	5	10	5-00	0-10	Abadi Encroachment
18	850	4	16	4-00	0-16	Abadi Encroachment
19	851	4	16	3-17	0-19	Abadi

1653

						Encroachment
20	852	4	16	2-10	2-06	Abadi Encroachment
21	853	4	16	3-10	1-06	Abadi Encroachment
22	854	4	16	1-02	3-14	Abadi Encroachment
23	855	4	16	1-09	3-07	Abadi Encroachment
24	856	4	16	1-04	3-12	Abadi Encroachment
25	857	4	16	0	4-16	Abadi Encroachment
26	858	4	16	3-15	1-01	Abadi Encroachment
27	859	4	16	4-04	0-12	TEMPLE
28	874	4	16	3-18	1-18	Abadi Encroachment
29	875	4	16	1-07	3-09	Abadi Encroachment
30	876	4	16	2-04	2-12	Abadi Encroachment
31	879	4	16	4-11	0-05	Abadi Encroachment
32	880	2	19	1-05	1-14	Abadi Encroachment
33	881	5	5	0	5-05	Abadi Encroachment
34	882	5	2	2-10	2-12	Abadi Encroachment
35	886	4	16	2-16	2-0	Abadi Encroachment
36	887	4	16	2-07	2-09	Abadi Encroachment
37	1012/2	3	8	0-08	3	Abadi Encroachment
38	1020/1	1	9	1-03	0-06	Abadi Encroachment
39	1038	4	16	2-02	2-14	Abadi Encroachment
40	1043	4	16	4-12	0-04	Abadi Encroachment
41	1051	1	11	0	1-11	Abadi Encroachment
42	1052	5	13	0	5-13	Abadi Encroachment
43	1053	4	16	2-14	2-02	Abadi Encroachment
44	1060	4	16	3-16	1-0	Abadi

1653

						Encroachment
45	1061	5	7	0	5-07	Abadi Encroachment
46	1062	4	16	0	4-06	Abadi Encroachment
47	1063	4	16	4-07	0-09	Abadi Encroachment
48	1071	5	6	3-06	2-0	<i>JHUGGIS</i>
49	1072	2	14	1-15	0-19	<i>JHUGGIS</i>
50	1263	6	3	5-08	0-15	<i>JHUGGIS</i>
51	1264	4	10	4-06	0-04	<i>JHUGGIS</i>
52	1328	2	16	0-18	1-18	<i>JHUGGIS</i>
53	1329	6	0	5-14	0-06	<i>JHUGGIS</i>
54	1331	3	8	1-12	1-16	<i>JHUGGIS</i>
55	1335	1	1	0	1-01	Abadi Encroachment
56	1336	2	6	0	2-06	Abadi Encroachment
57	1337	6	13	1-01	5-12	Abadi Encroachment
58	1338	6	4	0	6-04	Abadi Encroachment
59	1339	4	16	0	4-16	Abadi Encroachment
60	1340	3	5	0	3-05	Abadi Encroachment
61	1341	6	7	1-01	5-06	Abadi Encroachment
62	1347	4	16	4-02	0-14	Abadi Encroachment
63	1348	4	16	4-07	0-11	Abadi Encroachment
64	1349	4	16	4-08	0-08	Abadi Encroachment
65	1350	4	16	2-14	2-02	Abadi Encroachment
66	1351	4	16	4-08	0-08	Abadi Encroachment
67	1352	4	16	1-17	2-19	Abadi Encroachment
68	1353	4	16	4-01	0-15	Abadi Encroachment
69	1355	4	16	0-06	4-10	Abadi Encroachment
70	1356	4	16	3-18	0-18	Abadi Encroachment

1629

71	1357	4	16	3-06	1-10	Abadi Encroachment
72	1358	4	16	4-14	0-02	Abadi Encroachment
73	1360	4	16	4-14	0-02	Abadi Encroachment
74	1394	5	15	5-05	0-10	Abadi Encroachment
75	1398	4	16	2-09	2-07	Abadi Encroachment
76	1399	4	16	1-11	3-05	Abadi Encroachment
77	1400	7	0	3-04	3-16	Abadi Encroachment
78	1405	4	1	3-01	1-0	Abadi Encroachment
79	1406	2	19	2-11	0-08	Abadi Encroachment
80	1412	4	16	3-00	1-16	Abadi Encroachment
81	1413	4	16	0	4-16	Abadi Encroachment
82	1414	1	12	0	1-12	Abadi Encroachment
83	1415	3	8	0	3-08	Abadi Encroachment
84	1417	4	16	0	4-16	Abadi Encroachment
85	1418	4	16	3-18	0-18	Abadi Encroachment
86	1419	4	16	0	4-16	Abadi Encroachment
87	1420	4	16	2-00	2-16	Abadi Encroachment
88	1463	4	16	4-12	0-04	Abadi Encroachment
89	1464	4	16	0	4-16	Abadi Encroachment
90	1465	4	16	0	4-16	Abadi Encroachment
91	1466	4	16	2-11	2-05	Abadi Encroachment
92	1468	4	16	2-08	2-08	Abadi Encroachment
93	1469	4	16	3-04	1-12	Abadi Encroachment
94	1477	4	16	4-14	0-02	Abadi Encroachment
95	1492	4	16	4-02	0-14	Abadi Encroachment

165A

96	1494	3	17	2-14	1-03	Abadi Encroachment
97	1498	3	15	0	3-15	Abadi Encroachment
98	1535	3	15	3-07	0-08	Ryan school Boundary
99	1812	3	2	1-18	1-04	<i>JHUGGIS</i>
100	1814	5	7	4-03	1-04	<i>JHUGGIS</i>
101	1825	4	16	4-01	0-15	Abadi Encroachment
102	1827	5	0	4-08	0-12	Abadi Encroachment
103	1828	5	4	4-08	0-16	Abadi Encroachment
104	1829	4	16	4-12	0-04	Abadi Encroachment
105	1830	3	1	2-15	0-06	Abadi Encroachment
	<b>Total</b>				<b>246-01 Bigha- Biswa</b>	

**\*Encroachment of 9-18 Bigha – Biswas in Khasra nos. 1495/1 (4-16) and 1797(5-2) removed on 07/03/2019.**

165B

## Annexure - R26

Encroachment in the Forest area of Mahipalpur					
S.No	Khasra No.	Bigha	Biswa	Encroachment As per Site	Remark
1	834/1	2	0	2-00	Factory Encroachment
2	838/1	1	10	1-06	Dumping of building material
5	839/2	2	4	1-18	Abadi Encroachment
6	840	2	16	0-09	Abadi Encroachment
7	841/1	2	10	1-14	Abadi Encroachment
8	841/2	1	7	0-18	Abadi Encroachment
9	841/3	1	2	0-04	CNG PUMP
11	843/5	5	17	2-06	Abadi Encroachment
13	879/1	1	3	0-10	Abadi Encroachment
14	879/2	1	5	1-05	Abadi Encroachment
	<b>Total</b>			<b>17-04</b>	

Annexure- R 27LIST OF KHASRA NOS. FOR WHICH ENCROACHMENT REMOVED

Khasra No.	Area	Date of encroachment removal
<b>VILLAGE ASOLA</b>		
1332	58-7	<b>14-03-2018</b>
1348	11-13	
1354	25-10	
1479	3-14	
1490	2-8	
1498	29-10	
1500	37-19	
1506	17-14	
1517	17-19	
1528	8-4	
1547	5-4	
1552	23-10	
1573	1-8	
1576	19-12	
1582	1-9	
1586	1-12	
1593	28-5	
1724	59-6	
1728	131-16	
1736	11-16	
1740	5-7	
1744	25-11	
1746	36-1	
1748	28-19	
1749	6-5	
1750	170-3	
1752	103-8	
<b>TOTAL</b>	<b>869 BIGHA</b>	
<b>VILLAGE BHATI</b>		
648	3-06	
659	5-00	
665	8-13	
666	12-07	
708	117-16	
712	32-07	

715	245-16	<b>28-08-2018</b>
742	0-04	
759	2-07	
764	23-08	
766	3-08	
767	2-03	
769	5-04	
770	1-13	
774	35-07	
780	7-02	
810	1-19	<b>28-08-2018</b>
836	24-11	
840	35-12	
848	6-11	
875	21-12	<b>25-9-2018</b>
1478	11-15	
1482	5-04	
1486	48-17	
1488	1-00	
1489	3-04	
1490	1-11	
1512	5-8	
961	7-13	
969	1-11	

1659

1071	7-10	
1072	0-18	
1080	0-12	
1109	1-16	
1205	1-10	
1206	1-10	
1207	2-02	
1208	2-08	
1209	3-03	
1250	0-11	25-9-2018
1274	0-12	
1275	1-05	
1283	1-09	
1285	3-00	
1289	1-16	
1291	3-01	
1292	1-06	
1294	0-06	
1295	0-15	
1296	3-19	
1299	6-13	
1301	2-02	
1306	25-12	
1407	62-05	
1463	7-11	
1474	15-07	

1535	9-02	<b>25-9-2018</b>
1538	3-16	
1539	0-19	
1543	3-03	
1544	2-01	
1545	13-09	
1546	3-04	
1547	2-02	
1554	15-17	
1603	24-11	
1667	1-18	
1718	22-19	
1904	166-12	
1905	8-14	
1906	285-02	
954	8-08	<b>25-9-2018</b>
1681	1-17	
1749	14-02	
1744	8-02	
1751	1-15	
1215	0-12	
1218	0-17	
1304	3-19	
1312	1-04	
1335	1-00	
1385	7-09	
1731	18-19	

1661

1887	16-16	
<b>TOTAL</b>	<b>1486 BIGHA</b>	
<b>VILLAGE RANGPURI</b>		
1495/1	4-16	
1797	5-2	07-03-2019
<b>TOTAL</b>	<b>9-18</b>	
<b>VILLAGE RAJOKARI</b>		
1817	1-18	07-03-2019
<b>VILLAGE PULPEHLADPUR</b>		
310	8-0	08-03-2019
<b>Grand Total</b>	<b>2368-07 Bigha- Biswa</b>	

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

**Original Application No. 58/2013**

**M.A. No. 898/2013**

**Sonya Ghosh Vs. Govt. of NCT of Delhi & Ors.**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present:**

<b>Applicant</b>	<b>:Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney Sail, Adv.</b>
<b>Respondent No. 1</b>	<b>:Mr. Sanjay Dewan, Adv.</b>
<b>Respondent No. 2</b>	<b>:Mr. Vivek Kr. Tandon, Adv.</b>
<b>Respondent No. 3</b>	<b>:Mr. Rajiv Bansal, Mr. Kush Sharma, Adv.</b>
<b>Respondent No. 6&amp;3 MoEF</b>	<b>:Mr. B.V. Niren, Adv. :Mr. Vikas Malhotra, M.P. Sahay, Adv. Mr. Mohit Arora, Adv.</b>

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<p><b>Item No. 43 July 24, 2015</b></p>	<p>Heard Perused</p> <p>It has been the main concern in the present application of defining the forest land in Delhi Southern Ridge. We had directed the Secretary Environment as well as Ministry of Urban Development, Government of India to take coordinated efforts to declare within the reasonable time the clarification, if any, with regard to the Notification dated 24.05.1994 and the Forest Department to settle the rights of the individuals so as to have a clear picture for defining the forest area.</p> <p>As of today, it is submitted on behalf of the Conservator of Forest that they may take final decision for settling the rights and claims in regards to North Ridge, Central Ridge, North-Southern Ridge and Southern Ridge in which no rights and claims have been settled and finalize the procedure for issuing the Notification under Section 20 of the Indian Forest Act, 1927. We, therefore, direct the Forest Department to take steps for declaring the area in which no claims of</p>

whatsoever nature are arising or have been settled as a forest area.

Comprehensive report including the action taken for making such declaration of a forest area be placed before us on the next date.

List this case on 24<sup>th</sup> August, 2015.

.....,JM  
(U.D. Salvi)

.....,EM  
(Ranjan Chatterjee)



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

**Original Application No. 58/2013  
(M.A. NO. 898/2013)**

**Sonya Ghosh Vs. Govt. of NCT of Delhi & Ors.**

**CORAM :** HON'BLE MR. JUSTICE M.S. NAMBIAR, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE PROF. A.R. YOUSUF, EXPERT MEMBER

**Present:** **Applicant** :Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney sail, Adv. for Ms. Sonya ghosh.  
**Respondent Nos. 1 & 2:**Mr. Sanjay Dewan, Adv. for forest deptt  
**Respondent No.6** :Mr. Vikas Malhotra, Adv.  
**CPWD** :Mr. B. V. Niren, Adv.  
**DDA** :Mr. Rajiv Bansal and Mr. Kush Sharma, Adv.  
**Delhi Police** :Mr. D. Rajeshwar Rao, Mr. Vikrant Kawshik, Adv. and Mr. Sayar Singh  
**Mr. Mohit Arora, for Non Applicant No. 4**

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<p><b>Item No. 08 February 4, 2016</b></p>	<p>By order dated 24.07.2007 the Forest Department was directed to take steps for declaring the area in which no claims of whatsoever nature are arising or have been settled as a forest area. It was thereafter posted to 24.8.2015, 10.09.2015, 10.10.2015 and 04.11.2015. On that day the following order was passed <i>“Final notification for declaring the forest area in North, Central and Southern ridge is awaited. We had directed the Forest Department to take steps for declaring the area in which no claims of what so ever nature arise or have been settled as a forest area. We expect clarification from the Forest Department regarding implementation of this direction on the next date. In the event of failure to provide such clarification, we will be compelled to take coercive measures.”</i></p> <p>It was thereafter posted to 16.11.2015 and again to 03.12.2015. On that day again the following order</p>

was passed “Threat of encroachment of the ridge area situated within the limits of National Capital Region Territory is very much visible from the submissions made by the Learned Counsel appearing for the NCRT, as he has disclosed before us that there are areas where permanent structures have come up and the mischief mongers put up a show of existing construction on the virgin land and the same is being resisted by the forest officials. In view of the proposal for final notification of ridge under section 20 of the Indian Forest Act, 1927 put forth by Conservator of Forest, we had directed the Forest Department to take steps for declaring the area in which no claims of whatsoever nature are arising or have been settled as a forest area vide order dated 24<sup>th</sup> July, 2015. We find from the proposal put forth by the Dr. Suneesh Buxy, Conservator that he chartered a road map for publishing the final notification under section 20 for such Northern Ridge, Central Ridge, South-Central Ridge and part of Southern Ridge where rights and claims were settled.”

The Chief Conservator of Forest is present today as directed by the order dated 03.12.2015. The Chief Conservator of Forest submits that the Notification in respect of part of the forest area is not feasible. In the light of the previous order, the Chief Conservator of Forest cannot now contend that it is not possible, as that order has already become final. The difficulty expressed by the Chief Conservator of Forest is that the Khasra No. in respect of the undisputed forest area and the portion where claims have already been settled are

still in dispute. We do not understand how this is possible when there is already a Notification of 1996 under Section 4 of the Forest Act where the Khasra Nos. are admittedly shown. We find that this matter is being dragged on and as a result there are fresh encroachment in the forest area.

In such circumstances we direct the Chief Secretary, NCT of Delhi, to hold a meeting of

- (1) Secretary, Forest Department,
- (2) Chief Conservator of Forest,
- (3) Secretary, Revenue,
- (4) Concerned Deputy Commissioner
- (5) the Land owning agencies

and take effective steps for declaration of the Notification as directed by order dated 24.07.2015 and reiterated by the subsequent orders including the order dated 03.12.2015.

It is made clear that it is the responsibility of the Chief Secretary to finalize the Notifications.

The meeting is to be held within two weeks from today and the report be submitted by 08.03.2016.

It is also pointed out that O.A No. 318/2015 is to be listed along with this application.

List the matter on 08.03.2016.

.....,JM  
(M.S. Nambiar)

.....,JM  
(Raghuvendra S. Rathore)

.....,EM  
(Prof. A. R. Yousuf)

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

**Original Application No. 58/2013  
(M.A. NO. 898/2013)**

And

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

And

**Original Application No. 144 of 2015**

**Sonya Ghosh Vs. Govt. of NCT of Delhi & Ors.**

And

**Prof. Imtiaz Ahmed & Ors. Vs. State of NCT of Delhi & Ors.**

And

**Sh. Jaipal Singh Vs. Lt. Governor, Delhi & Ors.**

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE MR. RANJAN CHATTERJEE, EXPERT MEMBER**

**Present:**

<b>Applicant</b>	<b>:Mr. Raj Panjwani, Sr. Adv. with Mr. Aagney sail, Adv. for Ms. Sonya ghosh.</b>
<b>Respondent No.6</b>	<b>:Mr. Vikas Malhotra, Adv.</b>
<b>Respondent No.3</b>	<b>:Mr. B. V. Niren, Adv.</b>
<b>DDA</b>	<b>: Mr. Rajiv Bansal, Mr. Kush Sharma &amp; Ms. Arpita, Advs. For DDA</b>
<b>Delhi Police</b>	<b>: HC Mr. Amit Lathar</b>
<b>Revenue/Delhi Police</b>	<b>: Mr. Tarunvir Singh Khehar, Adv.</b>
<b>Forest Dept.</b>	<b>: Mr. Sanjay Dewan, Adv.</b>
<b>NBCC</b>	<b>Mr. Mohit Arora, Adv.</b>
<b>GNCTD</b>	<b>Mr. Tarunvir Singh Khehar, Ms. Guneet Khehar &amp; Ms. Japnam Bindra, Advs.</b>
<b>Present: O.A. 116/15</b>	<b>Ms. Juhi, Adv. and Ms. Sakshi Popli , Adv. for DJB</b>
<b>Applicant/Appellant(s)</b>	<b>: Mr. Rahul Choudhary &amp; Ms. Meera Gopal, Advs.</b>
<b>GNCTD</b>	<b>Mr. Tarunvir Singh Khehar, Ms. Guneet Khehar &amp; Ms. Japnam Bindra, Advs.</b>
<b>Forest Dept.</b>	<b>: Mr. Sanjay Dewan, Adv.</b>
<b>Revenue/Delhi Police</b>	<b>Ms. Juhi, Adv. and Ms. Sakshi Popli , Adv. for DJB</b>
<b>Present: O.A. 144/15</b>	<b>: Mr. Tarunvir Singh Khehar, Adv.</b>
<b>Applicant/Appellant(s)</b>	<b>:Ms. Vandana Sehgal, Adv.</b>
<b>Respondent No. 3</b>	<b>:Ms. Juhi, Adv. and Ms. Sakshi Popli , Adv. for DJB</b>
<b>DDA</b>	<b>:Mr. Rajiv Bansal, Mr. Kush Sharma &amp; Ms. Arpita, Advs. For DDA</b>
<b>DUSIB</b>	<b>Mr. Rahul Adv. for Mr. Parvinder Chauhan, Adv.</b>
<b>Respondent No. 9</b>	<b>: Mr. Aditya Gupta, Adv.</b>
<b>GNCTD</b>	<b>Mr. Tarunvir Singh Khehar, Ms. Guneet Khehar &amp; Ms. Japnam Bindra, Advs.</b>

**Forest Dept. : Mr. Sanjay Dewan, Adv.**  
**Revenue/Delhi Police : Mr. Tarunvir Singh Khehar, Adv.**

Date and Remarks	Orders of the Tribunal																																																													
<b>Item No. 06 to 08</b>  <b>August 16, 2016</b>  jg	<p>Heard. Perused.</p> <p>Encroachments on the forest land in the Southern Ridge area and its removal is the question before us.</p> <p>In pursuance to our direction dated 21-07-2016 Pert Charts giving the schedule for demarcation of Forest/Ridge Area in Villages falling in the District South as well as in the District of New Delhi- Vasant Vihar Sub-Division has been placed before us.</p> <p>Learned Counsel appearing on behalf of the Government of NCT of Delhi on instructions from SDM Saket, SDM Mehrauli and SDM Vasant Vihar and SDM Kalkaji makes a statement that the schedule given in the Pert Charts will be adhered to and the work of completing the demarcation can be achieved in the given time frame.</p> <p>We reproduce the Pert Charts as a part of this order as follows:</p> <p><b><u>Total 10 Villages fall under District South which are part of Southern Ridge:-</u></b></p> <table border="1" data-bbox="315 1714 1490 2483"> <thead> <tr> <th>S. No.</th> <th>Action</th> <th>Quantum of work Bigha-Biswas</th> <th>Executive Agency/ Department</th> <th>Probable line completion by</th> <th>Time for</th> <th>Responsible Office</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Demarcation of ridge forest area in Asola village</td> <td>8387-06</td> <td>Revenue Department</td> <td>October.2016/3 months.</td> <td></td> <td>SDM(Saket)</td> </tr> <tr> <td>2</td> <td>Demarcation of ridge forest area in Bhati + Sahoopur+Raipur Khurd villages</td> <td>11101-19 3306-15 60-09</td> <td>Revenue Department</td> <td>January 2016/3 months</td> <td></td> <td>SDM(Saket)</td> </tr> <tr> <td>3</td> <td>Demarcation of ridge forest area in Satbari village</td> <td>1263-02</td> <td>Revenue Department</td> <td>February/1 month</td> <td></td> <td>SDM(Saket)</td> </tr> <tr> <td>4</td> <td>Demarcation of ridge forest area in Chattarpur village</td> <td>225-10</td> <td>Revenue Department</td> <td>March/1 month</td> <td></td> <td>SDM(Saket)</td> </tr> <tr> <td>5</td> <td>Demarcation of ridge forest area in Neb Sarai village</td> <td>466-10</td> <td>Revenue Department</td> <td>April/1 month</td> <td></td> <td>SDM(Saket)</td> </tr> <tr> <td>6</td> <td>Demarcation of ridge forest area in Devli village</td> <td>5175-06</td> <td>Revenue Department</td> <td>Mid June/1.5 month</td> <td></td> <td>SDM(Saket)</td> </tr> <tr> <td>7</td> <td>Demarcation of ridge</td> <td>4263-02</td> <td>Revenue</td> <td>July 2017/1.5</td> <td></td> <td>SDM(Saket)</td> </tr> </tbody> </table>						S. No.	Action	Quantum of work Bigha-Biswas	Executive Agency/ Department	Probable line completion by	Time for	Responsible Office	1	Demarcation of ridge forest area in Asola village	8387-06	Revenue Department	October.2016/3 months.		SDM(Saket)	2	Demarcation of ridge forest area in Bhati + Sahoopur+Raipur Khurd villages	11101-19 3306-15 60-09	Revenue Department	January 2016/3 months		SDM(Saket)	3	Demarcation of ridge forest area in Satbari village	1263-02	Revenue Department	February/1 month		SDM(Saket)	4	Demarcation of ridge forest area in Chattarpur village	225-10	Revenue Department	March/1 month		SDM(Saket)	5	Demarcation of ridge forest area in Neb Sarai village	466-10	Revenue Department	April/1 month		SDM(Saket)	6	Demarcation of ridge forest area in Devli village	5175-06	Revenue Department	Mid June/1.5 month		SDM(Saket)	7	Demarcation of ridge	4263-02	Revenue	July 2017/1.5		SDM(Saket)
S. No.	Action	Quantum of work Bigha-Biswas	Executive Agency/ Department	Probable line completion by	Time for	Responsible Office																																																								
1	Demarcation of ridge forest area in Asola village	8387-06	Revenue Department	October.2016/3 months.		SDM(Saket)																																																								
2	Demarcation of ridge forest area in Bhati + Sahoopur+Raipur Khurd villages	11101-19 3306-15 60-09	Revenue Department	January 2016/3 months		SDM(Saket)																																																								
3	Demarcation of ridge forest area in Satbari village	1263-02	Revenue Department	February/1 month		SDM(Saket)																																																								
4	Demarcation of ridge forest area in Chattarpur village	225-10	Revenue Department	March/1 month		SDM(Saket)																																																								
5	Demarcation of ridge forest area in Neb Sarai village	466-10	Revenue Department	April/1 month		SDM(Saket)																																																								
6	Demarcation of ridge forest area in Devli village	5175-06	Revenue Department	Mid June/1.5 month		SDM(Saket)																																																								
7	Demarcation of ridge	4263-02	Revenue	July 2017/1.5		SDM(Saket)																																																								

forest area in Maidangarhi+Sidulajab villages	65-19	Department	month
---	-------	------------	-------

**Mehrauli Sub Division**

S. No.	Action	Quantum of	Executive Agency/Department	Probable Time line for completion by	Responsible Office
1	Demarcation of ridge forest area in Jonapur village	412 Acres	Revenue Department	November-2016	SDM (Mehrauli)
2	Demarcation of ridge forest area in Aya Nagar village	858 Acres	Revenue Department	January 2017/02 Months	SDM (Mehrauli)
3	Demarcation of ridge forest area in Dera Mandi village	1961 Acres	Revenue Department	April 2017/03 Months	SDM (Mehrauli)

**Total 2 villages fall under Kalkaji Sub-Divison which is part of Southern ridge.**

S. No.	Action	Quantum	Executive Agency/Department	Probable Time line for completion by	Responsible Office
1	Demarcation of ridge forest area in village Pul Pehlad	99 Bighas, 4 Biswas	Revenue Department	October 2016/3 Months	SDM (Kalkaji)
2	Demarcation of ridge forest area in village Tughlakabad	2657 Bighas, 10 Biswas	Revenue Department	April 2017/6 Months	SDM (Kalkaji)

**Schedule for Demarcation of Ridge/forest land in Vasant Vihar Sub-Division.**

A-B	2Months	Engagement of TSM Agency for demarcation work.
A-C		Survey of Ridge Area/Forest Land by the Revenue/forest Department Officials for ascertaining fixed points.
B-D C-D	15 Days	Ascertainment/Comparison of Revenue record and Forest Department record.
D-E	2 Months	Physical demarcation of Khasra on ground and providing Tatimma of part khasras with the help of TSM
E-F	6 Months	Proper comprehensive demarcation as per TSM in respect of Ridge Area/ Forest Land related to the three villages in Vasant Vihar Sub-Division namely Rangpuri, Rajokari and Ghitorni by providing exact boundary description and maps of the Ridge Area/Forest Land after superimposition on the Aks Shizra and Masavi.

We further direct the SDM Saket, SDM Mehrauli, SDM Vasant Vihar and SDM Kalkaji Sub- Division that they shall adhere to the time schedule and carryout the demarcation of the area falling within their limits.

Learned Counsel appearing on behalf of the applicant invites our attention to the order dated 16-03-2016 and 16-05-2016 when they had expressed their apprehension that the time granted for demarcation and consequent declaration of final Notification is likely to offer opportunity for further encroachment on the ridge areas and to curtail such mischief, it is necessary to immediately declare the areas which have already been demarcated as a ridge area finally.

The order dated 16-03-2016 reveals submission made on behalf of the Forest Department that issuance of final Notification in respect of part of the ridge area will give license to the persons encroaching upon the rest of the land to deal with it as they like.

We further direct the Forest Department to elaborate further as to how declaration of the portion of the land demarcated finally as a ridge area is likely to give license to the persons encroaching upon the rest of the land particularly, with reference to the Khasra Nos and the area to be demarcated.

List these matters on 19<sup>th</sup> September, 2016.

.....,JM  
(U. D. Salvi)

.....,EM  
(Ranjan Chatterjee)

--	--



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

**Original Application No. 58/2013  
(M.A. NO. 898/2013 & M. A. No. 922/2017)**

**And**

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

**And**

**Original Application No. 144 of 2015**

**In the matter of :-**

**Sonya Ghosh Vs. Govt. of NCT of Delhi & Ors.**

**And**

**Prof. Imtiaz Ahmed & Ors. Vs. State of NCT of Delhi & Ors.**

**And**

**Sh. Jaipal Singh Vs. Lt. Governor, Delhi & Ors.**

**CORAM :** HON'BLE MR. JUSTICE U.D.SALVI, JUDICIAL MEMBER  
HON'BLE DR. JUSTICE JAWAD RAHIM, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER

<b>Present:</b>	<b>Applicant</b>	: Mr. Rahul Choudhary and Ms. Meera Gopal and Mr. Utkarsh Gopal, Adv. : Mr. Raj Panjwani, Sr. Adv. – Amicus Curie with Mr. Agney Sail, Adv.
	<b>Respondent Nos. 1 &amp; 2</b>	: Mr. Sanjay Dewan and Ms. Palak Rohmetra, Adv. for Forest dept.
	<b>DDA</b>	:Mr. Rajiv Bansal Sr. Adv., Mr. Kush Sharma and Mr. Lalit Mohan, Adv.
	<b>DJB</b>	:Ms. Sakshi Popli, Adv. for DJB
	<b>GNCTD</b>	:Mr. Tarunvir Khehar, Ms. Guneet Khehar and Mr. Sandeep Mishra, Adv. Mr. B. V. Niren with Mr. Vinyak Gupta, Adv.CPWD Mr. Aditya Gupta, adv.
	<b>NBCC</b>	Mr. Mohit Arora, Adv.
	<b>MoEF</b>	Ms. Krishna Kumar Singh, Adv. Mr. Anurag Kr and Mr. Vikas Malhotra, Adv Mr. Jitten and Mr. Ashish Dogra, Adv Mr. Manish Srivastava, Adv. Mr. Vikas Malhotra, Adv. Mr. Vandana Sehgal and Ms. Gunjan Ahuja Adv. Mr. Shagun Trisal Adv. Mr. Narender Hooda and Mr., Shubham Bhalla and Mr. Nida Doon, Adv. Mr. Parminder Chauhan, Adv.

	Date and Remarks	Orders of the Tribunal
	Item No. 07 to 09  December 20, 2017	Learned Counsel appearing for the applicant inviting our attention to the order dated 16-08-2016, submits that the Revenue department is allowing the private parties

holding lands more particularly the lands adjoining the ridge/ forest land to carry out the demarcation of the forest land and this exercise will do violence to the process of the demarcation of the forest land as per the schedule of demarcation given in the order dated 16-08-2016.

Learned Counsel appearing on behalf of the Revenue Department submits that the department has accepted the amount to allow the said parties to carry out the demarcation of their respective lands by the TSM (Total Satellite Machine). He submits that such party has to be furnished with the particulars of the three location points for carrying out such survey and it will do no harm to the ridge/forest land. All said and done, the schedule of the demarcation of forest land envisages proper comprehensive demarcation as per the TSM in relation to the forest land in three villages i.e. Ranpuri, Rajokari and Ghitorni in Vasant Vihar Sub division by providing exact boundary description and maps of the ridge area/ forest land after superimposition on the Aks Shizra and Masavi.

The process of demarcation as given in the 'Schedule of Demarcation' pertinently envisages the comprehensive demarcation with TSM by providing exact boundary description and maps of the ridge area/ forest land after superimposition on the Aks Shizra and Masavi. The regime thus prescribed for process needs to be strictly followed otherwise it will open flood gates of claims and counter claims by all concerned parties particularly the parties having lands adjoining ridge area/forest lands in the said three villages.

We therefore, direct the revenue department not to

disturb this regime prescribed under the schedule for demarcation in the order dated 16-08-2016. There shall be no assigning of demarcation work to any private parties for demarcation of individual pieces or partial of lands adjoining the ridge area/forest land in Vasant Vihar sub division particularly in villages Ranpuri, Rajokari and Ghitorni. Use of TSM upon engaging the private parties for demarcation of ridge area/forest land as per the schedule given in the said area is permitted.

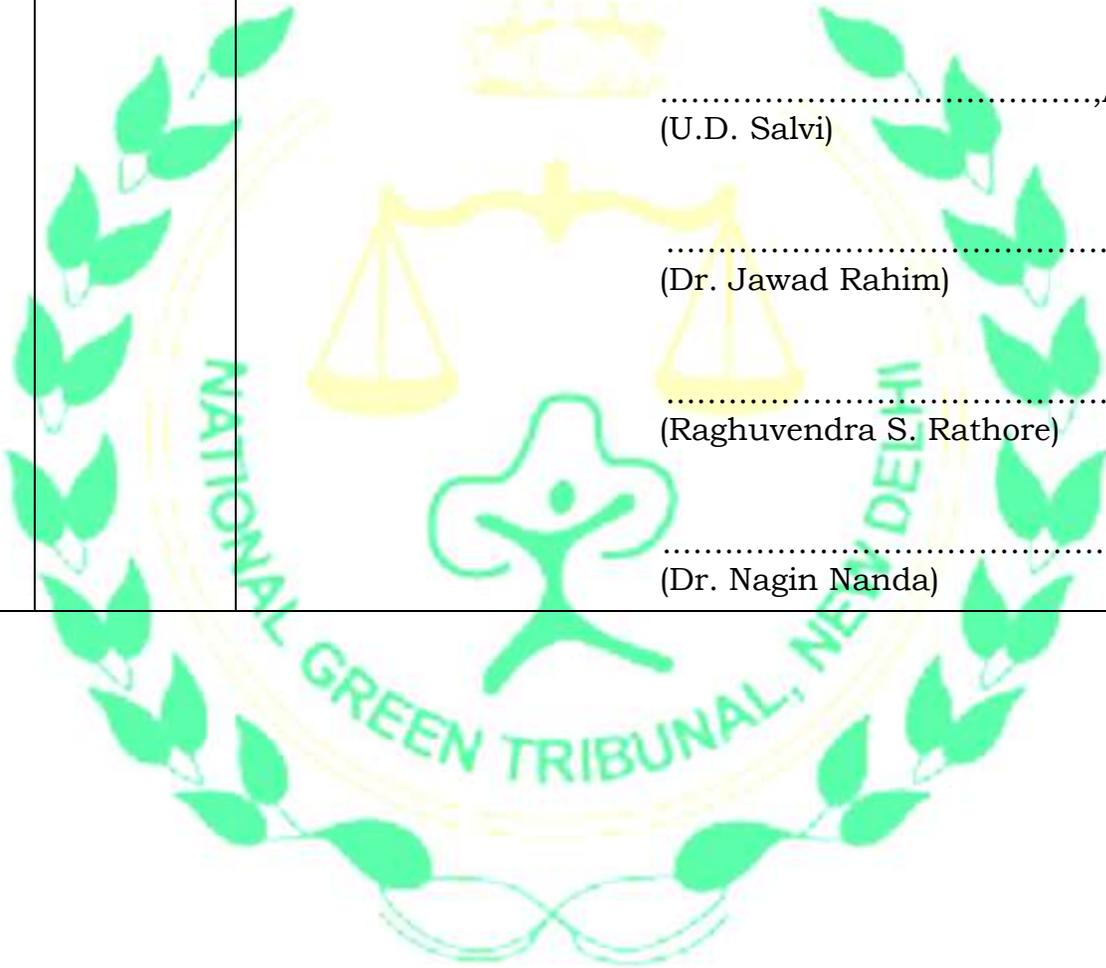
List these matters on 9<sup>th</sup> February, 2018.

.....,ACP  
(U.D. Salvi)

.....,JM  
(Dr. Jawad Rahim)

.....,JM  
(Raghuvendra S. Rathore)

.....,EM  
(Dr. Nagin Nanda)



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

**Original Application No. 58/2013  
(M.A. NO. 898/2013 & M. A. No. 922/2017)**

**And**

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

**And**

**Original Application No. 144 of 2015**

**In the matter of :-**

**Sonya Ghosh Vs. Govt. of NCT of Delhi & Ors.**

**And**

**Prof. Imtiaz Ahmed & Ors. Vs. State of NCT of Delhi & Ors.**

**And**

**Sh. Jaipal Singh Vs. Lt. Governor, Delhi & Ors.**

**CORAM : HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

<b>Present:</b>	<b>Applicant</b>	<b>: Mr. Rahul Choudhary and Ms. Meera Gopal and Mr. Utkarsh Gopal, Advs. : Mr. Aagney Sail, Adv. :Ms. Vandana Sehgal and Ms. Gunjan Ahuja Advs.</b>
	<b>Respondent Nos. 1 &amp; 2 DDA</b>	<b>: Mr. Sanjay Dewan, Adv. for Forest dept. :Mr. Rajiv Bansal Sr. Adv., Mr. Kush Sharma and Mr. Lalit Mohan, Adv.</b>
	<b>DJB MoEF &amp; CC GNCTD</b>	<b>:Ms. Sakshi Popli, Adv. for DJB Mr. Balendu Shekhar, Adv. :Mr. Tarunvir Khehar, Ms. Guneet Khehar and Mr. Sandeep Mishra, Advs. Mr. B. V. Niren with Mr. Vinyak Gupta, Advs. NBCC Mr. Mohit Arora, Adv.</b>
	<b>MoEF</b>	<b>Ms. Krishna Kumar Singh, Adv. Mr. Jitin and Mr. Ashish Dogra, Adv. for Khasra No. 231 Mr. Harsh Prakash, Adv. for R-9 Mr. Parminder Chauhan, Adv. along with Mr. Mishal Vij, Adv. for DUSIB</b>

	<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
	<b>Item No. 06-08</b>  <b>February 09, 2018</b>	<p><b><u>Original Application No. 58 of 2013, 116 of 2016 and 144 of 2015</u></b></p> <p>These three Original Applications and connected M.A.s have been taken up today analogously as common questions of fact are involved.</p> <p>Mr. Jitin Tewathia, Counsel appearing for the owner</p>

**Item No.  
06-08**

**February  
09, 2018**

in respect of Khasra no. 231 orally prays that he be impleaded as a party in the original application in view of the order dated 10<sup>th</sup> October, 2017 whereby he has been permitted to file reply/affidavit.

Having regard to the order dated 10<sup>th</sup> October, 2017, the oral prayer for impleadment is allowed. Leave sought for by the newly added Respondent to file affidavit is granted.

Since copies of the affidavit have been served on the other parties, they are at liberty to file responses before the next date with advance copies to the other side.

Upon perusal of the records of the case, we find that there has been absolute casualness on the part of the concerned authorities and have been recalcitrant and, as already observed earlier, procrastinating in completing the work entrusted upon them.

Although in the order dated 16<sup>th</sup> August, 2017, it is revealed that it had categorically been stated on behalf the Revenue Department that the entire work of the demarcation will be completed within the time frame prescribed as per schedule placed before us, obviously it has still not yet done. Order dated 20<sup>th</sup> December, 2017 is clear and categorical in directing that the regime prescribed for the process of demarcation was required to be strictly followed in order to avoid floodgate of claims and counter claims by all concerned parties having land adjoining the ridge area/forest land in villages of Ranpuri, Rajokri and Githorni in Vasant Kunj Sub Division. The regime as specifically mentioned in the order pertain to

**Item No.  
06-08**

**February  
09, 2018**

the survey undertaken of the area with the TSM (Total Satellite Machine) with the exact boundary description and map of the area concerned being provided for the comprehensive demarcation.

Since, enough time has been taken by the Revenue Department and the other concerned authorities to complete the work, further time sought for is granted with a strict direction that the work shall be completed within the next one month.

First status report of the work shall be filed within 15 days from hence i.e. 26<sup>th</sup> February, 2018, 24<sup>th</sup> February, 2018 being Saturday and, the final demarcation report shall be submitted on 13<sup>th</sup> March, 2018.

In the event of failure to comply with this direction, cost of Rs. 2 lakhs shall be paid by each of the Respondents particularly Revenue Department and Department of Forest, Govt. of NCT Delhi apart from disciplinary proceedings that shall be directed against the concerned personnel.

Mr. Aagney Sail, Learned Counsel appearing for the Applicant, draws our attention to our order dated 10<sup>th</sup> November, 2018 recording filing of an additional affidavit on behalf of the Applicant and copies thereof having been served upon on the other side. He submits that thus far, no response has been filed by the Respondents to the additional affidavit.

While directing the Respondents to file their responses to the affidavit, it is further directed that, if the allegations of encroachments made in the affidavit are found to be correct, the Forest Department and Revenue

<p><b>Item No. 06-08</b></p> <p><b>February 09, 2018</b></p>	<p>Department, Govt. of NCT Delhi shall remove all encroachments within the declared reserved forest area/ the ridge area and the demarcation be carried out after doing so.</p> <p>This, of course, shall be subject to what shall transpire after the Department and the authorities file their responses.</p> <p>List on 26<sup>th</sup> February, 2018.</p> <p>.....,JM (S.P. Wangdi)</p> <p>.....,EM (Dr. S.S. Garbyal)</p> <p>(09-02-2018)</p>
--	--



Item No. 02-05

Court No. 2

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

Original Application No.58/2013  
(M.A. Nos. 898/2013, 922/2017 & 329/2018)

With

Original Application No. 116/2015  
(M.A. Nos. 327/2015 & 589/2015)

With

Original Application No.144/2015

With

M.A. No. 258/2015

In

Original Application No. 10/2014

Sonya Ghosh

Applicant(s)

Versus

Govt. of NCT of Delhi &Ors.

Respondent(s)

With

Prof. Imtiaz Ahmed &Ors.

Applicant(s)

Versus

State of NCT of Delhi &Ors.

Respondent(s)

With

Sh. Jaipal Singh

Applicant(s)

Versus

Lt. Governor, Delhi &Ors.

Respondent(s)

With

Pavit Singh

Applicant(s)

Versus

The State of NCT of Delhi &Ors.

Respondent(s)

Date of hearing: 22.05.2019

**CORAM:**

**HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER**

**HON'BLE DR. SATYAWAN SINGH GARBYAL, EXPERT MEMBER**

For Applicant(s)

Mr. Raj Panjwani, Sr. Advocate  
(Amicus Curiae) and Mr. Aagney  
Sail, Advocate  
Mr. Rahul Choudhary and Mr.  
Saurabh Sharma, Advocates

Ms. Vandana Sehgal, AOR and  
Ms. Gunjan Ahuja, Advocate

For Respondent(s)

Mr. Sanjay Dewan, Advocate for  
Forest Department  
Mr. S. K. MuanGuite, DCF  
(West), Forest Deptt. And Ms.  
InduVijayan, DCFC(North)

Mr. Kush Sharma, ASC for DDA  
Mr. B.S. Arora and Mr. Mohit  
Arora, Advocates for NBCC  
India Ltd. in M.A. No. 898/2013  
Mr. Parvinder Chauhan,  
Advocate for DUSIB  
Ms. Pritika, Advocate for Ms.  
SakshiPopli, Advocate for DJB  
Mr. Rahul Gupta, Advocate for  
BSES  
Ms. Smarithi, Advocate for Mr.  
Ajay Jain, Advocate for GNCTD

### **ORDER**

After hearing the Learned Counsels for some time, on perusal of the joint inspection report and the appended maps, we consider it proper to call for the District Magistrate, Tehsildar and Patwari of the concerned area to appear in person and explain the queries which have been noted by the Counsels for the respondents.

The Learned Counsel for the respondent submits, on the instructions of the officer present before us, that work of fencing on the land in question is continuing and shall be completed. No encroachment, whatsoever, shall be allowed to be made on the land in question including the one which has already been allotted (Annexure-3 to the Status Report).

In other words, the status-quo as exists today shall be maintained by all the parties.

List these matters on 26<sup>th</sup> June, 2019.

Raghuvendra S. Rathore, JM

Dr.Satyawan Singh Garbyal, EM

May 22, 2019  
JG



**IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL / INHERENT / CRIMINAL JURISDICTION****Contempt Petition (Civil) No. \_\_\_\_\_ / 2025  
(Diary No. 21171/2024)****IN****Writ Petition (Civil) No. 4677 / 1985**

Bindu Kapurea

....Petitioner(s)

versus

Subhashish Panda and others

....Respondent(s)

**WITH****SMC (CrI.) No. 2/2024****WITH****I.A. No. 98622 / 2024 in Writ Petition (Civil) No. 202 / 1995****JUDGEMENT****SURYA KANT, J.**

1. The instant petition has been filed invoking Article 129 of the Constitution of India, Section 12 of the Contempt of Courts Act, 1971, and Rule 3(c) of the Rules to Regulate Proceedings for

Contempt of the Supreme Court, 1975. It prays for the initiation of contempt proceedings against the Respondents for wilful disobedience of this Court's order dated 09.05.1996 passed in W.P. (C) No. 4677/1985, titled ***MC Mehta v. Union of India & Others***.

2. These proceedings arise from a decades-long saga that is associated with a series of writ petitions, wherein this Court has consistently endeavoured to mitigate further environmental degradation in the National Capital Territory of Delhi and across the country.

**A. FACTS**

3. At this juncture, it becomes imperative to set out the sequence of events from the outset, in order to provide a comprehensive understanding of the developments that have culminated into the present proceedings.

**A.1 Brief background of the cases giving rise to the present controversy**

- 3.1. ***MC Mehta (supra)*** is an ongoing matter comprising petitions through which this Court has pronounced several landmark judgments giving new dimensions to environmental jurisprudence, with the specific objective of regulating land use and shutting down of hazardous industries to protect the environment. The said Writ Petition was initially instituted on 16.04.1985 in public interest, to bring to light the grave and escalating pollution of the river Ganga,

caused by the indiscriminate discharge of vast quantities of sewage from the city of Kanpur, Uttar Pradesh. It thereafter metamorphosed into a case through which this Court routinely addressed various threats posed to the environment and ecological biodiversity.

- 3.2.** The Delhi Development Authority (**DDA**) notified the Master Plan for Delhi Perspective 2001 on 05.08.1990 (**Delhi Master Plan**), wherein it was expressly provided that no further encroachment or infringement upon the Delhi Ridge would be permitted, and that the Ridge would be preserved and maintained in its pristine condition. To explicate, the Delhi Ridge constitutes a natural rock formation, forming a part of the ancient Aravalli hill range. It encompasses approximately 7,777 hectares of forest land and extends over a stretch of nearly 35 kilometres—commencing from the Bhatti Mines area in the southeast, traversing through Tughlaqabad, and tapering towards the northern periphery of the city at Wazirabad. Commonly referred to as the ‘Lungs of Delhi’, the Ridge plays a vital ecological role and forms part of one of the oldest geological formations on the planet, with its origins dating back to the Proterozoic era.
- 3.3.** The Delhi Master Plan accordingly recognised that, in light of the pressures exerted by rapid urbanisation over the years, the Delhi

Ridge Area had been subjected to significant threats and adverse environmental impacts. In response, the Master Plan mandated that the Ridge Area be clearly identified and conserved with the utmost care, taking into consideration its critical role as a natural buffer against escalating pollution levels in the National Capital Territory. It further stipulated that afforestation efforts within the Delhi Ridge must prioritise the use of indigenous species, with minimal reliance on artificial landscaping, in order to preserve the ecological integrity and natural character of the forest.

- 3.4.** Commensurately, in *M.C. Mehta (supra)*, this Court issued a series of directions for the conservation and protection of the Delhi Ridge. Pursuant thereto, the then Lieutenant Governor of Delhi issued an order dated 06.10.1995, constituting a dedicated body, known as the Ridge Management Board (**RMB**), which was entrusted with the responsibility of protecting and restoring the Delhi Ridge Forest. The RMB was established under the Chairmanship of the Chief Secretary of Delhi and was assigned various functions, including the implementation of the management scheme for the Ridge forests, protection and demarcation of its boundaries, and the preparation and execution of detailed plans for the ecological upgradation and long-term preservation of the Ridge area.

- 3.5.** In furtherance of the aforementioned directions, this Court, *vide* orders dated 25.01.1996 and 13.03.1996, directed that regardless of the mandate contained in Section 154 (vii) of the Delhi Land Reforms Act, 1954, the uncultivated surplus land of the Gaon Sabha falling within the Delhi Ridge shall not vest in the Gaon Sabha, and shall instead be used for the creation of a Reserved Forest. In compliance with the said directions, the Government of the National Capital Territory of Delhi (**GNCTD**) issued a notification dated 02.04.1996, declaring 10,517 acres of uncultivated Gaon Sabha land, as surplus and placed it at the disposal of the Forest Department. This area now forms a part of the aforementioned 7,777 hectares of the Notified Ridge Area.
- 3.6.** To this end, this Court also passed the order dated 09.05.1996, which the Petitioner herein alleges has been violated by the Respondents. The order reads as follows:

*“The provisions of the Master Plan makes it mandatory that the Ridge is to be kept free from encroachers and its pristine glory must be maintained for all times. It is a pity that neither the Central Government nor the N.C.T., Delhi Administration has ever applied its mind towards maintaining the Ridge and River Yamuna, which is necessary to maintain the ecological balance of the city. We are of the view that no cut off date can come in the way of relocating the J.J. dwellers which are encroaching on the Ridge. The directions given by this Court in the order dated April 9, 1996 shall have to be complied with. We have already directed in the said order that all encroachers must be shifted from the Ridge before October 31, 1996. Mr. Khanduri, present in Court, has very fairly stated that the work of relocation of J.J. dwellers from Ridge has already*

*been undertaken on war footing. We have no doubt that the Union of India shall render all assistance to the N.C.T., Delhi Administration in clearing the Ridge area. The next progress report be filed in July, 1996.”*

**3.7.** It may be seen from the contents of the aforesaid order that this Court reiterated the exigency of protecting the Delhi Ridge and ensuring that it remains free from encroachment, so as to preserve its pristine condition. In doing so, the Court referred to the statutory Delhi Master Plan, which unequivocally proscribed any infringement upon the Ridge and mandated its continuous protection and maintenance. The Court further observed that neither the Central Government nor the GNCTD had, until then, adequately addressed the imperative of maintaining the Delhi Ridge and the River Yamuna—both of which were essential to preserving the ecological balance of the city. Accordingly, the Court issued stringent directions to the concerned authorities to ensure the removal of all encroachments from the Ridge area on or before 31.10.1996.

**3.8.** Parallely, a public interest litigation, being W.P. (C) No. 202/1995, titled ***T.N. Godavarman Thirumulpad v. Union of India***, had been instituted before this Court on 18.02.1995. The proceedings had initially arisen out of concerns regarding large-scale deforestation, illegal logging, and unsustainable practices affecting forest lands in the Nilgiris region. Over time, this case also came to

be regarded as one of the most significant judicial interventions in the realm of forest preservation, environmental governance and conservation of natural resources in India through the innovative interpretation and application of the Forest Conservation Act, 1980 (**FCA 1980**). We find it necessary to highlight this matter, as the directions issued therein in relation to the Delhi Ridge subsequently intersect with the issues raised in the instant Contempt Petition.

**3.9.** Thereafter, in congruence with the directions put forth in **M.C. Mehta (supra)**, this Court in the **T.N. Godavarman (supra)** constituted the Central Empowered Committee (**CEC**) on 09.05.2002, tasked with monitoring the implementation of its orders in respect of removal of encroachments in ecologically sensitive areas, implementation of working plans, compensatory afforestation, plantations and other conservation issues. This Court, in both of these cases, thus sought to continuously monitor initiatives geared towards the protection and conservation of the environment in the country, and also, specifically, the Delhi Ridge.

**3.10.** Thus, to recapitulate, the forested expanse known as the Delhi Ridge continues to enjoy the protection of this Court, as reaffirmed in **MC Mehta (supra)** by the order dated 09.05.1996. In tandem with the establishment of the CEC in **T.N. Godavarman (supra)**, it

stands settled that any construction or developmental activity within the Delhi Ridge must receive prior approval from the RMB and thereafter from this Court, for which a proposal is to be mooted through the CEC.

## **A.2 Events leading to the filing of the Contempt Petition**

**3.11.** In this backdrop, the Principal Chief Conservator of Forests, Delhi, cum Member Secretary of the RMB *vide* letter dated 21.09.2023, forwarded the Board's recommendation to the CEC. This communication pertained to an application submitted by the DDA seeking approval for the construction of approach roads connecting the main Chattarpur Road to SAARC University, the Central Armed Police Forces Institute of Medical Sciences (**CAPFIMS**), and other establishments located in Maidangarhi, including the areas of Sayurpur and Satbari—all of which fall within the ecologically sensitive Southern Ridge region.

**3.12.** According to the DDA, the area in question had witnessed the emergence of several large-scale residential and institutional developments, including the SAARC University; housing for officials of the Central Bureau of Investigation (**CBI**), Delhi Police, and the National Investigation Agency (**NIA**); as well as CAPFIMS. Despite the scale and significance of these developments, the region was reportedly beset with inadequate access infrastructure. The

DDA accordingly proposed specific alignments and upgradations traversing notified forest land within the Delhi Ridge, with the stated objective of facilitating seamless access to the residential and institutional establishments referred to above.

**3.13.** Given the impending interventions into ecologically sensitive areas, the DDA, through the aforementioned application, sought permission to construct two approach roads—namely, the ‘Gaushala Road’ connecting Chattarpur Road to SAARC University and the ‘SAARC University–CAPFIMS Road’. The DDA proposed to utilise 3.60 hectares of the ecologically sensitive Southern Ridge and an additional 0.968 hectares of Morphological Ridge land for the alignment, construction, and widening of these roads, spanning a total length of 2.72 kilometres, which entailed the felling of approximately 1,051 trees. To clarify, Morphological Ridge land refers to areas that, while lying outside the officially notified boundaries of the Delhi Ridge, exhibit geological and ecological features characteristic of the Ridge itself. Owing to their environmental significance, such lands are accorded the same level of protection as the notified Ridge areas, and any activity thereon is subject to the same regulatory safeguards and judicial supervision.

**3.14.** Thereupon, the CEC, after due consideration of the DDA's application, approved such proposal and submitted Report No. 36/2023 dated 06.12.2023, containing its detailed observations and recommendations. In arriving at its conclusions, the CEC took into account, *inter alia*, the following considerations:

- i.** That the proposed project is in public interest, and the extent of forest land sought to be utilised for the road development represents the bare minimum required;
- ii.** That the existing seven-metre-wide road is already in use and necessitates upgradation to a four-lane divided configuration with footpaths on either side to facilitate access to institutions of national significance being developed in the vicinity;
- iii.** That a portion of the forest land proposed for the project is already in use by commuters;
- iv.** That all requisite statutory clearances are to be obtained by the user agency/DDA under the FCA 1980 for the diversion of 3.60 hectares of forest land for non-forest purposes, along with necessary approvals from the Standing Committee of the National Board for Wild Life (**SCNBWL**) under the Wildlife (Protection) Act, 1972 for areas falling within the eco-sensitive zone;

- v. That the user agency/DDA shall bear the cost of planting and maintaining 2,960 saplings—ten times the number of trees (296) proposed to be cut or transplanted from non-forest land;
- vi. That the DDA has expressed its willingness to make available suitable land for undertaking such compensatory plantation; and
- vii. That the DDA has already earmarked 3.68 hectares of non-forest land at Sector 29, Dwarka, Delhi, to be transferred to the Forest Department in lieu of the 3.60 hectares of forest land proposed to be diverted.

**3.15.**The CEC finally concluded as follows:

*“It is recommended that this Hon’ble Court may consider granting approval to the Applicant, Delhi Development Authority for construction of the approach road from Chattarpur Main Road to SAARC University (1.070 kms) and SAARC University to CAPFIMS (1.650 kms) subject to the following conditions:*

- i. the user-agency shall deposit 5% of the project cost, proportionate to the area falling within the ridge area, with the Ridge Management Board Fund and which fund under the close supervision of the Ridge Management Board shall be used for protection of the Delhi Ridge by the Forest Department of Delhi Government;*
- ii. the user-agency shall obtain prior clearance under Forest (Conservation) Act 1980 in respect of the forest land being diverted for construction of the road and abide by all the conditions of forest clearance including payment of NPV and cost of compensatory afforestation;*
- iii. the user-agency shall obtain necessary approval from the Standing Committee of the National Board for Wildlife in*

*respect of the project land falling within the eco-sensitive zone of Asola Bhati Wildlife Sanctuary;*

- iv. the user-agency before felling/removal of 296 trees shall obtain necessary permission under the provisions of Delhi Preservation of Tree Act, 1994;*
- v. the user-agency shall deposit the cost of planting and maintenance of 2960 indigenous plants with the Forest Department, Government of Delhi and make available suitable land for compensatory planting before the permission for felling is granted under the provisions of Delhi Preservation of Tree Act 1994;*
- vi. the Forest Department, Government of NCT Delhi will undertake the planting of 2960 saplings of the indigenous species at the site to be made available by DDA for the purpose; and*
- vii. Forest Department will raise compensatory planting over 3.68 ha. of non forest land at Sector-29, Dwarka, Delhi in lieu of the 3.60 ha. of forest land proposed to be diverted for non forest use.”*

**3.16.**As matters stood thus, a Gazette Notification dated 14.02.2024 was issued, wherein the Lieutenant Governor of Delhi (**LG**), exercising powers conferred under Section 29 of the Delhi Preservation of Trees Act, 1994 (**1994 Act**), granted an exemption in terms of Section 9(3) of the said Act—in public interest—for an area measuring 4.9955 hectares to facilitate the construction of approach roads from Chattarpur to SAARC University, CAPFIMS, and other adjoining establishments. The notification stipulated an advance deposit of ₹2,40,54,000/- by the DDA towards a security amount earmarked for the creation and maintenance of compensatory plantation. Furthermore, it laid down a series of

binding conditions upon the DDA to be fulfilled: prior to undertaking the felling or transplantation of trees, during the execution of such activities, and thereafter for the purpose of assessing the success of the plantation efforts. The release of the aforementioned security deposit by the Tree Officer/Deputy Conservator of Forests was made contingent upon the satisfactory fulfilment of these stipulated conditions.

**3.17.** On 15.02.2024, the DDA moved I.A. No. 40494/2024 in **MC Mehta (supra)**, seeking this Court's permission for the felling and translocation of 1,051 trees in connection with the construction of the proposed approach roads. In the *interim*, the Petitioner came to learn of tree-felling activities underway in the Satbari area of South Delhi on 23.02.2024. They visited the site on 24.02.2024 and allegedly observed that a substantial portion of the Ridge Forest had been decimated, with heavy machinery actively engaged in levelling the land. Disturbed by the scale and apparent brazenness of the activity, the Petitioner then contacted the Green Helpline of the Department of Forests and Wildlife, GNCTD, to register a complaint. They however, received a telephonic response on 25.02.2024 from a Forest Guard, who informed them that the ongoing tree cutting was being carried out pursuant to due

authorisation, having been permitted by the LG *vide* the Gazette Notification dated 14.02.2024.

**3.18.** It is pertinent to highlight that the aforesaid IAs preferred by the DDA were dismissed by this Court on the grounds of vagueness *vide* its order dated 04.03.2024. The Court underscored that the DDA, being an instrumentality of the State, bore a heightened responsibility to prioritise environmental protection and was expected to explore all viable alternatives before resorting to the felling of trees, limiting such action strictly to those instances where it was absolutely unavoidable. The Court further noted that no prior permission had been sought under the FCA 1980. Consequently, the DDA was directed to revisit its proposal by engaging the services of qualified experts and ensuring that the revised exercise would be conducted in a manner that minimised tree felling to the greatest extent possible. Only upon undertaking these corrective steps was the DDA permitted to file a fresh application seeking the same relief.

**3.19.** The Petitioner has alleged that the DDA failed to disclose to this Court, during the hearing on 04.03.2024, that the area for which it had sought permission to fell trees had, in fact, already been cleared. It is the Petitioner's case that the DDA, without awaiting the Court's adjudication on its applications and in the absence of

any express permission, proceeded with the clearing of the Ridge reserved forest as well as the felling of trees on non-forest land to facilitate construction of the approach roads. In view of the above, the Petitioner has preferred the instant Contempt Petition, asserting that such actions on the part of the First Respondent constitute a wilful and deliberate violation of this Court's binding order dated 09.05.1996 passed in **MC Mehta (supra)**. The Petitioner has accordingly prayed for the initiation of contempt proceedings against the Vice Chairman of DDA/First Respondent.

### **A.3 Events subsequent to initiation of Contempt Proceedings**

**3.20.** In addition to the events averred in the Contempt Petition, it will be appropriate to bring the subsequent developments of material significance that merit due consideration. The instant Contempt Petition came up for hearing on 09.05.2024, when notice was issued, the First Respondent was directed to maintain *status quo* and refrain from carrying out any further felling of trees.

**3.21.** On the following date of hearing, i.e., 16.05.2024, this Court took cognisance of the averments made in the affidavit filed by the First Respondent and deemed it appropriate to issue *suo motu* notice of criminal contempt, registered as SMC (Crl.) No. 2/2024. That affidavit revealed that a substantial number of trees had been felled without obtaining the requisite permissions from the prescribed

authorities, besides the blatant contravention of this Court's binding orders. This Court, therefore, expressed grave concern, observing that the DDA's actions of unauthorised felling of more than 1100 trees constituted a shocking disregard for the Rule of Law and amounted to interference with the administration of justice.

**3.22.** This Court thereafter proceeded to pass a series of consequential orders, namely: **(i)** the First Respondent was directed to produce the document evidencing the approval of the LG and to furnish the names of all officers responsible for the breach of this Court's orders; **(ii)** the First Respondent was mandated to personally address a letter to the LG disclosing that, while the proposal for approval was forwarded to him, the material fact that the trees had already been felled was wilfully suppressed; **(iii)** ordered an inquiry into the conduct of the officers who had entrusted the tree felling to the contractor; **(iv)** directed the DDA to immediately halt all further activities pertaining to the two approach roads and to deploy appropriate officers to ensure strict compliance; **(v)** appointed an Independent Agency comprising of three eminent environmentalists (**Committee**) who were to be duly assisted by officers from the Forest Survey of India (**FSI**) to assess the number of trees felled, the extent of environmental degradation caused, and

to propose suitable species for replantation along with other ecological restoration measures; and **(vi)** directed the DDA to conduct an internal inquiry into the lapse committed by its Legal Department in failing to brief its counsel correctly on 04.03.2024 regarding the ongoing tree felling. Further, this Court also restrained the RMB from clearing project proposals for the diversion of the Ridge forests without seeking permission from this Court.

**3.23.**In the meantime, the Committee constituted by this Court submitted its preliminary report detailing the number of trees felled and the extent of environmental degradation caused. The report observed that the DDA had failed to offer a satisfactory explanation for the urgency with which the tree felling was undertaken. It cautioned that the absence of tree cover along the road could result in the creation of a heat island and lead to intensified urbanisation of the adjoining areas. The Committee further noted that no transplantation had taken place at the designated site and that, of the 145 trees transplanted at alternate, non-designated locations, nearly half comprised the invasive Subabool species, which ought to be removed. In light of these findings, the Committee recommended both possible outcomes—either the removal of the

road to facilitate restorative measures or its completion, should this Court so deem fit.

**3.24.** Pursuant to the aforesaid directions, the First Respondent also filed an affidavit dated 19.06.2024, tendering an unconditional apology and detailing steps undertaken in compliance. It was submitted that: **(i)** corrective measures were underway, including disciplinary action against the errant DDA officials and the formulation of Standard Operating Procedures (**SOPs**) to prevent recurrences; **(ii)** the First Respondent was on sanctioned medical leave from 16.02.2024 to 02.03.2024, and worked from home until 12.03.2024, during which period he remained unaware of the tree felling and therefore failed to apprise this Court; **(iii)** an internal Inquiry Committee found the following officials responsible: Executive Engineer Manoj Kumar Yadav (who instructed the contractor to fell the trees), Engineering Division officials Pawan Kumar and Ayush Saraswat (who permitted the felling), and Superintendent Engineer Pankaj Verma (who, along with Yadav, was found to have suppressed material facts from this Court on 04.03.2024); **(iv)** all four officers had been suspended and disciplinary proceedings initiated; **(v)** while prior contractor agreements did not include clauses mandating Court permission for tree felling, all future tenders would expressly incorporate such

terms; **(vi)** work at the site had been fully halted, and approximately 174 trees in non-forest areas and 468 in forest areas were confirmed to have been felled; **(vii)** the DDA would cooperate fully with the Committee constituted by this Court in implementing all remedial measures; **(viii)** the Chief Legal Advisor of the DDA had been misinformed by Manoj Kumar Yadav, leading to incorrect submissions before this Court; and **(ix)** the DDA had identified 185 acres of land for afforestation and committed to planting 100 trees for every tree felled, in addition to 500 trees along the widened sections of the site to aid ecological restoration.

**3.25.** This Court, on 24.06.2024, while considering the affidavit of the First Respondent, also examined the Inquiry Committee Report annexed thereto. Particular attention was drawn to three emails allegedly sent by the Executive Engineer instructing the contractor to commence tree felling. These emails purportedly referenced a visit by the LG, in his capacity as Chairperson of the DDA, to the site on 03.02.2024, during which he allegedly directed the clearing of trees. However, upon further questioning, it emerged that there was ambiguity as to whether the Learned LG had actually visited the tree-felling site or only the CAPFIMS campus. In view of this uncertainty, and considering the Executive Engineer's subsequent claim before the Inquiry Committee that the emails were

manipulated, the Court directed the First Respondent to submit a clear and unequivocal statement clarifying whether any such direction had, in fact, been issued by the LG.

**3.26.** In this backdrop, this Court deemed it appropriate to show cause to the following officers of the DDA: **(i)** Manoj Kumar Yadav, Executive Engineer, SMD 5, DDA; **(ii)** Pawan Kumar, Assistant Engineer-I, SMD 5, South Zone, Engineering Division, DDA; **(iii)** Ayush Saraswat, Assistant Engineer-II, SMD 5, South Zone, Engineering Division, DDA; and **(iv)** Pankaj Verma, Superintending Engineer, SE/SCC-2, South Zone, DDA. Additionally, while perusing the affidavit filed by the First Respondent, the Court underscored that the appointment of serving judicial officers from the Delhi Higher Judicial Services as legal advisors to the DDA constituted a clear violation of the principle of judicial independence and the doctrine of separation of powers. Accordingly, it directed the Delhi High Court to take appropriate action concerning such appointments.

**3.27.** On 26.06.2024, this Court directed several individuals and institutional authorities to file affidavits to shed further light on the incident. *First*, Ashok Kumar Gupta, Member (Engineering), DDA, was directed to file a detailed affidavit clarifying the events during the visit of the Learned LG, since he had been present at the time.

*Second*, the discrepancies in the Gazette Notification dated 14.02.2024 were noted, observing that no permission had been granted by the designated Tree Officer, nor had any valid exemption been extended to the DDA for the felling of trees. When asked about the whereabouts of the timber from the felled trees, the First Respondent failed to provide any response. Consequently, notice was issued to the GNCTD through the Principal Secretary, Department of Environment and Forests. In this regard, notice was also issued to the Tree Authority constituted under Section 3 of the 1994 Act, directing it to file an affidavit explaining its inaction in the face of the DDA's violations. *Third*, the DDA was instructed to begin implementing certain recommendations from the Committee's preliminary report, specifically those listed under paragraph 1 of the section titled 'Suggestions and Recommendations', including the removal of the tarmac and sub-base materials of the road to expose bare soil and initiate appropriate afforestation and ecological restoration measures.

**3.28.** Pursuant to this Court's directions in its orders dated 24.06.2024 and 26.06.2024, multiple affidavits were filed by concerned individuals and institutions, which are briefly summarised herein. The First Respondent, in his affidavit dated 02.07.2024, explained that he had informed the office of the Engineer Member, DDA, on

02.02.2024 regarding the LG's proposed visit to CAPFIMS on 03.02.2024. However, he also acknowledged that no formal minutes of the LG's site visit were recorded, though the names of the officers present during the visit were provided in an annexure. Further, with regard to the implementation of the Committee's recommendations, the DDA has sought guidance from that Committee to ensure compliance with the directions of this Court.

**3.29.** Similarly, Ashok Kumar Gupta, Member (Engineering) DDA, gave details of the senior officers who were present at the time of the LG's visit on 03.02.2024 and that the said visit was only to inspect the CAPFIMS Hospital and assess the Central Public Works Department's (**CPWD**) preparedness for its timely completion. The affidavit further highlighted that the LG directed CPWD officials to expedite the completion of the project. With respect to the CAPFIMS approach road, the LG was informed that requisite permissions for tree felling were still awaited from the competent authorities. Upon hearing this, the LG allegedly emphasised the need to expedite the process.

**3.30.** The Principal Secretary, Environment and Forest Department of GNCTD also filed a detailed affidavit, which outlined the following: (i) several initiatives had been undertaken to expand forest and tree cover in Delhi, including efforts to convert 1,700 acres of the

Yamuna Flood Plains into forest land and the development of City Forests; **(ii)** the project in question aimed to construct roads connecting institutions of national importance, including CAPFIMS; **(iii)** the DDA had submitted three applications: one to the RMB on 18.08.2023 seeking this Court's approval for the construction of approach roads, another on 09.12.2023 for diversion of 3.6 hectares of Ridge forest land and felling of 629 trees, and a third on 29.12.2023 seeking permission to fell 422 trees in non-forest areas; **(iv)** the Gazette Notification dated 14.02.2024 merely exempted the applicability of Section 9(3) of the 1994 Act and did not amount to permission for felling trees; **(v)** while the DDA had initiated approval processes under the RMB and the FCA 1980, these had not been completed; **(vi)** action was being taken against the DDA for violations under both the 1994 Act and the FCA 1980—this included issuance of show cause notices, an interim order by the Tree Officer directing the plantation of at least 100 native trees, and initiation of a criminal case under relevant provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 and the 1994 Act; and **(vii)** adequate infrastructure had been provided to the Forest Department to enhance monitoring and vigilance over forest areas. The Tree Officer, in his affidavit, echoed similar submissions and further clarified that, as a quasi-judicial

authority, proceedings under the 1994 Act had been initiated before him since 05.03.2024.

**3.31.**The matter was heard again on 12.07.2024, when this Court deemed it necessary to ensure complete clarity regarding the visit of the LG. Accordingly, it directed all officials present during the site visit, along with the First Respondent and any other officer possessing relevant information, to file affidavits. In addition, since the contractor M/s. Satya Prakash and Brothers Private Limited was responsible for the felling of trees, notice was issued directing the contractor to disclose the location of the felled timber and the transplanted trees. Lastly, the GNCTD was directed to file a supplementary affidavit clarifying whether any officer of the Forest Department or the Tree Authority was present during the felling of trees.

**3.32.**In compliance with this Court's directions, the relevant stakeholders once again filed their respective affidavits. The Additional Principal Chief Conservator of Forests, GNCTD; Ashok Kumar Gupta, Member (Engineering) DDA; the Principal Secretary, Environment and Forest Department, GNCTD; and the Chief Secretary, GNCTD all reiterated a consistent position—that during the LG's visit on 03.02.2024, he was informed that the requisite permissions under the 1994 Act and the FCA 1980 were still

awaited. Ashok Kumar Gupta further stated that the felling of trees, which began on 16.02.2024, was carried out under the *bona fide* belief that the recommendations of the CEC dated 06.12.2023 and the subsequent Gazette Notification exempted the need for further permissions. Meanwhile, the Principal Secretary clarified, in response to the Court's queries, that no officer from the Forest Department or the Tree Authority was present during the felling and also submitted that steps had been initiated to withdraw the Gazette Notification dated 14.02.2024. Lastly, the contractor, in his affidavit, stated that he acted on the instructions of Executive Engineer Manoj Kumar Yadav, who had emailed him on 07.02.2024 regarding the removal of bushes, shrubs, and dry trees, and followed up further emails on 14.02.2024 reiterating the same while referring to the LG's visit on 03.02.2024.

**3.33.** This Court on 16.10.2024, further observed that the material on record required further elaboration, particularly from the LG. The Court specifically sought clarity on the role played by the LG, the point at which he became aware of the tree felling activity, the steps taken thus far to remediate the ecological damage, and the identification of officers responsible for the suppression of facts surrounding the incident.

**3.34.** In response, the LG filed an affidavit stating that the actual number of trees felled was approximately 642, as opposed to the alleged figure of 1,100. He further submitted that, during his visit on 03.02.2024, he had not been informed of the requirement to obtain prior permission from this Court. He first became aware of such a requirement upon reviewing the DDA's proposal dated 21.03.2024 and was subsequently informed by the First Respondent through his letter dated 10.06.2024 that the tree felling had commenced on 16.02.2024. The affidavit also noted that ecological restoration efforts were underway through tree plantations, and that the Inquiry Committee constituted by the DDA had already taken action against the officials found responsible.

**3.35.** Upon perusing the LG's affidavit on 24.10.2024, this Court noted that further clarity was required regarding the precise date on which the LG became aware that tree felling had commenced on 16.02.2024. Accordingly, the Court directed both the First Respondent and the LG to file supplementary affidavits. In response, the LG reiterated the submissions made in his earlier affidavit and clarified that he became aware of the tree felling only on 12.04.2024 during a meeting. The First Respondent, in his affidavit, corroborated this timeline in part and submitted that he first learnt of the felling on 18.03.2024 upon the issuance of a show

cause notice by the Delhi High Court to the Department of Forest and Wildlife. He was thereafter informed by the Member Engineer on 21.03.2024 that the felling had, in fact, commenced on 16.02.2024. With this, all affidavits and relevant material filed by the concerned stakeholders appear to have been placed on record.

**3.36.** After this saga of affidavits was completed, we may notice that the FSI, pursuant to this Court's order dated 16.05.2024, submitted its final report containing key findings that are critical to the adjudication of the present controversy. Based on extensive fieldwork and surveys, the FSI reported that approximately 1,670 trees were felled, both within the reserved forest area and beyond, resulting in substantial carbon stock loss. The report also uncovered alarming discrepancies in the data provided by the Delhi Forest Department and concluded with observations pointing to systemic deficiencies in the Department's operational practices.

**3.37.** Having undertaken the arduous task of tracing the root cause of this issue over the course of nearly a year, this Court ultimately afforded all parties an opportunity to tender their submissions and, on 21.01.2025, reserved judgment in the matter.

**B. CONTENTIONS ON BEHALF OF THE PARTIES**

**4.** Although the parties' respective positions are discernible from the multitude of affidavits examined above, it remains essential to

canvass the contentions advanced by them in support of their claims.

5. Mr. Gopal Sankaranarayanan, learned Senior Advocate appearing on behalf of the Petitioner, laid a strong challenge to the actions of the First Respondent and DDA officials, emphasising the irreversible nature of the ecological damage caused. Seeking strict action against the errant officials in view of the grave nature of contempt committed, learned Senior Counsel adduced the following contentions:

- (a)** There was a deliberate and coordinated attempt to conceal material facts from this Court, during the hearing dated 04.03.2024. The felling of trees had not only commenced on 16.02.2024 but had also been wilfully carried out and completed over a span of ten days, without obtaining permission from either this Court or the relevant statutory authorities. Notably, during the same period, in some related proceedings pending before the Delhi High Court, the DDA suppressed this critical information and got the matter adjourned.
- (b)** Even the CEC and the *Amicus Curiae* appointed by this Court were not informed of the tree felling exercise. However, rather than accepting responsibility, the First Respondent has sought

to deflect blame onto the officials and engineers, attempting to make them scapegoats for this unfortunate breach.

- (c)** The material on record, along with depositions by subordinate engineers and officials, indicates that the tree felling and road construction were expedited following the LG's visit. This is corroborated by internal emails and correspondence, which suggest that the DDA, acting upon the LG's express directions, proceeded in haste and undertook the tree felling exercise despite lacking requisite permissions.
- (d)** The road was sought to be widened despite the presence of an already functional roadway, with the underlying intent of facilitating access to private residences and farmhouses of affluent individuals in the vicinity of CAPFIMS. The justification of serving the Central Armed Police Forces has been conveniently used as a pretext. This is further corroborated by the First Respondent's own affidavit dated 15.05.2024, wherein it is admitted that the infrastructure project was envisaged not solely for the benefit of CAPFIMS and other public institutions but also for adjoining areas such as the Chattarpur Residential area and other large-scale residential developments. It thus appears that the exercise was

an orchestrated effort to advance private interests, with environmental degradation reduced to mere collateral damage.

**6.** *Au contraire*, Mr. Maninder Singh, Mr. Vikas Singh, Mr. Aditya Sondhi, Mr. Anupam Lal Das, and Mr. Sanjay Jain, Learned Senior Counsels, along with Ms. Aishwarya Bhati, Learned Additional Solicitor General of India, appeared on behalf of the DDA and the GNCTD. Mr. Mahesh Jethmalani, Learned Senior Counsel, appeared on behalf of the LG. In the course of their oral arguments, Mr. Singh sought to candidly acknowledge that the DDA officials had defied the orders of this Court and that contempt had been committed. Having regard to the same, the learned counsels collectively advanced the following submissions:

- (a)** In light of the construction of CAPFIMS and other institutions of national importance, there was an urgent requirement to develop a broader approach road to facilitate improved access. To achieve this objective, it became necessary to undertake tree felling on both forest and non-forest land.
- (b)** The DDA accordingly initiated the statutory process by submitting the requisite applications to the competent authorities. However, the present controversy appears to have stemmed from a misunderstanding among DDA officials, who, upon receiving certain in-principle approvals from the

Government, erroneously presumed that all necessary clearances—including from this Court—had been obtained. Acting under this misconception, the DDA proceeded to carry out the tree-felling operations on both categories of land.

- (c) Significant steps have been initiated to scale up afforestation efforts, including a commitment to plant 100 trees for every tree felled, in line with the recommendations of the Committee constituted by this Court as well as that of the FSI. To this end, an area of approximately 185 acres has been identified for carrying out the afforestation programme. Furthermore, departmental proceedings have already been initiated against the DDA officials responsible for the lapses, and appropriate action will be taken in accordance with law.

**C. ISSUES**

7. In light of the extensive material placed on record and the detailed submissions advanced by the parties, coupled with the acknowledgement proffered by the Respondents that the orders of this Court have been disobeyed, we find that the following question falls for our consideration:
- i. Whether the breach of the orders of this Court dated 09.05.1996 and 04.03.2024 by the Respondents was wilful and deliberate, and if so, what are the remedial and corrective

measures that must be undertaken by them to purge the contempt?

**D. ANALYSIS**

8. Based on the factual matrix and unique circumstances of this case, we are of the view that our analysis and consequent directions must remain focused and purpose-driven. Such a calibrated approach is essential to ensure that the course adopted balances not only the interests of the parties before us but also safeguards the concerns of those who stand to be impacted by the outcome of these proceedings for years to come.
  
9. There is no gainsaid that this Court enjoys wide and sweeping powers to punish individuals found guilty of interfering with or obstructing the administration of justice—an act that squarely falls within the definition of contempt not only under the Contempt of Courts Act, 1971 but most importantly, under Article 129 of the Constitution of India. This Court, being a court of record, is thus vested with inherent powers to punish contempt. These broad-ranging powers are not merely procedural but are central to preserving the dignity, authority, and effective functioning of the judiciary. In fact, it has been quoted in a catena of decisions that the contempt powers afforded to this Court are integral to maintaining the sanctity of judicial proceedings.

- 10.** The majesty of law is supreme and is unequivocally recognised by the Constitution through the conferment of plenary powers of contempt upon this Court. Unlike jurisdictions where contempt is solely governed by statutory law, India, by virtue of its constitutional framework, accords this power a higher pedestal. The constitutional provision for contempt is not subordinate to Parliamentary Legislation; rather, it represents an intrinsic aspect of the judiciary's autonomy. As a nation rooted in the Rule of Law and constitutionalism, there is immense faith placed in its judiciary, so much so that orders of this Court carry a binding force equivalent to that of Legislative enactments.
- 11.** In this light, we proceed to assess the nature and gravity of contempt attributed to the First Respondent and other officials of the DDA. It must be noted at the outset that there appears to be, across a range of affidavits, an implicit if not express admission that: **(i)** no permission had been granted by this Court for the felling of trees in the Delhi Ridge area, thereby amounting to a non-compliance of this Court's order dated 09.05.1996; and **(ii)** the omission to disclose, during the hearing on 04.03.2024, that tree felling had already commenced on 16.02.2024—while the relevant application remained pending—constitutes wilful disobedience that palpably obstructed the administration of justice.

- 12.** Needless to say, these very findings and observations have consistently been recorded by this Court in its various orders passed during the pendency of this petition over the past year. Without delving into excessive detail, it is an admitted position that the First Respondent and officials of the DDA acted in an errant manner, which not only amounted to a concealment of this Court's directions but also led to an unfortunate and avoidable misconstruction of communications attributed to the LG, thereby placing him in an embarrassing position. There can thus be no second opinion but to answer the issue in the affirmative and hold that there was indeed wilful disobedience on the part of the Respondents, resulting in contempt of this Court's orders.
- 13.** As already recapitulated, this Court possesses wide discretion in matters pertaining to contempt. Given that the First Respondent, through his affidavits, has conceded that there was a violation of this Court's orders tantamount to contempt and has consequently expressed his willingness to purge it, the question that then arises is the approach which ought to be adopted by this Court in these circumstances—whether it should be liberal, magnanimous, or retributive? In answering this, this Court must be guided not by vengeance or punitive action but rather by the overarching objective of upholding the Rule of Law and restoring public

confidence in the judicial process. The power to punish for contempt, though wide and constitutionally entrenched, is to be exercised with circumspection in a manner that serves the ends of justice rather than merely penalising the individual.

- 14.** Public authorities and public servants are duty-bound to act in the furtherance of public interest, with every action aligned to subserve the common good. In adjudicating contempt, the Court must necessarily consider the nature and degree of contempt. To instantiate, while public officials may be engaged in the performance of their duties, if there is even an attempt to exhibit wilful and deliberate disregard for the orders of this Court, such conduct would not merely amount to contempt in the narrow sense defined under Statute. Rather, it has a cascading effect—it fosters a perception that judicial directives can be defied with impunity. This cannot be viewed as routine disobedience but must be recognised as a serious affront to the Rule of Law itself. Such acts are generally classified as grave and offensive instances of contempt, warranting appropriate punishment without any misplaced sympathy or unwarranted magnanimity from the Court.
- 15.** On the contrary, where the Court finds that a breach of its order amounts to technical contempt, absent any intent to wilfully defy or disobey its authority, this Court has evolved the practice of

affording an opportunity to purge such contempt. For example, where the breach of the Court's order stems from an act genuinely intended to serve the larger public interest and undertaken in good faith, the Court may lean towards magnanimity and provide the contemnor(s) with an opportunity to purge the contempt.

- 16.** In this backdrop, we deem it appropriate to divide the contemptuous conduct attributed to the Respondents into two distinct parts: *first*, the simpliciter non-compliance of this Court's order dated 09.05.1996, which mandated obtaining prior permission for the felling of trees; and *second*, the deliberate concealment from this Court of the fact that tree felling had already commenced. The gravity and degree of contempt must, therefore, be assessed on a composite evaluation of both these aspects.
- 17.** Even if the first limb of the contempt is assumed to have arisen from a *bona fide* misapprehension of the permissions granted, the second limb is entirely indefensible. The conscious non-disclosure of material facts before this Court during the course of proceedings strikes at the very heart of the justice delivery system. It contaminates the sanctity of judicial proceedings, may cause irreversible prejudice to the opposite parties, and carries the potential to result in erroneous precedents being laid down.

- 18.** We are thus left with no hesitation in holding that the Respondents' conduct has been gravely contumacious, and when viewed cumulatively, their actions amount to a blatant obstruction of the administration of justice. These acts, in our considered view, fall squarely within the ambit of 'criminal contempt' as defined under Section 2(c) of the Contempt of Courts Act, 1971.
- 19.** Having said that, it must be emphasised that while the misadventure undertaken by the errant officials of the DDA was in clear and flagrant contravention of this Court's orders, the underlying objective—namely, to facilitate improved access through broader approach roads for CAPFIMS and other public institutions—appears, does not seem to be in bad faith and certainly not to defy the authority of this Court. The Court is conscious of the distinction between *mala fide* abuse of power and genuine administrative misjudgement, and we are inclined to deem that the present instance falls within the latter category.
- 20.** We say so because, as a Constitutional Court, it often becomes our solemn duty to incline towards decisions that, in the long run, subserve the larger public interest. In a scenario such as the present, where competing claims of public interest are at play—some capable of being fulfilled and others falling short of expectations—this Court is guided in its adjudication by the

principles of constitutional morality. Our decision in such circumstances ought to be grounded in the constitutional values of equality, social justice, and economic justice, which lie at the very nucleus of our Constitution.

- 21.** To provide extrapolation, we have duly considered the relevance of CAPFIMS as an institution, which was established primarily as a tertiary care hospital to cater to the medical needs of personnel serving in paramilitary forces (such as the Border Security Force, Central Reserve Police Force, Central Industrial Security Force, Indo-Tibetan Border Police, and others), who, in the discharge of their duties to the nation, are frequently exposed to grave risks and injuries. CAPFIMS seeks to address these exigencies by offering world-class medical facilities not only to such personnel but also to their families, pensioners, beneficiaries under the Central Government Health Scheme, and the general public at large.
  
- 22.** Such institutions become particularly very pertinent when personnel are stationed in remote areas, often with no access to basic communication such as phone connectivity, and their families—including women, elderly parents, and young children—reside far away, frequently in circumstances of vulnerability. In such a context, ensuring access to quality medical care is not a privilege but an imperative necessity, one that is both essential and

urgent. The provision of such infrastructure is not merely an administrative act—it reflects the moral compass of a welfare state and echoes the principle of *parens patriae*, whereby the State bears responsibility for the well-being of those who may not be in a position to secure it for themselves. This duty extends equally to the elders, homemakers, and children of the force personnel who dedicate their lives to serving the nation.

- 23.** Given these noble objectives, it is imperative to recognise the significance of an institution like CAPFIMS, particularly in the lives of families of personnel belonging to the lower ranks of the paramilitary forces. These are the kith and kin of individuals who routinely place themselves at risk to protect the nation and defend its borders under extremely harsh conditions. We are of the considered view that such individuals, who remain largely voiceless and without representation in proceedings such as the present one, stand to benefit directly from the construction of an improved approach road to CAPFIMS. Better road access would enable emergency vehicles, including ambulances, to reach the facility swiftly, thereby potentially saving the lives of those who routinely safeguard ours. In the discharge of our judicial function, this overarching public interest weighs heavily upon the conscience of this Court.

**24.** We are compelled to, however, add that any incidental benefit or ancillary use of such infrastructure by other institutions or adjoining residential localities does not, in any manner, dilute or detract from the primacy of its intended purpose. We must further clarify that in the event it is found that the development of such a facility has been undertaken under the ostensible guise of serving the needs of paramilitary forces, but in actuality is intended to confer undue benefit upon affluent individuals or private interests, such actions will be viewed by this Court through an entirely different lens and with the seriousness they warrant.

**25.** In spite of that, this Court remains equally cognizant of the clamant ecological concerns arising from the refractory conduct of the Respondents. Undeniably, the reckless decimation of a substantial portion of the Delhi Ridge, carried out without any discernible effort to mitigate environmental harm, has resulted in an alarming loss of biodiversity. It must be recognised that a forested area is not solely a collection of trees—it is a delicate and intricate ecosystem comprising of mammals, migratory birds, amphibians, critters and countless other life forms that together inexplicably contribute to the region's ecological balance. As has already been reiterated, the Delhi Ridge functions as the lungs of the city. In light of this, there is no gainsaying that urgent and sustained measures must be

taken not only to preserve it but also to restore and enhance its ecological vitality.

**26.** That being so, having holistically considered the matter from multiple dimensions, this Court finds itself confronted with a difficult juxtaposition—between the imperative of much-needed development and improved access to medical facilities on the one hand and the undeniable and pervasive harm caused to the environment on the other. In this vein, we must remain mindful that the establishment of CAPFIMS, the felling of trees, and the construction of approach roads are now *fait accompli*. While it may be theoretically possible to contemplate a reversal of these actions, such a course is practically untenable. In our view, the die is cast, and what is done cannot now be undone—any refusal to put institutions like CAPFIMS to optimal use or to undo road construction at this stage risks not only undermining public interest but also squandering significant public resources.

**27.** However, that by no means can connote that this Court has its hands tied and is entirely powerless when affronted with such issues. We have taken the liberty of meticulously scrutinising the reports submitted by the Committee and the FSI, which set out in detail the extent of environmental degradation and the corresponding remedial measures recommended. In this respect,

we are sanguine that the long arms of justice can be equipped towards issuing directions aimed at not only purging the contempt but also advancing the broader objective of strengthening environmental safeguards and restorative efforts.

**E. CONCLUSION AND DIRECTIONS**

**28.** In light of the aforesaid analysis, we dispose of these Contempt Petitions, discharge the rule *nisi* and issue the following directions:

- i.** In light of the extensive ecological damage caused, urgent and time-bound remedial measures must be undertaken by the DDA in coordination with the GNCTD. These efforts shall be guided and overseen by the Committee constituted by this Court and comprising of Shri Ishwar Singh, Shri Sunil Limaye and Shri Pradip Krishen. The following directions are issued to be complied with strictly within a period of three (3) months:
  - a.** The DDA is directed to arrange the visit of the Committee to see the suitability of the 185 acres of land identified and proposed to be used towards compensatory afforestation;
  - b.** If the Committee opines that such land can be utilised for the purposes of afforestation, it may then, with the assistance of other domain experts, initiate the process of selection or shortlisting of appropriate native species, the

methodology of plantation, survival rate monitoring, and post-plantation maintenance and care;

c. The Committee may commence the afforestation exercise by formulating a plan that ensures the plantation of trees is undertaken in a manner that optimally maximises the ecological advantage of the impending monsoon season.

**ii.** In order to ensure strict and effective enforcement of **(i)** above, the Forest Department shall work under the supervision of the Committee, for which, the entire expenditure is to be borne by the DDA and disbursed to the Forest Department. The Forest Department is directed to strictly abide by the directions issued by the Committee and will be responsible for maintaining detailed records of the health, survival, and mortality rates of the saplings planted.

**iii.** In furtherance thereof, the DDA and the Forest Department shall submit a jointly signed bi-annual compliance report before this Court, duly supported by photographic and video documentation, clearly evidencing the status and upkeep of the afforested areas. The veracity of such report shall be cross-checked by this Committee. The directions enumerated in **(i)** to **(iii)** are also applicable to the afforestation efforts already claimed to have been undertaken by the DDA;

- iv.** The DDA, in conjunction with the GNCTD and the Forest Department, are further directed to implement in full earnest the comprehensive measures recommended by the Court-appointed Committee in its final report, aimed at enhancing and restoring the green cover within the National Capital Territory of Delhi. These measures shall be treated as binding and implemented under the supervision of the Committee, with periodic progress reports filed before this Court;
- v.** The directions contained in (i) to (iii) shall equally apply to I.A. No. 98622/2024 in W.P. (C) No. 202/1995, which involves the diversion of 6,200 square metres of Morphological Ridge land located at Plot No. 11B Vasant Kunj, New Delhi. Accordingly, the DDA, in conjunction with the Forest Department, is directed to identify an appropriate parcel of land and report the same to the Committee to ensure effective compliance and implementation of these directions;
- vi.** The DDA is further directed to ensure the expeditious completion of the approach roads as envisaged, keeping in mind that the construction was at varying stages of progress prior to the cessation of work. The Committee, in this context, may also explore the possibility of implementing a thick

coverage of healthy trees on both sides, in congruence with such road construction;

**vii.** In view of the concerns raised regarding the potential undue benefit accruing to certain affluent residential owners from the construction of the approach roads, the GNCTD, in consultation with DDA, is directed to undertake a due identification exercise of such beneficiaries. Upon such identification, the GNCTD, along with DDA, shall be at liberty to impose a one-time levy, commensurate with the proportionate cost of construction, on such affluent individuals who may be the direct beneficiaries of the newly constructed road. Such a fee shall, however, be levied in accordance with principles of natural justice;

**viii.** Since the First Respondent was not an officer in the DDA cadre and is no longer holding any position in that organisation, we deem it appropriate to close the proceedings *qua* him. However, all other Respondents and officials of DDA found responsible by the internal inquiry for the acts leading to the present contempt are directed to deposit a sum of Rs. 25000 each as an environmental fee with the Forest Department, in addition to and without any prejudice to the departmental action that may be taken against them. This sum can be utilised towards

the remedial measures sought to be undertaken, as the Committee deems fit. Additionally, we direct that a formal penalty of *censure* be imposed upon all such officials. Accordingly, the contempt proceedings against the Respondents are closed;

- ix.** The departmental proceedings initiated against the erring DDA officials, if pending, shall be concluded expeditiously and in any event no later than six months; and
  - x.** Similar contempt petitions or proceedings pending before the Delhi High Court in relation to the same cause of action also stand disposed of.
- 29.** Accordingly, I.A. No. 98622/2024 in W.P. (C) No. 202/1995 stands disposed of in the above terms. All other pending IAs also stand disposed of.
- 30.** In conclusion, we place on record our sincere appreciation for the invaluable assistance rendered by the Committee. The diligence, expertise, and constructive suggestions tendered in their reports have been instrumental in guiding the Court towards a balanced resolution of the complex issues arising in the instant matter.
- 31.** We also deem it appropriate to appreciate the valuable assistance rendered by the Learned *Amicus Curiae* appointed by this Court—

Mr. Guru Krishna Kumar, Ms. Anitha Shenoy, and Mr. A.D.N. Rao,  
Learned Senior Counsels.

- 32.** As an epilogue to this chronicle, we must state that the instant matter is yet another classic case of institutional missteps and administrative overreach. The facts before us reveal a troubling pattern: permissions not obtained, court orders ignored, and environmental degradation inflicted with impunity. Such actions certainly raise fundamental concerns about governance and accountability. We truly hope that these proceedings have been conducive to incorporating necessary course corrections by the DDA and other bodies so as to avoid any such lapses in the future.
- 33.** Insofar as this Court has taken a view in the present instance, it must be unequivocally stated that any recurrence of such conduct will not be met with similar indulgence. It is only the overwhelming public interest served by the establishment of CAPFIMS that has, in effect, overshadowed the sheer administrative incompetence and blatant disregard for both established procedures and the orders of this Court. It is the good fortune of the concerned DDA officials that this larger objective has weighed in their favour, without which this Court may have been compelled to adopt a far more stringent approach and deal with an iron fist. Accordingly, we deem it appropriate to also direct the DDA that henceforth, every

notification or order relating to afforestation, road construction, tree felling, or any activity with potential ecological impact must explicitly mention the pendency of relevant proceedings before this Court. This direction is being issued to ensure that, in future, the plea of ignorance is not taken as a defence.

- 34.** Be that as it may, the DDA is directed to file a status report upon completion of the directions put forth in **(i)**.
- 35.** Post the matter after the first compliance reports are filed.
- 36.** Ordered accordingly.

.....**J.**  
**(SURYA KANT)**

.....**J.**  
**(NONGMEIKAPAM KOTISWAR SINGH)**

**NEW DELHI;**  
**DATE: 28.05.2025**



**\*IN THE HIGH COURT OF DELHI AT NEW DELHI**

**Date of decision: 15<sup>th</sup> March, 2011**

+  
%

**W.P.(C) 3338/2001**

**FREEDOM FIGHTERS SOCIAL WELFARE  
ASSOCIATION**

**..... PETITIONER**

Through: Mr. Meet Malhotra, Sr. Advocate with  
Mr. Ravi S.S. Chauhan & Mr. Gaurav  
Varma, Advocates

Versus

**UOI & ORS.**

**..... RESPONDENTS**

Through: Ms. Zubeda Begum & Ms. Sana  
Ansari, Advocates for GNCTD.

**AND**

+

**W.P.(C) 3444/2001**

**SHREE HAZUR BABA SADHU SINGH JI  
MAHARAJ TRUST**

**..... PETITIONER**

Through: Mr. Meet Malhotra, Sr. Advocate with  
Mr. Ravi S.S. Chauhan & Mr. Gaurav  
Varma, Advocates

Versus

**UOI & ORS**

**..... RESPONDENTS**

Through: Ms. Barkha Babbar, Advocate for  
UOI.  
Ms. Zubeda Begum & Ms. Sana  
Ansari, Advocates for GNCTD.

**AND**



+

**W.P.(C) 12695-705/2006****DR.TATINDER KUMAR KATHURIA & ORS. .... PETITIONERS**

Through: Mr. Inder Bir Singh, Advocate

Versus

**GOVT. OF NCT OF DELHI & ORS. .... RESPONDENTS**Through: Ms. Zubeda Begum & Ms. Sana  
Ansari, Advocates for GNCTD.**AND**

+

**W.P.(C) 12894-905/2006****SH. LALITESHWAR KUMAR CHOWDHARY  
& ORS. .... PETITIONERS**

Through: Mr. Inder Bir Singh, Advocate

Versus

**GOVT OF NCT OF DELHI & ORS .... RESPONDENTS**Through: Ms. Zubeda Begum & Ms. Sana  
Ansari, Advocates for GNCTD.**AND**

+

**W.P.(C) 13229-35/2006****SMT. KISHNI & ORS. .... PETITIONERS**

Through: Mr. Inder Bir Singh, Advocate

Versus

**GOVT. OF NCT OF DELHI & ORS. .... RESPONDENTS**Through: Ms. Zubeda Begum & Ms. Sana  
Ansari, Advocates for GNCTD.**AND**



+

**W.P.(C) 13428/2006****FREEDOM FIGHTERS WELFARE  
SOCIETY (REGD.)****..... PETITIONER**Through: Mr. Ravi S.S. Chauhan & Mr.  
Gaurav Varma, Advocates

Versus

**UOI & ORS****..... RESPONDENTS**Through: Ms. Ruchi Sindhwani with Ms.  
Megha Bharara, Advocates for  
GNCTD.**AND**

+

**W.P.(C) 19123-34/2006****SHRI RAJ KUMAR & ORS****..... PETITIONERS**

Through: Mr. Inder Bir Singh, Advocate

Versus

**GOVT. OF NCT OF DELHI & ORS****..... RESPONDENTS**Through: Ms. Zubeda Begum & Ms. Sana  
Ansari, Advocates for GNCTD.**CORAM :-****HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

- |    |  |     |
|----|--|-----|
| 1. | Whether reporters of Local papers may<br>be allowed to see the judgment? | Yes |
| 2. | To be referred to the reporter or not?                                   | Yes |
| 3. | Whether the judgment should be reported<br>in the Digest?                | Yes |



**RAJIV SAHAI ENDLAW, J.**

1. This batch of seven petitions entails the usual tussle of mankind i.e. of deforestation with a short time perspective to use the land of which no more is being produced for residential and commercial purposes, as against of afforestation with the long term perspective of preserving the environment necessary for the very existence of mankind.

2. The challenge in each of the petitions is to the steps taken by the respondents (being the Revenue, Forest and Flood Control Departments of the Government of NCT of Delhi (GNCTD)) pursuant to the Notification dated 2<sup>nd</sup> April, 1996 of the GNCTD. The said Notification was issued in pursuance to the directions given by the Supreme Court in orders dated 25<sup>th</sup> January, 1996 and 13<sup>th</sup> March, 1996 in I.A. Nos.18 & 22 in Writ Petition (Civil) No.4677/1985 titled *M.C. Mehta Vs. Union of India & Ors.* The Supreme Court directed that uncultivated surplus land of Gaon Sabha falling in “Ridge” be excluded from vesting in Gaon Sabha under Section 154 of the Delhi Land Reforms Act, 1954 and be made available for the purpose of creation of Reserved Forest. The



Notification declared “the uncultivated land of Gaon Sabha” specified in the said Notification and situated in Southern Ridge as surplus land and excluded the same from vesting in the Gaon Sabha and placed the said land at the disposal of Forest Department of GNCTD.

3. The contention of Mr. Meet Malhotra, Senior Advocate appearing for the petitioners in W.P.(C) Nos.3338/2001 & 3444/2001 is that the purport of the orders aforesaid of the Supreme Court in pursuance whereof the Notification aforesaid was issued and of the Notification was to place only such land at the disposal of the Forest Department, which were open and vacant and not land which had already been encroached and built upon as on the date of the Notification. Reliance is placed on copies of revenue records to show that some of the land mentioned in the said Notification was described as “Gair Mumkin Makaanat”, meaning that the same was already built upon even prior to the orders aforesaid of the Supreme Court. Reliance is also placed on the affidavit dated 4<sup>th</sup> August, 2003 of Sh. Bajrang Lal, Sub Divisional Magistrate, Hauz Khas, Delhi filed in W.P.(C) No.3338/2001 confirming that as per Khasra



Girdawari of the year 1995-96, the land in Khasra Nos.39 & 40 of village Neb Sarai was described as “Gair Mumkin Makaanat”.

4. The senior counsel has fairly stated that though the petitioners admit that the land belonged to the Gaon Sabha and has been illegally encroached upon but contends that since the same had been built upon prior to the orders of the Supreme Court aforesaid and the Notification dated 2<sup>nd</sup> April, 1996, it could not have been placed at the disposal of the Forest Department.

5. The further contention of the senior counsel for the petitioners is that the GNCTD is also considering regularization of colonies which have illegally come up on the land meant for agricultural purposes and belonging to the Gaon Sabha. It is contended that the proposals for regularization of unauthorized colonies had been invited and submitted; that some of the land subject matter of the Notification dated 2<sup>nd</sup> April, 1996 (supra) is part of the said unauthorized colonies. It is contended that the land which, as on the date of the orders aforesaid of the Supreme Court or on the date of the Notification was part of the unauthorized



colony and the proposal for regularization whereof was pending, could not be the part of the Notification dated 2<sup>nd</sup> April, 1996 whereby the same land was vested in the Forest Department. It is urged that there is thus an apparent inconsistency and arbitrariness requiring this Court to intervene. The petitioners in this regard have relied upon a public notice published in the newspapers in the year 1999 in pursuance of the directions of this Court in W.P.(C) No.4771/1993 requiring submission of lay out plans of the colonies pending consideration for regularization.

6. Though the counsels have not relied upon any orders in W.P.(C) No.4771/1993 (supra) of this Court but I find in the files a copy of the judgment dated 2<sup>nd</sup> February, 2006 of a Single Judge of this Court in Civil Writ No.8977-79/2003 titled *Village Pul Pehladpur Residents Vs. Union of India* therein setting out the order dated 17<sup>th</sup> August, 1998 of the Division Bench of this Court in W.P.(C) No.4771/1993 titled *Common Cause (Regd.) Vs. Union of India* which indicates that this Court had directed the Government to take definite decision whether to regularize or not to regularize the unauthorized colonies and to take



action for removal of encroachments / structures on public land, qua colonies with respect where to decision not to regularize is taken.

7. The senior counsel for the petitioners has further argued that the directions aforesaid of the Supreme Court in the year 1996 and the Notification (supra) in pursuance thereto was to be only prospective i.e. with respect to the land which till then was open and vacant and not qua land which had already been encroached and built upon and was part of the unauthorized colony and a scheme for regularization whereof was under consideration. It is urged that the orders of the Supreme Court did not direct removal of encroachments on the land and used the expression “likely to be misused” and which indicate that the said directions were not intended for land which was not vacant and which already had been encroached and built upon. The senior counsel though during the arguments agreed that the said orders were not so unequivocal and contended that the same could be clarified by the Supreme Court only.

8. Ms. Ruchi Sindhwani, Advocate for GNCTD in some of the writ petitions invited attention to the affidavits filed of the revenue officials to



the effect that there was no construction on the land prior to 2<sup>nd</sup> April, 1996. She contends that the petitioners have not shown anything to prove construction over the land since prior to the orders aforesaid of the Supreme Court. In the said affidavit, it is also pleaded that the said lands were part of the ridge area as per the Master Plan and were vide Notification dated 2<sup>nd</sup> April, 1996 (supra) vested in the Forest Department.

9. Ms. Ruchi Sindhwani, Advocate for GNCTD has also argued that pursuant to the directions of the Division Bench of this Court in W.P.(C) no.4771/1993 (supra), the GNCTD has on 24<sup>th</sup> March, 2008 notified the “Regulations for Regularization of Unauthorized Colonies in Delhi” and has during the course of hearing handed over a copy of the said Notification. As per the said Notification, the unauthorized colony or parts thereof falling under notified or reserved forest areas are not to be considered for regularization. It is contended that as per this Notification also, the question of the land falling in ridge / forest area being considered for regularization even if part of any unauthorized colony,



does not arise and as such there is no inconsistency as has been urged.

10. I may in this regard also notice that the judgment of this Court in *Village Pul Pehladpur Residents* (supra) had also noticed that without any regulations or guidelines for regularization, action for removal of encroachments / demolition of unauthorized colonies was being taken selectively. Now in the light of the Notification of 24<sup>th</sup> March, 2008, there are clear guidelines as to which parts of the unauthorized colonies are eligible for regularization and which are not.

11. Ms. Ruchi Sindhwani, Advocate for GNCTD has also argued that the argument of the petitioners tantamount to a challenge to the Notification dated 2<sup>nd</sup> April, 1996 (supra) and the said Notification having been issued in pursuance of the directions of the Supreme Court, the challenge thereto can lie before the Supreme Court and not before this Court.

12. Ms. Zubeda Begum, Advocate appearing for the GNCTD in some other writ petitions has contended that the petitioners have not placed



anything before this Court to demonstrate that any of the land with respect whereto the petitions have been filed was part of any unauthorized colony pending for regularization. She has further contended that the purport of the orders aforesaid of the Supreme Court and the Notification dated 2<sup>nd</sup> April, 1996 (supra) was to vest all land mentioned therein, even if had been already encroached upon, in the Forest Department for the purpose of afforestation as part of the ridge area. She has without prejudice to the said plea contended that none of the petitioners have filed any documents to show the Khasra numbers on which their properties may be located.

13. At this stage, I may describe briefly the land subject matter of each of the petitions:

- (i) W.P.(C) No.3338/2001 has been filed by a Society claiming to be an Association of owners in possession of built up residential plots in Freedom Fighters Enclave Colony, village Neb Sarai. The said Society contends that its members had built upon land in Khasra Nos.39 & 40; that



though as per Notification the entire Khasra Nos.39 & 40 is with the ridge but the action with respect to only parts thereof was being taken. Vide interim order dated 23<sup>rd</sup> May, 2001 in this writ petition, the respondents were restrained from dispossessing the petitioner.

- (ii) W.P.(C) No.3444/2001 has been filed by a Religious Trust claiming to be having land in Khasra Nos.8 & 41 in village Neb Sarai. Interim order restraining dispossession was granted in this petition also.
- (iii) W.P.(C) No.12695-705/2006 has been filed by eleven residents also of Freedom Fighters Enclave who claim their land to be in Khasra No.26. Interim order of status quo was granted in this petition also.
- (iv) W.P.(C) No.12894-905/2006 has been filed by twelve residents also of Freedom Fighters Enclave who claim their land to be in Khasra Nos.24 & 16.



- (v) W.P.(C) No.13229-35/2006 has been filed by seven persons who claim their land to be in Khasra No.27. They also enjoy interim protection.
- (vi) W.P.(C) No.13428/2006 has been filed by an Association of owners having land in Khasra No.42.
- (vii) W.P.(C) No.19123-34/2006 has been filed by twelve petitioners who claim their land to be in Khasra Nos. 223 & 224 in Chattarpur Enclave, village Chattarpur, Mehrauli, New Delhi. They contend that even though their land is not included in the Notification dated 2<sup>nd</sup> April, 1996 (supra) but is being wrongfully treated as part of forest / ridge area and when decision for regularization of the unauthorized colony which has come up on the said land is pending.

14. A perusal of the order dated 25<sup>th</sup> January, 1996 (supra) of the Supreme Court shows that the land with respect where to Notification was directed to be issued was described as “Ridge area which has to be



preserved. No cultivation or any type of construction can be permitted on this area.” The Supreme Court in the said proceedings was concerned with preservation of the green area to provide a lung to the ever increasing population of the city of Delhi. In the subsequent order dated 13<sup>th</sup> March, 1996, the Supreme Court further observed that the “land is part of the ridge area. Even though it is not a reserved forest, it happens to be a forest. This area cannot be utilized in any manner in view of the prohibitions contained in the Forest Conservation Act, 1980. In this view of the matter, issuing of notification is a simple formality to secure the area. We, therefore, reiterate and request the Lieutenant Governor to have necessary notification issued within time specified by us.”

15. Seen in the aforesaid perspective, when the purport of the order was preservation of environment necessary for the very survival of the city, it is irrelevant whether the encroachment by the petitioners of the land with respect whereto the Notification has been issued was before the said Notification or thereafter. Even if the petitioners, as they claim had encroached upon the said land prior to the year 1996, they cannot be



permitted to continue with the encroachment. The land subject matter of the Notification is required to be afforested by removal of all encroachment, structures etc. existing thereon.

16. I am further of the view that now in any case in view of the Regulations for Regularization of Unauthorized Colonies in Delhi, 2008 which prohibit consideration for regularization of unauthorized colonies / portions thereof falling in notified or reserved forest areas, the matter has been placed beyond any pale of controversy. It cannot now be contended that the regularization of the unauthorized colony on the land is pending consideration. The conflict and inconsistency relying whereupon the petitions were filed and the interim orders obtained no longer exists. The petitions now have to necessarily fail.

17. There is another aspect of the matter. The petitioners admittedly are trespassers / encroachers on Gaon Sabha land. They have no equities or rights in their favour. Though the Government as a populist or a humane measure has agreed to consider regularization of unauthorized colonies which had come up illegally on public / private land but none



can claim any right thereto. The petitioners as encroachers / trespassers on land, be it of the Gaon Sabha or of the forest, are liable to be ejected therefrom.

18. Before parting with the subject, I may record that though of the opinion that the petitions before this Court were in any case misconceived since the challenge therein was to the Notification dated 2<sup>nd</sup> April, 1996 issued under directions of the Supreme Court but since the same have remained pending before this Court for long and interim protection was also granted to the petitioners, I have deemed it appropriate to deal with them on merits rather than dismissing them on such ground only.

19. That leaves only the controversy in W.P.(C) No.19123-34/2006, the land subject matter whereof is claimed to be in Khasra Nos.223 & 224 in Chattarpur Village and which is stated to be not part of the Notification dated 2<sup>nd</sup> April, 1996. The said petition has been filed contending that nevertheless the said land is being treated as part of ridge / forest.



20. The said contention is misconceived. The Notification dated 2<sup>nd</sup> April, 1996 is not the sole repository of the land in the ridge / forest area. The said Notification had to be issued only for the reason that though the said land in the Master Plan was shown as part of the ridge area but under the Delhi Land Reforms Act, 1954 vested in the Gaon Sabha. The Notification was therefore directed to be issued for exempting the said land from the land vesting in Gaon Sabha and to place the same with the Forest Department. It thus cannot be urged that the land in Khasra Nos.223 & 224 in Chattarpur Enclave, village Chattarpur, Mehrauli, New Delhi is not part of the ridge / forest merely for the reason of not finding mention in the said Notification.

21. The counsel for the petitioners in W.P.(C) No.19123-34/2006 however urges that in the counter affidavit filed, it is pleaded that Khasra Nos.223 & 224 is Gaon Sabha land no action of removal of encroachment or for afforestation of Khasra Nos.223 & 224 in pursuance to notification dated 2<sup>nd</sup> April, 1996 is being taken.



22. However, in pursuance to the specific order dated 2<sup>nd</sup> February, 2010 of this Court in the said proceedings, an affidavit of Sh. Prabhat Tyagi, Dy. Conservator of Forests (South) has been filed in which it is stated that the land in Khasra Nos.223 & 224 village Chattarpur as also the land subject matter of all the other petitions falls within the Morphological Ridge as per Geological Survey of India Map. The said affidavit also reproduces the Master Plan providing for maintenance of the ridge in its pristine glory for maintaining ecological balance and the need to conserve the same to sustain the natural eco system.

23. Thus the position which emerges is, that the land in Khasra Nos.223 & 224 is part of ridge since before the issuance of the Notification dated 2<sup>nd</sup> April, 1996. Thus, it cannot be said that merely because the land in Khasra Nos.223 & 224 is not included in the Notification dated 2<sup>nd</sup> April, 1996, that the same is not part of the ridge / forest.

24. There is another aspect of the matter. Even if the petitioners in W.P.(C) No.19123-34/2006 claim that the land in Khasra Nos.223 & 224



of village Chattarpur is not included in ridge / forest and is Gaon Sabha land, the fora for having the same adjudicated is not by way of this writ petition but is by way of demarcation or by seeking declaration of their rights under the provisions of the Delhi Land Reforms Act, 1954 stated to be applicable. The writ petition is misconceived for this reason also.

25. I find that the Notification dated 2<sup>nd</sup> April, 1996 (supra) was also challenged before the Division Bench of this Court in *Bhagat Singh Vs. UOI* MANU/DE/1737/2010 on the ground that prior to issuance thereof, no exercise for assessing the requirement of the village had been undertaken. The Division Bench held that no such exercise was required to be carried out with respect to land which was part of the Ridge Area inasmuch as the objective of the Notification was to protect the Ridge.

26. None of the petitions have any merits. The interim orders granted earlier are vacated. The petitions are dismissed. The respondents are directed to forthwith take possession of the land by removal of all encroachments / constructions thereon. I refrain from imposing any costs.

**RAJIV SAHAI ENDLAW  
(JUDGE)**

**MARCH 15, 2011/‘gsr’**



\$~

\*IN THE HIGH COURT OF DELHI AT NEW DELHI

%

Reserved on : 17<sup>th</sup> November, 2017  
Date of decision : 24<sup>th</sup> January, 2018

+ FAO(OS) 200/2017 and CM Nos.24273-74/2017

PRABHAT KUMAR SHARMA & ANR ..... Appellants  
 Through : *Mr. V.N. Koura with Ms.  
 Angeli Dayal and Mr. Nikhil  
 Mundeja and Mr. Anupam  
 Roy, Advs.*

versus

GOVT OF NCT OF DELHI & ANR ... Respondents  
 Through : *Mr. Gautam Narayan, ASC,  
 GNCTD with Mr. R.A. Iyer  
 and Ms. Mahamaya  
 Chatterjee, Advs.*

+ W.P.(C) 365/2017, CM Nos.1652/2017, 22028-29/2017,  
 27106/2017, 29105/2017, 33993/2017, 35310/2017 &  
 Rev.P.No.269/2017

DEEPAK BATRA AND ANR ..... Petitioners  
 Through : *Mr. Rishabh Bansal, Mr.  
 Ajay Arjun Sharma, Advs.*

versus

GOVT OF NCT OF DELHI AND ANR ... Respondents  
 Through : *Mr. Gautam Narayan, ASC,  
 GNCTD with Mr. R.A. Iyer  
 and Ms. Mahamaya  
 Chatterjee, Advs.  
 Mr. Prashant Bhardwaj and  
 Mr. Amit Mehta, Advs. for  
 applicant in CM Nos.22028-  
 29/2017.  
 Mr. S.P. Kalra, Sr. Adv with*



*Mr. Anshuman Sood, Adv,  
Mr. Amanpreet Singh Rahi  
and Ms. Arpita, Advs for the  
applicant - Ms. Shiya  
Khanna.*

**CORAM:  
HON'BLE THE ACTING CHIEF JUSTICE  
HON'BLE MR. JUSTICE C. HARI SHANKAR**

**JUDGMENT**

**GITA MITTAL, ACTING CHIEF JUSTICE**

*“What we are doing to the forests of the world is but a mirror reflection of what we are doing to ourselves and to one another”*

*- Mahatma Gandhi*

1. Two litigations, in two separate jurisdictions of this court, one being FAO(OS) No.200/2017 having originated as a civil suit being CS(OS)No.493/2016 dated 3<sup>rd</sup> October, 2016 on the Original Side of this court, and the second being a writ petition W.P.(C)No.365/2016 dated 24<sup>th</sup> December, 2016, filed in January, 2017 in public interest, are both concerned with the same road referred to as ‘W-12D Link Road’.

2. This road is alleged, by the plaintiffs in the suit, to be about 30 feet wide, as also being the access road connecting Indira Enclave, Neb Sarai to the Mehrauli – Badarpur Road from the Western Avenue, Sainik Farms; Sangam Vihar and Saket, New Delhi.



3. Diametrically opposite prayers regarding the same road, have been made in these two cases. Inasmuch as identical questions of law and fact arise, in order to prevent conflict of judgment, with the consent and assistance of all parties to the two cases, we have taken up these two matters together for consideration and adjudication.

4. The plaintiffs in the suit (*who are the appellants in the appeal*) have claimed a right to continue to use the road and by way of their plaint have sought the following prayers :

*“(i) Pass a decree of **Declaration** that the said Indra Enclave connecting road is a public way/right of way/easement in favour of the plaintiffs and against the defendant ;*

*(ii) Pass a decree for **permanent injunction** in favour of the Plaintiffs and **against the Defendant restraining the Defendant from carrying out any demolition activities, closing the road, obstructing or blocking the road or causing any hindrance in the uninterrupted, continuous, peaceful use, enjoyment and free passage, of the plaintiffs, residents of Indra Enclave, persons, and cars, vehicles, emergency vehicles, two and three wheelers and domesticated animals customarily using this road at all times of day or night.***

*(ii)a. To declare that the Demolition Order dated 19.09.2016 passed by Mr. S.K. Muan Guite DFO (South) is unlawful and without jurisdiction.*

*(ii)b. To set aside the said Demolition Order dated 19.09.2016*

*(iii)c. To direct the Defendants to restore the road to its original condition prior to demolition.*



(iii) *Award costs of the suit in favour of plaintiffs ;”*

*(Emphasis by us)*

5. As against these prayers, in the writ petition, the two petitioners claim that, in public interest, this court may issue the following directions:

*“(a) Issue writ of mandamus or any other suitable writ, order, direction against the respondents thereby directing them to **remove the encroachments and demolish the unauthorized construction, including the concerned road (W12D Link Road), already raised and/or being raised in the land bearing Khasra Nos.487, 490 and 491 in Indira Enclave ;***

*(b) Issue appropriate writ or order or directions thereby **directing the respondent to issue necessary notifications, circulars, orders and office orders for removing the encroachments and unauthorized construction in and around Khasra Nos.487, 490 and 491 in Indira Enclave;**”*

*(Emphasis supplied)*

6. We set down hereunder the headings under which we have considered the matter :

***I. Legal History (paras 7 to 14)***

***II. Applications filed in the writ petition (paras 15 to16)***

***III. Claim of Gokul Kumar and others by way of CM No.22628/2017 & proceedings in WP(C) 6324/2017 (paras 17 to 21)***



- IV. *The declaration of the Ridge and notifications of land as forest land* (paras 22 to 37)
- V. *Binding orders of the Supreme Court of India in M.C. Mehta v. UOI (W.P.(C)No.4677/1985) and impact thereof* (paras 38 to 42)
- VI. *Notification dated 2<sup>nd</sup> April, 1996 - Challenge thereto by way of WP(C) No. 4687/2010 before this Court* (paras 43 to 46)
- VII. *When did the road in question come into existence?* (paras 47 to 70)
- VIII. *Availability of and prohibitions under the Forest (Conservation) Act, 1980* (paras 71 to 78)
- IX. *Fencing of the forest – requirement and permissibility – orders of the Supreme Court in M.C. Mehta v. Union of India; the National Green Tribunal in Pavit Singh v. The State of NCT of Delhi & Ors. and of this Court in Bhagat Singh & Ors. v. Union of India & Anr.* (paras 79 to 95)
- X. *Contours of the rights of the private parties* (paras 96 to 101)
- XI. *Objection of the plaintiffs premised on Section 25 of the Indian Forest Act, 1927* (paras 102 to 115)
- XII. *Whether the constructions in question are covered under the Regulations for Regularization of Unauthorized Colonies in Delhi notified by the Delhi Development Authority?* (paras 116 to 121)
- XIII. *Availability of alternate passages* (paras 122 to 128)
- XIV. *Whether the road in question is protected under the provisions of the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (20 of 2011)* (paras 129 to 133)



- XV. Claim of the appellants under the Indian Easements Act, 1882 (paras 134 to 143)**
- XVI. An imminent need to protect the environment (paras 144 to 151)**
- XVII. Order dated 18<sup>th</sup> May, 2017 (Impugned in FAO(OS) 200/2017) (paras 152 to 155)**
- XVIII. Conclusions (paras 156 to 158)**
- XIX. Result (paras 159 to 167)**

We now propose to discuss the above issues in *seriatim*.

**I. Legal History**

7. Before we dwell on the specific contentions, it is necessary to note that the writ petition is concerned with the land which falls under Khasra Nos.487, 490 and 491 of Village Neb Sarai, New Delhi.

8. W.P.(C)No.365/2017 was filed by Deepak Batra and his wife Marina Batra, residents of Western Avenue, Sainik Farms. The writ petitioners have claimed that both of them are eminent environmentalists who have successfully run the Panchavati Green Movement since 1996, an organization which is recognized and stands chosen by the United Nations Environmental Program (UNEP) to chair the Indian Chapter of “Leave it to us” and “Eco Movement” campaigns.

9. Notice to show cause was issued by this court on the writ petition on the 19<sup>th</sup> January, 2017. It is to be noted that, on that



date, Mr. Gautam Narayan, Additional Standing Counsel for the respondents had disclosed to the court, that CS(OS)No.493/2016 relating to the very same issues raised by the petitioner, was pending before the court and an interim injunction dated 26<sup>th</sup> September, 2016 had been in operation.

10. So far as the suit being CS(OS)No.493/2016 is concerned, it was filed by the two plaintiffs, namely, Prabhat Kumar Sharma and S.L. Bhatt, who have claimed to have filed the suit on their own behalf, **“as residents of Indira Enclave, Neb Sarai, New Delhi-110068 and on behalf of other residents of Indira Enclave who are having the same interest as the plaintiffs”**. The plaint discloses that **“Indira Enclave is a colony carved out of the land falling under the Revenue Estate of Village Neb Sarai, South Delhi”**. It is further stated that **“Indira Enclave is one of the colonies of 895 colonies under the jurisdiction of NCT of Delhi which are on the list of unauthorized approved for regularization by the National Capital Territory of Delhi”** and its name falls at Sr.No.311 having registration No.380.

11. In this plaint, as a basis for the afore extracted prayers, these plaintiffs *inter alia* averred as follows :

**“2. Indra Enclave has been established more than 30 years ago and it has a total of upto 5,000 dwellings. Since its inception, the primary access and connectivity lifeline to and from Indra Enclave has been through an access road connecting Indra Enclave, Neb Sarai to Mehrauli Badarpur Road through western Avenue, Sainik Farms,**



*Sangam Vihar and Saket (hereinafter referred to as the 'Connecting Road').*

3. ***This Connecting Road upto 30 feet wide has been developed, maintained, improved, tarred, paved and lighted over the course of decades by the residents of the area through which the road passes, and the portion of it falling adjacent to Indra Enclave has been developed, maintained, improved, tarred, paved and lighted over the course of decades by and at the cost of the Plaintiffs and residents of Indra Enclave.***

4. *This connecting road has been used as primary ingress and egress for the passage of persons, cattle and animals, bicycles, cars, scooters, motorcycles, emergency vehicles, ambulances and police vehicles plying to inter alia Indra Enclave. The Plaintiffs and residents of Indra Enclave have openly and freely enjoyed using this Connecting Road as a free passage and right of way for many decades without interruption, hindrance, obstruction, objection or disturbance whatsoever from any person, government department, authority or body for more than last 30 years."*

*(Emphasis supplied)*

12. The suit was filed on 23<sup>rd</sup> of September 2016 and adjourned to the 26<sup>th</sup> September, 2016. In the meantime, the respondents took steps to demolish the subject road. Along with the suit, the appellants had filed I.A.Nos.11892/2016 under Order 39 Rules 1 and 2 of the CPC seeking interim protection.

13. The appellants in FAO(OS)No.200/2017 (*plaintiffs in the suit*), had set up an objection that the action of obstructing the same was without any sanction of the State Government in terms of



Section 25 of the Indian Forest Act, 1927 and that, for over 30 years, the subject road was the primary access to the Indira Enclave. In view thereof, the Id. Single Judge passed an order dated 26<sup>th</sup> September, 2016 directing the respondents (*defendants in the suit*) to take necessary action to restore the subject road to the extent that emergency vehicles could reach Indira Enclave. Liberty was granted to the respondents to apply for modification of the order.

14. The respondent no.2 had thereafter filed an application being I.A.No.14511/2016 under Order 39 Rule 4 of the CPC seeking modification of the order dated 26<sup>th</sup> September, 2016. These two applications were taken up for consideration and decided by the impugned order dated 18<sup>th</sup> May, 2017 whereby I.A.Nos.11892/2016 (*under Order 39 Rules 1 & 2 of the CPC*) stood dismissed and I.A.No.14511/2016 (*under Order 39 Rule 4 of the CPC*) stood allowed and the interim order dated 26<sup>th</sup> September, 2016 was vacated.

Aggrieved thereby, the plaintiffs have filed FAO(OS) 200/2017.

## **II. Applications filed in the writ petition**

15. It is to be noted that in the writ petition, applications bearing CM Nos.22028-30/2017 seeking impleadment have been filed by Gokul Kumar, Naveen Kumar and Amar Kumar claiming to be the owners of the houses bearing Nos.D-21, D-18 and D-23, Indira



Enclave, Neb Sarai, New Delhi respectively. It is submitted in the applications that D-Block, Indira Enclave consists of about 25 houses “*constructed in the private land and none of the portion falls in ridge area*”. It is further submitted that “*a joint survey was conducted by the revenue department on 28.1.2005 for Khasra No.484, 485*” in the presence of “*Patwari, Tehsildar, the Forest Department & Gram Sabha (BDO)*”. These applicants claim that so far as the writ petition is concerned, it deals with land forming part of Khasra Nos.487, 490 and 491, Village Neb Sarai. Their submission, therefore is that they being on Khasra nos. 484, 485 Village Neb Sarai, are not on the forest land. It is further claimed that the road in question is on “*private land*”.

16. We also find on the record of the writ petition that the following five applications have been filed by Ms. Shia Khanna, claiming to be a resident of property bearing Khasra No.512, Lane W-12D, Neb Sarai Extension, New Delhi-110062, who merely discloses that “*the applicants and other residents/property owners of the area have been using Lane 12D, Western Avenue, Neb Sarai Extension, New Delhi-110062 since the 1980s to ingress/egress the area to reach their houses and properties and access the world*” :

(i) **CM No.27106/2017** dated 29<sup>th</sup> July, 2017 has been filed by Ms. Shiya Khanna, seeking impleadment.

(ii) **CM No.27107/2017** dated 28<sup>th</sup> July, 2017 has been filed by Ms. Shiya Khanna, for interim orders seeking stay against construction of the wall for protection of the forest land contending



that there was no order directing walling up of land/khasras including Khasra Nos.634 or 651 or 649 etc. of Neb Sarai located adjacent to the subject road which have been demarcated as forest land, and that the orders passed by this court specifically referred to walling up of forest in Khasra Nos.487, 490 and 491.

(iii) **CM No.29105/2017** dated 11<sup>th</sup> August, 2017 has been filed by Ms. Shiya Khanna, with the prayer that the official respondents be directed to remove the barriers from the said road.

This application was mentioned before this court on the 11<sup>th</sup> of August 2017, when it was taken up. On that date, we were informed (*and we so recorded*) that as barricades have been put, Ms. Shia Khanna has no access to her house. Ms. Shia Khanna had further stated that in case this court concludes that the passage to her house is part of the forest area, she shall voluntarily facilitate blocking of the same. Observing that the interim order shall not create any equities in favour of the applicant or any other person, we had directed that the respondents shall permit access of passage of five feet in front of the residence of Ms. Shia Khanna till the next date of hearing. On 29<sup>th</sup> August, 2017, it was further directed that the space given for passage to Shia Khanna should not be used as a thoroughfare. On 18<sup>th</sup> August, 2017, the SHO of the Police Station Neb Sarai was directed to ensure strict compliance with all our orders.

(iv) **CM No.33993/2017** dated 14<sup>th</sup> September, 2017 has been filed by Ms. Shiya Khanna, seeking directions to the



respondents to remove the entire barricade at two points (*marked as 'A' and 'A1' in the enclosed plan*) so as to make the said patch of road available for vehicular use to the applicants.

(v) **CM No.35310/2017** dated 1<sup>st</sup> September, 2017 was filed by Ms. Shiya Khanna, seeking urgent hearing of CM No.33993/2017.

This application came to be listed on 26<sup>th</sup> September, 2017 when we were informed that passage access of 5 feet was grossly insufficient. In view thereof, we had modified our directions and directed that the respondents shall permit passage of 8 ½ feet in front of the residence of Ms. Shia Khanna.

These orders continue to operate even on date.

**III. Claim of Gokul Kumar and others by way of CM No.22628/2017 & proceedings in WP(C) 6324/2017**

17. An application being CM No.22628/2017 came to be filed on the 30<sup>th</sup> of May 2017 in the writ petition by Shri Gokul Kumar; Naveen Kumar Arora and Amar Kumar contending that a joint survey was conducted by the Revenue Department on the 28<sup>th</sup> of January 2005 for the demarcation of Khasra Nos.484 and 485 of Village Neb Sarai. It was contended that as per the Revenue record, Khasra No.485/2012 ad-measuring 2-08 bighas was in the name of Shri Ram Kumar and Khasra No.484 ad measuring 4-16 bighas was in the name of Shri Faquir Chand. A copy of demarcation report dated 28<sup>th</sup> January, 2005 has been placed



contending that as per the plan attached with the demarcation report, the portion shown in green is the forest area while the red portion of 33 feet formed part of Khasra No.484. It is further submitted that wire fencing is existing at Point A to A and Point B to B since 2005 and at Point C to C (*entrance to the Indira Enclave*). These applicants claim that the portion marked in red was not forest land; that the Gaon Sabha gave physical possession of Khasra Nos.486-87 to the Forest Department which further fenced the same thereby confirming that Khasra Nos.484 and 485 Village Neb Sarai was private land. The applicants contended that in view of the demarcation report, the gate erected at Point C to C is a gate to the private colony of D Block of Indira Enclave which the Forest Department was trying to close by a wall.

18. The respondents were relying on a demarcation report of 6<sup>th</sup> July, 2016. It was contended that this report had failed to demarcate Khasra Nos.484 and 485 of Neb Sarai. It was also contended that no notice was issued and the applicants and residents of D Block were never called to participate in the demarcation.

19. Placing reliance on the demarcation report, the respondents issued notices to show cause dated 13<sup>th</sup> July, 2017 and 17<sup>th</sup> July, 2017 contending that Gokul Kumar's house bearing H.No.D-21, Indira Enclave was located in Khasra no.487, Neb Sarai. This was challenged by Gokul Kumar by way of W.P.(C)No.6324/2017, wherein he placed reliance on the earlier demarcation report dated



28<sup>th</sup> January, 2005. This writ petition was disposed of on 25<sup>th</sup> July, 2017 by the Id. Single Judge wherein liberty was granted to the petitioner to challenge the demarcation report dated 6<sup>th</sup> July, 2016 before the Revenue Authority and maintenance of *status quo* was directed. In the order dated 25<sup>th</sup> July, 2017, the Id. Single Judge observed as follows :

*“Be that as it may, noting the additional submission of the learned counsel for the respondents that the notices issued by respondent No.3 premised on a demarcation report dated 06.07.2016, it would be appropriate for the petitioner to challenge this report before the Revenue Authority as this Court being a writ court cannot go into factual averments and counter averments. This Court endorses this view of the learned counsel for the respondents. The petitioner is accordingly advised to challenge the demarcation report dated 06.07.2016 before the Revenue Authority. He may file an appeal against the demarcation report dated 06.07.2016 within a period of two weeks and the Competent Authority who will dispose of that appeal within a time span of not later than three months. Till that time, the petitioner shall remain protected. The DC shall note the averments of the petitioner (highlighted by the learned senior counsel for the petitioner) that the demarcation report dated 06.07.2016 cannot bind him as he was not a party to this demarcation.*

*Status quo of the property shall be maintained by the parties.*

*No further orders are called for in this petition. It is disposed of.”*

20. In view of this order, CM Nos.22028-30/2017 which had been filed by Mr. Gokul Kumar and the others were rendered



infructuous and were disposed of. Gokul Kumar's concern lies with regard to the location of his house and not the road.

21. It is noteworthy that there is no challenge to the demarcation report dated 6<sup>th</sup> July, 2016 or the other reports, either by Mr. Shia Khanna, who has filed five applications in the writ petition before us, or by Prabhat Kumar and S.L. Bhat, who are the appellants in FAO(OS)No.200/2017.

**IV. The declaration of the Ridge and notifications of land as forest land**

22. The above narration would therefore, show that the writ petition is concerned with an alleged passage or a road on land which forms part of Khasra Nos.487, 490 and 491 of Village Neb Sarai. The suit is concerned with the portion of the road on land which falls in Khasra Nos.649, 650 and 651 Village Neb Sarai. The issue which falls for consideration is as to whether this road/passage is on forest land which is part of the notified ridge, the legality of its construction and rights, if any, of the private party over or in it.

23. The official respondents have emphatically contended that the matters are concerned with a road on a piece of land, which, is part of the protected Southern ridge, one of the two natural features of the Delhi. Before we consider the rival contentions and claims, it is most essential to understand as to what constitutes the "**Ridge**" in Delhi and what is its significance and importance?



24. Both sides have drawn our attention to several government notifications as well as the orders passed by the Supreme Court with regard to the Ridge. Given the importance which is attached to the preservation of forest, more so, if it is part of the fragile ridge ecosystem, ensuring its protection is imperative and cannot be compromised in any manner. We therefore, consider this issue first hereafter.

25. Mr. Gautam Narayan, Additional Standing Counsel for the Government of NCT of Delhi has placed before us an official publication of the Department of Forests & Wildlife of the Government of National Capital Territory of Delhi published in 2014 titled "**An Introduction to the Delhi Ridge**". The Ridge is defined in Chapter-1 - "*The Delhi Ridge*" of the publication thus :

*"A Ridge is a geological aspect that features a continuous elevational crest for some distance. The Delhi Ridge is a northern extension of the old and ancient hill ranges of India called the 'Aravalli Hill Ranges' which extend from Gujarat through Rajasthan to Haryana-Delhi. The Delhi Ridge stretches over a distance of 35 km, from Bhatti Mines to Southeast of the 700 year old Tughlaqabad, branching in different directions, and finally tapering towards the northern end near Wazirabad on the western banks of Yamuna river."*

26. The publication refers to pressures of increasing population. It also sets out shrinkage of the ridge and its fragmentation into five zones in the following terms :

*"Over the years, the pressures of an increasing population, excessive resource extraction, construction of*



*landscaped public parks, public housing, dumping of construction waste, etc. have posed a serious threat and caused shrinkage of the Ridge. Once contiguous, it is now divided into **five fragmented zones** namely, Northern Ridge, Central Ridge, South Central Ridge, Southern Ridge and Nanakpura South Central Ridge.* ☐

- ◆ *The **Northern Ridge** (also called Old Delhi) comprises of the hilly area near Delhi University. It is approximately 87 Hectares.* ☐
- ◆ *The **Central Ridge** (also called New Delhi) consists of around 864 Hectares of forested area, from south of Sadar Bazaar to Dhaula Kuan, but some bits of the Central Ridge have been nibbled away.* ☐
- ◆ *The **South-Central Ridge** (also called Mehrauli) consists of 626 Hectares of forested land around the Sanjay Vana area, near Jawaharlal Nehru University (JNU).* ☐
- ◆ *The **Southern Ridge** (also called Tughlaqabad) consisting of 6200 Hectares is the biggest area of the Delhi Ridge.* ☐
- ◆ *The **Nanakpura South Central Ridge** has an area of 7 Hectares.*

*All the 5 Zones make up for a total area of 7,784 Hectares spread over the entire city in different patches.”*

27. A reference has been made in Chapter 1.2.2 to “*Ridge management after independence*”. So far as the current context with regard to the Southern ridge is concerned, we find details of the management set out therein in the following terms :

*“The Chief Commissioner of Delhi decided to hand over the **Southern Ridge, for its maintenance, to CPWD in the***



*year 1962, and the Southern Ridge was transferred to CPWD on 01.04.63, for its beautification as parks and gardens. Further the Hon'ble Lt. Governor of Delhi ordered the transfer of the Northern Ridge to DDA in the year 1968, which was done on 30.11.1968, for maintenance and beautification. However, with the efforts of the then Development Commissioner, two nurseries namely Birla Temple and Kamla Nehru Ridge remained with the Forest Department, Delhi Administration.*

*However, some encroachments were still occurring, so to preserve the Ridge as forest land, some non-profit organizations and citizen's groups working on environmental issues started protesting in 1979 against encroachments and destruction of the Ridge. In response to these efforts, Lt. Governor of Delhi declared 25 sites in the Northern, Central and South-Central Ridge as Protected Forests under the Indian Forest Act, 1927 on 10th April, 1980."*

*(Emphasis by us)*

28. In an order passed on 9<sup>th</sup> of May 1996, in *M.C. Mehta v. Union of India* W.P.(C) No. 4677/1985, also, so far as the Ridge is concerned, the Supreme Court of India had noted as follows :

*"...It would be useful to refer to the statutory Master Plan for Delhi Perspective 2001 which provides as under : -*

***"2. ECOLOGICAL BALANCE TO BE MAINTAINED. Delhi has two distinct natural features.***

*The Ridge is the rocky outcrop of Aravalli Hills and the river Yamuna. Some parts of the Ridge have been erased in the Central city area. No further infringement of the Ridge is to be permitted; it should be maintained in its pristine glory. River Yamuna is to be made pollution free through various measures. On the vast expanse of its banks, large recreational area to be developed and to be*



*integrated with other urban development's so that the river is an integral part of the city physically and visually."*

*(Emphasis supplied)*

29. It is to be noted that while there is no legal definition of this expression, however, the Ridge has been extensively considered and elaborated in the Master Plan of Delhi – 2001 ('MPD – 2001') as well as Master Plan of Delhi – 2021 ('MPD – 2021').

30. It needs no elaboration that the statutory Master Plans have been framed and notified under Section 11 of the Delhi Development Act, 1957. We extract hereunder the references to the Ridge as contained in MPD – 2001 (*which was notified on the 1<sup>st</sup> of August 1990*), (as also noted in the aforementioned publication entitled "An Introduction to the Delhi Ridge"), the relevant portions whereof read as follows :

*"a. The preamble of the MPD 2001 states:  
"Ecological balance to be maintained. **Delhi has two distinct natural features – The Ridge which is the rocky outcrop of Aravalli hills and the river Yamuna. Some parts of the Ridge have been erased in the Central City Area. No further infringement of the Ridge is to be permitted; it should be maintained in its pristine glory"***

*b. In the section pertaining to Environment, the provisions relating to the natural features prescribed as follows :*

*"ENVIRONMENT ..... NATURAL FEATURES*

*Conservation of major natural features in a settlement is of utmost importance to sustain the natural eco-system. Two major natural features in Delhi are the Ridge and the Yamuna river. The Ridge in Delhi is defined as a*



*rocky outcrop of the Aravalli range stretching from the University in the North of the Union Territory boundary to the South and beyond.”*

*(Emphasis by us)*

31. We may extract hereunder a notification dated 10<sup>th</sup> of April 1980 issued under Section 29 of the Indian Forest Act, 1927 by the Lt. Governor of Delhi declaring areas as protected forest. The notification and the relevant portion of the schedule are extracted hereunder :

**“NOTIFICATION**

***Delhi, the 10th April, 1980.***

***No.F. SCO 32(c) Noti – 80-81.- In exercise of the powers conferred by Section 29 the Indian Forest Act, 1927, read with the Government of India, Ministry of Home, notification No. 104 J and No. 146-J dated 24.8.50 and 6.12.50, the Lt. Governor of Delhi is pleased to declare as protected forest the areas specified in the schedule hereto annexed.***

*By order,  
M.W.K. YUSUFZAI, Secretary.”*

**“SCHEDULE**

***Protected Forest Area, 1980***

<b>S. No</b>	<b>Name of work</b>	<b>Zone ownership</b>	<b>Distt.</b>	<b>Tehsil</b>	<b>Village</b>	<b>Area</b>
		xxx	xxx		xxx	
6.	<b><i>Southern Ridge Area</i></b>	<b><i>G-5. D-10 L &amp; DO Land</i></b>	<b><i>Delhi</i></b>	<b><i>Mehrauli</i></b>	<b><i>Nazul Estate</i></b>	<b><i>2022 Acres”</i></b>

*(Emphasis supplied)*



32. Vide a notification issued in 1986, issued by the Lt. Governor of Delhi, 1880 hectares of land in the southern ridge was declared as a wildlife sanctuary (*Asola* wildlife sanctuary) which includes the Bhatti Mines.

33. Mr. Gautam Narayan, ASC for GNCTD has also placed a notification dated 15<sup>th</sup> April, 1991, again issued by the Lt. Governor of Delhi, this time under Section 18 of the Wildlife Protection Act, 1972 which reads as follows :

**‘No.F2(19)/DCF/90-91/1302-91**

**Dated : 15.04.91**

**NOTIFICATION**

*(To be published in Gazette of Delhi)*

*In continuation of Notification No.3(116)/CWLW/84/89/906 dated 9.10.86. In exercise of the powers conferred by Section 18 of the Wildlife (Protection) Act, 1972. The Lt. Governor, (Administrator), Delhi is pleased to declare the areas in the schedule below as **Wildlife Sanctuary in Bhatti Village. Total Areas 2166.28 acres**; considering that the said area is of adequate ecological, geological, faunal, floral, geomorphological and natural significance for the purpose of propagating and or developing of Wildlife and / or its environment.*

**SCHEDULE**

<i>Village</i>	<i>(Khasra Nos.)</i>	<i>Area</i>
<i>Bhatti</i>	<i>708, 712, 713, 715 1895 to 1900, 1903 to 1938, 1940 to 1942</i>	<i>2166.28 Acres.</i>

*By Order*  
**DY. SECRETARY (FORESTS)**



*DELHI ADMINISTRATION: DELHI*

*(Emphasis by us)*

34. The Lt. Governor of the NCT of Delhi issued a notification dated 24<sup>th</sup> May, 1994 under Section 4 of the Indian Forest Act, 1927 declaring the land mentioned in Schedule A thereto as “reserved forest”. The notification describes Schedule A as including all forest lands and waste lands which were the property of the government, or over which the government had proprietary rights *inter alia* in the South Central Ridge and the Southern Ridge in the NCT of Delhi.

35. By this notification, the Lt. Governor of Delhi appointed the ADM (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 stood notified vide Notification No.10(42)-IPA/DCF/93(1) 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*”.

36. Neither the private persons (*who have filed applications in the writ petition*), nor the appellants (*plaintiffs*) have placed any claims by any person made qua the subject land on which the road has come up.



37. The question pressed before us is as to whether the road in question, is part of the protected forest, and covered under the boundaries of Ridge noted above? We consider this issue hereafter.

V. ***Binding orders of the Supreme Court of India in M.C. Mehta v. UOI (W.P.(C)No.4677/1985) and impact thereof***

38. In the year 1985, the well-known environmental activist Shri M.C. Mehta had initiated W.P.(C)No.4677/1985 entitled ***M.C. Mehta v. Union of India*** in the Supreme Court of India contending *inter alia* that the Ridge was notified as a reserved forest under the Indian Forest Act, 1927 and all encroachments on it, in violation of the provisions of that statute, would be illegal irrespective of the government's permission. Several orders came to be passed in this writ petition regarding protection of the Ridge; clearance of infringements thereon as well as the prohibition against further infringements.

39. Mr. Anupam Roy, ld. counsel appearing for the writ petitioners has pointed out that in I.A. Nos.18 and 22 of W.P.(C)No.4677/1985 entitled ***M.C. Mehta v. Union of India & Ors.***, I.A.No.18 was taken up for consideration and the Supreme Court had issued orders dated 25<sup>th</sup> January, 1996 and 13<sup>th</sup> March, 1996. On the 25<sup>th</sup> of January 1996, so far as the Gaon Sabha land was concerned, the Supreme Court had *inter alia* observed thus :

***“GAON SABHA LAND***

*We have heard learned counsel for NCT, Delhi Administration regarding the **Gaon Sabha area forming***



*part of the Ridge. Learned Counsel states that various proposals regarding handing over the Gaon Sabha area (part of the Ridge) to the Forest Department have been examined by the Committee appointed by the Administration.*

*Finally, the Committee has taken a decision that a Notification under Section 35 of the Indian Forests Act 1927 be issued. We are of the view that the Notification under Section 35 will not solve the problem which we are facing. The learned counsel states that the Committee was of the view that the provisions of Section 154 of the Delhi Land Reforms Act, 1954 are not attracted because in view of the expression “on the commencement of the act” In Section 154, power under the proviso to Section 154 could only be exercised at the time of the commencement of the Act and not thereafter. That may be one way of the looking at the Section but since it is for the first time that a Committee has been appointed to examine this aspect and it was never examined earlier by the Delhi Administration at any point of time, we are prima facie of the view that the provisions of Section 154 can even now be invoked especially when it is crystal clear that this area is of no utility to the Gaon Sabha and in any purpose. This is Ridge area which has to be preserved.*

*No cultivation or any type of construction can be permitted on this area. In this view of the matter, we request the committee to reconsider the question of issuing a notification under the provision to Section 154 of the Act.”*

*(Emphasis by us)*

40. The importance of the preservation of the ridge is clearly manifested from the above order. We find that the Supreme Court has therefore, clearly declared that in any case, the Gaon Sabha land could not be permitted to be used for any purpose; that it was



ridge area which had to be preserved and that the unutilized land falling in the ridge area shall be handed over to forest and wildlife department. The Supreme Court has unequivocally declared that even “*no cultivation or any type of construction can be permitted on this area*”.

Clearly, construction, development or maintenance of a road thereon would not be countenanced.

41. The above was followed by an order dated 13<sup>th</sup> March, 1996 by the Supreme Court of India wherein, after extracting the above, the court observed thus :

*“Pursuant to the above quoted order Mr. GS Patnaik, Deputy Commissioner, Delhi has filed affidavit wherein it is stated that the incorporation of extensive stretches of Gaon Sabha land is a serious matter which necessitate careful deliberation at the level of Council of Ministers and Lt. Governor, Delhi. It is further stated in the affidavit that further four weeks’ time was required to consider the matter.*

*We do not agree with Mr. GS Patnaik. In view of the order quoted above, nothing more remains to be done by the NCR, Delhi Administration, except to issue the necessary notification. We direct that the necessary be issued within three weeks from today. We further request the Lt. Governor, to have the matter expedited. The land is part of the ridge area. Even though it is not reserved forest, it happens to be a forest. This area cannot be utilized in any manner in view of the prohibitions contained under the Forest Conservation Act, 1980. In this view of the matter issuing of notification is a simple formality to secure the area. We, therefore, reiterate and*



**request the Lt. Governor to have necessary notification issued within time specified by us.**

***Compliance report regarding disposal of the application of the plaintiff in the matter titled as “Gurmohan Singh Vs. Union of India.”***

*(Emphasis by us)*

42. The Supreme Court thus clearly directed that even though the land was not a reserved forest, it happens to be a forest which was an integral part of the Ridge area. It was clearly directed that therefore, it could not be utilized in any manner in view of the prohibitions contained in the Forest (Conservation) Act, 1980. It was held by the court that in these circumstances, the issuance of the notification was merely a simple formality to secure the area. The Lt. Governor of Delhi was consequently requested to issue a notification within the timeline specified by the Supreme Court.

**VI. Notification dated 2<sup>nd</sup> April, 1996 - Challenge thereto by way of WP(C) No. 4687/2010 before this Court**

43. In compliance with the orders of the Supreme Court dated 25<sup>th</sup> January, 1996 and 13<sup>th</sup> March, 1996, the Revenue Department of the Government of NCT of Delhi issued a notification bearing No.F1(29)/PA/DC/95 dated 2<sup>nd</sup> April, 1996 in exercise of powers conferred under Section 154 of the Delhi Land Reforms Act, 1954 placing the uncultivated lands of Gaon Sabhas falling in the Ridge at the disposal of the Forest Department of the Government of NCT of Delhi. The relevant extract of the said notification deserves to be extracted *in extenso* and reads as follows :





was left out. Possession of the rest of the land, with demarcation was given to the Forest Department.

45. For clarity, we may also extract the relevant portion of Section 154 of the Delhi Land Reforms Act, 1954 which read thus :

***“154. Vesting of certain lands etc, in Gaon Sabha. –***  
*(1) Renumbered by Act 38 of 1965)] On the commencement of this Act –*

*(i) All lands whether cultivable or otherwise, except land for the time being comprised in any holding or grove,*

*(ii) All trees (other than trees in a holding or on the boundary thereof or in a grove or abadi) [(Note: Ins. by s.16 of Delhi Act of 1956) or planted by a person other than a proprietor on land other than land comprised in his holding,*

*(iii) Public wells,*

*xxx*

*xxx*

*xxx*

*Situate in a Gaon Sabha Area, shall vest in the Gaon Sabha :*

*Provided that if the uncultivated area situate in any Gaon Sabha area is, in the opinion of the Chief Commissioner, more than the ordinary requirements of the Gaon Sabha, he may exclude any portion of the uncultivated area from vesting in the Gaon Sabha , he may exclude any portion of the uncultivated area from vesting in the Gaon Sabha under this section and may make such incidental and consequential order as may be necessary.”*

46. At this stage, we may also notice the rejection of the legal challenge which was laid to the above notification dated 2<sup>nd</sup> April, 1996 whereby the land falling in the ridge area was excluded from



vesting in the Gaon Sabha and placed at the disposal of the Forest Department. Quashing of this notification was sought by way of W.P.(C)No.4687/2010, *Bhagat Singh & Ors. v. Union of India* etc. before this court. This challenge stands rejected by the Division Bench by way of the judgment dated 16<sup>th</sup> July, 2010 reported at *2010 SCC Online Del 2386, Bhagat Singh & Ors. v. Union of India & Anr.* We extract hereunder the observations of the court in paras 5 to 8 :

*“5. We asked the learned counsel for the **petitioners** to show us the documents by which his forefathers or they came into settled lawful possession of the land in question which belonged to the Gaon Sabha. There is no such document on record. This question was posed as Gaon Sabha land is for the collective enjoyment of the village and there is no right in any individual to occupy the land unless such an allotment is made by the Gaon Sabha. **The Gaon Sabha land is thus not meant for individuals for their own enjoyment and the vesting of the land in Gaon Sabha is as per Section 7 of the said Act. The significance of the said Act coming into force was that all lands of common utilities which were owned by the proprietors of villages and which were commonly used by the villagers were vested in the Gaon Sabha and proprietors were divested of their ownership. As per Section 154(1) (vii) of the said Act, all the forest land situated in a Gaon Sabha area shall vest in the Gaon Sabha. The proviso to Section 154(1) of the said Act refers really to the uncultivated area situated in Gaon Sabha area and the same being more than the ordinary requirement of the Gaon Sabha may be excluded from vesting in the Gaon Sabha.***

*6. We are of the considered view that no further exercise was necessary to be carried out by the R-1 and R-2 in*



**case of such Gaon Sabha land which was actually part of 'Ridge' area and it is with the objective of protecting the 'Ridge' area that the land in question which forms part of the 'Ridge' area was declared surplus and was placed at the disposal of the Forest Department of the Govt. of NCT of Delhi for creation of Reserved Forest.**

7. In our considered view, **the petitioners are only encroachers on Government land who are seeking to prevent vesting of the land in question with the appropriate Government authority and possibly physically preventing the Government from taking over possession of the same.** The petition has been filed 14 years after the notification in question was issued and the only reason given in this regard is that the petitioners had no knowledge of the same.

8. **Learned counsel for R-1 and R-2 states that the forest area is being fenced and 80 per cent of the work is complete, but physical resistance is being faced from people of the villages - Bhatti, Dera and Maandi.** It is also stated that **a similar issue was raised in WPC No. 4362/2007 Nav Yuwak Gram Vikas Samiti v. Govt. of NCT of Delhi and Ors. decided on 27.08.2009, in respect of three of the other villages. The LPA No. 579/2009 filed against that order also really did not succeed, but the original petitioners were given liberty to approach the Supreme Court for any clarification, if they so desired.**  
(Emphasis supplied)

This judgment has attained finality and would bind our consideration.

#### **VII. When did the road in question come into existence?**

47. The plaint in CS(OS)No.493/2016 and the grounds of appeal in FAO(OS)No.200/2017 make no disclosure as to the date on



which the road was constructed or the authority or person who constructed this road.

48. Ms. Shiya Khanna, the applicant in CM Nos.27106-07/2017, 29105/2017, 33993/2017 and 35310/2017 as well as Mr. Gokul Kumar, applicant in CM No.22628/2017 also do not disclose the date on which the road in question came into existence.

49. We therefore, have to fall back on the available documentation on record and make an effort to discern as to when this road came into existence.

50. It appears that the writ petitioners made an application seeking information in this regard from the Revenue authorities. The Office of the Sub-Divisional Magistrate, District South addressed a communication dated 3<sup>rd</sup> of August 2016 to the petitioner no.2 informing her that as per the shijra of the Village Neb Sarai, no such passage/raasta/road was passing through Khasra Nos.487 and 490 of the Village.

51. The petitioner no.1 had separately addressed a query under Section 6 of the Right to Information Act, 2005 to the Office of the Deputy Conservator of Forest (South) in connection with the existence of path/road/passage through Khasra Nos.487 to 490 in the Revenue Estate of Village Neb Sarai. We extract the queries and the response dated 14<sup>th</sup> October, 2016 of the Office of the Conservator of Forest which read as follows :



<b>“Sl.No.</b>	<b>Queries</b>	<b>Reply</b>
1.	<i>Copies of all documents (including but not limited to correspondence, file noting, minutes of relevant meetings, land records, revenue records in your possession, maps etc) pertaining to existence and/or non-existence of path/road/passage through Khasra Nos.487-490 situated in Revenue estate of village – Neb Sarai.</i>	<i>This office has no records of the existence of path/road/passage through Khasra Nos.487-490 situated in Revenue estate of village – Neb Sarai. Query No.1 pertains to Revenue Department and the same has been transferred to SDM (Saket) for necessary action.</i>
	<i>Copies of all documents (including but not limited to correspondence, file noting, minutes of relevant meetings, land records, revenue records in your possession, maps etc) pertaining to original construction, creation and/or demolition, if any, of the path/road/passage through Khasra Nos.487-490 situated in Revenue estate of village – Neb Sarai.</i>	<i>This office has no information about the original construction/creation of the path/road/passage through Khasra Nos.487-490 situated in Revenue estate of village – Neb Sarai. Demolition of the road passing through Khasra Nos.487-490 was carried out on the 23.09.2016. The relevant documents about the demolition of this road are Annexed as Annexure-I.</i>
	<i>Copies of all documents (including but not limited to</i>	<i>The Khasra No.487, 490 and 491 of Neb</i>



	<i>correspondence, file noting, minutes of relevant meetings, land records, revenue records in your possession, maps etc) pertaining to land use and classification (any change thereto) of Khasra Nos.487-490 situated in Revenue estate of village – Neb Sarai.</i>	<b><i>Sarai Village are a notified forest land under Section 4 of the Indian Forest Act, 1927.</i></b>
--	---	--

*(Emphasis supplied)*

Thus the official records establish that there was no road in Khasra Nos.487-490 of Village Neb Sarai; that a road through Khasra Nos.487-490 was demolished on 23<sup>rd</sup> September, 2016 and that Khasra Nos.487, 490 and 491 were notified forest land

52. We have on record also a communication dated 20<sup>th</sup> July, 2016 addressed by Mr. S.K. Muan Guite, Deputy Conservator of Forest (South) to the APCCF of the Department of Forest and Wildlife, Government of NCT of Delhi which refers to an inspection conducted upon the instructions of the Chief Conservator of Forest on the 15<sup>th</sup> of July 2016. The inspection was conducted by Mr. Guite together with “*Mr. D. Batra and Ms. Marina, both representatives from UNEP along with DRO and Forest Guard of Mehrauli-I Range*”. This letter relates to the construction of the boundary wall. The letter also refers to obstructions by nearby residents to the construction of the boundary wall and that the residents claimed that the road had been in existence for several years.



53. This communication refers to the demarcation carried out on 6<sup>th</sup> of July 2016 on forest land bearing Khasra Nos.487, 490 and 491 as well as the Gaon Sabha land bearing Khasra No.489. This report specifies that 98 feet inside the Khasra Nos.487 is encroached area as the same belongs to the Department of Forest and Wildlife. The Revenue Department confirmed in the inspection on 6<sup>th</sup> July, 2016 the fact that a road was passing through Khasra Nos.487, 490 and 491. Gram Sabha land on Khasra No.489 was highlighted. The respondents have also enclosed the *nishan dehi*, i.e. a plan, showing Khasra Nos.649, 650 and 651.

The demarcation report dated 6<sup>th</sup> of July 2016 prepared by the Halka Patwari in the presence of representatives from *inter alia* the Forest Department and Flood Control Department would have taken into consideration the records as well. The Revenue Department refers to a path under some of area in the middle of Khasra Nos.490 and 487 and some houses constructed. There is no reference to the road in the present form in the demarcation report. Mr. Gautam Narayan, Id. Additional Standing Counsel points out that this relates to the D-Block of the Indira Enclave.

54. It appears that the Conservator of Forests received information of encroachment and felling of trees in the Neb Sarai area from representatives of the United Nations Environment Program. As a result, the Conservator of Forests accompanied by the Deputy Conservator of Forest(s), his staff and the petitioners of



UNEP inspected the spot where the encroachment was taking place. In the report dated 25<sup>th</sup> February, 2016 submitted by the Conservator of Forests to the Additional PCCF, Department of Forest and Wildlife, Delhi, apart from referring to the land in Khasra Nos.521, 525 and 634, reference was made to the road in question in the present litigation. We extract hereunder the observations of the Conservator of Forest with regard to this road :

***“The third location behind ‘D Block’ Indira Enclave was also inspected. It was seen that a katcha track through Forest Khasras leading to a colony at the back had been made pacca by putting up tiles. This appears to be a definite attempt to encroach over forest area by making this track for subsequently encroaching the adjoining forest Khasras. This pacca track appears to be quite recent construction.”***

*(Emphasis by us)*

55. So far as the construction of the road is concerned, as per the letter dated 20<sup>th</sup> July, 2016, during the inspection conducted on 15<sup>th</sup> July, 2016, the Deputy Conservator of Forest (South) noted as follows :

*“As per telephonic instruction of CCF on the 15.07.2016, the undersigned along with Dr. Batra and Ms. Marina, both representatives from UNEP along with DRO and Forest Guard of Mehrauli-I Range visited the site where boundary wall construction has to be done.*

*It is to inform that demarcation of Revenue Department in presence of Forest Department has been carried out on the 06.07.2016 which has been attended by Dr. Batra. The joint demarcation report dated 06.07.2016*



*on the Forest Khasra No.487, 490, 491 and Gram Sabha Land bearing Khasra No.489 is enclosed.*

*As per the demarcation report, a Raasta passing through Forest Kh.No.487, 490 and 491 is clearly shown. The Gram Sabha Land bearing Kh.No.489 is also highlighted in the demarcation report. It is also pertinent to point out that request for including Kh.No.489 (Gram Sabha Land) has also been sent to SDM (Saket) and a consent has been received from SDM (Saket) for including Kh.No.489 inside boundary wall. Formal process of handing over of this Khasra is under process as intimated by SDM (Saket).*

*Work order for construction of boundary wall around the above mentioned Khasras has been given to IFCD. However, work could not be started till date due to the road passing through these Khasra and the effort to block this road has been resisted by nearby residents claiming that the road has been in existence for so many years.*

*In view of this confusion and position stated above the undersigned has personally visited the area on the 15.07.2016 to have a right information about the road passing through Forest Khasras cited above. The following points emerged during the inspection:*

- 1. That the concrete slabs are placed upon the road and it has been enquired that by whose authority/permission the road has been constructed inside the Forest land.*
- 2. It has been enquired whether any application for the right of way has been received for this particular area and the same has been permitted or not.*
- 3. It has been enquired as to the time when this road has been constructed.*



*Nobody from the field officials of Forest Department of that particular range was able to tell about these queries and claiming that these things happen prior to their posting in this range.*

*According to Dr. Batra, the small footpath was in existence for quite sometime but the widening and turning into a road having concrete slabs was quite recent.*

*In view of this, the undersigned has written to Forest Settlement officer South District, seeking clarification as to the existence of right of way as per Revenue record.”*

*(Emphasis by us)*

56. In the writ petition the respondent nos.1 and 2 have placed a status report dated 9<sup>th</sup> August, 2017 again placing the demarcation report dated 6<sup>th</sup> July, 2017 prepared by the *Halka Patwari* in the presence of the Forest Department and the Flood Control Department.

57. Mr. S.K. Muan Guite, Deputy Conservator of Forest (South), in the status report on behalf of the respondent nos.1 & 2 dated 9<sup>th</sup> August, 2017, has submitted that he has also got demarcated the forest khasras i.e. Khasra nos.649, 650 and 651 of Neb Sarai Village, lying on the other side of Indira Enclave going out from the Sainik Farms. The demarcation report dated 7<sup>th</sup> June, 2017 (Annexure R-11) with the *nishan dehi* (site plan) duly signed by Shri Om Prakash (*Patwari*); Shri Hari Dutt (*Kanungo*); Shri Surya Bhagwan (*Kanungo*, Forest Department); Shri S.K. Muan Guite, (Deputy Conservator of Forest (South)) and Shri Satyender



Prakash ((RO), Forest Department) has been placed on record. As per this demarcation report, it is reported that there is an illegal road passing through the notified forest in Khasra Nos.649, 650 and 651 of Neb Sarai Village and encroachment of 26 feet by two private walls on both sides of the roads. The Forest Department has taken steps for removal of these encroachments, which includes issuance of notices for removal of the unauthorized structures and an opportunity to remove the same.

58. We find that there is no dispute that the land forms part of Village Neb Sarai. If a road or a passage is actually available, the same would have been duly mentioned in the Revenue records relating to the Village Neb Sarai. The existence of the road is not supported by any revenue record.

59. It is important to note that no private person has claimed ownership over the land on which the road has been constructed. Rather, we note, that appearing for the appellants in FAO(OS)No.200/2017, Mr. V.N. Koura, ld. counsel, has submitted that the appellants admit that the road is on land which is part of the forest.

60. Neither the writ petitioners nor the plaintiffs (*appellants in FAO(OS)No.200/2017*) made any claim either regarding the land which they now claim to be occupying or with regard to subject road. There is not even an allegation, let alone any evidence to show existence of even a path, let alone a road in 1994.



61. We have no manner of doubt that there was no road in existence when the notification dated 2<sup>nd</sup> April, 1996 was issued. The road was also not in existence when the orders dated 3<sup>rd</sup> January, 1996; 25<sup>th</sup> January, 1996; 13<sup>th</sup> March, 1996 and 9<sup>th</sup> May, 1996 were passed by the Supreme Court of India. There is not even an averment that the road was in existence when the notification dated 2<sup>nd</sup> of April 1996 came to be issued placing the entire forest land at the disposal of the department of Forest and Wildlife. In fact, there are admissions on record in the letter dated March, 2016 of Air Vice Marshall Rakesh Yadav that the road was illegally and contumaciously constructed in the year 2016 i.e. long after the passing of the order dated 11<sup>th</sup> of November 2014 by even the National Green Tribunal and in clear violation thereof.

62. Some interesting facts have been revealed in yet another petition filed by Shri Prabhat Kumar Sharma claiming to be the resident of property bearing No.B-38, Indira Enclave, Neb Sarai, New Delhi and Shri S.L. Bhatt, occupant of property bearing No.B-45, Indira Enclave, Neb Sarai, New Delhi. These two persons have filed a review petition bearing Review Petition No.269/2017 in W.P.(C)No.365/2017 seeking review of the order dated 16<sup>th</sup> of May 2017 passed by us. It is stated in para 1 of this petition that they are residing in Indira Enclave for the “*past around 30 years*” and that it has been in existence from 1980s – 1990s. It is claimed that the Indira Enclave Residents’ Welfare Association was registered as a society on 22<sup>nd</sup> of April 1994 i.e. 23 years ago and



that this society applied for regularization of the colony on the 22<sup>nd</sup> of April 1994. The review petition claims that Indira Enclave is one of the 895 colonies which are on the list of unauthorized colonies approved for regularization by the Government of NCT of Delhi and is placed at Sr.No.311 having registration No.380.

63. In the review petition, it is claimed that W-12D connecting road has been *“developed, maintained, tiled, improved and lighted over the course of decades by the residents of the area through which the road passes* and the portion of it so far as falls outside the Sainik Farms has been maintained, improved, tarred, paved and lit over the course of decades by and at the cost of the residents of Indira Enclave.

64. The review petitioner has placed before this court a communication dated 27<sup>th</sup> December, 2004 addressed by the Residents' Welfare Association of Indira Enclave to the Additional Secretary (UC), Department of Urban Development, Government of NCT of Delhi enclosing the application form for regularization on the enclosures inclusive of the location/layout plan.

65. This communication encloses the list of the houses which had been constructed at the time of sending this communication for regularization. In the letter dated 27<sup>th</sup> December, 2004, only four blocks in which houses had been built stand mentioned i.e. Blocks A, B, C and D. It is noteworthy that Block K wherein the private parties before us are residing are not even mentioned in this list.



Clearly, Block K was not even in existence on 27<sup>th</sup> December, 2004 when the application for regularization was sent.

66. There is yet one more reason for disbelieving the case set up by the private parties. In exercise of the powers under Section 57 of the Delhi Development Act, 1957, the Delhi Development Authority with approval of the Central Government has notified “*Regulations for Regularization of Unauthorized Colonies in Delhi*” on the 27<sup>th</sup> of March 2008 for regularization of unauthorized colonies. In Clause 3, the ‘*Criteria for Regularization of Unauthorized Colonies and Habitations*’ has been provided. Clause 3.3 provides for the types of colonies or parts thereof, which would not be considered for regularization. The procedure for regularization is stipulated in Clause 4. So far as the information required to be furnished on Existing/Proposed Layout Plan is concerned, Clause 4.5.2 *inter alia* prescribes the following :

“(v) *The means of access/roads streets and their widths;*”

67. The road in question is not mentioned in the application submitted for regularization by the Indira Enclave nor on the enclosed layout plan.

68. The writ petitioners have filed as Annexure P-2 a letter received by Ms. Marina Batra (*writ petitioner no.2*) as the President of the K-Block RWA, Sainik Farms from Air Vice Marshal (Retd.) Rakesh Yadav, AVSM VSM dated March, 2016, claiming to be writing on behalf of ‘D’ Block, Indira Enclave and



as its resident. This is an important communication as some information regarding the construction of the road becomes available from it. We extract hereunder the disclosures made by the residents of Indira Enclave in this letter :

***“1. Introducing ourselves, ‘D’ block Indira Enclave is located at the end of lane W12D. Surrounded by lush green ridge and dense forests, it is a cluster of approx 20 bungalows. On its North – West side are A, B and C blocks and it provides easy connectivity to IGNOU – Saket for day to day needs.***

***2. We wish to submit that as responsible neighbors of Sainik Farms, Forest Lane and IGNOU, we have taken keen interest in developing and improving the area. The efforts put in by us for Indira Enclave (IE) – W12D link road, for example, are summarized as follows:-***

***(a) 1<sup>st</sup> patch of IE-W12 link up to Mr. Gaels house Was 100% funded by us in Jan 2013, cost Rs 2.86 Lakhs.***

***(b) 2<sup>nd</sup> patch from Shri Goels house to W12D was rebuilt by us costing Rs 4.20 Lakhs in Jan 2016. Sh Goel could collect only Rs 2.10 Lakhs since W12 residents did not rise to occasion. Total cost Rs 6.30 Lakhs. You could see beautiful road now which was only Eye sore in entire Sainik Farms for past 10 years.”***

*(Emphasis by us)*

69. Two important disclosures are contained in the above letter. The first is that, the construction of the first patch of the road was effected only in January, 2013 while the larger second patch was constructed in January, 2016. The most important disclosure and admission is that the road was neither built by the official



authorities nor by the Forest Department. Furthermore, no sanction of any Government or authority was obtained with regard thereto. Clearly, this was in violation of the Forest (Conservation) Act.

70. Therefore, it clearly emerges from the above that the road was not constructed by any governmental authority; that it was of recent vintage and that alternative access remained available.

**VIII. Availability of and prohibitions under the Forest (Conservation) Act, 1980**

71. In the order dated 13<sup>th</sup> March, 1996, the Supreme Court has clearly declared that the area cannot be utilized in any manner in view of the prohibitions contained under the Forest (Conservation) Act, 1980. The court thus declared that this enactment applied to the forest in question. We therefore, consider the impact thereof.

72. Section 2 of this enactment provides the prohibition to the usage of forest land which reads as follows :

***“2. Restriction on the dereservation of forests or use of forest land for non-forest purpose***

*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 organisation not owned, managed or controlled by Government;*

*(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 reforestation.*

*Explanation - For the purpose of this section, "non-forest purpose" means the breaking up or clearing of any forest land or portion thereof for-*

*(a) the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants;*

*(b) any purpose other than reforestation;*

*but does not include any work relating or ancillary to conservation, development and management of forests and wildlife, namely, the establishment of check-posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purposes."*

*(Emphasis by us)*

73. The construction of buildings and roads is clearly a "non-forest purpose" within the meaning of expression in Section 2 of the Forest (Conservation) Act, 1980 and is completely prohibited. The statute contains a non-obstante clause prohibiting even the State Government and any other authority to permit such utilization "except with the prior approval of the Central Government".



74. The question as to what land would constitute ‘forest’, the contours of the prohibitions under the Forest (Conservation) Act, 1980 and the shaping of the environmental jurisprudence of this country pertaining to forests, was the subject matter of the authoritative pronouncement of the Supreme Court, reported at *(1997) 2 SCC 267 T.N. Godavarman Thirumulpad v. Union of India* wherein it was held thus:

*“3. It has emerged at the hearing, that there is a **misconception** in certain quarters about the **true scope of the Forest Conservation Act, 1980** (for short “the Act”) and the **meaning of the word “forest”** used therein. There is also a resulting misconception about the need of prior approval of the Central Government, as required by Section 2 of the Act, in respect of certain activities in the forest area which are more often of a commercial nature. It is **necessary to clarify that position.***

*4. The Forest Conservation Act, 1980 was enacted with a view to check further **deforestation** which ultimately results in **ecological imbalance**; and therefore, the provisions made therein for the conservation of forests and for matters connected therewith, **must apply to all forests irrespective of the nature of ownership or classification thereof.** The word “forest” must be understood according to its dictionary meaning. This description covers all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(i) of the Forest Conservation Act. The term “forest land”, occurring in Section 2, will not only include “forest” as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of*



*Section 2 of the Act. The provisions enacted in the Forest Conservation Act, 1980 for the conservation of forests and the matters connected therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof. This aspect has been made abundantly clear in the decisions of this Court in *Ambica Quarry Works v. State of Gujarat* [(1987) 1 SCC 213], *Rural Litigation and Entitlement Kendra v. State of U.P.* [1989 Supp (1) SCC 504] and recently in the order dated 29-11-1996 (*Supreme Court Monitoring Committee v. Mussoorie Dehradun Development Authority* [ WP (C) No 749 of 1995 decided on 29-11-1996] ). The earlier decision of this Court in *State of Bihar v. Banshi Ram Modi* [(1985) 3 SCC 643] has, therefore, to be understood in the light of these subsequent decisions. We consider it necessary to **reiterate this settled position** emerging from the decisions of this Court to dispel the doubt, if any, in the perception of any State Government or authority. This has become necessary also because of the stand taken on behalf of the State of Rajasthan, even at this late stage, relating to permissions granted for mining in such area which is clearly contrary to the decisions of this Court. It is reasonable to assume that **any State Government which has failed to appreciate the correct position in law so far, will forthwith correct its stance and take the necessary remedial measures without any further delay.***

**5. We further direct as under:**

**I. GENERAL**

***1. In view of the meaning of the word “forest” in the Act, it is obvious that prior approval of the Central Government is required for any non-forest activity within the area of any “forest”. In accordance with Section 2 of the Act, all on-going activity within any forest in any State throughout the country, without the prior approval of the Central Government, must cease forthwith. It is, therefore, clear that the running***



*of saw mills of any kind including veneer or plywood mills, and mining of any mineral are non-forest purposes and are, therefore, not permissible without prior approval of the Central Government. Accordingly, any such activity is prima facie violation of the provisions of the Forest Conservation Act, 1980. **Every State Government must promptly ensure total cessation of all such activities forthwith.***

xxx

xxx

xxx

**5. Each State Government should constitute within one month an Expert Committee to:**

*(i) Identify areas which are “forests”, irrespective of whether they are so notified, recognised or classified under any law, and **irrespective of the ownership of the land of such forest;***

*(ii) identify areas which were earlier forests but stand degraded, denuded or cleared; and*

*(iii) identify areas covered by plantation trees belonging to the Government and those belonging to private persons.*

xxx

xxx

xxx

**8. The Expert Committee so constituted should be requested to give its report within one month of being constituted.**

**9. Each State Government would constitute a Committee comprising of the Principal Chief Conservator of Forests and another Senior Officer to oversee the compliance of this order and file status reports.”**

*(Emphasis by us)*

Therefore, in view thereof all forest lands, whether notified under Section 4 of the Indian Forest Act, 1927 or not would attract the prohibitions of the Forest (Conservation) Act, 1980. It is also well settled that in any forest prior approval of the Central



Government for non-forest activity is necessary. Even the State Government is not competent to give such approval.

75. Clearly the Ridge area forms part of the forest which enjoys the protection outlined in the Forest (Conservation) Act, 1980 as also the express restrictions and prohibitions placed by the Supreme Court with regard to the land which forms part of the Ridge in the order dated 13<sup>th</sup> March, 1996 on all activities including the specific embargo on construction and even cultivation. Furthermore, in terms of the directions of the Supreme Court in *T.N. Godavarman Thirumulpad*, there had to be total cessation of all non-forest activities in the forest. In fact the State Government was bound to ensure total cessation of all such activities.

76. As a result of the above notification dated 2<sup>nd</sup> April, 1996 and order dated 13<sup>th</sup> March, 1996 of the Supreme Court, the uncultivated land of the Gaon Sabha falling in the Ridge area (including the land over which the road in question was developed) was placed at the disposal of the forest department of the Government of NCT of Delhi.

77. The Khasra Nos.487, 490, 491, 649, 650 and 651 fall within the forest boundaries specified by the notifications of 1994 and 2<sup>nd</sup> April, 1996 and as observed by the Supreme Court was also within the boundary of the morphological ridge.



78. As per the provisions of the Forest (Conservation) Act even if a *kachcha* road existed before 1980, it cannot be made *pakka* without prior permission of the Central Government. As such action, if undertaken even in the anticipation of such approval, would be considered violative of the Forest (Conservation) Act. No person had any right to put a path over this land. The action in paving, tiling such path, maintaining and using it was and is completely illegal.

**IX. Fencing of the forest – requirement and permissibility – orders of the Supreme Court in *M.C. Mehta v. Union of India*; the National Green Tribunal in *Pavit Singh v. The State of NCT of Delhi & Ors.* and of this Court in *Bhagat Singh & Ors. v. Union of India & Anr.***

79. Before us, it has been vehemently contended by Mr. S.P. Kalra, Senior Advocate for the applicants/intervenors in the writ petition as well as Mr. V.N. Koura, ld. counsel for the appellants in FAO(OS)No.200/2017, that it is not open to the respondents to effect fencing or construction of the wall unless proceedings under Section 20 of the Indian Forest Act, 1927 and the notification thereunder are issued. This objection is required to be noted only for the sake of rejection.

80. In the order passed on 3<sup>rd</sup> January, 1996 in W.P.(C)No.4677/1985, the Supreme Court also considered the affidavit filed by Mr. D.C. Khanduri, Deputy Conservator of Forest-cum-Secretary, Ridge Management Board noting that an amount of Rs.30,00,000/- stood earmarked for fencing of the Ridge



area during the financial year 1995-96. The objection with regard to requirement of completion of proceedings under Section 20 of the Indian Forests Act, 1927 was considered by the Supreme Court and rejected in the order dated 3<sup>rd</sup> January, 1996 when it was held as follows :

**“... We are of the view that the fencing of the Ridge area need not wait for completion of the proceedings under Section 20 of the Forests Act. We direct the Ridge Management Board through Mr. D.C. Khanduri to start the fencing of the Ridge area within 15 days from today. The fencing must be effective and enduring. Mr. Khanduri, in his capacity as Secretary to the Ridge Management Board shall file an affidavit within five weeks indicating the progress made in this respect.”**

*(Emphasis by us)*

81. The above order has not been modified or varied till date. The failure to effectively fence the Ridge in compliance thereof is clearly violation of the directions of the Supreme Court.

82. At this stage, it is appropriate also to notice the litigation pending before the National Green Tribunal (‘NGT’ hereafter) in Original Application No.10/2014 entitled ***Pavit Singh v. The State of NCT of Delhi & Ors.*** wherein the NGT is considering the issue of restoration of the Ridge area. In these proceedings, an interim application being M.A.No.455/2014 was filed by a social activist praying for a direction against the respondents to demolish/remove encroachments from the Ridge land and the unauthorized construction on the land falling in Khasra Nos.687/570, Indira



Enclave adjacent to Harijan Basti, Neb Sarai, New Delhi-110068 and land adjacent to the forest area of Harijan Basti, Neb Sarai, New Delhi which “*belong to the Department of Forest and Wildlife, Govt. of NCT of Delhi*”. The applicant had pointed out that these were deep in the forest area and had been declared as forest as per the aforementioned notification No. F1(29)/PA/DC/95 dated 2<sup>nd</sup> April, 1996 of the Revenue Department indicating the forest area. So far as the Village Neb Sarai was concerned, the forest land was set out in Annexure ‘A’ to the notification which to the extent relevant for the present consideration has been extracted above.

83. The applicant, before the NGT, had complained regarding encroachments made by unscrupulous elements in the forest area and constructions which were dangerous to the preservation of environmental status of the forest. This application was considered and decided by an order dated 11<sup>th</sup> of November 2014 wherein the NGT considered the affidavit filed by the respondent no.5 therein i.e. the South Delhi Municipal Corporation and passed the following stringent directions :

***“... Respondent no.5 (Executive Engineer (Bldg)-II, South Zone, SDMC has filed a status report on behalf of the Deputy Commissioner, SDMC. Even though in the status report he has stated that he has no knowledge as to whether the area belongs to the Forest Department, the respondent no.2 in the report has in clear terms stated that the area has been declared to be a forest area vide notification stated above.*”**



*Inasmuch as, the appropriate authority, namely, the Forest Department has come out clearly that the said khasra number and surrounding area are forming part of the forest and in the light of the Notification dated 02.04.1996 stated above, we have no difficulty to accept the case of respondent no.2 to the effect that the same is forest land. While so, it is not known as to how the Revenue Department, DDA and other authorities have allowed the outsiders to encroach upon the deep forest and put up construction which are still situated there. It is in violation of the Forest (Conservation) Act.*

*Learned Counsel appearing for respondent no.2 has stated that after the above application was filed and various orders passed by the Tribunal, they have sealed the buildings situated in the forest area. But the fact remains that they have not taken any steps to demolish the same.*

*We appreciate the stand taken by the respondents that they are going to put a barricade throughout the forest area so as to prevent fresh encroachments and thereafter take steps to remove all the encroachments in a phased manner.*

*Be that as it may, we hope that respondent no.2 will immediately put up barricades and complete the said process of barricading the entire area not only covering khasra no.687/570 which is stated in the application but also the surround areas which are declared as forest lands and remove the buildings constructed by the encroachers immediately without awaiting any orders from any authorities.*

*In view of the said clear Notification issued by the Government, it is the duty on the part of the respondents to remove all encroachments including the buildings in the interest of preserving nature.*



Accordingly, we dispose of the application with the **following directions** :

1. **The respondents shall complete the barricading of the entire forest area including encroached area wherein buildings have been put up within a period of 12 weeks from today.**
2. After the said efforts are completed, **the respondents shall pull down all the superstructure and remove all debris away from the forest area within a period of two months and restore the forest nature.**
3. We may it clear that the **Revenue Department** as well as **Police Department** who are party respondents shall fully co-operate for the purpose of effective implementation of this order for restoration of the forest area within the time granted by the Tribunal.
4. During the completion of the work, we direct the respondents to file status report of the compliance done in the first stage after three months and in the last stage after five months in the Registry, after giving copy to the learned Counsel appearing for the applicant. ...”

*(Emphasis by us)*

We are informed that there is no challenge to this order which has attained finality.

84. The above order of the National Green Tribunal notes not only the notification of 2<sup>nd</sup> of April 1996 but also directed the respondents to complete the barricading of the entire forest area including encroached area wherein buildings have been put up. It was observed that the land in the khasras (*which includes the subject matter of the present proceedings*), forms part of the forest



and that it is duty on the part of the respondents to remove all encroachments including the buildings in the interest of preserving nature.

85. We find that even in the report dated 25<sup>th</sup> February, 2016 of the Conservator of Forests, when conducting the inspection upon a complaint of encroachment and felling of trees, the concerted efforts to encroach and construct passages through different parts of the forest were observed and steps towards construction of the boundary wall were noted and informed in the following terms :

*“I, along with DCF(S) and his Staff visited the area in Neb Sarai with Dr. Batra and Ms. Marina of UNEP where alleged encroachment was taking place. It was seen that a Katcha road was being built adjacent to Kh.no.521 which had the remnants of boundary. It was explained by the staff of DCF (S) through Masavi that this road was not being built in Forest khasra but in Kh.No.525 which was private Khasra.*

*None the less **Kh.No.525** is a big football field like surrounded on three sides by notified Forest Ridge Land. Therefore this Ridge Forest area on three sides is prone to encroachment if not bounded by a boundary wall. The DCF(S) has been asked to get a boundary wall constructed around these notified Forest Khasras on the three sides of the field so that no encroachment take place. No tree felling was, however, found.*

*On the right hand side of the private khasra/field is Forest Kh no.634 which is being **trespassed by residents of adjoining area as a shortcut route for motorcycles.** The staff of DCF (S) informed that this Khasra was under the possession of DPGS and has been handed over to Forest Department recently and they had cut trenches to*



*stop trespassing. However these trenches have been filled by the nearby residents. So a boundary wall on all sides is required to stop trespassing. At the far end a wall of about 5-10 meters is also required to be built to cut off the access and stop the katcha path leading to residents/private khasra at the back.*

xxx

xxx

xxx

*Therefore DCF(S) has been instructed to immediately ask IFCD to **submit estimate and get a boundary wall constructed to curb any attempt towards encroachment in the area behind 'D Block' Indira Enclave. No tree felling was, however, found.***

*(Emphasis by us)*

86. Subsequently, in the hearing of the present cases, on the 16<sup>th</sup> of May 2017, before us, the above notifications as well as orders of the Supreme Court and the order dated 20<sup>th</sup> July, 2016 passed by the Office of the Deputy Conservator of Forest (South), Government of NCT of Delhi were brought to our notice.

87. In the order recorded by us, we had observed that the law laid down by the Supreme Court of India as well as statutory mandate brooked no breach and had to be strictly complied with in view of the imperative need for addressing environmental concerns on war footing. In view of the adverse impact of environmental degradation on global warming, we had observed that the land had to be maintained as forest land and that no encroachment or construction whatsoever including laying of a road therein was or is permissible. It was also noted that the same was in violation of the orders of the Supreme Court and the law and further that forest



land could not be converted into a thoroughfare which was clearly beyond the purview of planned development under the Master Plan. Accordingly, reiterating the compliance with the orders of the Supreme Court, we had directed as follows :

*“6. We direct that steps are taken forthwith by the respondents to ensure that the boundary wall is constructed all around the forest area immediately and the forest land is strictly protected from any encroachment, illegal and unauthorised construction.*

*7. The boundary wall shall be completed within two months from today and an action taken report be placed before us on the next date. In case, construction of the boundary wall is time consuming, the respondents shall take urgent steps for putting up temporary fencing/barricades immediately, to be replaced by the permanent wall at the earliest. After fencing, videography of the area would be taken. A compliance report shall be filed before us.”*

*(Emphasis by us)*

88. As extracted above, the challenge to the notification dated 2<sup>nd</sup> April, 1996 whereby the land falling in the Ridge Area was excluded from vesting in the Gaon Sabha and placed with the Forest Department stands rejected by the judgment reported at *(2010) SCC Online Del 2386, Bhagat Singh & Ors. v. Union of India & Anr.*

89. It was noted in para 8 of the judgment dated 16<sup>th</sup> July, 2010 reported at *2010 SCC Online Del 2386, Bhagat Singh* also that 80% of the fencing on the land was completed but physical resistance was being faced from the people of some of the villages.



90. In this regard, also reference has to be made to the aforementioned order dated 20<sup>th</sup> July, 2016 of Shri S.K. Muan Guite, Deputy Conservator of Forests which notes thus :

*“During inspection a round trip of adjacent areas were taken to ascertain the existence of any alternative way if this particular Raasta is stopped/blocked. It has been found that there are ample sites and options existed in the surrounding areas for the nearby residence without passing through the Forest land.*

**Stopping of this road passing through Forest land will not render the nearby residents any problem in accessing their residence and commuting to nearby areas. It is clear that people are taking advantage of vacant land inside the forest area instead of sacrificing land in the residential areas. Completing boundary wall in this already demarcated Forest Khasra is required to protect the land from illegal encroachment.”**

*(Emphasis by us)*

91. Thus the Deputy Conservator of Forest (South), noting the unauthorized construction of the Raasta (passage), directed completion of the boundary wall in the already demarcated forest area.

92. We are also informed by Mr. Gautam Narayan, Additional Standing Counsel for the respondents that in compliance with the orders passed, the boundary wall has been largely constructed except a small portion which has been claimed by the respondents to be falling in private khasras. The respondents have placed before us the photographs in this regard.



93. Before us, the respondents have filed a reply dated 9<sup>th</sup> August, 2017 *inter alia* stating thus :

- (i) Boundary wall of 246 meters around Khasra Nos.487, 490 and 491 stands completed and the illegal road passing thereon has been blocked.
- (ii) Points A to A and B to B as per the plan in the petition stands bounded. However, points C to C i.e. 98 ft. of Khasra No.487 stands encroached by inhabitants of properties D-18, D-21, D-22 and D-23.
- (iii) As per the demarcation report prepared by the Revenue Department in the presence of the forest officials of Forest Khasra Nos.649, 450 and 651 of Neb Sarai, an illegal road is passing thereon and there is encroachment of 26 ft. by two private walls. Necessary steps for removal of these encroachments stand taken.

94. Pursuant to the above court orders and official directions, it would appear that the boundary wall has been largely completed. We are further informed that in compliance with the order dated 16<sup>th</sup> May, 2017 passed by this court, jersey barriers were put in place to prevent the road which falls in the notified forest area being used as a thoroughfare.

95. Clearly the private parties are illegally obstructing the authorities from completing the barricading. The private parties as well as the respondents are bound to comply with the directions



made by the Supreme Court of India, the National Green Tribunal, this court as well as law to forthwith stop non-forest usage of the land and not to obstruct the barricading of the entire forest area. It is not open to any person to oppose the fencing and the protection of the forest by constructing the boundary wall. In fact, failure of the authorities to do so would be in the teeth of the orders of the Supreme Court and this court. The maintenance of the illegal encroachments, the constructions in the forest and non-forest usage is illegal and in violation of specific judicial orders in this regard. Given the huge pressure on the subject land and efforts of encroachment, it is essential that the barricading is completed at the earliest.

**X. Contours of the rights of the private parties**

96. It is to be noted that there is no disclosure of title or date of possession or occupancy in the Indira Enclave by any of the private parties (*applicants in W.P.(C)No.365/2017 and the appellants in FAO(OS)No.200/2017*). The private parties before us are pressing a unique proposition of law that without even claiming, let alone establishing a legal right over the property which they are occupying, they are asserting rights and entitlements of passage to such property over an admittedly illegally constructed road in the forest area. Despite our queries, none of the private parties (*the applicants in the writ petition and the appellants in the appeal*) could place any pleading or document regarding their title or possession.



97. In para 5 of *Bhagat Singh* (extracted heretofore), the court has concluded from the inability of the petitioners to show documents by which they came into lawful possession of the land was because they were laying claim over Gaon Sabha land which was intended for “*collective enjoyment of the portion, there was no right of any individual to occupy the land unless such allotment is made by the Gaon Sabha*”. The court termed such occupation as encroachments. The authorities were directed to demolish the encroachments.

98. A similar challenge was rejected by a Id. Single Judge when seven writ petitions challenging the steps taken by the Forest Department and the Flood Control Department of the Government of NCT of Delhi pursuant to the notification dated 2<sup>nd</sup> April, 1996. The decision of the Id. Single Judge dated 15<sup>th</sup> March, 2011 is reported at (2011) SCC Online Delhi 1318, *Freedom Fighters Social Welfare Association v. Union of India & Ors.* and connected writ petitions. We extract hereunder paras 2, 19 and 20 noting the factual matrix and the rejection of the petitioners’ contention that the land not shown in the notification was not part of the ridge/forest. It was observed by the Id. Single Judge that the notification dated 2<sup>nd</sup> April, 1996 was not a sole repository of the land constituting the Ridge/forest area and held thus :

“2. The **challenge** in each of the petitions **is to the steps taken by the respondents** (being the Revenue, Forest and Flood Control Departments of the Government of NCT of Delhi (GNCTD)) **pursuant to the Notification dated 2 nd**



**April, 1996 of the GNCTD. The said Notification was issued in pursuance to the directions given by the Supreme Court in orders dated 25<sup>th</sup> January, 1996 and 13<sup>th</sup> March, 1996 in I.A. Nos.18 & 22 in Writ Petition (Civil) No.4677/1985 titled M.C. Mehta Vs. Union of India & Ors. The Supreme Court directed that uncultivated surplus land of Gaon Sabha falling in "Ridge" be excluded from vesting in Gaon Sabha under Section 154 of the Delhi Land Reforms Act, 1954 and be made available for the purpose of creation of Reserved Forest. The Notification declared "the uncultivated land of Gaon Sabha" specified in the said Notification and situated in Southern Ridge as surplus land and excluded the same from vesting in the Gaon Sabha and placed the said land at the disposal of Forest Department of GNCTD.**

xxx

xxx

xxx

19. That leaves only the controversy in W.P.(C) No.19123-34/2006, the land subject matter whereof is claimed to be in Khasra Nos.223 & 224 in Chattarpur Village and which is stated to be not part of the Notification dated 2<sup>nd</sup> April, 1996. The said petition has been filed contending that nevertheless the said land is being treated as part of ridge/forest.

20. The said contention is misconceived. **The Notification dated 2<sup>nd</sup> April, 1996 is not the sole repository of the land in the ridge / forest area.** The said Notification had to be issued only for the reason that though the said land in the Master Plan was shown as part of the ridge area but under the Delhi Land Reforms Act, 1954 vested in the Gaon Sabha. The Notification was therefore directed to be issued for exempting the said land from the land vesting in Gaon Sabha and to place the same with the Forest Department. **It thus cannot be urged that the land in Khasra Nos.223 & 224 in Chattarpur Enclave, village Chattarpur, Mehrauli, New Delhi is not part of the ridge / forest**



*merely for the reason of not finding mention in the said Notification.*”

*(Emphasis supplied)*

99. In *(2011) 11 SCC 396, Jagpal Singh & Ors. v. State of Punjab & Ors.*, the Supreme Court has authoritatively laid down the description of Gram Sabha land; held that illegal encroachments of village/Gram Panchayat land was not to be regularized; long duration of occupation or huge expenditure in making constructions thereon or political connections were no justification for regularizing such illegal occupations. The observations of the court in paras 2, 13, 18, 21 and 23 are apposite on the issues under our consideration and read as follows :

*“2. Since time immemorial there have been **common lands** inhering in the village communities in India, variously called Gram Sabha land, Gram Panchayat land (in many North Indian States), shamlat deh (in Punjab, etc.), mandaveli and poramboke land (in South India), kalam, maidan, etc., depending on the nature of user. These **public utility lands in the villages** were for centuries used for the **common benefit of the villagers of the village** such as ponds for various purposes e.g. for their cattle to drink and bathe, for storing their harvested grain, as grazing ground for the cattle, threshing floor, maidan for playing by children, carnivals, circuses, ramlila, cart stands, water bodies, passages, cremation ground or graveyards, etc. These lands stood vested through local laws in the State, which handed over their management to Gram Sabhas/Gram Panchayats. They were generally treated as **inalienable** in order that their status as community land be preserved. There were no doubt some exceptions to this rule which permitted the Gram Sabha/Gram Panchayat to lease out some of this land to landless labourers and*



members of the Scheduled Castes/Tribes, but this was only to be done in exceptional cases.

xxx

xxx

xxx

13. We find no merit in this appeal. The **appellants herein were trespassers who illegally encroached on to the Gram Panchayat land by using muscle power/money power and in collusion with the officials and even with the Gram Panchayat. We are of the opinion that such kind of blatant illegalities must not be condoned. Even if the appellants have built houses on the land in question they must be ordered to remove their constructions, and possession of the land in question must be handed back to the Gram Panchayat. Regularising such illegalities must not be permitted** because it is Gram Sabha land which must be kept for the common use of the villagers of the village.

xxx

xxx

xxx

18. The present is a case of land recorded as a village pond. This Court in *Hinch Lal Tiwari v. Kamala Devi* [(2001) 6 SCC 496 : AIR 2001 SC 3215] (followed by the Madras High Court in *L. Krishnan v. State of T.N.* [(2005) 4 CTC 1 (Mad)] ) held that land recorded as a pond must not be allowed to be allotted to anybody for construction of a house or any allied purpose. The Court ordered the respondents to vacate the land they had illegally occupied, after taking away the material of the house. We pass a similar order in this case.

xxx

xxx

xxx

21. In Uttar Pradesh the U.P. Consolidation of Holdings Act, 1954 was widely misused to usurp the Gram Sabha lands either with connivance of the Consolidation Authorities, or by forging orders purported to have been passed by Consolidation Officers in the long past so that they may not be compared with the original revenue record showing the land as Gram Sabha land, as these revenue records had been weeded out. Similar may have been the practice in other States. The time has now come to review all these orders by which the common village land has been grabbed by such fraudulent practices.



xxx

xxx

xxx

23. Before parting with this case we give directions to all the State Governments in the country that they should prepare schemes for eviction of illegal/unauthorised occupants of the Gram Sabha/Gram Panchayat/poramboke/shamlat land and these must be restored to the Gram Sabha/Gram Panchayat for the common use of villagers of the village. For this purpose the Chief Secretaries of all State Governments/Union Territories in India are directed to do the needful, taking the help of other senior officers of the Governments. The said scheme should provide for the speedy eviction of such illegal occupant, after giving him a show-cause notice and a brief hearing. Long duration of such illegal occupation or huge expenditure in making constructions thereon or political connections must not be treated as a justification for condoning this illegal act or for regularising the illegal possession. Regularisation should only be permitted in exceptional cases e.g. where lease has been granted under some government notification to landless labourers or members of the Scheduled Castes/Scheduled Tribes, or where there is already a school, dispensary or other public utility on the land.”

(Emphasis by us)

100. The private parties before us are no poor villagers whose illegal unauthorized occupation of Gaon Sabha land (*which, more importantly, forms part of the Ridge*) could be regularized in terms of para 23 of **Jagpal Singh**. On the contrary, in the absence of any legal documents of allotment and title, these private parties are encroachers on forest land.



101. In view of the above enunciation of law, the notification dated 2<sup>nd</sup> April, 1996 would be sacrosanct. The mandate of the law and directions laid down by the Supreme Court in *Jagpal Singh* (paras 13 and 23); National Green Tribunal by the order dated 11<sup>th</sup> November, 2014 in *Pavit Singh*; this court in *Bhagat Singh* (paras 7 and 8) and *Freedom Fighters Social Welfare Association* (paras 19 and 20) have to be complied with. The boundary wall of the forest has to be completed forthwith and all encroachments, including buildings, no matter what be their vintage, have to be removed.

**XI. Objection of the plaintiffs premised on Section 25 of the Indian Forest Act, 1927**

102. It is necessary also to note the objection of the private parties that the respondents could block the subject road only after compliance with the procedure prescribed under Section 25 of the Indian Forest Act, 1927. For expediency, we extract hereunder the provisions of Section 25 of the Indian Forest Act, 1927 which read thus :

***“25. Power to stop ways and water-courses in reserved forests.—The Forest-officer may, with the previous sanction of the State Government or of any officer duly authorised by it in this behalf, stop any public or private way or water-course in a reserved forest, provided that a substitute for the way or water-course so stopped, which the State Government deems to be reasonably convenient, already exists, or has been provided or constructed by the Forest-officer in lieu thereof.”***

*(Emphasis by us)*



It is clear on a reading of the statutory provision that the procedure has to be followed only with regard to a public or a private way in a reserved forest.

103. The Delhi Municipal Corporation Act, 1957 ('DMC Act' hereafter) describes "*private street*" in Section 2(39) and a "*public street*" in Section 2(44) of the enactment which read thus:

**"2. Definitions.—***In this Act, unless the context otherwise requires :—*

xxx

xxx

xxx

**(39) "*private street*" means any street, which is not a public street and includes any passage securing access to two or more places belonging to the same or different owners;**

xxx

xxx

xxx

**(44) "*public street*" means any street which vests in the Corporation as a public street or the soil below the surface of which vests in the Corporation or which under the provisions of this Act becomes, or is declared to be a public street."**

*(Emphasis by us)*

104. Vesting of a public street in the corporation has to be in accordance with the provisions of Section 298 while new public streets can be set up by the Commissioner of the Municipal Corporation only after previous sanction of the corporation in accordance with Section 301 thereof.

105. It is also to be noted that alteration or demolition of such streets can only be undertaken by the Commissioner of the



Municipal Corporation in conformity with the orders of the Standing Committee under Section 314 of the Delhi Municipal Corporation Act, 1957.

106. No private parties claim any ownership over the road. The road in question is not covered under the definition of either a “*private street*”. It has also not been vested in the municipal corporation. It is therefore, not a “*public street*” within the meaning of the expression under the Delhi Municipal Corporation Act, 1957.

107. The road has admittedly not been constructed by the Commissioner in accordance with Section 301 of the Delhi Municipal Corporation Act, 1957. The authorities do not claim any ownership over the road. It cannot be protected for this reason as well.

108. The Delhi Development Act, 1957 refers to “*means of access*” in Section 2(g) of the statute defining the same as including “*any means of access whether private or public, for vehicles or for foot passengers, and includes a road*”. The Master Plan for Delhi is prepared under Section 7 of the statute which defines various zones into which Delhi may be divided for the purposes of development. Section 8 of the Act mandates preparation of zonal development plans for each of the zones into which Delhi may be divided, simultaneously with the preparation of the Master Plan. Section 8(2)(d)(ii) makes a provision *inter alia* for the “*allotment or reservation of land for roads, ...*”. There is



no record at all of the existence of any such road as the road in question to support the claim of the appellants and the private applicants.

109. On the other hand, the official respondents contend it to be an act of trespass into the forest which forms part of the ridge, protected under orders of the Supreme Court. Section 25 of the Indian Forest Act, 1927 is, therefore, clearly not attracted or applicable in the instant case.

110. It is also to be noted that as per Section 25, the decision has to be of the forest officer who would decide on the existence of the road.

111. So far as the instant case is concerned, there was no public or private way on the land when it was declared as a forest which had to be protected. The mandate of Section 25 of the Indian Forest Act, 1927 therefore, would not be attracted.

112. In any event, this objection stands rejected by the Supreme Court by the order dated 25<sup>th</sup> January, 1996 in *M.C. Mehta* which has been extracted above.

113. We may also note the submissions of Mr. V.N. Koura, Id. counsel for the appellants in FAO(OS)No.200/2017 on this aspect. Extensive reliance has been placed by Mr. Koura on interim order dated 26<sup>th</sup> September, 2016, passed by the Id. Single Judge while considering I.A.No.11892/2016, filed by the plaintiff in CS(OS)No.493/2016. In para 6 of this order, the Id. Single Judge



has noted the submission of Mr. S.K. Muan Guite, Deputy Conservator Forest (South), Forest Officer to the effect that sanction of the State Government was not obtained in terms of Section 25 of the Indian Forest Act, 1927. No document in support of this statement has been placed before us. It is not the stand of the official respondents that any such permission was sought.

114. In any case, in the light of what has been discussed above as well as the orders of the Supreme Court, the Division Benches of this court and the National Green Tribunal, such sanction or permission is not necessary.

The objection of the applicants as well as the appellants pressing the applicability of the provisions of the Indian Forest Act and insisting upon a notification thereunder for vesting of the land with the Forest Department, are consequently misconceived and are really of no consequence. The land in question is undisputably forest land which forms part of the ridge. Issuance of the notification would thus only tantamount to recognition of an existing position. Furthermore, as a result of the clear prohibition under Section 2 of the Forest (Conservation) Act, 1980 also, the land cannot be used for any non-forest purpose.

115. Mr. Koura has also drawn our attention to Sections 11 to 14 of the Indian Forest Act, 1927. However, reference thereto is clearly misconceived and not called for. Section 11 of the statute is concerned with the power of the Forest Settlement Officer to make orders with regard to claims of right in or over land; Section 12



enables the Forest Settlement Officer to make orders on claim of rights of pasture or to forest produce while Section 13 is concerned with a record to be made by the Forest Settlement Officer. In the present case, given the clear directions of the Supreme Court of India and the National Green Tribunal, these statutory provisions are neither attracted nor applicable. It is also not the case of any of the parties that they lodged any claims with the Forest Settlement Officer.

**XII. Whether the constructions in question are covered under the Regulations for Regularization of Unauthorized Colonies in Delhi notified by the Delhi Development Authority?**

116. Mr. S.P. Kalra, Senior Advocate for the applicants/interveners as well as Mr. V.N. Koura, Id. counsel for the appellants in FAO(OS)No.200/2017 have vehemently contended that access to schools and other public facilities would become difficult if the access to the existing road was blocked. A submission is made by Mr. V.N. Koura, Advocate that in terms of Section 3(2) of the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (20 of 2011), *status quo* on 1<sup>st</sup> January, 2006 regarding unauthorized construction has to be maintained and that the road in question is protected under this Act.

117. The private parties in the suit as well as Ms. Shiya Khanna have made extensive submissions that their constructions as well as the road are protected as the Indira Enclave is slated for



regularization under the policy of the Delhi Development Authority.

118. Mr. Gautam Narayan, Additional Standing Counsel for the Government of NCT of Delhi has placed the notification dated 24<sup>th</sup> March, 2008 issued by the Delhi Development Authority in exercise of powers under Section 57 of the Delhi Development Act, 1951. Our attention has been drawn to para 3 setting out the criteria for regularization of unauthorized colonies and habitations which provides as follows:

**“3. *Criteria for Regularization of Unauthorized Colonies and Habitations***

xxx

xxx

xxx

**3.3 *The following types of colonies or parts thereof would not be considered for regularization :***

**(a) *Unauthorized colonies/part of colonies/habitations falling in notified or reserved forest areas.***

xxx

xxx

xxx”

*(Emphasis by us)*

119. It is pointed out that this regularization policy was amended in 2015 but the above para 3.3 of the policy remains untouched.

120. The area in question was always a forest and stands so recognized by the orders dated 25<sup>th</sup> January, 1996 and 13<sup>th</sup> March, 1996 of the Supreme Court of India. The notification dated 2<sup>nd</sup> April, 1996 was only a recognition of the pre-existing position.



121. There is therefore, substance in the submission of Mr. Gautam Narayan, Additional Standing Counsel for GNCTD to the extent that the application for regularization includes areas which are covered as forests, would be excluded from regularization.

**XIII. Availability of alternate passages**

122. The dishonest effort to maintain this illegal encroachment is highlighted by yet another event. Notice on CM Nos. 27106-27107/2017 was issued by us on 31st July, 2017. It appears that subsequent thereto, a joint inspection by all concerned parties was carried out in Neb Sarai in the presence of Deputy Conservator Forest (South); the Sub-Divisional Magistrate (Mehrauli) and field staff of the Forest and Revenue Department. Notice of inspection was issued vide letter dated 1<sup>st</sup> of August 2017 to the parties before concerned.

123. This inspection report emphatically points out the existence of alternative road on the other side of the colony which connected Indira Enclave to W-12, Link Road which in turn connects with the Western Avenue, Forest Land Road, Mehrauli – Badarpur Road. The inspection report points out that one Mr. Chhabra, who was present there, claimed that this road was a private road and had been blocked by him on 29<sup>th</sup> May, 2017. This road consisted of tarred and muddy patches which cuts through two different plots from the IGNOU boundary wall site and ran through a large open patch on the Devli side. The inspection report states that this road clearly manifests that it was very much in use prior to its blockage



on 29<sup>th</sup> of May 2017 by erection of a make shift barrier of iron pipes placed across the road and erecting a sign board.

124. As per the inspection report, land in Khasra Nos.492, 508, 509, 510, 511, 666, 669, 670, 673, 674 and 675 stands recorded in the name of M/s Mahalaxmi.

125. A copy of the *khatauni* for the year 1998-99, placed on record, shows land in some of the khasra numbers standing in the name of Laxmi Chand Bagaji.

126. The photographs taken during the inspection would show sign boards of 'Rahul Sharma, Advocate' and one Sukh Shanti Estates Pvt. Ltd. claiming to be owners of the land have been put up. No documents of title have been placed on record but it is apparent that one of the alternative routes has been blocked only on the 29<sup>th</sup> of May 2017, during the pendency of the two cases, obviously with the *mala fide* intent of assisting these private parties in maintaining the encroachment and in support of their untenable claims.

127. We find that even in the letter dated 20<sup>th</sup> July, 2016, the Deputy Conservator of Forest (South) also made observations regarding the existence of alternative ways for the residents of Indira Enclave and observed as follows :

*“During inspection a round trip of adjacent areas were taken to ascertain the existence of any alternative way if this particular Raasta is stopped/blocked. It has been found that there are ample*



*sites and options existed in the surrounding areas for the nearby residence without passing through the Forest land.*

**Stopping of this road passing through Forest land will not render the nearby residents any problem in accessing their residence and commuting to nearby areas. It is clear that people are taking advantage of vacant land inside the forest area instead of sacrificing land in the residential areas. Completing boundary wall in this already demarcated Forest Khasra is required to protect the land from illegal encroachment.**

*(Emphasis supplied)*

128. The above narration clearly establishes that alternate routes are available to the Indira Colony, that the road in question is being insisted upon only as it is a short cut for these private parties to reach major roads. The letter dated March, 2016 addressed by Air Vice Marshal (Retd.) Rakesh Yadav to the petitioner No.2 (extracted above) clearly states that the this road provides “easy connectivity to IGNOU – Saket”. This communication also establishes that this road was a recent construction. For all these reasons as well, it cannot be maintained.

**XIV. Whether the road in question is protected under the provisions of the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (20 of 2011)**

129. Before us extensive reliance has also been placed on Section 3(1)(c) and Section 3(2) of the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 by Mr. V.N. Koura, ld. counsel for the appellants in FAO(OS)No.200/2017 who



contends that as a result of these provisions, *status quo* as on 1<sup>st</sup> January, 2006 is to be preserved with regard to the unauthorized constructions.

130. In this regard, we may extract the provisions of Section 3 of the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (20 of 2011), which read thus :

**“3. Enforcement to be kept in abeyance.—** (1) *Notwithstanding anything contained in any relevant law or any rules, regulations or bye-laws made thereunder, the Central Government shall before the expiry of this Act, take all possible measures to finalise norms, policy guidelines, feasible strategies and make orderly arrangements to deal with the problem of encroachment or unauthorised development in the form of encroachment by slum dwellers and Jhuggi-Jhompri clusters, hawkers and urban street vendors, unauthorised colonies, village abadi area (including urban villages), and their extensions, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, as mentioned below:—*

*(a) orderly arrangements for relocation and rehabilitation of slum dwellers and JhuggiJhompri clusters in Delhi in accordance with the provisions of the Delhi Urban Shelter Improvement Board Act, 2010 (Delhi Act 7 of 2010) and the Master Plan for Delhi, 2021 to ensure its development in a sustainable, planned and humane manner;*

*(b) scheme and orderly arrangements for regulation of urban street vendors in consonance with the national policy for urban street vendors and hawkers as provided in the Master Plan for Delhi, 2021;*



*(c) orderly arrangements pursuant to guidelines and regulations for regularisation of unauthorised colonies, village abadi area (including urban villages) and their extensions, as existed on the 31st day of March, 2002, and where construction took place even beyond that date and 1 [up to the 1st day of June, 2014];*

xxx

xxx

xxx

*(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgment, decree or order of any court, status quo—*

*(i) as on the 1st day of January, 2006 in respect of encroachment or unauthorised development; and*

*(ii) in respect of unauthorised colonies, village abadi area (including urban villages) and its extension, which existed on the 31st day of March, 2002 and where construction took place even beyond that date and up to the 8th day of February, 2007, mentioned in sub-section (1),*

*shall be maintained.”*

131. The submission made by Mr. Koura, however, fails to take into consideration the provisions of Section 4 of the statute which reads thus :

**“4. Provisions of this Act not to apply in certain cases.—**  
*During the period of operation of this Act, no relief shall be available under the provisions of section 3 in respect of the following encroachment or unauthorised development, namely:— (a) encroachment on public land except in those cases which are covered under clauses (a), (b) and (c) of sub-section (1) of section 3; (b) removal of slums and Jhuggi-Jhompri dwellers, hawkers and urban street vendors, unauthorised colonies or part thereof, village*



*abadi area (including urban villages) and their extensions in accordance with the relevant policies approved by the Central Government for clearance of land required for specific public projects.”*

132. In the present case, the encroachments in question are furthermore the subject matter of specific orders for removal by the Supreme Court of India; Division Bench of this Court as well as the National Green Tribunal. All these orders have attained finality and brook no violation. No exception thereto has been pointed out.

133. So far as the protection under the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (20 of 2011) is concerned, the same would not protect the encroachments made admittedly on the forest lands falling in the Village Neb Sarai.

**XV. Claim of the appellants under the Indian Easements Act, 1882**

134. One more entitlement is asserted by Mr. V.N. Koura, Id. counsel for the appellants in FAO(OS)No.200/2017 premised on the provisions of Section 15 of the Indian Easements Act, 1882 which is concerned with acquisition of an easementary right by prescription. This provision states that where a right of way or any other easement has been peaceably and openly enjoyed by any person claiming title thereto, as an easement and as of right, without interruption, and for 20 years, the right to such access shall be absolute.

135. So far as such claim of an easement with regard to the government land is made, Explanation IV given under Section 15



of the enactment clarifies that when the property over such right is claimed, belongs to the government, the right of way should have been enjoyed for 30 years.

136. As noted above, it has been clearly submitted by Mr. V.N. Koura, ld. counsel for the appellants in FAO(OS)No.200/2017 that the appellants/plaintiffs do not claim ownership over the land on which the road has been constructed. The appellants do not even know who built the road as well as who owns the land on it. The appellants do not state even the date on which the road came into existence. It is clearly admitted that the appellants did not build it.

137. In support of these submissions, Mr. V.N. Koura, ld. counsel for the appellants in FAO(OS)No.200/2017 has placed reliance on several judicial precedents including *Secretary of State v. Nagorao Tanko Deshmukh*, AIR 1938 Nag 415; *Chapasibhai Dhanjibhai Danad v. Purushottam*, AIR 1971 SC 1878; *N. Vijendra Rao v. Vasudeva Pal & Ors.*, 2016 (3) AKR 86; *Bachhaj Nahar v. Nilima Mandal & Anr.*, (2008) 17 SCC 491 and *Laxman v. Tukia & Ors.*, AIR 1918 Nag 166. We have carefully examined these judgments.

138. In the judgment reported at AIR 1938 Nag 415, *Secretary of State v. Nagorao Tanko Deshmukh*, the court found on consideration of the evidence led by the parties, including the evidence of the Divisional Forest Officer, that there was a road in existence from before the reservation of the forest, in the year 1879. It is not so in the present case.



139. The Supreme Court reiterated the well settled law of Section 15 of the Easement Act in the pronouncement reported at *AIR 1971 SC 1878, Chapasibhai Dhanjibhai Danad v. Purushottam* to the effect that the enjoyment, access and use on the basis of which an easement is claimed must be as of right and not permissive either under a licence or an agreement as also that it must be without interruption for the statutory period prescribed. Again, the principles in terms of this judgment have no application to the present case inasmuch as the appellants have at no time exercised any claim or entitlement to the road in question.

140. Reliance has also been placed on a Single Bench pronouncement of the Karnataka High Court reported at *2016 (4) KarLJ 626 : MANU/KA/0877/2016, N. Vijendra Rao v. Vasudeva Pal & Ors.* In this pronouncement, reference has been made to the Supreme Court pronouncement reported at *(2008) 17 SCC 491, Bachhaj Nahar v. Nilima Mandal & Anr.*, holding that with regard to an easement of prescription, the plaintiff is required to plead and prove that he was in peaceful, open and uninterrupted enjoyment of the right for a period of 20 years (ending within two years next before the institution of the suit). He should also plead and prove that the right claimed was enjoyed independent of any agreement with the owner of the property over which the right is claimed, as any user with the express permission of the owner will be a licence and not an easement. In this regard, the observations of



the Supreme Court contained in para 20 of *Bachhaj Nahar* may be usefully reproduced as follows:

*“20. The pleadings necessary to establish an easement by prescription, are different from the pleadings and proof necessary for easement of necessity or easement by grant. In regard to an easement by prescription, the plaintiff is required to plead and prove that he was in peaceful, open and uninterrupted enjoyment of the right for a period of twenty years (ending within two years next before the institution of the suit). He should also plead and prove that the right claimed was enjoyed independent of any agreement with the owner of the property over which the right is claimed, as any user with the express permission of the owner will be a licence and not an easement. For claiming an easement of necessity, the plaintiff has to plead that his dominant tenement and the defendant's servient tenement originally constituted a single tenement and the ownership thereof vested in the same person and that there has been a severance of such ownership and that without the easementary right claimed, the dominant tenement cannot be used. We may also note that the pleadings necessary for establishing a right of passage is different from a right of drainage or right to support of a roof or right to watercourse. We have referred to these aspects only to show that a court cannot assume or infer a case of easementary right, by referring to a stray sentence here and a stray sentence there in the pleading or evidence.”*

*(Emphasis by us)*

No such pleas have been pressed in the present case.

141. No date on which the appellants came into possession of even the property which they claim to occupy, has been given. No



date on which the occupied property was constructed has been disclosed.

142. In this regard, we have elsewhere in this judgment referred to a letter received by Ms. Marina Batra (*writ petitioner no.2*) as the President of the K-Block RWA, Sainik Farms from Air Vice Marshall (Retd.) Rakesh Yadav dated March, 2016 in which it was stated that part of the road was built only in 2013.

143. Even if the appellants could have claimed a right of easement in respect of the subject road, they have thus not had access to the said road as a right of way for the requisite period of even 20 years, let alone 30 years, for the simple reason that the road itself has not existed for these many years. Clearly the reliance on Section 15 of the Indian Easements Act, 1882 is misconceived and has to be rejected.

**XVI. *An imminent need to protect the environment***

144. The importance attached by the framers of the Constitution to concerns of environment is to be found in the incorporation of Articles 48A and 51A(g) of the Constitution of India by way of the Forty-Second Amendment in Part 4 providing for '*Directive Principles of State Policy*' and Part 4A providing for '*Fundamental Duties*', respectively. These Constitutional provisions read thus:

***48-A. Protection and improvement of environment and safeguarding of forests and wild life.—The State shall***



*endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.*

---

**51-A. Fundamental duties.**—*It shall be the duty of every citizen of India—*

xxx

xxx

xxx

*(g) to protect and improve the natural environment including forests, lakes, rivers and wild life, and to have compassion for living creatures;*

145. Forests are indubitably a national asset. It is no secret that diminution thereof has adversely disbalanced ecology and induced a deleterious impact on the climate.

146. We are compelled to comment on the manner in which an attempt has been made by citizens to mindlessly transgress on the environment for private utility.

147. The citizenry has still not been alive to the fact that courts have, in a series of decisions deprecated the practice of annihilating the environment.

148. Reference in this respect is apposite to the seminal decision of the Supreme Court, rendered by *Kuldip Singh, J* speaking for the bench, in *suo-motu* exercise of its inherent powers, in the judgment reported at *(1997) 1 SCC 288 M.C. Mehta v. Kamal Nath*, while expressly recognizing the Public Trust Doctrine as law of the land in this country. Given the importance of the subject, we extract the observations in this judgment in some detail hereafter :

*"23. The notion that the public has a right to expect certain lands and natural areas to retain their natural characteristic is finding its way into the law of the land.*



*The need to protect the environment and ecology has been summed up by David B. Hunter (University of Michigan) in an article titled *An ecological perspective on property: A call for judicial protection of the public's interest in environmentally critical resources* published in *Harvard Environmental Law Review*, Vol. 12 1988, p. 311 is in the following words:*

*“Another major ecological tenet is that the **world is finite**. The earth can support only so many people and only so much human activity before limits are reached. This lesson was driven home by the oil crisis of the 1970s as well as by the pesticide scare of the 1960s. The current deterioration of the ozone layer is another vivid example of the complex, unpredictable and potentially catastrophic effects posed by our disregard of the environmental limits to economic growth. The absolute finiteness of the environment, when coupled with human dependency on the environment, leads to the unquestionable result that human activities will at some point be constrained.*

*‘**Human activity finds in the natural world its external limits**. In short, the environment imposes constraints on our freedom; these constraints are not the product of value choices but of the **scientific imperative of the environment's limitations**. Reliance on improving technology can delay temporarily, but not forever, the inevitable constraints. There is a **limit to the capacity of the environment to service ... growth**, both in providing raw materials and in assimilating by-product wastes due to consumption. The largesse of technology can only postpone or disguise the inevitable.’*

*Professor Barbara Ward has written of this ecological imperative in particularly vivid language:*



*'We can forget moral imperatives. But today the morals of respect and care and modesty come to us in a form we cannot evade. We cannot cheat on DNA. We cannot get round photosynthesis. We cannot say I am not going to give a damn about phytoplankton. All these tiny mechanisms provide the preconditions of our planetary life. To say we do not care is to say in the most literal sense that "we choose death".'*

*There is a commonly-recognized link between laws and social values, but to ecologists a **balance between laws and values is not alone sufficient to ensure a stable relationship between humans and their environment.** Laws and values must also contend with the constraints imposed by the outside environment. Unfortunately, current legal doctrine rarely accounts for such constraints, and thus environmental stability is threatened.*

*Historically, we have changed the environment to fit our conceptions of property. We have fenced, plowed and paved. The environment has proven malleable and to a large extent still is. But there is a limit to this malleability, and certain types of **ecologically important resources** — for example, wetlands and riparian forests — **can no longer be destroyed without enormous long-term effects on environmental and therefore social stability.** To ecologists, the need for preserving sensitive resources does not reflect value choices but rather is the necessary result of objective observations of the laws of nature.*

*In sum, ecologists view the environmental sciences as providing us with certain laws of nature. These laws, just like our own laws, restrict our freedom of conduct and choice. Unlike our laws, the laws of nature cannot be changed by legislative fiat; they are imposed on us by the natural world. An understanding of the laws of nature must therefore inform all of our social institutions.*



*24. The ancient Roman Empire developed a legal theory known as the “Doctrine of the Public Trust”. It was founded on the ideas that certain common properties such as rivers, seashore, forests and the air were held by Government in trusteeship for the free and unimpeded use of the general public. Our contemporary concern about “the environment” bear a very close conceptual relationship to this legal doctrine. Under the Roman law these resources were either owned by no one (res nullius) or by every one in common (res communis). Under the English common law, however, the Sovereign could own these resources but the ownership was limited in nature, the Crown could not grant these properties to private owners if the effect was to interfere with the public interests in navigation or fishing. Resources that were suitable for these uses were deemed to be held in trust by the Crown for the benefit of the public. Joseph L. Sax, Professor of Law, University of Michigan — proponent of the Modern Public Trust Doctrine — in an erudite article “Public Trust Doctrine in Natural Resource Law : Effective Judicial Intervention”, Michigan Law Review, Vol. 68, Part 1 p. 473, has given the historical background of the Public Trust Doctrine as under:*

*“The source of modern public trust law is found in a concept that received much attention in Roman and English law — the nature of property rights in rivers, the sea, and the seashore. That history has been given considerable attention in the legal literature, need not be repeated in detail here. But two points should be emphasized. First, certain interests, such as navigation and fishing, were sought to be preserved for the benefit of the public; accordingly, property used for those purposes was distinguished from general public property which the sovereign could routinely grant to private owners. Second, while it was understood that in certain common properties — such as the seashore, highways, and running water — ‘perpetual use was dedicated to the public’, it has never been clear*



*whether the public had an enforceable right to prevent infringement of those interests. Although the State apparently did protect public uses, no evidence is available that public rights could be legally asserted against a recalcitrant government.”*

**25. The Public Trust Doctrine primarily rests on the principle that certain resources like air, sea, waters and the forests have such a great importance to the people as a whole that it would be wholly unjustified to make them a subject of private ownership. The said resources being a gift of nature, they should be made freely available to everyone irrespective of the status in life. The doctrine enjoins upon the Government to protect the resources for the enjoyment of the general public rather than to permit their use for private ownership or commercial purposes. According to Professor Sax the Public Trust Doctrine imposes the following restrictions on governmental authority:**

*“Three types of restrictions on governmental authority are often thought to be imposed by the public trust: first, the property subject to the trust must not only be used for a public purpose, but it must be held available for use by the general public; second, the property may not be sold, even for a fair cash equivalent; and third the property must be maintained for particular types of uses.”*

xxx

xxx

xxx

**34. Our legal system — based on English common law — includes the public trust doctrine as part of its jurisprudence. The State is the trustee of all natural resources which are by nature meant for public use and enjoyment. Public at large is the beneficiary of the sea-shore, running waters, airs, forests and ecologically fragile lands. The State as a trustee is under a legal duty to protect the natural resources. These resources meant**



*for public use cannot be converted into private ownership.*

*35. We are fully aware that the issues presented in this case illustrate the classic struggle between those members of the public who would preserve our rivers, forests, parks and open lands in their pristine purity and those charged with administrative responsibilities who, under the pressures of the changing needs of an increasingly complex society, find it necessary to encroach to some extent upon open lands heretofore considered inviolate to change. The resolution of this conflict in any given case is for the legislature and not the courts. If there is a law made by Parliament or the State Legislatures the courts can serve as an instrument of determining legislative intent in the exercise of its powers of judicial review under the Constitution. But in the absence of any legislation, the executive acting under the doctrine of public trust cannot abdicate the natural resources and convert them into private ownership, or for commercial use. **The aesthetic use and the pristine glory of the natural resources, the environment and the ecosystems of our country cannot be permitted to be eroded for private, commercial or any other use unless the courts find it necessary, in good faith, for the public good and in public interest to encroach upon the said resources.***

xxx

xxx

xxx

*39. We, therefore, order and direct as under:*

*1. **The public trust doctrine, as discussed by us in this judgment is a part of the law of the land....***"

*(Emphasis by us)*

149. The above decisive contribution made by the Supreme Court in *Kamal Nath's* case pertaining to the Public Trust Doctrine has been reiterated by it on several counts including *inter alia* in the decisions reported at *(2006) 1 SCC 1 T.N. Godavarman*



*Thirumulpad v. Union of India (para 19), (2006) 6 SCC 371 Karnataka Industrial Areas Development Board v. C. Kenchappa & Ors. (para 85) and (2013) 7 SCC 226 Association for Environment Protection v. State of Kerala & Ors (para 4,5).*

150. Yet another critical aspect of interfering with forests deserves to be noted. Forests provide the habitat for wildlife as well as plants and trees. Concerned with endangered species of wildlife because of the human – wildlife conflict becoming a critical threat to their survival, in the judgment reported at (2012) 3 SCC 277, *T.N. Godavarman Thirumulpad v. Union of India & Ors.*, the Supreme Court has commented about the impact of encroachment by mankind in the following terms :

*“12. Man-animal conflict often results not because animals encroach human territories but vice versa. Often, man thinks otherwise, because man's thinking is rooted in anthropocentrism. Remember, we are talking about the conflict between man and endangered species, endangered not because of natural causes alone but because man failed to preserve and protect them, the attitude was destructive, for pleasure and gain. Often, it is said that such conflicts are due to human population growth, land use transformation, species' habitat loss, degradation and fragmentation, increase in eco-tourism, access to natural reserves, increase in livestock population, etc.*

*13. Proper management practices have to be accepted, like conservation education for local population, resettlement of villages, curbing grazing by livestock and domestic animals in forest, etc., including prey-preservation for the wild animals. Provision for availability of natural water, less or no disturbance from the tourists has to be assured. The State also has to take steps to remove encroachments and, if necessary, can also cancel the patta already*



*granted and initiate acquisition proceedings to preserve and protect wildlife and its corridors. Areas outside PAs is reported to have the maximum number of man-animal conflict, they fall prey to poachers easily, and often invite ire of the cultivators when they cause damage to their crops. These issues have to be scientifically managed so as to preserve and protect the endangered species, like wild buffalo and other species included in Schedule I Part I of the Wildlife (Protection) Act, as well as other species which face extinction.*

xxx

xxx

xxx

***17. Environmental justice could be achieved only if we drift away from the principle of anthropocentric to ecocentric. Many of our principles like sustainable development, polluter-pays principle, intergenerational equity have their roots in anthropocentric principles. Anthropocentrism is always human interest focussed and that non-human has only instrumental value to humans. In other words, humans take precedence and human responsibilities to non-human based benefits to humans. Ecocentrism is nature-centred where humans are part of nature and non-humans have intrinsic value. In other words, human interest does not take automatic precedence and humans have obligations to non-humans independently of human interest. Ecocentrism is therefore life-centred, nature-centred where nature includes both humans and non-humans. The National Wildlife Action Plan 2002-2012 and the Centrally Sponsored Integrated Development of Wildlife Habitats Scheme, 2009 are centred on the principle of ecocentrism.***

*(Emphasis by us)*

151. In the present case as well, the writ petitioners have placed photographs on record which would show that the forest in question has wildlife habitation. The photographs of the forest and the road in question show the presence of deer. Looked at from



any angle, the convenience of the encroachers in the forest and enabling a shorter passage to their destinations cannot be permitted to override concerns of the environment or those of the wildlife for whom this forest is the natural and only habitat. The road in question cannot be protected for this reason as well.

**XVII. Order dated 18<sup>th</sup> May, 2017 (Impugned in FAO(OS) 200/2017)**

152. In the order dated 18<sup>th</sup> May, 2017, the Id. Single Judge has noted that the appellants do not dispute that the land on which the subject road falls is “a part of the Southern Ridge, notified as a proposed forest under Section 4 of the IFA by virtue of a notification dated 24.05.1994”. The Id. Single Judge has also observed that by the order dated 25<sup>th</sup> January, 1996, in ***M.C. Mehta v. Union of India (W.P.(C)No.4677/1985***), the Supreme Court had expressed the view that the ridge area must be preserved directing the Committee appointed by the Delhi Administration to consider the notification under Section 154 of the Delhi Land Reforms Act, 1954. The order dated 18<sup>th</sup> May, 2017 also notes that the road falls within the periphery of Khasra Nos.487 and 490 which khasras including Khasra No.491 were recorded as “Gair Mumkin Pahar” in the notification dated 2<sup>nd</sup> April, 1996 issued by the Lt. Governor of Delhi pursuant to the aforementioned directions of the Supreme Court in ***M.C. Mehta***.

153. These facts were not only undisputed before the Id. Single Judge but have also not been controverted before us. In this



background, the Id. Single Judge was required to consider the issue with regard to the applicability of Section 25 of the Indian Forest Act and also as to whether the road in the case was the only access available to the residents of Indira Enclave as was initially contended on behalf of the residents. The first and foremost of course was the right and entitlement of the plaintiffs to the claims made in the plaint.

154. In the impugned order dated 18<sup>th</sup> May, 2017, the Id. Single Judge has, as a matter of fact, *inter alia*, found as follows:

(i) *that there are internal roads and other access points to Indira Enclave.*

(ii) *that, as per the map, the subject road was not in existence at the time of submission of the application for regularization by the Residents Welfare Association of the Indra Enclave with the authorities.*

(iii) *that the respondent no.2/defendant no.2 had produced a map from the Urban Development Department (UC Cell) which also indicated the above.*

(iv) *that these maps clearly indicated that the subject road was not the only access for the residents of Indira Enclave.*

(v) *that the residents of Indira Enclave who wish to go in a particular direction may have to travel a longer distance to reach their destination and so the other access points may be*



*inconvenient. However, this could not be the ground for permitting the encroachment in the ridge area.*

*(vi) that if the ridge area is for all intents and purposes treated as a reserved forest, prima facie, the provisions of the Indian Forest Act must be followed.*

*(vii) that in view of the documents produced on record, it was difficult to accept that the subject road existed prior to the issuance of the notification dated 2<sup>nd</sup> April, 1996 (wrongly noted as 4<sup>th</sup> April, 1996).*

*(viii) that the notification under Section 154 of the Delhi Land Reforms Act dated 2<sup>nd</sup> April, 1996 for vesting the land and placing the same under the protection of the Forest Department for preservation of the ridge area and the letters, including the letter dated 1<sup>st</sup> March, 2016 by one of the respondents, placed on record prima facie indicated that the subject road was tiled very recently by the residents of Indira Enclave.*

*(ix) that the letter dated 24<sup>th</sup> February, 2016 of the Forest Department shows that the Conservator of Forest had on inspection found that the pakka track i.e. the subject road, appeared to be a recent construction.*

*(x) that there was little doubt that the subject road in its current form was a recent construction.*

*(xi) that even if Section 25 of the Indian Forest Act, 1927 was applicable to the land of Khasra nos.487, 490 and 491, the same*



would not be applicable to the subject road which was built after the land was acquired, that is to say, after the issuance of the notification under Section 154 of the Delhi Land Reforms Act, 1954.

(xii) In addition to the above, the ld. Single Judge has also relied on an order dated 16<sup>th</sup> of May 2017 passed by us in the writ petition.

155. In view of the above discussion, the above findings of the ld. Single Judge are unassailable.

#### **XVIII. Conclusions**

156. The land in Khasra Nos.487, 490, 491, 649, 650 and 651 of Village Neb Sarai, New Delhi is forest land and non-forest usage thereof is in violation of specific orders of the Supreme Court, the National Green Tribunal, this court as well the provisions of law.

157. The subject road was not in existence prior to the issuance of the notification dated 2<sup>nd</sup> April, 1996 and in all probabilities, was developed only as a path in 2013 which has been tiled and paved only in the year 2016.

158. There are means of access, other than the road in question, available for the residents of Indira Enclave and the subject road has been developed through the forest only to avoid travelling a longer distance to reach the destination.



***XIX. Result***

159. In view of the above discussion, FAO(OS) 200/2017 is dismissed and WP(C) No. 365/2017 is allowed.

160. The respondents in the writ petition shall forthwith ensure removal of all encroachments and unauthorized constructions including the road being Lane W-12D, Neb Sarai Extension, New Delhi-110062 and complete the boundary wall/fencing in compliance with the judicial pronouncements and the statutory provisions.

161. So far as the applicants in CM No.35310/2017 in W.P.(C)No.365/2017 are concerned, the operation of the order dated 26<sup>th</sup> September, 2017, whereby the respondents were directed to permit a passage of 8½ feet in front of their residences, shall continue for a period of six weeks from today.

162. The DCP, South District, Delhi shall ensure strict compliance of the above.

163. The official respondents shall place the scheme in the writ petition in terms of para 23 of the judgment reported at **(2011) 11 SCC 396, Jagpal Singh & Ors. v. State of Punjab & Ors.** within four weeks from today.

164. The respondents shall place the compliance report in the writ petition in terms of the directions made in **(1997) 2 SCC 267 T.N. Godavarman Thirumulpad v. Union of India** within eight weeks from today.

165. Let a copy of the judgment be sent to the Secretary, Department of Environment and Forests, Government of NCT of



Delhi as well as the Additional Principal Chief Conservator of Forest, Delhi.

166. In view of the above discussion, the pending applications do not survive for adjudication and are hereby dismissed.

167. List W.P.(C)No.365/2017 on 20<sup>th</sup> March, 2018 for reporting compliance of the above.

168. No order as to costs.

**ACTING CHIEF JUSTICE**

**C.HARI SHANKAR, J**

**JANUARY 24, 2018**

aj

सत्यमेव जयते



\$~J-

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% Judgment Pronounced on: 24.03.2021

+ W.P.(C) 11079/2019, CM Nos.45672-673/2019 & 48686-687/2019

**BARI BHATI AND CHHOTI BHATI RESIDENT WELFARE  
ASSOCIATION AND ORS**

..... Petitioners

Through: Mr.Ravi Gupta, Sr. Adv. with Mr.Pankaj  
Vivek and Ms.Bidyarani, Advocates

versus

**GOVT OF NCT OF DELHI AND ORS**

..... Respondents

Through: Mr.Gautam Narayan, ASC with  
Ms.Shivani Vij and Ms.Dacchita Shahi,  
Advocates

**CORAM:**

**HON'BLE MR. JUSTICE JAYANT NATH**

**JAYANT NATH, J.**

1. This writ petition is filed seeking the following relief:-

“a) Call for the records from the respondents w.r.t. Extended Lal Dora Abadi of Village Bhati, Tehsil Saket, Distt. South, New Delhi as depicted in the layout plan filed by the petitioner no. 1 with the application for regularization dated 20.08.2013 bearing no.181/ALD/UD (Annexure P-1);

b) Issue a writ, order or direction in the nature of mandamus or any other or similar writ or direction thereby commanding the respondents to maintain status quo as existing on 01.06.2014 in respect of the Extended Lai Dora Abadi of Village Bhati, Tehsil Saket, Distt. South, New Delhi as depicted in the layout plan filed by the petitioner no. 1 with the application for regularization dated 20.08.2013 bearing no.181/ALD/UD in accordance with the provisions of The National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (as amended upto date);



c) Issue a writ, order or direction in the nature of mandamus or any other or similar writ or direction thereby commanding the respondents to settle the rights of the petitioners as "other traditional forest dwellers" in accordance with The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007); and

d) Issue a writ, order or direction in the nature of certiorari or any other or similar writ or direction thereby quashing the notice/order dated 19.05.2018 (bearing F.No.SDM(Saket)/GS/Forest/ 2018/ 1954) issued by the respondent no. 4 in relation to Extended Lai Dora Abadi of Village Bhati, Tehsil Saket, Distt. South, New Delhi as depicted in the layout plan filed by the petitioner no. 1 with the application for regularization dated 20.08.2013 bearing no.181/ALD/UD.”

2. It is the case of the petitioners that the occupants of Extended *Lal Dora Abadi* of Village Bhati are all original inhabitants who have descended from a common ancestor. The village Bhati was allegedly settled by one Sh.Garib Ram in 1620 AD. The inhabitants of the village Bhati are of Gurjar tribe which is a traditional herder community engaged in cow-herding and sheep rearing. Only a small portion of the land of village Bhati was cultivated to grow grain for sale/consumption. The economy of the village was primarily dependent upon forest produce as cattle and sheep were dependent upon forest produce. Since time immemorial, the lands of revenue estate of village Bhati were recorded in the name of Shamilat Deh (i.e. a body comprising of the proprietors of the Village). Most of the land was used for pasture and grazing as it was hilly land consisting of shrubs and small trees. It is stated that after the Delhi Land Reforms Act, 1954 was enacted, the Shamilat lands vested in the Gaon Sabha



and the cultivated lands were declared as Bhumidhari of the tillers/villagers. This village is the last village situated on the border of Delhi adjacent to the Asola Wildlife Sanctuary and it continues to have the status of a forest village.

3. It is stated that over years population of inhabitants of village Bhati multiplied. Therefore, there was no alternative for the villagers but to build their houses on the common lands situated adjoining to the Old Lal Dora Abadi. It is claimed that this was a natural organic growth of village abadi and the residents of village *abadi* only consisted of the original inhabitants of the village. It is claimed that Extended Lal Dora Abadi of the village Bhati is under process of regularisation as it is to be treated as natural extension of village abadi.

4. It is also claimed that village Bhati is a unique village in Delhi which is situated in a forested area of Aravali hills and all villagers enjoy the status of “Other Traditional Forest Dwellers” as defined in The Schedule Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. The petitioners and other villagers have a right to reside in the forest area and to utilize the forest produce, which is protected by law. It is stated that ignoring ground realities, documents were prepared by the respondents showing that the aforesaid land was handed over to the Forest Department, GNCTD pursuant to the Gazette Notification dated 02.04.1996. It is stated that factually the Forest Department took over possession of vacant Gaon Sabha lands for purpose of forestation and erected barbed wire fences for boundary walls leaving intact the abovesaid abadi lands possessed by the petitioners/villagers. It is reiterated that the petitioners are descendants of the settlers of the village and therefore, have a natural right over the common land and resources of their village.



5. It is claimed that after 25.01.1990, two developments took place which have brought the bulldozers to the doors of the petitioners houses. First one relates to the handing over of the common lands i.e. Gaon Sabha lands to Forest Department and the second relates to the process of demolition and dispossession of village abadi/Extended abadi situated beyond Old Lal Dora on the ground of being situated on land recorded in the name of Gaon Sabha, which stood transferred to the Forest Department. It is claimed that the respondent State utterly failed in its constitutional duties of providing for *bonafide* needs of the residents of the village and rather encroached upon their rights.

6. On 24.05.1994 a notification was issued under section 4 of the Indian Forest Act, 1927 whereby it was proposed that all forest lands and waste lands which is the property of the Government be reserved as a “reserved forest”. It is the case of the petitioners that the boundaries mentioned in the notification shows that the villages of Bhati and Dera Mandi were not included in the ‘reserved forest’ as the aforesaid boundaries leave wide gaps particularly in respect of villages, Bhati and Dera Mandi. Therefore, the petitioners had no means of knowing that the villages of Bhati and Dera Mandi were included in the boundaries of Southern Ridge. Without prejudice, it is, in any case, stated that under section 4 of the Indian Forest Act issuing of notification constitutes the first step of the process and it only indicates the governments intention to declare certain area as ‘reserved forest’. It needs to be necessarily followed up by a notification under section 6 of the Indian Forest Act for inviting claims of the persons likely to be affected. No notification under section 6 of the Indian Forest Act has been issued by respondent No.1. There is no declaration declaring



the areas as 'reserved forest' under section 20 of the Indian Forest Act. On 02.04.1996, the handing over of surplus Gaon Sabha land to the Forest Department, GNCTD for afforestation was notified but ownership did not get transferred to the Forest Department as till date the respondents have not started the process of reservation of the Gaon Sabha land as a 'reserved forest'.

7. Further it is pleaded that in the year 2006, The Schedule Tribes & Other Traditional Forest Dwellers(Recognition of Forest Rights) Act, 2006 was notified and it came to apply in respect of lands situated in village Bhati and Dera Mandi. The petitioners/villagers were entitled to be recognized as "Other Traditional Forest Dwellers" and entitled to recognition, restoration and vesting of forest rights in them.

8. It is further pleaded that on account of massive unauthorised structure being built in violation of Building Bye-laws on 05.10.2007 the Municipal Corporation of Delhi issued revised guidelines for regularisation of unauthorised colonies in Delhi which provided for regularisation of the unauthorised colonies and village abadis existing on private land as well as government land. Hence, it is stated that houses/constructions which have come up on public land in the *abadis* of villages or unauthorised colonies will not be demolished and the land cost will be recovered and credited to the account of the land owning agency. Reference is made to the Delhi Laws (Special Provisions) Act, 2006 and subsequent statutory provisions.

9. It is further pleaded that the respondents have not even taken recourse to due process of law to evict the petitioners but have formed a Special Task Force to co-ordinate the efforts to recover the forest land. The STF cannot arrogate to



itself the power of civil /revenue courts/forest settlement officer and summarily order for eviction/demolition or dispossession by issuing a public notice. It is stressed that the proposed action of demolition of Extended Lal Dora Abadi of village Bhati in a summary manner is not in accordance with the due process of law as the villagers are in settled peaceful possession for a very long time of more than 50 years and have been duly so recorded in revenue records.

10. I may note that when this matter came up for hearing on 18.10.2019, a statement was made by learned counsel for the respondents that for the time being, no demolition is planned for the Abadi of village Bhati. On 18.11.2019, this court had directed that *status quo* will be maintained till the next date of hearing.

11. Respondent No.4/SDM, Saket has filed an application being CM No. 48686/2019 to take on record that, action for removal of encroachment on forest land in the stated khasra numbers of village Dera Mandi shall be undertaken by the respondents on 11.11.2019. Learned counsel for the respondent pleaded that the submissions in the said application be treated as their counter affidavit to this writ petition.

12. In the said application, it has been stated that the issue of removal of encroachments in respect of both of areas in question have been actively supervised and monitored by the National Green Tribunal in *Amarjit Singh Nalwa v. GNCTD & Ors.*, OA.No.13/2015 and *Sonya Ghosh v. GNCTD & Ors.*, OA.No.58/2013.

13. It is further stated that the Supreme Court in the matter of *M.C.Mehta v. Union of India*, W.P.(C) 4677/1985 had passed detailed orders on 25.01.1996



and 13.03.1996 stressing upon the need to protect the ridge area and that the lands in question form part of a forest and cannot be utilized in any manner in view of the prohibitions contained in the Forest Conservation Act, 1980. In the light of the said facts, the Lt.Governor of Delhi was requested to issue necessary notification to secure the area. The Lt.Governor had issued a notification dated 02.04.1996 in exercise of powers under Section 154 of the Delhi Land Reforms Act, 1954 (Hereinafter referred to as DLR Act) declaring uncultivated land of the Gaon Sabha specified in the notification, falling in the Southern Ridge, as surplus land and placed the same at the disposal of the Forest Department of GNCTD. In regard to village Bhati, 11101.19 bighas and in respect of village Dera Mandi 9412.05 bighas were declared as notified ridge and handed over to the Forest Department. This includes the land that forms the subject matter of the present writ petition.

14. It is also pointed out that notification dated 02.04.1996 was challenged before this court in *Bhagat Singh & Ors. v. Union of India & Anr.*, (2010) SCC OnLine Delhi 2386, but the challenge was rejected by the Division Bench of this court. It is stressed that the petitioners themselves have never challenged the virus of this notification nor the handing over of the land to the Forest Department.

15. The National Green Tribunal vide order dated 11.12.2015 in *Amarjit Singh Nalwa v. Govt. of NCT of Delhi & Ors.*(supra) directed the respondents to take steps to remove all encroachments in the forest area. Similarly, the National Green Tribunal in *Sonya Ghosh v. GNCTD & Ors.*(supra) directed the respondents to conduct demarcation of Forest/Gaon Sabha/Ridge land in NCT of



Delhi by taking action against encroachers of such lands.

16. It is further stated that a demarcation notice was issued on 26.09.2017 informing all concerned persons in village Bhati about initiation of process of demarcation/identification of land. The demarcation of land has been completed for the entire Forest/Gaon Sabha land in village Bhati through TSM method and encroachment in the form of farmhouses and unauthorized constructions have been identified. Based on the same, a notice was issued on 19.05.2018 in respect of village Bhati, calling upon all persons who are encroaching upon the lands mentioned in the said notice, to remove all encroachments within 7 days, failing which action for removal would be initiated by the District Task Force. Similarly, a notice was also issued for village Dera Mandi on 01.12.2018. It is stated that the lands which form part of the subject matter of the present petition find mention in the notice dated 19.05.2018.

17. It is further stated that vide order dated 14.08.2019, the National Green Tribunal rejected a contention raised claiming protection qua encroachment under the NCT of Delhi (Special Provisions) Act, 2011 relying upon the judgment of this court in W.P.(C) 5459/2017, titled, '*Resident Welfare Association & Ors. v. Union of India & Ors.*'.

18. It is further stated that in any event, there is an efficacious alternative remedy available under provisions of the Delhi Land Reforms Act to assail the notice dated 19.05.2018. The petitioners instead of assailing the said remedy have approached this court by way of the present writ petition.

19. It is further stated that the respondents have successfully removed encroachment to the extent of 1486 bighas in village Bhati alone, and 127.09



bighas-biswas (26.5 acres) in village Dera Mandi.

20. I have heard learned counsel for the parties.

21. Learned counsel senior counsel appearing for the petitioners has made the following submissions:

i) It is pleaded that the inhabitants of village of Bhati are all original inhabitants and cannot be treated as encroachers on Gaon Sabha land as most of the lands is already recorded as *Abadi deh*. These lands were occupied as *Abadi* prior to 02.04.1996. The handing over of the Gaon Sabha land to the Forest Department, GNCT of Delhi for afforestation by notification dated 02.04.1996 does not divest the petitioners of their rights of residence in the abadi area. It is stressed that the land is *abadi deh* under the Punjab Settlement Manual and there is no provision for recording of individual name of the petitioners in the revenue records.

ii) It is further stressed that the petitioners enjoy the status of “Other Traditional Forest Dwellers” as defined under The Schedule Tribes & Other Traditional Forest Dwellers(Recognition of Forest Rights) Act, 2006. Hence, the rights of the petitioners do not get destroyed by the handing over of the lands in question to the Forest Department, GNCT of Delhi.

iii) Reliance is also placed on section 18 of East Punjab Holding (Consolidation & Prevention of Fragmentation) Act, 1948. It is stated that merely because the land was recorded in the name of Gaon Sabha under the Delhi Land Reforms Act, does not mean that the rights of the villagers to use the village land for their bonafide need were taken away.

iv) It is further urged that the land was neither notified nor reserved as



‘forest’ under section 20 of the Indian Forest Act and hence, the rights of the petitioners are not affected.

v) Reliance is also placed on the Gazette Notification of the National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Regulations, 2019 to claim that as per the said notification, it provides for regularisation of all constructions in unauthorised colonies.

22. Learned counsel for the respondents has made the following submissions:

(i) He states that the petitioners seek to unsettle the state of affairs that have been in operation for more than two decades and essentially seek to bypass the orders of the Supreme Court dated 25.01.1996 and 13.03.1996 in WP (C) No.4677/1985, titled, *MC Mehta vs. Union of India*(supra).

(ii) He also relies upon the notification issued on 02.04.1996 by the respondent under Section 154 of the Delhi Land Reforms Act to plead that the Govt. of NCT of Delhi had placed the surplus land of the Gaon Sabha at the disposal of the Forest Department. This was done pursuant to the orders of the Supreme Court noted above.

(iii) It is further stated that reliance of the learned counsel for the petitioners on the NCT of Delhi Laws (Special Provisions) Act is misplaced as the same does not apply to forest land. Reliance is placed on judgment of a Co-ordinate Bench of this court in WP (C) No. 5459/2017, titled, ‘*Residents Welfare Association & Ors. v. Union of India & Ors.*’(supra) dated 07.07.2017.

(iv) It is further stated that the dispute in question raised by the petitioners is no longer *res integra* and has already been settled by a series of judgments in this regard. Reference has been made to judgments of the Division Bench of this



court in the case of *Bhagat Singh & Ors. v. Union of India & Anr.*(supra); judgment of the Supreme Court in the case of *Jagpal Singh & Ors. v. State of Punjab & Ors., (2011) 11 SCC 396*; judgment of a Co-ordinate Bench of this court in the case of *Freedom Fighter Social Welfare Association vs. Union of India & Ors., (2011) SCC OnLine Delhi 1318*.

23. I may first look at the judgments of the Supreme Court dated 25.01.1996 and 13.03.1996. The Supreme Court in the said judgment of *MC Mehta vs. Union of India, (1996) 2 SCALE 55*, dated 25.01.1996 held as follows:

“7. We have heard learned counsel for NCT, Delhi Administration regarding the Gaon Sabha area forming part of the Ridge. Learned counsel states that various proposals regarding handing over the Gaon Sabha area (part of the Ridge) to the Forest Department have been examined by a Committee appointed by the Administration. Finally, the committee has taken a decision that a Notification under Section 35 of the Indian Forests Act 1927 be issued. We are of the view that the Notification under Section 35 will not solve the problem which we are facing. The learned counsel states that the Committee was of the view that the provisions of Section 154 of the Delhi Land Reforms Act, 1954 are not attracted because in view of the expression "on the commencement of the Act" in Section 154, power under the proviso to Section 154 could only be exercised at the time of the commencement of the Act and not thereafter. That may be one way of the looking at the Section but since it is for the first time that a committee has been appointed to examine this aspect and it was never examined earlier by the Delhi Administration at any point of time, we are prima facie of the view that the provisions of Section 154 can even now be invoked especially when it is crystal clear that this area is of no utility to the Gaon Sabha and in any case cannot be permitted to be used by Gaon Sabha for any purpose. This is Ridge area which has to be presented. No cultivation or any type of construction can be permitted on this area. In this view of the matter, we request the committee to reconsider the question of



issuing a notification under the proviso to Section 154 of the Act.”

24. Reference may also be had to the judgment of the Supreme Court in the same case of *MC Mehta vs. Union of India*, (1996) 3 SCALE 20, dated 13.03.1996 where the Supreme Court held as follows:

“8. We do not agree with Mr. GS Patnaik. In view of the order quoted above, nothing more remains to be done by the NCT, Delhi Administration, except to issue the necessary notification. We direct that the necessary notification be issued within three weeks from today. We further request the Lt. Governor, to have the matter expedited. The land is part of the ridge area. Even though it is not a reserved forest, it happens to be a forest. This area cannot be utilised in any manner in view of the prohibitions contained under the Forest Conservation Act, 1980. In this view of the matter, issuing of notification is a simple formality to secure the area. We, therefore, reiterate and request the Lt. Governor to have necessary notification issued within time specified by us.”

25. The Supreme Court clearly held that the area is a ridge area and has to be preserved. No cultivation or any type of construction can be permitted in the area. The Supreme Court requested the concerned committee to reconsider the question and issue a notification under Section 154 of the DLR Act. Subsequently, on 03.03.1996 a direction was issued to Govt. of NCT of Delhi to issue the necessary notification clarifying that though it is not a reserved forest it happens to be a forest and cannot be utilized in any manner in view of the prohibitions contained under the Forest Conservation Act. The court reiterated that the notification under Section 154 of the DLR Act must be issued.

26. It is subsequent to the aforesaid orders of the Supreme Court that on 02.04.1996 the respondent issued the notification under Section 154 of the DLR



Act. The land mentioned in the notification was declared as surplus and excluded from vesting in the Gaon Sabha and was placed at the disposal of the Forest Department, Govt. of NCT of Delhi. The land in question now vests with the Forest Department, Govt. of NCT of Delhi.

27. Clearly, the Supreme Court has categorically held in its judgment dated 25.01.1996 in the case of '*M.C.Mehta v. Union of India*' (supra) that the area in question is ridge area and no cultivation or any type of construction can be permitted in this area. In the light of these categorical directions recorded by the Supreme Court, there is clearly no merit in any of the pleas now sought to be raised by the petitioner.

28. I may however, look at the pleas raised by the petitioners. Regarding the first plea of the petitioners, namely, being old inhabitants of the village Bhati and hence cannot be treated as encroachers, the plea is misplaced. At best, the case of the petitioners is that they have occupied Gaon Sabha land for their residential purposes claiming that being settled in the area for 100 years they have a right to occupy the Gaon Sabha land. The plea is bereft of any legal details and such a plea clearly cannot be accepted. That apart, such a plea raises highly disputed question of fact. There is nothing to show or substantiate the claim of the petitioners that those who are residing in the village - Extended Lal Dora abadi (i.e. the concerned area) are all original inhabitants of the village in question. In my opinion, such plea has no merit.

29. In the above context reference may also be had to a judgment of the Division Bench of this court passed in somewhat similar facts and circumstances as the present case. Reference in this context may be had to the judgment of the



Division Bench this court in *Bhagat Singh vs Union of India* (supra). That was also a case where the petitioners had filed a writ petition claiming that the forefathers were in exclusive, constructive and actual physical possession of various lands forming part of the revenue estate of village Bhatti Kalan, much prior to the Delhi Land Reforms Act coming into force. Demolitions were proposed. The writ petition was filed seeking quashing of the notification dated 02.04.1996 published in the Delhi Gazette where land of Gaon Sabha falling in the ridge area was declared as surplus land and excluded from vesting in the Gaon Sabha. In those facts the Division Bench held as follow:

“5. We asked the learned counsel for the petitioners to show us the documents by which his forefathers or they came into settled lawful possession of the land in question which belonged to the Gaon Sabha. There is no such document on record. This question was posed as Gaon Sabha land is for the collective enjoyment of the village and there is no right in any individual to occupy the land unless such an allotment is made by the Gaon Sabha. The Gaon Sabha land is thus not meant for individuals for their own enjoyment and the vesting of the land in Gaon Sabha is as per Section 7 of the said Act. The significance of the said Act coming into force was that all lands of common utilities which were owned by the proprietors of villages and which were commonly used by the villagers were vested in the Gaon Sabha and proprietors were divested of their ownership. As per Section 154(1) (vii) of the said Act, all the forest land situated in a Gaon Sabha area shall vest in the Gaon Sabha. The proviso to Section 154(1) of the said Act refers really to the uncultivated area situated in Gaon Sabha area and the same being more than the ordinary requirement of the Gaon Sabha may be excluded from vesting in the Gaon Sabha.



6. We are of the considered view that no further exercise was necessary to be carried out by the R-1 and R-2 in case of such Gaon Sabha land which was actually part of 'Ridge' area and it is with the objective of protecting the 'Ridge' area that the land in question which forms part of the 'Ridge' area was declared surplus and was placed at the disposal of the Forest Department of the Govt. of NCT of Delhi for creation of Reserved Forest.

7. In our considered view, the petitioners are only encroachers on Government land who are seeking to prevent vesting of the land in question with the appropriate Government authority and possibly physically preventing the Government from taking over possession of the same. The petition has been filed 14 years after the notification in question was issued and the only reason given in this regard is that the petitioners had no knowledge of the same."

Hence, somewhat identical pleas as are being raised in the present petition were dismissed by the court. Court stated that Gaon Sabha land is not meant for individuals for their enjoyment. Such claim as the petitioners have raised herein claiming inherent rights to reside in the extended village abadi being allegedly original inhabitants of the village were rejected.

30. In the above context reference may also be had to the judgment of the Supreme Court in *Jagpal Singh & Ors. v. State of Punjab & Ors.*(supra). The Supreme Court held as follows:

"2. Since time immemorial there have been common lands inhering in the village communities in India, variously called Gram Sabha land, Gram Panchayat land (in many North Indian States), shamlat deh (in Punjab, etc.), mandaveli and poramboke land (in South India), kalam, maidan, etc., depending on the nature of user. These public utility lands in the villages were for centuries used for the



common benefit of the villagers of the village such as ponds for various purposes e.g. for their cattle to drink and bathe, for storing their harvested grain, as grazing ground for the cattle, threshing floor, maidan for playing by children, carnivals, circuses, ramlila, cart stands, water bodies, passages, cremation ground or graveyards, etc. These lands stood vested through local laws in the State, which handed over their management to Gram Sabhas/Gram Panchayats. They were generally treated as inalienable in order that their status as community land be preserved. There were no doubt some exceptions to this rule which permitted the Gram Sabha/Gram Panchayat to lease out some of this land to landless labourers and members of the Scheduled Castes/Tribes, but this was only to be done in exceptional cases.

XXXXX

4. What we have witnessed since Independence, however, is that in large parts of the country this common village land has been grabbed by unscrupulous persons using muscle power, money power or political clout, *and in many States now there is not an inch of such land left for the common use of the people of the village, though it may exist on paper.* People with power and pelf operating in villages all over India systematically encroached upon communal lands and put them to uses totally inconsistent with their original character, for personal aggrandisement at the cost of the village community. This was done with active connivance of the State authorities and local powerful vested interests and goondas. This appeal is a glaring example of this lamentable state of affairs.

XXXXX

13. We find no merit in this appeal. The appellants herein were trespassers who illegally encroached on to the Gram Panchayat land by using muscle power/money power and in collusion with the officials and even with the Gram Panchayat. We are of the opinion that such kind of blatant illegalities must not be condoned. Even if the appellants have built houses on the land in question they must be ordered to remove their constructions, and possession of the land in question must be handed back to the Gram Panchayat. Regularising such illegalities must not be permitted because it is Gram Sabha land



which must be kept for the common use of the villagers of the village.

XXXXX

23. Before parting with this case we give directions to all the State Governments in the country that they should prepare schemes for eviction of illegal/unauthorised occupants of the Gram Sabha/Gram Panchayat/poramboke/shamlat land and these must be restored to the Gram Sabha/Gram Panchayat for the common use of villagers of the village. For this purpose the Chief Secretaries of all State Governments/Union Territories in India are directed to do the needful, taking the help of other senior officers of the Governments. The said scheme should provide for the speedy eviction of such illegal occupant, after giving him a show-cause notice and a brief hearing. Long duration of such illegal occupation or huge expenditure in making constructions thereon or political connections must not be treated as a justification for condoning this illegal act or for regularising the illegal possession. Regularisation should only be permitted in exceptional cases e.g. where lease has been granted under some government notification to landless labourers or members of the Scheduled Castes/Scheduled Tribes, or where there is already a school, dispensary or other public utility on the land.”

Clearly the plea of the petitioners claiming right to reside in the village land i.e. the Extended Lal Dora area based on the alleged facts that they have been residing since generations is a misplaced contention without any merits.

31. Next plea raised by the petitioners is the reliance on The Schedule Tribes & Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006. It is claimed that the Petitioners are “Other Traditional Forest Dwellers” and have stated rights in the area. Section 2(o) of the Act, reads as follows:

“2(o) Other traditional forest dweller” means any member or community who has for at least three generations prior to the 13th



day of December, 2005 primarily resided in and who depend on the forest or forests land for bona fide livelihood needs.

Explanation.-For the purpose of this clause, "generation" means a period comprising of twenty-five years.”

32. Section 3 of the said Act spells out the rights, which secure to apart from other “Other Traditional Forest Dwellers”.

33. Section 6(1) of the said Act reads as follows:

“6.(1) The Gram Sabha shall be the authority to initiate the process for determining the nature and extent of individual or community forest rights or both that may be given to the forest dwelling Scheduled Tribes and other traditional forest dwellers within the local limits of its jurisdiction under this Act by receiving claims, consolidating and verifying them and preparing a map delineating the area of each recommended claim in such manner as may be prescribed for exercise of such rights and the Gram Sabha shall, then, pass a resolution to that effect and thereafter forward a copy of the same to the Sub-Divisional Level Committee.”

34. Hence to claim the rights under section 3 of the Act, the person concerned has to file a claim before the concerned Gram Sabha, who is the authority to initiate process for determining the nature and extent of individual forest right. There is not a whisper anywhere that any such claim has been preferred by the petitioners. The said Act came into force in 2006. Now 13 years after enactment of the Act, the petitioners on receiving a notice of demolition of the property have woken up claiming themselves to be “Other Traditional Forest Dwellers” namely a person who has for the last three generations resided in the forest land and depend on the forest for their *bonafide* livelihood needs. The plea is factually not supported by any material and cannot be accepted. That apart the



plea suffers from delay and laches. The petitioner having taken no steps to assert their claim as “Other Traditional Forest Dweller” cannot be permitted to thwart the process initiated by the respondent in this manner.

35. Another plea strongly raised by learned senior counsel for the petitioners was the reliance on the Govt. of NCT of Delhi Laws (Special Provisions) Act to claim that the houses of the petitioners cannot be demolished in view of the said special protection given.

36. In this context reference may be had to the judgment of a Co-ordinate Bench of this court in the case of *Residents Welfare Association & Ors. v. Union of India & Ors.*(supra) where the Co-ordinate Bench of this court held as follows:

“10. The Supreme Court in the matter of M. C. Mehta v. UOI (supra) had in the order dated 25.01.1996 passed directions for preservation of the Ridge area and unequivocally held that no cultivation or construction could be permitted in such area. Thereafter, by an order dated 13.03.1996, the Supreme Court held that the lands in question (which were surplus Gaon Sabha lands) were forests and could not be utilised in any manner and thus issuing a notification to secure the area was a simple formality. The court also requested the Lieutenant Governor to issue the necessary notification.

XXXXX

15. The contention advanced by the petitioners that the encroachments on the said land are protected under the Act is unmerited. In terms of Section 3(3) of the Act, all encroachments are protected from any action pursuant to notices issued by any local authority. The term local authority as defined under Section 2(d) of the Act does not include the Forest Department or the Government of NCT.



16. Although, by virtue of Section 3(2) of the Act, status quo as to certain encroachments or unauthorised developments as on 01.01.2006 is to be maintained, the same plainly does not extend to forests as no such use is permitted under the Forest (Conservation) Act, 1980. Further the Act was enacted in public interest so that no hardship is caused to the public until revision of Master Plan. The same has little relevance in the context of Forest lands, which must be preserved. More importantly, the provisions of the Act cannot be read as protecting unauthorised encroachments, which are necessarily required to be removed for protecting the water bodies and preserving the natural flow of water, which is necessary to preserve and provide the basic necessity of life. Further is necessary to address the issue of water logging as that brings the functioning of the city to a standstill, causes loss to property and exposes its residents to outbreak of diseases. The encroachment by petitioners cannot be protected at the cost of the other residents of the city. This is neither the object nor the import of the Act.”

37. Clearly, reliance of the petitioners on the National Capital Territory of Delhi Laws (Special Provisions) Act is misplaced. The provisions of the said act do not apply to forest land i.e. that which is subject matter of the present writ petition.

38. Another plea raised by the learned senior counsel for the petitioners was in regards to the reliance on the provisions of the East Punjab Holding (Consolidation & Prevention of Fragmentation) Act, 1948. It was claimed that merely because the land is recorded in the Gaon Sabha under the Delhi Land Reforms Act does not mean that the rights of the villagers to use the village land for their bonafide need was taken away. I may note that this plea was noted but was not elaborated/spelt out in any manner whatsoever. Such a plea as noted above was already rejected by the Division Bench of this court in the case of



*Bhagat Singh vs Union of India* (supra).

39. Learned counsel for the respondents strongly submits that the petitioners are rank trespassers and are only desperately trying to grab land (the land in question) and to hold onto it and no relief can be given to such a person. Reliance is placed on the decision of a Co-ordinate Bench of this court in the case of *Freedom Fighter Social Welfare Association vs. Union of India & Ors.*(supra). The Co-ordinate Bench held as follows:

“15. Seen in the aforesaid perspective, when the purport of the order was preservation of environment necessary for the very survival of the city, it is irrelevant whether the encroachment by the petitioners of the land with respect whereto the Notification has been issued was before the said Notification or thereafter. Even if the petitioners, as they claim had encroached upon the said land prior to the year 1996, they cannot be permitted to continue with the encroachment. The land subject matter of the Notification is required to be afforested by removal of all encroachment, structures etc. existing thereon.

16. I am further of the view that now in any case in view of the Regulations for Regularization of Unauthorized Colonies in Delhi, 2008 which prohibit consideration for regularization of unauthorized colonies/portions thereof falling in notified or reserved forest areas, the matter has been placed beyond any pale of controversy. It cannot now be contended that the regularization of the unauthorized colony on the land is pending consideration. The conflict and inconsistency relying whereupon the petitions were filed and the interim orders obtained no longer exists. The petitions now have to necessarily fail.

17. There is another aspect of the matter. The petitioners admittedly are trespassers/encroachers on Gaon Sabha land. They have no equities or rights in their favour. Though the Government as a populist or a humane measure has agreed to consider regularization of unauthorized colonies which had come up illegally on public/private land but none can claim any right thereto. The



petitioners as encroachers/trespassers on land, be it of the Gaon Sabha or of the forest, are liable to be ejected therefrom.

XXXXX

20. The said contention is misconceived. The Notification dated 2<sup>nd</sup> April, 1996 is not the sole repository of the land in the ridge/forest area. The said Notification had to be issued only for the reason that though the said land in the Master Plan was shown as part of the ridge area but under the Delhi Land Reforms Act, 1954 vested in the Gaon Sabha. The Notification was therefore directed to be issued for exempting the said land from the land vesting in Gaon Sabha and to place the same with the Forest Department. It thus cannot be urged that the land in Khasra Nos. 223 & 224 in Chattarpur Enclave, village Chattarpur, Mehrauli, New Delhi is not part of the ridge/forest merely for the reason of not finding mention in the said Notification.”

40. Clearly, the pleas raised by the petitioners claiming rights to continue to illegally occupy the land in question which vests with the Forest Department on the ground of having built a structure on the said land decades ago is a misplaced and misdirected plea. Same is without merit.

41. There is another aspect in the matter. It is quite clear that the petitioners at any earlier stage, did not assert any of the so called rights which are now being raised. Around one and half years ago the impugned notice was issued to vacate the said land in 2018. In October, 2019 the present writ petition was filed. The writ petition raises several pleas to claim rights in the land. The petitioners claim that they have settled in the said land for generations, and have rights in the said lands. None of these rights were claimed or asserted in any manner whatsoever for decades till the bulldozers arrived at the site. Clearly, the pleas of the



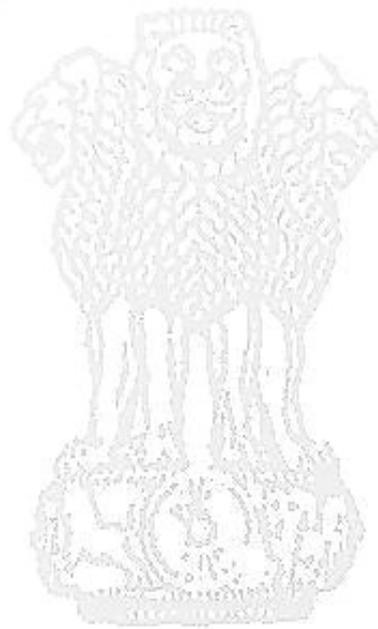
petitioners cannot even otherwise be accepted on account of delay and laches.

42. There is no merit in the petition. The same is dismissed. Interim order is vacated.

**JAYANT NATH, J.**

**MARCH 24, 2021/v**

HIGH COURT OF DELHI



सत्यमेव जयते



\$~58

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
 + W.P.(C) 9965/2016, CM APPL. 27478/2017, CM APPL. 29901/2017  
 DEVINDER ..... Petitioner

Through: Mr. Aditya N. Prasad and Ms.  
 Prabhsahay Kaur, *Amicus Curiae* with  
 Mr. Harshit Goel, Mr. Madan Lal  
 Sharma, Ms. Tejaswini Verma, Advs.

versus

THE LT. GOVERNOR & ORS ..... Respondents

Through: Mr. Satyakam, ASC with Mr. Ganesh  
 Kumar Bhatt, Adv.

**CORAM:**  
**HON'BLE MR. JUSTICE JASMEET SINGH**

**ORDER**  
**08.11.2023**

%

1. At the outset, Mr. Prasad, learned *Amicus Curiae* has requested to implead the DG (Forest) and Chief Secretary of Government of NCT of Delhi as respondent No. 9 and 10 respectively for the proper adjudication of the present petition.
2. Accordingly, the DG (Forest) and Chief Secretary of Government of NCT of Delhi are impleaded as respondent No. 9 and 10 respectively. Let the fresh amended memo of parties be filed.
3. Learned *Amicus Curiae* has drawn my attention to an order dated 15.01.2021 passed in OA No. 144/2015 and more particularly paras 8 to 16 which read as under:

“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:*

	<i>Bighas-Biswas</i>
<i>5. Encroachments(Bighas-Biswas)</i>	<i>-4,684-17</i>
<i>5.1 Ayanagar Village</i>	<i>-172-00</i>



	<i>Ridge Area 4,028-09 Annexure R10 (Pg. 1588-1590)</i>	
5.2	<b>Chhattarpur Village</b>	-253-08
	<i>Ridge Area 594-04 Annexure R11(Pg. 1591-1594)</i>	
5.3	<b>Neb Sarai Village</b>	-264-09
	<i>Ridge Area 590-01 Annexure R12(Pg. 1595-1599)</i>	
5.4	<b>Shahoorpur Village</b>	-238-03
	<i>Ridge Area 3,306-15 Annexure R13(Pg.1600-1601)</i>	
5.5	<b>Devli Village</b>	-452-14
	<i>Ridge Area 5,737-16 Annexure R14 (Pg. 1602-1610)</i>	
5.6	<b>Asola Village</b>	-675-00
	<i>Ridge Area 9,268-13 Annexure R15 (Pg 1611-1615)</i>	
	<i>Encroachment of 869-00 removed (Pg. 1657)</i>	
5.7	<b>Bhatti Village</b>	-477-14
	<i>Ridge Area 12,845-12, Annexure R16 (Pg 1616-1619)</i>	
	<i>Encroachment of 1,486-00 removed (Pg. 1657-1661)</i>	
5.8	<b>Maidangarhi Village</b>	-79-03
	<i>Ridge Area5,055-16 Annexure R18 (Pg. 1620-1621)</i>	
5.9	<b>Saidulajab Village</b>	-109-04
	<i>Ridge Area 410-07 Annexure R18 (Pg. 1622-1623)</i>	
5.10	<b>Satbari Village</b>	-181-17
	<i>Ridge Area 1,625-03 Annexure R19 (Pg. 1624-1625)</i>	
5.11	<b>Jaunapur Village</b>	-287-05
	<i>Ridge Area 3,855-18 Annexure R20 (Pg. 1626-1631)</i>	
5.12	<b>Dera Mandi Village</b>	-399-8.5
	<i>Ridge Area 10,821-18 Annexure R21 (Pg. 1632-1641)</i>	
5.13	<b>Tughlakabad Village</b>	-403.02
	<i>Ridge Area 6,491-16 Annexure R22 (Pg. 1642-43)</i>	
5.14	<b>Pulpehladpur Village</b>	-246-03
	<i>Ridge Area 680-18 Annexure R23 (Pg. 1644)</i>	
	<i>Encroachment of 8-00 removed (Pg. 1661)</i>	
5.15	<b>Rajokari Village</b>	-214-02
	<i>Ridge Area 3,318-15 Annexure R24 (Pg. 1645-1650)</i>	
	<i>Encroachment of 1-18 removed (Pg. 1661)</i>	
5.16	<b>Rangpuri Village</b>	-246-01
	<i>Ridge Area 1,793-17 Annexure R25 (Pg. 1651-1655)</i>	
	<i>Encroachment of 9-18 removed (Pg. 1661)</i>	
5.17	<b>Mahipalpur Village</b>	-17-04
	<i>Ridge Area 92-03 Annexure R26 (Pg. 1656)</i>	
5.18	<b>Ghitorni Village</b>	-NIL
	<i>Ridge Area 732-14</i>	
5.19	<b>Rajpur Khurd Village</b>	-NIL
	<i>Ridge Area 60-09</i>	

*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.”*

4. By perusing the order dated 15.01.2021, it was categorically directed that the Delhi Government through its Chief Secretary to ensure requisite notification under section 20 of the Indian Forest Act, 1927 to be issued within 3 months.

5. In response, Mr. Satyakam, learned ASC has handed over a status report/affidavit dated 08.11.2023 in court today, wherein my attention has been drawn to para 6(3) which reads as under:

“6(3). *Status of notification under Section 20 of Other Ridges:*

- *Committee was informed about the progress in final notification of Reserve forest other than southern ridge:*

<i>Name of Ridge</i>	<i>Total Area</i>	<i>Area proposed for notification</i>	<i>Status of Notification</i>
<i>Northern</i>	<i>170.74 Ha</i>	<i>170.74 Ha</i>	<i>File sent to DCF(S) and</i>



<i>Ridge</i>			<i>DCF(C) to seek comments of Hon'ble MLAs of concerned area and submit with comments on received comments as per the directions of Hon'ble Minister (E&amp;F). Letters and reminders have been sent to Hon'ble MLA for their valuable comments. No response has been received from Hon'ble MLA till date. A final reminder has been sent to Hon'ble MLA for their valuable comments.</i>
<i>South Central Ridge</i>	<i>625 Ha</i>	<i>625 Ha</i>	
<i>Central Ridge</i>	<i>1300Ha</i>	<i>1300Ha</i>	<i>A meeting was scheduled vide Letter dated 23.06.2022 on 08.07.2022 for identifying the Khasras of Central Ridge for Final Notification under Section 20 of the IFA 1927. The documents in respect of boundaries of defence land of Delhi Cantonment are provided vide letter dated 11.07.2022. A Joint survey was scheduled on 17.10.2022 with L&amp;DO Officer. VC (DDA), DEO Delhi cantt, CEO (DJB), Commissioner (Land) DDA), DM (New Delhi), DG (CPWD), only DEO Delhi Cantt and DJB were present in joint survey. The documents of Defence Estates Office Delhi Cantt are received in the Office of DCF(West) on 21.10.2022. Letter dates 03.05.2023 were written to different agencies for</i>



			<p>providing FSO Orders under which the land was allotted to their organisation.</p> <p>A joint survey is scheduled on 19.05.2023 and 22.05.2023 for verification of land.</p> <p>The issue is being considered by the Department of Forests &amp; Wildlife, GNCTD</p>
Nanak Pura Ridge	7 Ha	8.36 Ha	<p>As per the information received from the DDA on 27.05.2022, the land measuring area of 24 Acre falling under the Nanakpura Ridge is the owned by the L&amp;DO/GoI and Maintenance for care lies with DDA. The issue is being considered by the Department of Forests &amp; Wildlife, GNCTD.</p>

- DGF&SS expressed displeasure over delay in submission to notification to the GNCTD despite directions in last meeting.
- DCF(S&W) to submit all files for approval of notification of Khasras which are not under process of settlement of right in Forest Settlement Officer and Appellate authority for approval of Hon'ble LG within one month."

**[Action: PCCF, DCF(S&W)]**

6. A perusal of the same shows that the said notification has still not been issued till date despite the specific directions passed in the order dated 15.01.2021 by the NGT.

7. The Hon'ble Supreme Court in **Mrityunjoy Das v. Sayed Hasibur Rahaman, (2001) 3 SCC 739** and more particularly in para 13 has observed as under:-

*"13. Before however, proceeding with the matter any further, be*



*it noted that exercise of powers under the Contempt of Courts Act shall have to be rather cautious and use of it rather sparingly after addressing itself to the true effect of the contemptuous conduct. The court must otherwise come to a conclusion that the conduct complained of tantamounts to obstruction of justice which if allowed, would even permeate in our society (vide Murray & Co. v. Ashok Kr. Newatia [(2000) 2 SCC 367 : 2000 SCC (Cri) 473] ). This is a special jurisdiction conferred on to the law courts to punish an offender for his contemptuous conduct or obstruction to the majesty of law. It is in this context that the observations of this Court in Murray case [(2000) 2 SCC 367 : 2000 SCC (Cri) 473] in which one of us (Banerjee, J.) was party needs to be noticed: (SCC p. 373, para 9)*

*“The purpose of contempt jurisdiction is to uphold the majesty and dignity of the courts of law since the image of such a majesty in the minds of the people cannot be led to be distorted. The respect and authority commanded by courts of law are the greatest guarantee to an ordinary citizen and the entire democratic fabric of the society will crumble down if the respect for the judiciary is undermined. It is true that the judiciary will be judged by the people for what the judiciary does, but in the event of any indulgence which can even remotely be termed to affect the majesty of law, the society is bound to lose confidence and faith in the judiciary and the law courts thus would forfeit the trust and confidence of the people in general.””*

8. The NGT passed the order on 15.01.2021, since then more than 2 years and 10 months have elapsed and till date the concerned Chief Secretary has not taken any action, which shows complete disregard to the orders passed by the Court.
9. Therefore, I am of the view that *prima facie* the Chief Secretary is in



contempt of the order dated 15.01.2021 passed by the NGT and is liable to be prosecuted under Contempt of Courts Act, 1971.

10. As a last and final opportunity a period of two weeks are granted to comply with the order dated 15.01.2021. If the said notification is not issued within 2 weeks from today, the Chief Secretary shall appear through VC on the next date of hearing.

11. Mr Prasad, learned *Amicus Curiae* has further drawn my attention to para 17 of the order dated 15.01.2021, wherein the NGT directed as under:-

*“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.”*

12. A perusal of the above indicates that the NGT directed the meeting of the Oversight Committee to be held at least once in a month, which means that from the date of the order passed by the NGT at least 34 meetings should have been conducted.

13. Mr. Satyakam, learned ASC has drawn my attention to status report of 25.07.2023 recording minutes of the 6<sup>th</sup> meeting of the Oversight Committee held on 17.05.2023.

14. The minutes of the meeting show that the 6<sup>th</sup> meeting was held on 17.05.2023 and the next meeting is proposed to be held on 14.11.2023 which clearly shows that the order passed by the NGT is not being complied with in its true letter, spirit and intent. The non-meeting of the Oversight Committee also assumes significance as the minutes seem to suggest that the Director General (Forest) acknowledges that there is a slow pace of encroachment removal and lack of effort on the part of DCF (South) and DCF (West). Despite the same, the meetings are held at their own casual pace showing total disregard to the orders passed by this court and the NGT.

15. Another shocking aspect is that about 394.56 hectares of forest land has been encroached upon, out of which only 82.132 hectares have been made encroachment free over a period of 4 years.



16. It is further submitted by Mr. Madan Lal Sharma, learned counsel for the petitioner as well as the learned *Amicus Curiae* that out of 82 hectares, the land has again been encroached upon, which shall be verified by Mr. Satyakam, learned ASC before the next date of hearing.

17. This again shows total disregard to the directions issued by the NGT on the part of the Oversight Committee.

18. It is made clear that in case the directions passed in the order dated 15.01.2021 are not acted upon, scrupulously and in true letter, spirit and intent by the Oversight Committee, this Court will be constrained to initiate contempt proceedings against the members of the Oversight Committee.

19. List on 15.12.2023 for filing up-to-date status report including concrete steps, removal of encroachment, the land reclaimed from the entire ridge, the afforestation action taken in respect of the reclaimed land within 2 weeks from today with advance copies to the learned *Amici Curiae* as well as Mr. Sharma, learned counsel for the petitioner.

20. The status report/affidavit dated 08.11.2023 handed over in Court today is taken on record which shall be digitized and annexed with the file.

**JASMEET SINGH, J**

**NOVEMBER 8, 2023/DM**

*Click here to check corrigendum, if any*

104

SUPREME COURT CASES

(2021) 18 SCC

**(2021) 18 Supreme Court Cases 104**

2J

(BEFORE HEMANT GUPTA AND V. RAMASUBRAMANIAN, JJ.)

PRABHAGIYA VAN ADHIKARI AWADH VAN  
PRABHAG

.. Appellant;

*Versus*

ARUN KUMAR BHARDWAJ (DEAD) THROUGH LEGAL  
REPRESENTATIVES AND OTHERS

.. Respondents.

Civil Appeal No. 7017 of 2009<sup>†</sup>, decided on October 5, 2021

**A. Tenancy and Land Laws — U.P. Consolidation of Holdings Act, 1953 (5 of 1954) — Ss. 48 and 49 — Revenue entry of certain Khasra numbers — Direction for, by the Deputy Director of Consolidation for correction in the name of Department of Forest — Justification — Transfer of rights in land notified under U.P. ZALR Act/Forest Act — Impermissibility of**

— Notification published under S. 4 of the Zamindari Abolition and Land Reforms Act, to the effect that certain land shall not vest with the Gaon Samaj — Subsequently, a Notification issued under S. 4 of the Forest Act for inviting objections in respect of land forming part of the Notification

— Held, once the Notification was published, there could not be any transfer of right in the land so notified in favour of the lessees by the Gaon Sabha — Further, lessees being found not in possession of any part of the land at the time of issuance of Notification under S. 4 of the Forest Act, neither they nor the Gaon Sabha could claim any right in the land Notified

— Proclamation under S. 6 of the Forest Act, objected by none including the Gaon Sabha to the declaration of land as forest area — Further, land vesting in Forest Department by virtue of Notification published under a statute, lessee had to assert the title on the forest land by virtue of an agreement in writing by a competent authority but no such agreement in writing produced on the record — Therefore, the lessee also could not claim any right in the land only on the basis of an entry in the revenue record, particularly when such entry found without any supporting documents of creation of lease contemplated under the Forest Act

— Hence, the said direction for correction held to be justified and wrongly set aside by High Court by holding that since no objections were filed by the Forest Department earlier, therefore, the objections would be barred by S. 49 of the Consolidation Act

— U.P. Zamindari Abolition and Land Reforms Act, 1950 (1 of 1951) — Ss. 4 to 6 and 117 — Forest Act, 1927, Ss. 4, 5, 6 and 20

The challenge in the present appeal is to an order passed by the High Court on 30-11-2005 whereby the writ petition filed by the respondents-lessees was allowed. The High Court vide the impugned order has set aside the order dated 8-7-2004 passed by the Deputy Director of Consolidation, Lucknow, wherein, the revenue entry of Khasra Nos. 1576 and 1738 was ordered to be corrected in the name of Department of Forest and the claim of rival claimants were set aside. The counsel

<sup>†</sup> Arising from the Judgment and Order in WP No. 576 of 2004 (Allahabad High Court, dt. 30-11-2005) [Reversed]

PRABHAGIYA VAN ADHIKARI AWADH VAN PRABHAG v.  
ARUN KUMAR BHARDWAJ

105

a for the appellant submitted that the High Court has gravely erred in setting aside the order passed by the Deputy Director as there was no legal or factual basis to do so.

*Held :*

b The Notification dated 11-10-1952 published in terms of Section 4 of the Abolition Act was to the effect that all estates situated in Uttar Pradesh shall vest in the State. The extent to which uncultivated land which does not vest in Gaon Samaj was mentioned in Column 5 stating that 162 acres of Village Kasmandi Khurd would not vest in Gaon Samaj. Such notification has the effect that all rights, title and interest, shall be deemed to be vested in the State of Uttar Pradesh. In terms of Section 117 of the Abolition Act, the State can transfer the lands by a general or special order as prescribed therein including forests to Gaon Sabha and to other local authorities. It is not the case of any of the parties that the land, which was the subject-matter of Notification dated 11-10-1952, was subject to any general or special orders by the State to transfer the same in favour of Gaon Sabha and/or any other local authority. Therefore, the land comprising in Notification dated 11-10-1952 unequivocally vests with the State. (Para 15)

c It is thereafter that a Notification dated 23-11-1955 was published in respect of 162 acres of land situated in Kasmandi Khurd. Such notification describes the land with boundaries mentioned in the notification. Thereafter, another proclamation was published under Section 6 of the Forest Act in respect of 162 acres of land including 20 bighas 13 biswas and 10 biswansi of Khasra No. 1576 of Village Kasmandi Khurd. The notification under Section 4 of the Forest Act to declare any land as reserved forest could be issued if the State has proprietary rights over such land or if it is entitled to the produce thereof. (Para 16)

d The State Government has the jurisdiction to declare a protected forest if the land is the property of the Government over which proprietary rights are exercised. The land measuring 162 acres was the property of the Government in terms of the Notification dated 11-10-1952. No general or special orders have been issued by the State Government for vesting any part of the land measuring 162 acres with the Gaon Sabha. In terms of Section 4 of the Forest Act, the State Government can issue a notification to constitute any land as reserved forest. The Notification dated 23-11-1955 satisfies the three conditions mentioned in Section 4 i.e. (i) decision to constitute such land as reserved forest, (ii) situation and limits of such land, and (iii) appointing an officer to inquire 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. The lessees were not in possession of any part of the land at the time of issuance of such notification under Section 4 on 23-11-1955. Therefore, they have rightly not claimed any right over the property nor the Gaon Sabha has claimed any right in the land measuring 162 acres notified under Section 4 of the Act. (Paras 17 and 5)

e Section 5 of the Forest Act bars that no right shall be acquired in or over the land comprised in notification under Section 4 of the Forest Act, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government. Once the Notification dated 23-11-1955 was published under Section 4 of the Forest Act, there could not be any transfer of right in the land so notified in favour of the lessee by the Gaon Sabha. (Para 18)

It is thereafter, a proclamation was required to be issued under Section 6 of the Forest Act publishing in the local vernacular in every town and village specified, as nearly as possible, the situation and limits of the proposed forest. In the proclamation under Section 6 of the Forest Act, different khasra numbers have been specified including Khasra No. 1576. Such khasra number forms part of the total forest land declared under Section 4 of the Act measuring 162 acres. The proclamation of publication was published in the locality but none including the Gaon Sabha objected to the declaration of land as forest area. (Para 19)

An argument is also raised that the final notification under Section 20 of the Forest Act has not been published. A reading of Section 20 of the Forest Act does not show that for a reserved forest, there is a requirement of publication of notification but no time limit is prescribed for publication of such notification under Section 20. Therefore, even if notification under Section 20 of the Forest Act has not been issued, by virtue of Section 5 of the Forest Act, there is a prohibition against acquisition of any right over the land comprised in such notification except by way of a contract executed in writing by or on behalf of the Government. Since no such written contract was executed by or on behalf of the State or on behalf of the person in whom such right was vested, therefore, the Gaon Sabha was not competent to grant lease in favour of the appellant. (Para 23)

The revenue record does not confer title to the property nor do they have any presumptive value on the title. (Paras 26 and 28)

*Prahlad Pradhan v. Sonu Kumhar*, (2019) 10 SCC 259 : (2020) 1 SCC (Civ) 103; *Bhimabai Mahadeo Kambekar v. Arthur Import & Export Company*, (2019) 3 SCC 191 : (2019) 2 SCC (Civ) 21; *Narasamma v. State of Karnataka*, (2009) 5 SCC 591 : (2009) 2 SCC (Civ) 582; *Balwant Singh v. Daulat Singh*, (1997) 7 SCC 137; *Sawarni v. Inder Kaur*, (1996) 6 SCC 223, *relied on*

The six yearly khatauni for the Fasli year 1395 to 1400 is to the effect that the land stands transferred according to the Forest Act as the reserved forest. Such revenue record is in respect of Khasra No. 1576. It is only in the revenue record for the period 1394 Fasli to 1395 Fasli, name of the lessees find mention but without any basis. The revenue record is not a document of title. Therefore, even if the name of the lessee finds mention in the revenue record but such entry without any supporting documents of creation of lease contemplated under the Forest Act is inconsequential and does not create any right, title or interest over 12 bighas of land claimed to be in possession of the lessee as a lessee of the Gaon Sabha. (Para 27)

The High Court had referred to the objections filed by the lessees under the Consolidation Act and also objections by the Forest Department. It was held by the High Court that since no objections were filed by the Forest Department earlier, therefore, the objections would be barred by Section 49 of the Consolidation Act. Such finding recorded by the High Court is clearly erroneous. The land vests in the Forest Department by virtue of notification published under a statute. It was the lessee who had to assert the title on the forest land by virtue of an agreement in writing by a competent authority but no such agreement in writing has been produced. Therefore, the lessee would not be entitled to any right only on the basis of an entry in the revenue record. (Para 28)

In view thereof, the order of the High Court cannot be sustained in law. The same is hereby set aside. The appeal is allowed. The order passed by the Deputy Director of Consolidation dated 8-7-2004 is restored. (Para 29)

PRABHAGIYA VAN ADHIKARI AWADH VAN PRABHAG v.  
ARUN KUMAR BHARDWAJ

107

**B. Tenancy and Land Laws — U.P. Zamindari Abolition and Land Reforms Act, 1950 (1 of 1951) — S. 117 — Vesting land of forest in Gaon Sabha — Necessary requirements — Held, in terms of S. 117, the land of the forest can vest in the Gaon Sabha or any other local authority only by a general or special order of the Government — Forest Act, 1927, Ss. 4 and 20 (Para 15)**

**C. Environment Law — Forest Act, 1927 — Ss. 4 and 20 r/w S. 5 (as amended in the State of Uttar Pradesh by U.P. Act 23 of 1965) — Notification under S. 4 proposing to constitute a land as forest — Absence of final Notification under S. 20 — Effect of**

— Notification by the State Government to constitute any land as reserved forest, held permissible in terms of S. 4 — Further, held that S. 5 bars that no right shall be acquired in or over the land comprised in notification under S. 4, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government — Therefore, absence of publication of Notification under S. 20 cannot be taken as factor to conclude that land covered by notification issued under S. 4 cannot be regarded as forest (Para 23)

*State of Uttarakhand v. Kumaon Stone Crusher, (2018) 14 SCC 537, relied on*

**D. Property Law — Revenue/Mutation Proceedings/Records — Effect of revenue record — Held, it does not confer title to the property nor do revenue records have any presumptive value on the title — Evidence Act, 1872, Ss. 114 and 35 (Para 26)**

**E. Environment Law — Forest Act, 1927 — S. 4, Expls. 1 and 6(a) — Notification that certain land shall not vest with the Gaon Samaj — Compliance with statutory procedural requirements**

— Notification claimed to be vague by contending that it neither mentioned details of land nor complied with other requirements — However, Notification found containing a declaration that land measuring 162 acres shall constitute forest land — As per Explan. (1) to S. 4, description of limits of the forest by roads, rivers, ridges or other well-known or readily intelligible boundaries, held sufficient and boundaries on all four sides found mentioned in the Notification — There held no other requirement as per S. 4 — Held, only S. 6 needs to specify the situation and limits of the proposed forest and in terms of such cl. (a) of S. 6, the details of khasra numbers which were part of 162 acres find mention in the proclamation so published — Therefore, the statutory procedural requirements held to be satisfied (Para 21)

**F. Environment Law — Forest Act, 1927 — S. 20 — Publication of notification under provision — Effect of — Held, once a notification under S. 20 declaring a land as reserve forest is published, then all the rights in the said land claimed by any person come to an end and are no longer available — Further Notification held binding on the consolidation authorities in the same way as a decree of a civil court (Para 22)**

*State of U.P. v. Director of Consolidation, (1996) 5 SCC 194, followed*

SK-D/68087/SV

108

SUPREME COURT CASES

(2021) 18 SCC

Advocates who appeared in this case :

Kamlendra Mishra (Advocate-on-Record), Advocate, for the Appellant;  
Naushad Ahmad Khan, Aftab Ali Khan (Advocate-on-Record), M.Z. Chaudhary, Ali Safeer Farooqi, Syed Imtiyaz Ali, Ms Manisha Chauhan and Harinder Mohan Singh (Advocate-on-Record), Advocates, for the Respondents.

a

*Chronological list of cases cited*

*on page(s)*

1. (2019) 10 SCC 259 : (2020) 1 SCC (Civ) 103, *Prahlad Pradhan v. Sonu Kumhar* 119g-h
2. (2019) 3 SCC 191 : (2019) 2 SCC (Civ) 21, *Bhimabai Mahadeo Kambekar v. Arthur Import & Export Company* 120a-b
3. (2018) 14 SCC 537, *State of Uttarakhand v. Kumaon Stone Crusher* 119a, 119b-c
4. (2009) 5 SCC 591 : (2009) 2 SCC (Civ) 582, *Narasamma v. State of Karnataka* 120a-b
5. (1997) 7 SCC 137, *Balwant Singh v. Daulat Singh* 120a-b
6. (1996) 6 SCC 223, *Sawarni v. Inder Kaur* 120a-b
7. (1996) 5 SCC 194, *State of U.P. v. Director of Consolidation* 118a

b

c

The Judgment of the Court was delivered by

**HEMANT GUPTA, J.**— The challenge in the present appeal is to an order passed by the High Court of Judicature at Allahabad on 30-11-2005 whereby the writ petition filed by the respondents (for short “the lessees”) was allowed. The High Court vide the impugned order has set aside the order dated 8-7-2004 passed by the Deputy Director of Consolidation, Lucknow, wherein, the revenue entry of Khasra Nos. 1576 and 1738 was ordered to be corrected in the name of Department of Forest and the claim of rival claimants were set aside.

d

2. A Notification dated 11-10-1952 under Section 4 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (for short “the Abolition Act”) was published in U.P. Gazette dated 18-10-1952 to the effect that an area of 162 acres in Village Kasmandi Khurd shall not vest with the Gaon Samaj. The relevant extract of the notification reads thus:

e

“No. 617 xIV—In exercise of the powers conferred by Section 117 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (U.P. Act 1 of 1951), the Governor is pleased to declare that as from the first day of November, 1952—

f

1. All land, whether cultivable or otherwise except land for the time being comprised in any holding or grove, and

g

2. All the forest within the village boundaries. Situate in a circle, which have vested in the State under the said Act, shall, subject to the exceptions shown in Schedules land I and II hereto, vest in the Gaon Samaj established for the Circle.

h

PRABHAGIYA VAN ADHIKARI AWADH VAN PRABHAG v.  
ARUN KUMAR BHARDWAJ (*Hemant Gupta, J.*)

109

**Schedule I**

*a* Particulars of uncultivated land and the extent to which they shall not vest in Gaon Samajs:

<i>b</i>	<i>District</i>	<i>Tehsil</i>	<i>Pargana</i>	<i>Village</i>	<i>Extent to which the uncultivated land (to be demarcated shall not vest)</i>
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>
	Lucknow	Lucknow	Bijnor	1. * * *	* * *
				19. Kasmandi Khurd	162"

*c* **3.** The provisions of the Abolition Act, as are relevant for the purpose of the present appeal, read thus:

**“4. Vesting of estates in the State.**—(1) As soon as may be after the commencement of this Act, the State Government may, by notification, declare that, as from a date to be specified, all estates situate in Uttar Pradesh shall vest in the State and as from the beginning of the date so specified (hereinafter called “the date of vesting”), all such estates shall stand transferred to and vest, except as hereinafter provided, in the State free from all encumbrances.

*d*

(2) It shall be lawful for the State Government, if it so considers necessary, to issue, from time to time, the notification referred to in sub-section (1) in respect only of such area or areas as may be specified and all the provisions of sub-section (1) shall be applicable to and in the case of every such notification.

*e*

**5. Notification to be published in the Gazette.**—The notification referred to in Section 4 shall be published in the Gazette and such publication shall be conclusive proof of the due publication thereof.

*f*

**6. Consequences of the vesting of an estate in the State.**—When the notification under Section 4 has been published in the Gazette, then, notwithstanding anything contained in any contract or document or in any other law for the time being in force and save as otherwise provided in this Act, the consequences as hereinafter set forth shall, from the beginning of the date of vesting, ensure in the area to which the notification relates, namely:

(a) all rights, title and interest of all the intermediaries—

*g*

(i) in every estate in such area including land (cultivable or barren), groveland, forests whether within or outside village boundaries, trees (other than trees in village abadi, holding or grove), fisheries, tanks, ponds, waterchannels, ferries, pathways, abadi sites, hats, bazars and melas [other than hats, bazars and melas held upon land to which clauses (a) to (c) of sub-section (1) of Section 18 apply], and

*h*

(ii) in all subsoil in such estates including rights, if any, in mines and minerals, whether being worked or not,

110

SUPREME COURT CASES

(2021) 18 SCC

shall cease and be vested in the State of Uttar Pradesh free from all encumbrances;”

4. It is thus contended that in terms of Section 4 of the Abolition Act, all rights, title and interest of all intermediaries including the forest had vested in the State of Uttar Pradesh. In terms of Section 117 of the Abolition Act, the land of the forest can vest in the Gaon Sabha or any other local authority by a general or special order of the Government. Section 117 of the Abolition Act reads as:

“117. *Vesting of certain lands, etc., in Gaon Sabhas and other local authorities.*—(1) At any time after the publication of the notification referred to in Section 4, the State Government may, by general or special orders to be published in the manner prescribed, declare that as from a date to be specified in this behalf, all or any of the following things, namely—

(i) lands, whether cultivable or otherwise, except lands for the time being comprised in any holding or grove;

(ii) forests;

(iii) trees, other than trees in a holding or on the boundary of a holding or in grove or an abadi;

(iv) fisheries;

(v) *hats, bazars and melas*, except *hats, bazars and melas* held on lands to which the provisions of clauses (a) to (c) of sub-section (1) of Section 18 apply or on sites and areas referred to in Section 9; and

(vi) tanks, ponds, private ferries, water channels, pathways and *abadi* sites—

which had vested in the State under this Act shall vest in the Gaon Sabha or any other local authority established for the whole or part of the village in which the said things are situate, or partly in one such local authority (including a Gaon Sabha) partly in another:

Provided that it shall be lawful for the State Government to make the declaration aforesaid subject to such exceptions and conditions as may be specified in such order.”

5. It may be stated that no general or special orders have been issued by the State Government for vesting any part of the land measuring 162 acres with the Gaon Sabha.

6. It was on 23-11-1955, a notification was issued under Section 4 of the Forest Act, 1927 (for short “the Forest Act”). Vide the said notification, objections were invited in respect of the land forming part of the notification. The relevant extract of the notification reads thus:

“Government of Uttar Pradesh

Department of Forest

Misc.

23-11-1955

6828/1-806-55 — Following land has been declared as Protected Forest by his Excellency Governor, as per the powers provided under Section 4 of the Forest Act, 1927 (Act 16 of 1927)

PRABHAGIYA VAN ADHIKARI AWADH VAN PRABHAG v.  
ARUN KUMAR BHARDWAJ (*Hemant Gupta, J.*)

111

a According to Section 4 sub-section 1(c) of the aforesaid Act, Sub-Divisional Officer concerned is appointed Forest Settlement Officer and Additional Commissioner, Lucknow Division empowered to receive objections against the order of Forest Settlement Officer under Section 17 of the Act.

b

Sl. No.	Name of Place	Tehsil	Pargana	Area in Acres according to Gazette	Area taken in Acres	Details of Sides			
						East	West	North	South
c	48 Kasmandi Khurd	Malihabad	Malihabad	162		Amani-ganj Banjar Bhumi and Agriculture field	Railway line Banjar Bhumi Agriculture field	Agriculture field and Canal	Agriculture field"

d

7. After the said notification, a proclamation under Section 6 of the Forest Act was carried out on 28-4-1968. The relevant extract of the proclamation after publication reads thus:

e

"District	Tehsil	Pargana	Village	Area in Khasra No.	Acres Area in Bigha	Details of Boundaries
Lucknow	Malihabad	Malihabad	Kasmandi Khurd	*	*	*
				1576	20.13.10	
				*	*	*
f						(57) 259 4.15 162 Acre
g			North — Araji Majruba	South — Sarhar Mauja Madhour Satwal Majruba	East — Sadak	West — Sarhar Mauja Sindhwapur"

8. The extract from the Forest Act, 1927 relevant for the present appeal reads thus:

h "3. Power to reserve forests.—The State Government may constitute any forest-land or waste-land which is the property of Government or over which the Government has proprietary rights, or to the whole or any part of the

forest-produce of which the Government is entitled, a reserved forest in the manner hereinafter provided.

**4. Notification by State Government.**—(1) Whenever it has been decided to constitute any land a reserved forest, the State Government shall issue a notification in the Official Gazette— a

(a) declaring that it has been decided to constitute such land a reserved forest;

(b) specifying, as nearly as possible, the situation and limits of such land; and b

(c) appointing an officer (hereinafter called “the Forest Settlement Officer”) to inquire 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 or in or over any forest-produce, and to deal with the same as provided in this Chapter. c

*Explanation.*—For the purpose of clause (b), it shall be sufficient to describe the limits of the forest by roads, rivers, ridges or other well-known or readily intelligible boundaries.

(2) The officer appointed under clause (c) of sub-section (1) shall ordinarily be a person not holding any forest-office except that of Forest Settlement Officer. d

(3) Nothing in this section shall prevent the State Government from appointing any number of officers not exceeding three, not more than one of whom shall be a person holding any forest-office except as aforesaid, to perform the duties of a Forest Settlement Officer under this Act.

**5. Bar of accrual of forest rights.**—After the issue of a notification under Section 4, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government or some person in whom such right was vested when the notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land except in accordance with such rules as may be made by the State Government in this behalf. e

**6. Proclamation by Forest Settlement Officer.**—When a notification has been issued under Section 4, the Forest Settlement Officer shall publish in the local vernacular in every town and village in the neighbourhood of the land comprised therein, a proclamation—

(a) specifying, as nearly as possible, the situation and limits of the proposed forest; g

(b) explaining the consequences which, as hereinafter provided, will ensure on the reservation of such forest; and

(c) fixing a period of not less than three months from the date of such proclamation, and requiring every person claiming any right mentioned in Section 4 or Section 5 within such period either to present to the Forest h

PRABHAGIYA VAN ADHIKARI AWADH VAN PRABHAG v.  
ARUN KUMAR BHARDWAJ (*Hemant Gupta, J.*)

113

a Settlement Officer a written notice specifying or to appear before him and state, the nature of such right and the amount and particulars of the compensation (if any) claimed in respect thereof.

\* \* \*

**20. Notification declaring forest reserved.**—(1) When the following events have occurred, namely—

b (a) the period fixed under Section 6 for preferring claims have elapsed and all claims if any made under that section or Section 9 have been disposed of by the Forest Settlement Officer;

c (b) if any such claims have been made, the period limited by Section 17 for appealing from the orders passed on such claims has elapsed, and all appeals (if any) presented within such period have been disposed of by the appellate officer or; Court and

d (c) all lands (if any) to be included in the proposed forest, which the Forest Settlement Officer has, under Section 11, elected to acquire under the Land Acquisition Act, 1894 (1 of 1894), have become vested in the Government under Section 16 of that Act,

e the State Government shall publish a notification in the Official Gazette, specifying definitely, according to boundary-marks erected or otherwise, the limits of the forest which is to be reserved, and declaring the same to be reserved from a date fixed by the notification.

(2) From the date so fixed such forest shall be deemed to be a reserved forest.”

f **9.** It appears that local management committee (Gaon Sabha) had put the lessees into possession of 7 bighas of land on 15-5-1966 and another 5 bighas of land on 26-12-1966 forming part of Khasra No. 1576 measuring 20 bighas 13 biswas and 10 biswansi. Such act of grant of lease was challenged by the Forest Department but remained unsuccessful vide order dated 19-12-1969. Such order passed by Sub-Divisional Officer, Mohan Lal Ganj, Lucknow was set aside by the Additional Commissioner, Lucknow Division on 22-7-1970. The further revision filed by the lessee before the Board of Revenue was dismissed but in terms of order dated 22-7-1970, a fresh decision was to be taken after impleading local management committee who had granted lease to the lessee on behalf of the Gaon Sabha. There is nothing on record as to what happened consequent to the remand by the Additional Commissioner as affirmed upon by the Board of Revenue.

g **10.** In the six-years khatauni for the period 1380 Fasli to 1388 Fasli, the barren land which could be made cultivable including Khasra No. 1576 were recorded to be transferred from the name of Gaon Sabha Village Kasmandi Khurd to Department of Forest.

“Six Years Khatauni

h Village: Kasmandi Khurd Pargana and Tehsil Malihabad Distt. Lucknow

114

SUPREME COURT CASES

(2021) 18 SCC

Year: From 1380 Fasli year to till Fasli 1388

Sl. No. of khata Khatauni	Name of Khatedar and Father's name	Year start physical possession	Khasra no. of each plot	Area in Hec in bigha (band)	Payable lagaan or malguzari	Brief of any order of changes, no. and date and the name and post of issuing officer attested by Registrar Qanungo						Comments
						1383	84	85	86	87	88	
1	2	3	4	5	6	7	8	9	10	11	12	13
Category 2 as Sankramniya Bhuomidar												
18 K	(Krishi Yogya Banjar) Barren Land but can be made cultivable		Category 5 Plot No. 6 to 1568	N.A.		All the plots mentioned in Khatauni to be transferred from the name of Gram Samaj, Village Kasmandi Khurd, to Department of Forest."						
			1576	7.3								
			1579 to 1800	N.A.								

11. That a six yearly khatauni for the Fasli years 1395 to 1400 was issued by which Khasra No. 1576 was transferred to the forest as a protected forest. The relevant extract from the khatauni reads thus:

“Intkhab Six Yearly Khatauni  
Village Kasmandi Khurd, Pargana and Tehsil,  
Malihabad,  
Distt. Lucknow, Years 1395 to 1400

Khatauni No.	Name of land owner	Year of ownership	Plot No.	Area	Illegible	Information regarding change in ownership entered by any officer 1395, 1396, 1397, 1398, 1399, 1400
Category 5 Barren Land but can be made cultivable (Krishi Yogya Banjar) — The land has been transferred according to the Forest Act as protected forest						
881	Department of Forest	-	1576	20.13.10"		

12. The name of the lessee appears for the first time in the khatauni prepared for the year 1407 Fasli till 1412 Fasli wherein the possession of the lessee was recorded from 1394 Fasli to 1395 Fasli in respect of 12 bighas of land.

PRABHAGIYA VAN ADHIKARI AWADH VAN PRABHAG v.  
ARUN KUMAR BHARDWAJ (*Hemant Gupta, J.*)

115

“Six Years Khatauni

a Intikhab Khatauni

Village: Kasmandi Khurd Pargana and Tehsil Malihabad Distt.  
Lucknow

Year: From 1407 Fasli year to till Fasli 1412

Sl. No. of khata Khat- auni	Name of Khatedar and Father's name	Year start physical posse- sion	Khasra no. of each plot	Area in Hec in bigha (band)	Payable lagaan or malgu- zari	Brief of any order of changes, no. and date and the name and post of issuing officer attested by Registrar Qanungo						Comments
						7	8	9	10	11	12	
1	2	3	4	5	6	7	8	9	10	11	12	13
Category 2 as Sankramniya Bhuomidar												
295	Brij Mohan s/o Kakaram r/o Daliganj Lucknow City	From 1394 to 1395	1576/A And 1576/A2	7  5	  ---	  ---	  12	  75"				

e 13. It is thereafter, proceedings were initiated under the U.P. Consolidation of Holdings Act, 1953 (for short “the Consolidation Act”) by the Forest Department to rectify the revenue record from the name of the lessee to that of the Forest Department. Such application was dismissed on 22-7-1993. The appeal against the said order was dismissed. The Deputy Director Consolidation, in a revision under Section 48 of the Consolidation Act, vide order dated 8-7-2004, set aside the order dated 22-7-1993. The Deputy Director f in its order on 28-2-2004 held as under:

g “...In this regard it is clear as has been stated before that the notification has been issued regarding the land in village including disputed Plot no. by the Department of Forest, copy of which is sent to all the Depts. Therefore at the time of making entry in the records same has to be taken cognizance of and it has been done also accordingly. Since the h disputed land has been notified in the name of Department of Forest so that land cannot be used for agricultural purposes and in such situation the grant of patta of the land loses its relevance. If the father of opposite party has got patta Bhuomidari saved on irregular basis, it does not have any significance. The Chakbandi Officer and Astd. Bandobast Officer Chakbandi has distorted the facts and had tried to cause loss to the Government and Department of Forest and benefit to opposite parties which is highly objectionable.

From the above it is clear that the Chakbandi Officer and Asst. Bandobast Officer Chakbandi had completely ignored the claim of Department of Forest regarding the notification of disputed land in their favour and had deleted their name without any reasons and had got the land in question in favour of the landowners. The above act of the officers is punishable offence as it causes damage to Government property. In my opinion action to be taken against them according to law. The disputed plot has been notified in the name of Department of Forest and Entry No. 88 to such effect has to be continued with without any interference and double entries to be omitted/cancelled. According the appeal is entitled to be allowed.

Order

Therefore on the basis of above analysis the appeal is hereby admitted. The order of Chakbandi Officer dated 22-7-1993 and Asst. Bandobast Officer Chakbandi dated 28-2-2004 is hereby set aside. Plot No. 1576 of area DO/13/10 and Plot No. 1738 of area.1 Bigha, Plot No. 868/1830 of area 2-4-0 Entry No. 881 in favour of Department of Forest and the claim of other landowners is hereby cancelled. Case file consigned to record room.”

14. It is the said order which was set aside by the High Court in the writ petition filed by the lessees.

15. The learned counsel for the appellant submitted that the High Court has gravely erred in setting aside the order passed by the Deputy Director as there was no legal or factual basis to do so. The Notification dated 11-10-1952 published in terms of Section 4 of the Abolition Act was to the effect that all estates situated in Uttar Pradesh shall vest in the State. The extent to which uncultivated land which does not vest in Gaon Samaj was mentioned in Column 5 stating that 162 acres of Village Kasmandi Khurd would not vest in Gaon Samaj. Such notification has the effect that all rights, title and interest, shall be deemed to be vested in the State of Uttar Pradesh. In terms of Section 117 of the Abolition Act, the State can transfer the lands by a general or special order as prescribed therein including forests to Gaon Sabha and to other local authorities. It is not the case of any of the parties that the land, which was the subject-matter of Notification dated 11-10-1952, was subject to any general or special orders by the State to transfer the same in favour of Gaon Sabha and/or any other local authority. Therefore, the land comprising in Notification dated 11-10-1952 unequivocally vests with the State.

16. It is thereafter that a Notification dated 23-11-1955 was published in respect of 162 acres of land situated in Kasmandi Khurd. Such notification describes the land with boundaries mentioned in the notification. Thereafter, another proclamation was published under Section 6 of the Forest Act in respect of 162 acres of land including 20 bighas 13 biswas and 10 biswansi of Khasra No. 1576 of Village Kasmandi Khurd. The notification under Section 4 of the Forest Act to declare any land as reserved forest could be issued if the State has proprietary rights over such land or if it is entitled to the produce thereof.

17. The State Government has the jurisdiction to declare a protected forest if the land is the property of the Government over which proprietary rights are exercised. The land measuring 162 acres was the property of the Government

PRABHAGIYA VAN ADHIKARI AWADH VAN PRABHAG v.  
ARUN KUMAR BHARDWAJ (*Hemant Gupta, J.*)

117

*a* in terms of the Notification dated 11-10-1952. In terms of Section 4 of the Forest Act, the State Government can issue a notification to constitute any land as reserved forest. The Notification dated 23-11-1955 satisfies the three conditions mentioned in Section 4 i.e. (i) decision to constitute such land as reserved forest, (ii) situation and limits of such land, and (iii) appointing an officer to inquire 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. The lessees were not in possession of any part of the land at the time of issuance of such Notification under Section 4 on 23-11-1955. *b* Therefore, they have rightly not claimed any right over the property nor the Gaon Sabha has claimed any right in the land measuring 162 acres notified under Section 4 of the Act.

*c* **18.** Section 5 of the Forest Act bars that no right shall be acquired in or over the land comprised in notification under Section 4 of the Forest Act, except by succession or under a grant or contract in writing made or entered into by or on behalf of the Government. Once the Notification dated 23-11-1955 was published under Section 4 of the Forest Act, there could not be any transfer of right in the land so notified in favour of the lessee by the Gaon Sabha.

*d* **19.** It is thereafter, a proclamation was required to be issued under Section 6 of the Forest Act publishing in the local vernacular in every town and village specified, as nearly as possible, the situation and limits of the proposed forest. In the proclamation under Section 6 of the Forest Act, different khasra numbers have been specified including Khasra No. 1576. Such khasra number forms part of the total forest land declared under Section 4 of the Act measuring 162 acres. The proclamation of publication was published in the locality but none including the Gaon Sabha objected to the declaration of land as forest area.

*e* **20.** Mr Khan, learned counsel for the lessee and Mr Hooda, learned counsel for the Gaon Sabha vehemently argued that the details of land in respect of which notification under Section 4 of the Forest Act was issued are not mentioned, except providing the total area measuring 162 acres. It was argued that such notification is vague and does not comply with the conditions specified in Section 4 of the Forest Act. It was only in the proclamation published under Section 6 of the Forest Act that Khasra No. 1576 was *f* mentioned.

*g* **21.** We do not find any merit in the argument raised by Mr Khan and Mr Hooda. In the notification published on 23-11-1955, there was a declaration that land measuring 162 acres shall constitute forest land. Explanation (1) to Section 4 of the Forest Act clarifies that it would be sufficient to describe the limits of the forest by roads, rivers, ridges or other well-known or readily intelligible boundaries. The Notification dated 23-11-1955 has the boundaries on all four sides mentioned therein. There is no other requirement under Section 4 of the Forest Act. It is only Section 6 of the Forest Act which needs to specify the situation and limits of the proposed forest. In terms of such clause *h* (a) of Section 6 of the Forest Act, the details of khasra numbers which were part of 162 acres find mention in the proclamation so published. Therefore, the statutory procedural requirements stand satisfied.

**22.** The learned counsel for the appellant referred to a judgment reported as *State of U.P. v. Director of Consolidation*<sup>1</sup> wherein the land was notified as a reserved forest under Section 20 of the Forest Act but the respondents in appeal before this Court claimed that they were in possession of the land and had acquired Sirdari rights. This Court held that in terms of the Abolition Act, the State was the proprietor of the land and the respondents, even if they were Sirdars, would still be tenure-holders. It was also held that the Consolidation Authorities have no jurisdiction to go behind the notification under Section 20 of the Forest Act. The Court held as under: (SCC pp. 199-200, paras 7 & 10)

“7. It is thus obvious that a person who was holding the land as Sirdar was not vested with proprietary rights under the Abolition Act. He was a tenure-holder and the proprietary rights vested with the State. The High Court, therefore, fell into patent error in assuming that by virtue of their status as Sirdars the respondents were proprietors of the land. The State being the proprietor of the land under the Abolition Act, it was justified in issuing the notification under Section 4 of the Act.

\* \* \*

10. It is thus obvious that the Forest Settlement Officer has the powers of a civil court and his order is subject to appeal and finally revision before the State Government. The Act is a complete code in itself and contains elaborate procedure for declaring and notifying a reserve forest. Once a notification under Section 20 of the Act declaring a land as reserve forest is published, then all the rights in the said land claimed by any person come to an end and are no longer available. The notification is binding on the consolidation authorities in the same way as a decree of a civil court. The respondents could very well file objections and claims including objection regarding the nature of the land before the Forest Settlement Officer. They did not file any objection or claim before the authorities in the proceedings under the Act. After the notification under Section 20 of the Act, the respondents could not have raised any objections qua the said notification before the consolidation authorities. The consolidation authorities were bound by the notification which had achieved finality.”

**23.** Mr Khan further raised an argument that the final notification under Section 20 of the Forest Act has not been published. A reading of Section 20 of the Forest Act does not show that for a reserved forest, there is a requirement of publication of notification but no time limit is prescribed for publication of such notification under Section 20. Therefore, even if notification under Section 20 of the Forest Act has not been issued, by virtue of Section 5 of the Forest Act, there is a prohibition against acquisition of any right over the land comprised in such notification except by way of a contract executed in writing by or on behalf of the Government. Since no such written contract was executed by or on behalf of the State or on behalf of the person in whom such right was vested, therefore, the Gaon Sabha was not competent to grant lease in favour of the appellant.

<sup>1</sup> (1996) 5 SCC 194

PRABHAGIYA VAN ADHIKARI AWADH VAN PRABHAG v.  
ARUN KUMAR BHARDWAJ (*Hemant Gupta, J.*)

119

a **24.** In a judgment in *State of Uttarakhand v. Kumaon Stone Crusher*<sup>2</sup>, an argument was raised that since notification under Section 20 of the Forest Act has not been published therefore, land covered by notification issued under Section 4 cannot be regarded as forest. This Court negated the argument relying upon Section 5 of the Forest Act as amended in the State of Uttar Pradesh by U.P. Act 23 of 1965. It was held that regulation by the State comes into operation after the issue of notification under Section 4 of the Forest Act and that absence of notification under Section 20 of the Forest Act cannot be  
b accepted.

**25.** The Court held as under: (*Kumaon Stone Crusher case*<sup>2</sup>, SCC p. 599, paras 145-146)

c “145. At this juncture, it is also necessary to notice one submission raised by the learned counsel for the petitioners. It is contended that the State of Uttar Pradesh although issued notification under Section 4 of the 1927 Act proposing to constitute a land as forest but no final notification having been issued under Section 20 of the 1927 Act the land covered by a notification issued under Section 4 cannot be regarded as forest so as to levy transit fee on the forest produce transiting through that area. With reference to the above submission, it is sufficient to notice Section 5 as inserted by  
d Uttar Pradesh Act 23 of 1965 with effect from 25-11-1965. By the aforesaid U.P. Act 23 of 1965 Section 5 has been substituted to the following effect:

e ‘**5. Bar of accrual of forest rights.**—After the issue of the notification under Section 4, no right shall be acquired in or over the land comprised in such notification, except by succession or under a grant or a contract in writing made or entered into by or on behalf of the Government or some person in whom such right was vested when the notification was issued; and no fresh clearings for cultivation or for any other purpose shall be made in such land, nor any tree therein felled, girdled, lopped, tapped, or burnt, or its bark or leaves stripped off, or the same otherwise damaged, nor any forest produce removed therefrom, except in accordance with such rules as may be made by the State Government in this behalf.’  
f

g “146. Section 5 clearly provides that after the issue of the notification under Section 4 no forest produce can be removed therefrom, except in accordance with such rules as may be made by the State Government in this behalf. The regulation by the State thus comes into operation after the issue of notification under Section 4 and thus the submission of the petitioners that since no final notification under Section 20 has been issued they cannot be regulated by the 1978 Rules cannot be accepted.”

**26.** This Court in a judgment in *Prahlad Pradhan v. Sonu Kumhar*<sup>3</sup> negated argument of ownership based upon entries in the revenue records. It was held that the revenue record does not confer title to the property nor do they have any presumptive value on the title. The Court held as under: (SCC p. 263, para 5)

h

<sup>2</sup> (2018) 14 SCC 537

<sup>3</sup> (2019) 10 SCC 259 : (2020) 1 SCC (Civ) 103

120

SUPREME COURT CASES

(2021) 18 SCC

“5. The contention raised by the appellants is that since Mangal Kumhar was the recorded tenant in the suit property as per the Survey Settlement of 1964, the suit property was his self-acquired property. The said contention is legally misconceived since entries in the revenue records do not confer title to a property, nor do they have any presumptive value on the title. They only enable the person in whose favour mutation is recorded, to pay the land revenue in respect of the land in question.<sup>4</sup> As a consequence, merely because Mangal Kumhar’s name was recorded in the Survey Settlement of 1964 as a recorded tenant in the suit property, it would not make him the sole and exclusive owner of the suit property.”

27. The six yearly khatauni for the Fasli years 1395 to 1400 is to the effect that the land stands transferred according to the Forest Act as the reserved forest. Such revenue record is in respect of Khasra No. 1576. It is only in the revenue record for the period 1394 Fasli to 1395 Fasli, name of the lessees find mention but without any basis. The revenue record is not a document of title. Therefore, even if the name of the lessee finds mention in the revenue record but such entry without any supporting documents of creation of lease contemplated under the Forest Act is inconsequential and does not create any right, title or interest over 12 bighas of land claimed to be in possession of the lessee as a lessee of the Gaon Sabha.

28. The High Court had referred to the objections filed by the lessees under the Consolidation Act and also objections by the Forest Department. It was held by the High Court that since no objections were filed by the Forest Department earlier, therefore, the objections would be barred by Section 49 of the Consolidation Act. We find that such finding recorded by the High Court is clearly erroneous. The land vests in the Forest Department by virtue of notification published under a statute. It was the lessee who had to assert the title on the forest land by virtue of an agreement in writing by a competent authority but no such agreement in writing has been produced. Therefore, the lessee would not be entitled to any right only on the basis of an entry in the revenue record.

29. In view thereof, we find that the order of the High Court cannot be sustained in law. The same is hereby set aside. The appeal is allowed. The order passed by the Deputy Director of Consolidation dated 8-7-2004 is restored.

---

<sup>4</sup> *Bhimabai Mahadeo Kambekar v. Arthur Import & Export Company*, (2019) 3 SCC 191 : (2019) 2 SCC (Civ) 21; *Narasamma v. State of Karnataka*, (2009) 5 SCC 591 : (2009) 2 SCC (Civ) 582; *Balwant Singh v. Daulat Singh*, (1997) 7 SCC 137; *Sawarni v. Inder Kaur*, (1996) 6 SCC 223

1485



Aayushman Aeron  
<aeronaayushman@gmail.com>

---

**NGT//Sonya Ghosh vs GNCTD//EA No. 39 of 2024 IN  
OA No. 58 of 2013**

---

**Aayushman Aeron** <aeronaayushman@gmail.com>

Tue, Jul 29, 2025 at  
12:59 PM

To: siddhant@vnbchambers.com, Jyoti Mendiratta <jyoti.legal@gmail.com>, balendushekhar@gmail.com, gigicgeorge.adv42@yahoo.in, malvikakapila84@gmail.com, Suhasini Sen <suhasini.sen@gmail.com>

Sir/Madam,

PFA the documents being circulated on behalf of Mr. Raj Panjwani, Sr. Adv., Ld Amicus in the captioned matter.

Regards,

Aayushman Aeron



**SG RP AC Docs.pdf**  
14014K