

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1151 of 2024

IN THE MATTER OF:

SOCIETY FOR PROTECTION OF
CULTURE, HERITAGE, ENVIRONMENT,
TRADITION AND PROMOTION OF
NATIONAL AWARENESS (REGD.) (SP-CHETNA)

...APPLICANT

VERSUS

UNION OF INDIA AND ORS.

...RESPONDENTS

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For S P CHETNA

Hon'y President
APPLICANT

THROUGH



RITESH AGARWAL
COUNSEL FOR APPLICANT

GF-30-31, WORLD TRADE CENTRE,
LALIT HOTEL, BABAR ROAD,
NEW DELHI-110001
MOB NO.9999972564

DATE: 17.03.2026
PLACE: NEW DELHI

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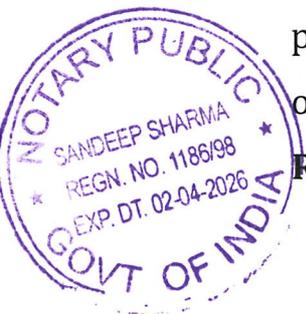
VERSUS

UNION OF INDIA AND ORS. ...RESPONDENTS

**REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANT TO THE
AFFIDAVIT FILED BY RESPONDENT NO. 3 (DDA) DATED 30-01-2026**

I, Anil Sood, a senior citizen, S/o Late Sh. M.C Sood, aged about 70 yrs.,
R/o C-1/1056, Vasant Kunj, New Delhi-110070, do hereby solemnly
affirm and state as under:

1. That I am the President of the Applicant Society and am well acquainted with the facts and circumstances of the present case. I am therefore competent and duly authorized to swear and affirm the present short Affidavit.
2. That I have carefully gone through the Affidavit filed by Respondent No. 3, wherein reliance has been placed on merely two geo-tagged photographs purportedly showing road cutting, out of a total length of 1427 meters of pipeline claimed to have been laid by Respondent No. 6 [para-J] at running page 403]. The selective

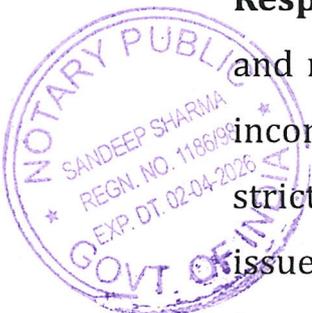


reliance on only two photographs, representing an insignificant portion of the alleged work, raises serious questions regarding the credibility, completeness and veracity of the claims made by Respondent No. 3.

3. That the said selective disclosure of photographs, without placing on record comprehensive geo-tagged evidence of the entire stretch of the alleged pipeline work, creates a misleading impression and appears to be an attempt to portray partial compliance while withholding the full factual position from this Hon'ble Tribunal.
4. That in the interest of justice and in order to place the correct factual position before this Hon'ble Tribunal, it has become necessary for the Applicant to place on record the contradictions, inconsistencies and misleading assertions contained in the Affidavit of **Respondent No.(s) 2, 3 5 and 6**. Accordingly, the present Reply/Rejoinder is being filed, the submissions whereof are set out hereinbelow.

MOST RESPECTFULLY SHOWETH:

5. It is respectfully submitted that the contradictory stands taken by **Respondent No. 3** in the present Affidavit, when juxtaposed with the earlier affidavits and the Counter Affidavits filed by **Respondent Nos. 2, 5 and 6**, materially undermine the credibility and reliability of the statements made on oath. Such shifting and inconsistent positions go to the root of the matter and warrant strict scrutiny by this Hon'ble Tribunal, particularly when the issues involved relate to compliance with the directions already issued by this Hon'ble Tribunal and affirmed by the Hon'ble



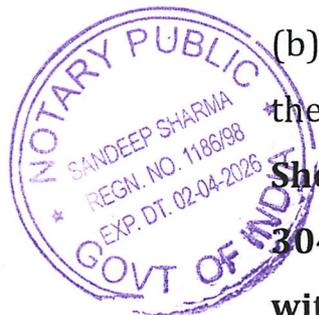
Supreme Court. The Respondents cannot be permitted to approbate and reprobate or take mutually inconsistent stands before this Hon'ble Tribunal in order to avoid compliance with binding judicial directions.

6. The applicant has filed the instant OA seeking stoppage of in-situ **development of existing JJ cluster at Kusumpur Pahadi**, falling in South-West Delhi, abutting Vasant Vihar Colony, interalia, on the ground that the Kusumpur Pahadi was partially located on and infringed upon the forest area of the **Southern Ridge**, more specially known and comprised in **Aravali Biodiversity Park**. If the allegation of the applicant is correct, then the illegal construction in Kusumpur Pahadi will have to be demolished and the residents would require to be relocated elsewhere, on account that no intrusion into forest area/southern ridge/biodiversity park can be countenanced in law, especially in view of catena of judgments of the constitutional courts, protecting forest/ridge area from intrusion on account of illegal construction of any kind.
7. The case of the applicant was and remains that the various respondents herein are well aware of the aforesaid illegality but, over the years, instead of taking remedial measures, have compounded the breach of law by allowing manifold increase in construction and population density of Kusumpur Pahadi; then going to the extent of in-situ development thereof; pending the in-situ development, even providing for laying down of LPG pipelines etc. In short, instead of working towards containment and finally removal of Kusumpur Pahadi, the respondents have been steadily working towards perpetuating and working towards making worse



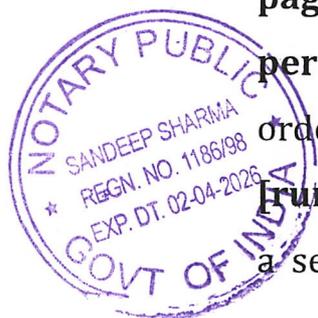
an already bad situation.

8. That the Respondents herein are blatantly “passing the buck” to each other in a manner which is both self-evident and self-destructive. The instant composite rejoinder is being filed to highlight the contradictory, inconsistent and self-destructive stand of the respondent no. **2, 5, 3 and 6**.
9. **Respondent 6, IGL**, was directed to file an affidavit explaining the circumstances in which it came to lay and operationalize a pipeline in the forest /morphological ridge area. By affidavit dated 20-09-2025, respondent no. 6 /IGL took a simple stand that **IGL acted pursuant to directions of Lt. Governor of Delhi, after taking permission from the land-owning agency namely DDA, Respondent no.3** herein. The **Respondent 6, IGL** admits to **laying down and operationalizing 1,427 meters of gas pipeline in Kusumpur Pahadi**, ostensibly within the time it was directed to do so by Chief Secretary, Delhi Administration, paras A, F and I of affidavit of IGL may be perused. **[running pages 400 to 402]**.
10. Surprisingly, **Respondent no. 3, landowning agency/DDA** has taken a contradictory stand in its affidavit dated 08-04-2025, that (a) there is no proposal for **in-situ development for Kusumpur Pahadi existing JJ Cluster by DDA [para 4 - running page 304]** (b) that DDA is no longer the land-owning agency having released the land on which Kusumpur Pahadi is situated to **Delhi Urban Shelter Improvement Board (DUSIB) [para - 5 running page 304]**. DDA also affirmed, on affidavit, that **Kusumpur Pahadi is not within or part of South-Central Ridge; that the area of**



Kusumpur Pahadi is part of Aravali Biodiversity Park; that there are about 2000 households within the notified cluster and in view of that fact there is no proposal for in-situ rehabilitation of Kusumpur Pahadi. Once having admitted, on oath, that Kusumpur Pahadi is part of Aravali Biodiversity Park, DDA could not have, legally, given any permission/direction to IGL to cause the laying, building and operationalizing of any pipeline in that area; whereas stand of IGL is that it has laid and commissioned the pipeline on express permission/direction from DDA/LG. It is, therefore, crystal clear that DDA has no power, in law, to grant any permission for the laying of any gas pipeline in Kusumpur Pahadi.

11. Further it may be noted that the stand of **Respondent No. 3 (DDA)**, on oath, is in teeth of judgment dated **11-11-2025 of Hon'ble Supreme Court in IA No.117204 of 2024 in Writ Petition (C) No. 202 of 1995 - para 11**. The DDA's affidavit also seems self-serving, in that, on one hand DDA has asserted that it has made over the Kusumpur Pahadi to the **DUSIB [item 190 -running page 316]**, while still showing itself **(DDA)** as the land-owning agency. The inherent contradiction and the legally untenable position taken by DDA deserves to be highlighted; it is the prevaricating stance of R-3 that has resulted in increase of illegally situated households in Kusumpur Pahadi from **2000 house hold [para 6 on running page 305] to 4909 [Sr no. 190 at running page 316] to 1,00,000 persons i.e. 20,000 families** as per submissions by DJB recorded in order dated 08-03-2021 passed Public Grievance Commission **[running page 47]** It is urged, with respect, that the Tribunal take a serious view of the complicity of DDA in the compounding of



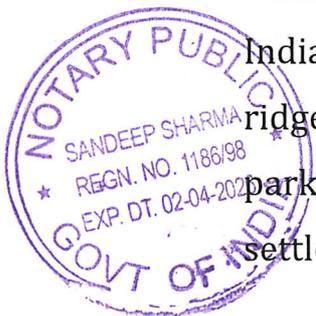
illegality in this case and officers responsible for the same be brought to book, in accordance with law.

12. That matters do not end here, the affidavit dated 08-04-2025 of **Respondent no.2 and 5 (Principal Chief Conservator of Forest and Ridge Management Board)** put an even more curious twist on the facts of the case. Apparently, **Respondent no. 2 and 5** sought information from **Respondent No.3 (DDA)** being land owning agency for providing a map with geo-coordinates of the extent of area of in-situ Slum Rehabilitation Scheme of Kusumpur Pahadi, **[para 6 at running page 295]** which the DDA in its affidavit affirms that there was no proposal for, on the ground that Kusum Pahadi fell within the Aravali Bio-Diversity Park.

13. The Respondent no. 2 and 5 in para 7 of the Counter affidavit **[running page no. 295]** further aver that “some part of Kusumpur Pahadi” falls within the morphological ridge (compare with DDA affidavits stating that Kusumpur Pahadi is NOT situated within South Central Ridge).

14. It is therefore clear that the Respondent agencies are themselves confused and therefore taking confusing stands in respect of the basic issue highlighted in this application.

15. The applicant vehemently reasserts that Kusumpur Pahadi falls within Ridge area as clear from the map/survey of India/coordinates of forest/ coordinates of morphological ridge/area shown in official documents as Aravali Bio Diversity park. Thus, looked at from any angle, the Kusumpur Pahadi settlement is a blatant encroachment on the forest



area/morphological ridge/southern central ridge/Aravali Biodiversity Park and no settlement or construction or development is permissible in that area i.e. Kusumpur Pahadi. The illegal settlement is clearly on account of acts of omission and commission by the Respondents.

PRAYER

It is respectfully prayed that urgent, time bound, directions be issued to clear and rehabilitate the area on which the illegal settlement colony (Kusumpur Pahadi) is located.

DEPONENT

VERIFICATION:

Verified at New Delhi on this the 17th day of March 2026 that the contents of the above affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.

Date: 17.03.2026

Place: New Delhi



DEPONENT

Ritn
IDENTIFIED BY

ATTESTED
NOTARY PUBLIC,
DELHI (INDIA)
18 MAR 2026



Proof of service by email

Re: OA-1151 of 2024 - Service of Rejoinder to Affidavit filed by R-3 DDA

From Anil Sood (SPChetna) <anilsood@spchetna.com>

Date Wed 18-03-2026 16:42

To secy-moef@nic.in <secy-moef@nic.in>; pccf-gnctd@delhi.gov.in <pccf-gnctd@delhi.gov.in>; jmalawoffices@gmail.com <jmalawoffices@gmail.com>; Vcdda@dda.org.in <vcdda@dda.org.in>; Deeksha.kakar@scladi.com <deeksha.kakar@scladi.com>; oicnd-cgwb@nic.in <oicnd-cgwb@nic.in>; gigicgeorge.adv42@yahoo.co.in <gigicgeorge.adv42@yahoo.co.in>; csdelhi@nic.in <csdelhi@nic.in>; shyam.agrawal@igl.co.in <shyam.agrawal@igl.co.in>; divye chugh <chugh.divye@gmail.com>

Cc Madhumita Singh <madhumita@casassociates.in>; Ritesh Agrawal <untwalia@yahoo.co.in>; Sameer Sood <sameer@casassociates.in>; Jatin Mandovaria <jatin@casassociates.in>

1 attachment (5 MB)

Rejoinder to Affidavit filed by DDA.pdf;

Dear All

Attached is the rejoinder to the Affidavit dated 30th January 2026, uploaded 4th February 2026 on NGT Portal on by Respondent No. 3 DDA . This email be treated as service on you all.

With best wishes & kind regards

Anil Sood

Hony President - SPCHEटना

TEDx Speaker, Recipient of Man of Excellence Award 2023

A 414-415 , Somdutt Chamber -1

5 Bhikajicama Place,

New Delhi.

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