

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPLE BENCH, NEW DELHI
APPEAL NO. 15 of 2025

IN THE MATTER OF:

Vasant Kunj RWA, Sector-B, Pocket-1

...Appellant

-Versus-

Ministry of Environment, Forest & Climate Change & Ors.

...Respondents

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Place: New Delhi

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**REJOINDER ON BEHALF OF THE APPELLANT, VASANT KUNJ
RWA, SECTOR-B, POCKET-1 TO THE REPLY DATED 26.06.2025
FILED BY RESPONDENT NO. 1, MINISTRY OF ENVIRONMENT,
FORESTS AND CLIMATE CHANGE**

MOST RESPECTFULLY SHEWETH: -

1. That this Hon'ble Tribunal is currently seized of the above captioned Appeal challenging the Environmental Clearance dated 13.01.2025 granted by the Respondent No. 1, Ministry of Environment, Forests and Climate Change (hereinafter, 'MoEF&CC') to the Respondent No. 5, M/s RR Texknit LLP (hereinafter, 'Project Proponent') for constructing a Group Housing Project numbering 138 units and comprising of 3 towers, each containing 3 basements, stilt and 9 floors (3B + S + 9) at Khasra No. 1230/2, Sector-B, Pocket-1, Vasant Kunj, Village Mehrauli, New Delhi.
2. That the present Appeal was first heard on 21.02.2025, when this Hon'ble Tribunal was pleased to issue Notice on the Appeal as well as the I.A. No. 102 of 2025 for interim relief. Further, the Respondent No. 1, MoEF&CC, was directed to produce a copy of the original record leading to the grant of the impugned Environmental Clearance (hereinafter 'EC'). Subsequently, on 26.06.2025, the Respondent No. 1, MoEF&CC, filed its Counter Affidavit. Although the original records leading up to the grant of EC have not been

produced or shared, this Hon'ble Tribunal, on 03.07.2025, has granted liberty to the Appellant to file its Rejoinder to the abovesaid Counter Affidavit dated 26.06.2025 and accordingly, the present Rejoinder is being filed. The Appellant reserves its right to file its response on the Original records, as and when it is filed and in case where such facts were not disclosed in the said Affidavits.

3. That before responding to the averments made in the Counter Affidavit dated 26.06.2025 of the Respondent No. 1, MoEF&CC, the Appellant humbly seeks to submit the following Preliminary Submissions pertaining to the grant of the impugned Environmental Clearance in violation of the Environment Impact Assessment Notification, 2006 as well as the Orders of this Hon'ble Tribunal including the bonafides of the Appellant which has been raised by the Respondent No. 5. Specifically, the Appellant humbly seeks to demonstrate in the succeeding paragraphs how the impugned Environmental Clearance was granted by the Respondent No. 1, MoEF&CC on suppressed information and, moreover, based on a plagiarised Environment Impact Assessment Report, forged tree felling permissions, a deficient traffic impact assessment and submission of misleading information in Form 1, in blatant violation of the Environment Impact Assessment Notification, 2006. Additionally, while evaluating the project, the Expert Appraisal Committee (hereinafter referred to as 'EAC') has overlooked several critical considerations, including the carrying capacity of the area as well as the existence of water bodies in the vicinity and the existence of the project in the South-Central Morphological Ridge, which requires a forest clearance and accordingly the Stage I forest clearance is a prerequisite to grant the EC.
4. That, at the outset, it is submitted by the Appellant that this Hon'ble Tribunal in its Order dated 07.04.2016 in the Appeal No. 39 of 2012 titled Save Mon Region Federation & Anr. v. Union of India & Ors. (Para 13 of the said Order) has

clearly stated that the procedure laid down in the Environmental Impact Assessment Notification, 2006 or the information /data furnished by the Project Proponent in their Application form, is the basis of the entire process stipulated for the grant of Environmental Clearance and, thus, the same has a cascading effect on the final outcome. In the same vein, this Hon'ble Tribunal may take strict note of the inadequate manner in which the EAC has missed out on the gross misconduct of Respondent No. 5, who has been submitting incomplete information, plagiarised assessments and obtaining forged permissions, thus vitiating the entire integrity of the procedure as envisaged in the Environmental Impact Assessment Notification, 2006.

PRELIMINARY SUBMISSIONS

A. Plagiarism in the EIA Report basis which the project was recommended

– renders the impugned EC void

5. That it is submitted that the SEAC as well as the EAC have failed to explain their oversight in questioning the mischief conducted by the Project Proponent in submitting the EIA Report which is the primary basis of granting EC and which has been copied verbatim from an earlier Report prepared for a wholly different project i.e. Gulabi Bagh project. Illustratively, following are some of the blatant instances of **plagiarism** committed in preparing the EIA Report of the Project Proponent:
 - i. The Air Pollution Dispersion Report (Form 1 A at Annexure A-2, Page 361-384 of the Appeal), notes that the “*project is located on flat terrain in a rural area*” in Paragraph 2.2.2 Dispersion Parameters;
 - ii. Paragraph 2.2.3 of the Air Pollution Dispersion Report states that the **stability classification pertaining to rural areas** has been adopted instead of urban areas for calculating ambient air quality ground level

concentration, even though the project of Respondent No. 5 is located in Vasant Kunj, which is an Urban Area;

- iii. Paragraph 2.3.1 of the above Report, while describing the project, notes that *the proposed project is a Construction of ‘Group Housing’ at Khasra no.219/220 part at Sindhora Kalan Village, Gulabi Bagh by Sanjay Surana, Suraj Mal Surana & Chandrika Surana.*
 - iv. The Urban Heat Island Effect (UHID) & Daylight Compliance Report also contain various similarities with the Urban Heat Island Effect Report of the Gulabi Bagh project, including the period of parameters and the longitudes and latitudes in the chart containing weather data summary.
6. That the above instances render the EIA Report completely unreliable and consequently render the impugned Environmental Clearance void, as clarified by the Respondent No. 1, MoEF&CC’s own Office Memorandum (‘OM’) dated 05.10.2011 [Refer Pg 1855 of I.A No. 451 of 2025]. The said OM clearly states that if, at any stage, it is observed that the contents of the EIA Report pertaining to a project have been copied from other EIA Reports, then such projects shall be summarily rejected and if Environment Clearance is already granted based on a copied EIA Report, then the Environment Clearance so granted would be withdrawn, initiating the procedure for obtaining Environmental Clearance de novo. Thus in view of the above mentioned plagiarism, the present EC dated 13.01.2025 should be cancelled by this Hon'ble Tribunal, which ought to have not been granted by the MoEF&CC itself.
7. That this Hon’ble Tribunal in its decision in the case of Appeal No. 17 of 2021 titled University of Delhi vs MoEF&CC in Para 62 had observed that missing or misleading information in Form 1 significantly impedes the functioning of the

authorities. Moreover, deliberate concealment and/or submission of false or misleading information shall make the application liable for rejection.

B. Hasty recommendations made by the SEAC and then the EAC, despite their own apprehensions

8. That the Project Proponent submitted its Form 1 and Form 1A on 12.06.2024 to the State Level Expert Appraisal Committee (hereinafter referred as 'SEAC'). The same was considered by the SEAC in its 146th Meeting held on 12.07.2024 wherein certain clarifications were sought from the Project Proponent in respect of a revised traffic management plan incorporating the requisite entry/exit infrastructure improvements to ease the vehicle movement within the project premises [Minutes of the 146th Meeting of the SEAC dated 12.07.2024 are in Annexure A12/Page No. 460 to 469 of the Appeal].
9. That, despite the above apprehension, the proposed project was considered and recommended in the 147th Meeting of the SEAC held on 25.07.2024. However, owing to the absence of the SEIAA, Delhi, the proposal was transferred to the Respondent No. 1, MoEF&CC for further consideration by the EAC.
10. That the Project Proponent, on 23.09.2024, submitted a Reply to the Essential Details Sought to the Respondent No. 1, MoEF&CC wherein it stated that no court case was pending against the project in question. In this regard, it is pertinent to highlight that earlier on 14.08.2024 the Appellant had filed a W.P. (C) No. 11283 of 2024 before the Hon'ble High Court of Delhi seeking revocation of the layout and sanction plan. The Hon'ble High Court of Delhi, in the said matter, had observed that in case the project was later found to be illegal or unauthorised, the same would be liable to be demolished [Copy of the EDS Reply dated 23.09.2024 is in Annexure A19/Page 685 to 709 of Appeal].
11. That, thereafter, the proposal of the Project Proponent was considered by the EAC in its 132nd Meeting held between 23-24th October, 2024, during which it

was observed that complaints were made by the residents of B-1, Vasant Kunj owing to non-compliance of statutory layout norms, procedural and environmental irregularities and that litigation raising such concerns were pending before the Hon'ble High Court of Delhi as well as this Hon'ble Tribunal. Further, it was also observed that the land has reportedly been levelled without prior approval. Ultimately, the EAC observed that it would only appraise the project after resolution of the pending litigations concerning the project in question. The Project Proponent was also asked to submit material to establish that no tree felling took place before levelling and to clarify whether a No Objection Certificate from the Ridge Management Board was required.

12. That, subsequent to the above said 132nd Meeting of the EAC, the Project Proponent submitted its Reply dated 14.11.2024 to the Additional Details Sought ('ADS') stating that only bushes were cleared for securing perimeter/enabling access and no land had been levelled. Moreover, it was stated that there would be no requirement of a permission from the Ridge Management Board since the plot of the project was an integral part of an already developed B1 Block Vasant Kunj and the Southern Ridge was at a distance of 2.48 km from the project site. In this regard, the Appellant humbly submits that the above response by the Project Proponent is merely a clever attempt at suppressing the fact that the project fell in the morphological ridge area and, thus, would require an NOC from the Ridge Management Board [ADS Reply dated 14.11.2024 is in Annexure A20/Page 710 to 777] and also forest clearance as stated in the Order dated 08.02.2023 of the Hon'ble Supreme Court in T.N. Godavarman case [annexed at Page 1962 of the IA No. 451 of 2025] and Minutes of 10th Meeting of the Oversight Committee constituted by this Hon'ble Tribunal vide Order dated 15.01.2021 in OA No. 58/2013 Sonya Ghosh vs GNCTD [annexed at Annex A17, Pg 2049 and 2051 of IA No. 451 of 2025]

13. That the above said ADS Reply dated 14.11.2024 was considered on 29.11.2024 by the EAC in its 134th Meeting wherein, yet again, the EAC observed the question of the project site falling within the morphological ridge had to be ascertained. In any case, there would be a requirement to obtain an NOC from the Ridge Management Board. However, despite such apprehension, the EAC hastily recommended the grant of the impugned Environmental Clearance.

C. No consideration of the Project falling within a Silence Zone

14. That the Project Proponent in its Form 1 and 1-A has clearly admitted that the amount of noise generated during the construction and operation phase would be 70-95 dBA. Moreover, considering that the project envisages construction of 3 towers and the additional inflow of more than 700 residents, it can safely be said that such increase in population would invariably result in a huge addition to the traffic and a consequent increase in the noise levels.

15. That, moreover, the project site falls within a 'Silent Zone' declared in terms of the Noise Pollution (Regulation and Control) Rules, 2000. Silent Zones, created around premises such as hospitals, educational institutions and courts, permit noise level up to a maximum of 50 dB (day time) or 40 dB (night time). However, shockingly, the EAC failed to consider the proximity of the project site to sensitive areas such as the Masonic School which is less than 100 meters from the project site and which caters to over 2300 students as well as the Shemrock Kindergarten School catering to 30 students of a very tender age group. In this regard, no assessments were required to be carried out by the EAC and neither was any further information sought from the Project Proponent.

A true copy of pictures reflecting the distance of the project site from the Masonic School and the Shemrock Kindergarten School have been appended herewith as **ANNEXURE A/1**.

A true copy of the Silence Zone Notification dated 03.04.2008 issued by the Department of Environment, Government of NCT of Delhi has been appended as **ANNEXURE A/2**.

D. Unreliable and an inadequate traffic analysis was accepted by the EAC

16. That the Traffic Assessment Report provided by the Project Proponent provides a modest estimation of the egress of merely 234 Passenger Car Units and ingress of 105 Passenger Car Units during the AM period. Admittedly, the traffic survey basis which such a projection was made was when the schools in the vicinity were closed due to summer vacations. However, the numbers would be significantly high during regular days given that the Masonic School has 2300 students and 130 staff members and the DAV Public School has more than 1983 students and 117 staff members.

17. That the Traffic Assessment Report also leaves out the existence of a Government School complex which includes three separate schools within its complex i.e. Government Girls Senior Secondary School and Rajkiya Pratibha Vikas Vidyalaya which operate in the morning shift as well as the Government Boys Senior Secondary School which operates in the afternoon shift. The total student strength for the school complex stands at 3776, an aspect which has completely been omitted in the traffic impact assessment carried out by the Project Proponent.

A true copy of the relevant extracts from the official Government website of the school complex reflecting the estimated student strength has been appended herewith as **ANNEXURE A/3**.

18. That the Traffic Assessment Report further omits the Fact that the project is to be established in an existing Sector B-1 colony which comprises of 1021 flats That has a resident population of over 5000 individuals. Owing to which, the entry and exit points already remain congested due to parked cars of residents,

who in turn are constrained to park their vehicles on the colony roads. It is, thus, evident that there has been an oversight by the EAC of the complete lack of any traffic or population analysis by the Project Proponent with respect of the existing number of residents as well as visitors in proposed project site.

19. That, moreover, the Traffic Analysis Report notes at Page 1709 that the traffic density along the approach of the road is “significant”. However, at Page 1720, the Conclusion made is that that the incremental traffic from the proposed site is “insignificant”. This is a clear inconsistency that is overseen by the EAC while accepting the report submitted by the Project Proponent.
20. That, further, on Page 1712, the traffic assessment notes that the Level of Service (LOS) of the roads is between LOS A i.e., 1200 cars on a 2-lane one way and LOS B i.e., 1714 cars on a 2-lane one-way and arbitrarily concludes the capacity of the road as 2400 LOS. Pertinently, this leaves out any consideration of the possibility of the traffic being bidirectional. Additionally, recent statistics retrieved from the My Gate App for the period of 21.08.2025 – 28.08.2025 reflects that there are 2389 visitors, with 1515 deliveries/cabs in the span of a week. This figure, moreover, does not account for the vehicles of residents, which will be in addition to the present figure. Approximately 1299 cars and 60 two-wheelers are presently registered on the My Gate App. Thus, the road capacity for the visitors in a week is already beyond the maximum capacity of 2400. Infact, the ingress and egress for PCU (Parking Car Units) at Page 1711 of the EIA Report have been calculated as 234 and 105, which is completely contrary to the figures of the My Gate App. This clearly highlights the manipulation in the traffic analysis of the report of the Consultant. This demonstrates the EAC’s lack of application of mind during the assessment, and the resulting air pollution that will be caused due to the significant increase in

traffic load in the area. A true copy of the statistics from the My Gate App are marked and annexed as **ANNEXURE A/4**.

E. Non-disclosure by the Project Proponent of the nearest water body

21. That the Project Proponent has stated its nearest water body to be the Neela Hauz which is 1.24 KM away. However, the nearest water body is in fact the Adhrang Nath Pond located 128.18 meters from project site. The said pond is also reflected at item 529 in the list of identified water bodies by the Government of NCT of Delhi not a whisper on the projects impact on such significant water body.

A true copy of the Map showing the distance of the Adhrang Nath Pond has been appended herewith as **ANNEXURE A/5**.

22. That the Wetland Authority of India has selected this pond for rejuvenation as evidenced by their reply dated 02.01.2025 in O.A. No. 633/2024 [Page 1864, Page 1908 of the IA No. 451 of 2025]. Despite this, in Form 1A at S. No 1.8 [Page 101 and 111 of the Appeal], the Project Proponent falsely states that there are no low-lying areas and wetlands that exist in and around the project site.
23. That the conduct of the Project Proponent in concealing material facts to progress its Environmental Clearance application is a violation of the mandatory disclosure requirements which are reflected in Para 8(vi) of the EIA Notification, 2006, in terms of which an Environmental Clearance is liable to be cancelled in the event there has been deliberate concealment and/submission of false or misleading information/data/material which is material to screening or scoping or appraisal or decision on the application. In fact, the EIA Guidance Manual for Building and Construction Projects mandates the Environmental Impact Assessment to be carried out within 10 km radius along with the Project's impact within that zone. However, this aspect has been conveniently ignored by EAC as well as the MOEF&CC.

F. Misrepresentation of the water requirement by the Project proponent

24. That the Project Proponent has stated its water requirement during construction phase to be 25 KLD and during the operational phase to be 95 KLD, which is to be sourced from the Delhi Jal Board. However, the letter from the Delhi Jal Board at Annexure 7, Page F-119 of Form 1/Form 1A mentions that the applicant/developer has to make his own arrangement of entire non potable water of 183210 LPD i.e. 183 KLD. Thus, the estimations provided by the Project Proponent to the EAC are hugely undervalued. This is further buttressed by the Delhi Water Policy, 2016 as per which the litres per capita daily (lpcd) vary from 172 and above for domestic water demand which is far greater than the figures provided by the Project Proponent.

A true copy of relevant extracts of the Delhi Water Policy 2016 has been appended herewith as **ANNEXURE A/6**.

25. That, arguendo, in case the burden for meeting water requirement shifts to groundwater, the same would have a disastrous impact as the status of groundwater in the Village Mehrauli is already “over-exploited” as per National Compilation on Dynamic Ground Water Resources of India 2024. In this regard, it is the humble submission of the Appellant herein that the EAC has failed to flag the absence of any hydrological assessment in view of the fact that the project proposes deep excavation up to 10.52 meters in an over-exploited groundwater zone.

26. That the Form 1 submitted by the Project Proponent (M/s R.R. Texknit) mentions that approximately 3000 m³ of soil will be excavated for the purpose of foundation and development of three basements with depth of 10.52 mts. However, the depths of the basements have not been mentioned either in the soil analysis report or in the information supplied by the Project Proponent in its Form 1 or Form 1A. Any conclusion of the status of groundwater, its aquifers

have to confirmed by the competent authority which is either the Central Ground Water Board for Delhi or the State Groundwater Authorities. The same has not been done and neither has the SEIAA/SEAC/ EAC or MOEF&CC observed this omission and directed R.R. Texknit (Respondent No. 5) to do the same. This clearly shows a lack of application of mind by the EC granting authorities.

G. No assessment of the carrying capacity of the residential area

27. That the proposed project site is located at Sector B-1, Vasant Kunj, Delhi which already comprises of 1021 flats and 5000 plus residents as well as multiple schools having thousands of students. Thus, the construction of 3 towers, each with 9 floors + stilt + 3 basements and comprising of a total of 138 units within an existing heavily residential community would lead to the creation of a sub-community that would invariably lead to grave safety hazards during natural disasters such as earthquakes as well as in the event of fire emergencies owing to common entry and exit points. It is shocking that this aspect was overlooked, considering that the project site is located in Seismic Zone IV.
28. That, further, the approach road for the colony is 12 meters, which in effect gets reduced to a mere 5 to 6 meters stretch due to parking of vehicles on either side of the approach. Thus, a lack of consideration of the substantial increase in the pollution load by the EAC/ MOEF&CC while appraising the project is in the face of the directions of this Hon'ble Tribunal in the case of Delhi University v. MoEF&CC & Others [Appeal No. 17/2021] wherein it had categorically been noted that permitting a project adding load to the pollution in the absence of any carrying capacity is against the principles of Sustainable Development and Precautionary Principle. Therefore, from the Minutes of the EAC as well as the Environmental Clearance dated 13.01.2025 granted by MOEF&CC, it is evident that the said aspect has been completely overlooked at the time of appraisal as well as grant of EC. That in this connection, it is also pertinent to highlight that

August 2025 Delhi Pollution Control Committee Air Pollution Monitoring Report also notes increased levels of PM10 and PM2.5. True copy of DPCC Air Pollution Monitoring Report August 2025 is annexed and marked herewith as **ANNEXURE A/7**.

H. 80% of the project land is on the South-Central Morphological Ridge, thus requiring mandatory Forest Clearance

29. That the Project Proponent has made contradictory and false statements regarding the morphological ridge status of the project site, demonstrating deliberate concealment and suppression of material facts. Initially, in Form 1A and its submissions to before the EAC, the Project Proponent had categorically denied that the project site was located on morphological ridge area and claimed that no forest clearance was required. However, after the Report of the Central Empowered Committee No. 25/2025, the Project Proponent was compelled to admit that the site indeed falls within the morphological ridge area requiring mandatory clearances. Such a clear volte-face and contradictory stance reflects a case of deliberate suppression of material facts on the part of the Project Proponent which has been completely missed by the EAC/MOEF&CC .
30. That, further, reliance is placed on the SOP for Planned Development of Privately Owned Lands, 2018 for allowing private group housing project in an already established group housing project by the Project Proponent before the DDA and MCD in the Technical Screening Committee for obtaining permission for the project. The SOP itself mentions that the said Regulations will not be applicable on land which is categorised as “Ridge” which includes “morphological ridge”. The said fact that the project is present on the morphological ridge was conveniently suppressed by Respondent No. 5. It is also important to emphasise that if such a faulty project is allowed to mushroom, the entire NCT of Delhi would bear the brunt as the above-mentioned

implementation of SOP will become an established precedent. Therefore it is important to err in caution and align with the Precautionary Principle rather than causing harm to the last remaining lungs of Delhi, the Delhi Ridge. A true copy of the SOP for Planned Development of Privately Owned Lands, 2018 has been appended herewith as **ANNEXURE A/8**.

31. That approximately 80% of project land is located on the South-Central Morphological Ridge as per the E-Vanlekh portal, which has also been admitted by the Forest Department in their Reply dated 16.12.2024 before the Ld. CEC as well as by the Ld. CEC in their Report No. 25 of 2025. However, the presence of the project in the morphological ridge was concealed and in fact categorically denied by the Project Proponent in Form 1 and 1A, as is evident from their response at Pages 1449 and 1450 of the IA for Additional Documents. It is also pertinent to note that the EAC in their 132nd Meeting dated 23.10.2024 deferred the proposal of the Respondent No. 5 in view of the pendency of the cases before this Hon'ble Tribunal as well as the Hon'ble High Court and requested for further information and evidence that the project does not require NOC from the Ridge Authority of Delhi [Page 331 of Appeal No. 19]. However, on 14.11.2024, the Project Proponent in response to the said ADS of the EAC dated 23.10.2024, has merely stated the distance of the Southern Ridge from the project and falsely submitted that the area falls outside the Ridge area [Page 335 of the Appeal No. 19]. This once again demonstrates that the EC granting authorities have failed to apply their mind regarding the Stage-I Forest Clearance for a morphological ridge. The OM dated 11.04.2022 also clearly states that for any grant of EC on forest land (as in the case of the Morphological Ridge), obtaining Stage-I clearance is a mandatory prerequisite.

32. That it is the settled position of law by the Hon'ble Supreme Court in the case of T.N. Godavarman that utilisation of any land from the ridge area, including

morphological ridge, would require clearance under the Forest Conservation Act, 1980 as morphological ridge has to be accorded the same level of protection as a notified ridge [Order dated 08.02.2023 of the Hon'ble Supreme Court in T.N. Godavarman case at Page 1962 of the IA No. 451 of 2025]. Subsequently, the developments in the Oversight Committee meetings are being considered by this Hon'ble Tribunal in the case of Sonya Ghosh v. GNCTD & Ors [O.A. No. 58 of 2013] wherein it has also been recommended that any area forming part of the morphological ridge would require clearance under the Van Sanrakshan Evam Samvardhan Adhiniyam, 1980 [Annexure A17, Pg 2049 and 2051 of IA No. 451 of 2025].

33. That the EAC, without verifying the response of the Proponent with the E-Vanlekh portal or the Forest Department, proceeded to consider the project for the grant of Environmental Clearance. This is clearly in violation of the law as laid down by the Hon'ble Supreme Court in the case of Lafarge Umiam Mining v. Union of India [(2019) 8 SCC 465], as well as in the Office Memorandum dated 11.04.2022 which clarifies that Environmental Clearance can be granted only after Stage I Forest Clearance. Since it is a settled position of law that any non-forestry activity in the morphological ridge would also require clearance under the Van Sanrakshan Evam Samvardhan Adhiniyam, 1980, the grant of Environmental Clearance without obtaining Stage I Forest Clearance is clearly in violation of the law as laid down by the Hon'ble Supreme Court in the Lafarge case and in the latest Office Memorandum dated 11.04.2022 of the Ministry of Environment, Forest and Climate Change. It is also pertinent to mention that the Respondent No. 5 is yet to obtain clearance from the Ridge Management Board as well for commencing their project.

34. That further, the EAC in its 132nd meeting had also enquired from the Respondent No. 5 whether any illegal or unauthorised tree felling has been

undertaken. However, in the response dated 14.11.2024, the Project Proponent stated that no unauthorised tree felling has been undertaken despite the High Court Order dated 10.09.2024 and report of the Beat Officer, Mehrauli, dated 13.09.2024 wherein unauthorised tree felling has been observed and the subsequent Contempt Petition Diary No. 57901/2024 Further, forged permissions for tree felling were also obtained in this regard. This again indicates lack of application of mind by the Respondent No 1 while granting the said EC.

I. Suppression of the fact that construction was initiated prior to the grant of the impugned Environmental Clearance

35. That the Report dated 30.01.2025 of the Advocate Commissioner in the O.A. No. 1171 of 2024 Clearly records the presence of an air conditioned guard room with television a folding cot and a table with 2 washrooms with overhead tank. Further, the land was levelled with the use of earth movers or JCB machines, an issue which was raised by a resident member of the Appellant through a Complaint made on 30.05.2024.

A true copy of the Complaint dated 30.05.2024 has been appended herewith as **ANNEXURE A/9**.

J. Apprehensions raised by the residents against the project were ignored by the Respondent No. 1, MoEF&CC

36. That the residents in the vicinity of the project have been submitting representations to the Respondent No. 1, MoEF&CC as well as the EAC about the adverse consequences of the proposed construction since September, 2024, and consequently for denial of the impugned Environmental Clearance on various grounds. Illustratively, following are some of the representations made by the residents of the Appellant:

- i. Representation dated 24.09.2024 to the Respondent No. 1, MoEF&CC requesting that the project be considered properly since it lies in the morphological ridge area;
- ii. Representation dated 18.11.2024 to the Department of Forests and Wildlife, Delhi raising the issue that the project site fell in the morphological ridge.

True copies of the representations made by members of the Appellant against the project have been collectively appended herewith as **ANNEXURE A/10 [COLLY]**.

37. That the abovementioned facts and position of law clarifies that from the very start, the project approvals have been obtained based on misrepresentation of information, incomplete data about the project site and plagiarism with respect to environmental considerations and absence of any carrying capacity assessments as per the law laid down by this Hon'ble Tribunal with respect to group housing projects in the case of Delhi University. In *University of Delhi v. MoEF&CC*, Appeal No. 17/2021, this Hon'ble Tribunal held "*Missing or misleading information in Form 1 significantly impedes the functioning of the authorities*". The Appellant urges this Hon'ble Tribunal to take strict note of the discrepancies in the EIA Report, especially vis-à-vis the plagiarised portions, which have clearly been prepared as a formality to get their Clearance processed and to mislead the Expert Appraisal Committee in granting the same.

PARA-WISE REPLY

38. That the contents in Para 1-5 are matters of record and to that extent merit no reply.
39. That in response to the submissions in Paras 6-13, it is submitted that the EIA Amendment Notification dated 29.01.2025 and 30.01.2025 were stayed by the

Hon'ble Supreme Court in W.P.(C) No. 166/2025 titled Van Shakti v. Union of India and Others vide Order dated 24.02.2025. It is only recently, vide the Judgment dated 05.08.2025, that the Hon'ble Supreme Court has upheld Note 2 of the EIA Amendment Notification dated 29.01.2025, whereby General Conditions remain non-applicable to Building and Construction projects. However, it is pertinent to mention that the Environmental Clearance dated 13.01.2025 for the project of Respondent No. 5 has been obtained based on plagiarised data, suppression of vital information, thus vitiating the entire process based on which the Environmental Clearance has been obtained. Moreover, the Court Commissioner in her Report in the earlier O.A. had stated that there were marks from JCB movement and the guard room had been constructed by the Respondent No. 5. Thus, the Court Commissioner had not given a clean chit to the Respondent No. 5 with regard to commencement of construction activities by the Project Proponent in the absence of a prior Environmental Clearance.

40. That the averments made by the Respondent No. 1, MoEF&CC in Para 14 to 17 with regard to appraisal of the project are summarily denied to the extent that such assessment was carried out in a lackadaisical manner as discussed in the Preliminary Submissions of the present Rejoinder.
41. That in response to Para 18 to 20 regarding the impugned Environmental Clearance being given after due consideration, it is the humble submission of the Appellant that such a statement has been made in complete contradiction to the actual conduct of the EAC while hastily appraising the project without exercising due diligence with regard to the forged documents and blatant misstatements illustrated in the Preliminary Submissions to the present Rejoinder.
42. That in view of the foregoing submissions, it is humbly submitted that the EAC has failed to scrutinize the information and documents submitted by the Project

Proponent with the necessary diligence and, therefore, there has been no application of mind on the part of the Respondent No. 1, MoEF&CC while appraising and ultimately granting the Environmental Clearance for the project in question. Thus, the Environmental Clearance dated 13.01.2025 is liable to be set aside as bad in law.

Date: 27.10.2025

Place: New Delhi

DRAWN & FILED BY:

Mbachani

Mansi Bachani, Gitanjali Sanyal & Surya Gupta
Advocates for the Appellant
29, LGF, Presidential Estate
Nizamuddin East, New Delhi 110013
Email: eldflegal@gmail.com +91- 8851323704

SETTLED BY:

Mr. Sanjay Upadhyay
[Senior Advocate]

IN THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
APPEAL No. 15 OF 2025

IN THE MATTER OF:

Vasant Kunj Residents Welfare Association
Sector-B, Pocket-1 ...Appellant

-Versus-

Ministry of Environment, Forest
and Climate Change & Ors. ...Respondent

AFFIDAVIT

I, Aby Johnson S/o J.P. Abraham, aged about 40, am the Authorised Signatory for the Vasant Kunj Residents Welfare Association, Sector-B, Pocket-1, South West Delhi, Delhi -110070, do hereby solemnly affirms and declares as under:

1. That I am fully conversant of the facts and circumstances of the matter and am competent to swear this Affidavit.
2. The contents of the accompanying Rejoinder are true and current to the best of my knowledge and have been drafted by the counsel on my instructions and nothing material has been concealed therefrom.
3. That the Annexures in the accompanying Rejoinder are true and correct to the best of my knowledge.

Neelam Sharma
27/09/2025
I identified the deponent who has signed in my presence.

A Johnson
DEPONENT

VERIFICATION:

27 SEP 2025

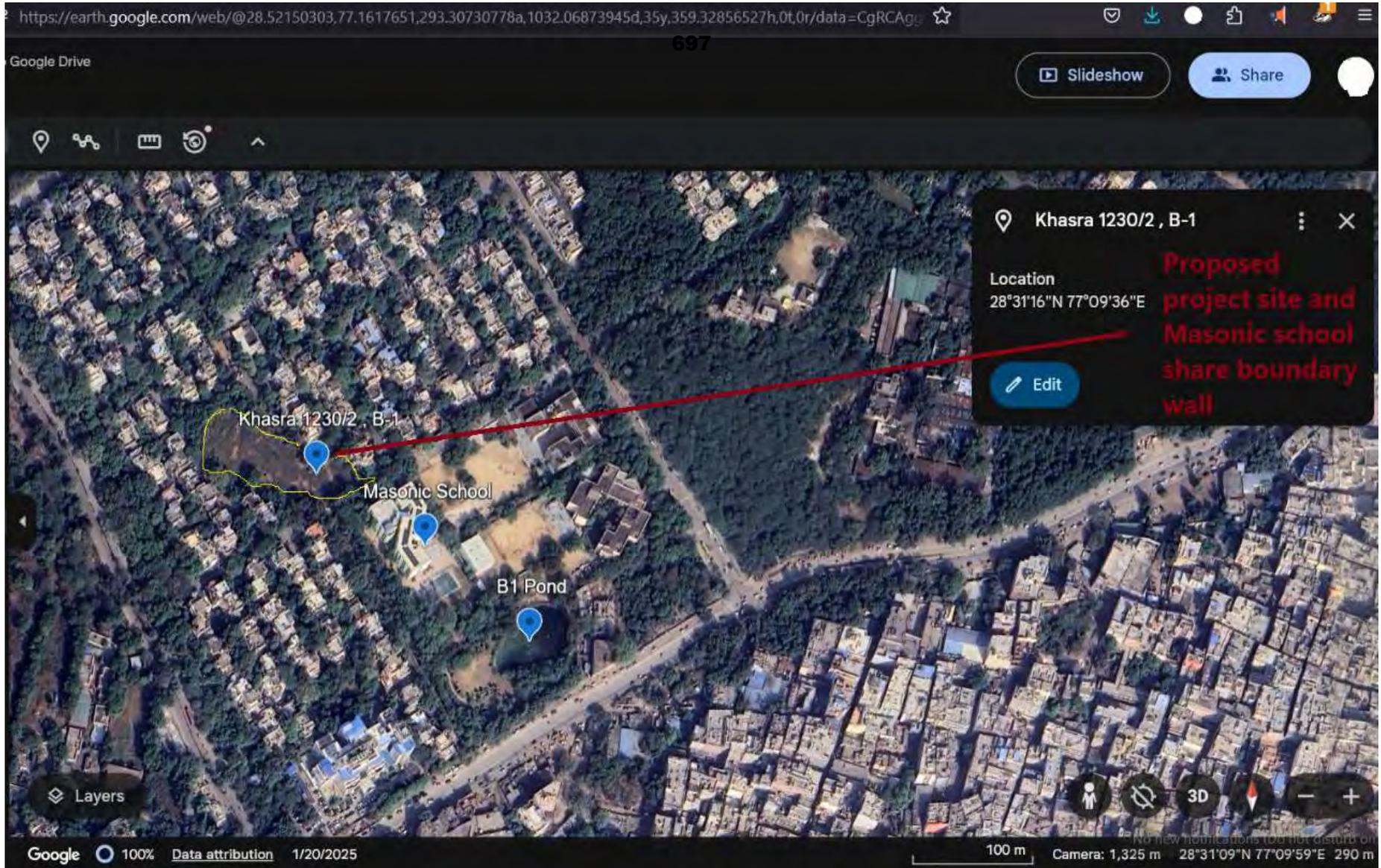
Verified at New Delhi on this day of....., 2025 that the contents of the above affidavit are true and correct to my knowledge and belief and nothing material has been concealed therefrom.



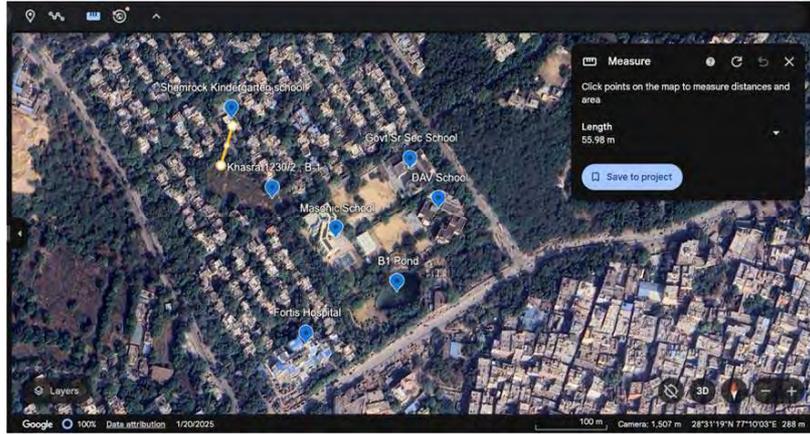
ATTESTED
Neelam Sharma
NOTARY (Govt. of India)
Neelam Sharma, Advocate
Enrol. No.-D1281/2001
Ch. No. 165A, Gate No. 11
Patiala House Courts,
New Delhi-110001
(M): 9899408301

A Johnson
DEPONENT

27 SEP 2025



Distance between instant project plot and Shemrock Kindergarten school



(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE-EXTRAORDINARY)

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
(DEPARTMENT OF ENVIRONMENT)

6th Level, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.

F.12(1)N.P/Env/2005/~~32~~.

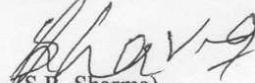
Dated the 3rd April, 2008.

NOTIFICATION

F. 12(1)N.P/Env/2005/~~32~~. In pursuance of provisions of sub-rule (5) of rule 3 read with clause (h) of rule 2 of the Noise Pollution (Regulation and Control) Rules, 2000 made under the provisions of the Environment (Protection) Act, 1986 (29 of 1986) and in partial modification of earlier Notification No.F.23(1162)/Env/2001/223 dated the 21st May, 2004, the Lieutenant Governor of the National Capital Territory of Delhi hereby declares the following areas as " Silence Areas/Zones " for the purpose of the said Rules, in the National Capital Territory of Delhi, namely:-

1. An area of 100 meters around all Educational Institutions having more than one thousand students;
2. An area of 100 meters around all Courts;
3. An area of 100 meters around all Government Office Complexes;
4. An area of 100 meters around all 100-bedded and above hospitals.

By order and in the name of
Lieutenant Governor of the
National Capital Territory of Delhi,


(S.R. Sharma)

Deputy Secretary (Environment)

F.12(1)N.P/Env/2005/~~32~~.

Dated the 3rd April, 2008.

Copy forwarded for information and necessary action to:

1. The Deputy Secretary (GAD), Govt of NCT of Delhi (in duplicate) with the request to have this notification published in Delhi Gazette (Extraordinary) of today and send 10 copies of the Gazette to this Department for necessary action and record.
2. Secretary, Ministry of Environment & Forest, Govt. of India.
3. Joint Secretary (UT), Ministry of Home Affairs, Govt. of India.
4. Secretary to Lt. Governor, Govt. of NCT of Delhi
5. Principal Secretary to Chief Minister, Govt. of NCT of Delhi
6. Secretaries to all Ministers, Govt. of NCT of Delhi
7. PS to Speaker, Delhi Vidhan Sabha, Delhi
8. All Principal Secretaries/ HODs, Govt. of NCT of Delhi
9. Commissioner, MCD, Delhi
10. Chairman, NDMC, Delhi
11. Chief Executive Officer, Delhi Cantonment Board
12. Divisional Commissioner, Govt. of NCT of Delhi
13. The Secretary (Law, Justice and L. A.), Govt. of NCT of Delhi, New Delhi.
14. Principal Secretary, Department of Health & Family Welfare, Govt. of NCT of Delhi
15. Secretary, Directorate of Education, Govt. of NCT of Delhi
16. Director, Directorate of Higher Education, Govt. of NCT of Delhi
17. All Deputy Commissioners, office of Divisional Commissioner, Govt. of NCT of Delhi.
18. Commissioner of Police, Delhi
19. Chairman Delhi Pollution Control Committee
20. Guard File.


(S.R. Sharma)

Deputy Secretary (Environment)

-True Copy-

EXTRACTED FROM WEBSITE OF EDUCATION DEPT. GOVT. OF DELHI

The Government School complex has 3 separate schools (**Gov Girls Senior Secondary School** and **Rajkiya Pratibha Vikas Vidyalaya** are in morning shift. **Gov Boys Senior Secondary School** is in Afternoon shift.

Details below:

- A. Vasant Kunj GGSSS (Gov Girls Senior Secondary School) -School ID 1720026, Zone 24 ,
Total students : 1726

<https://edustud.nic.in/mis/student/student/frmStudentAttendanceReport.aspx?Type=DesiredSchool>

Class	Present	Absent	Leave	Total
VI	107	0	218	325
VII	136	0	189	325
VIII	110	0	198	308
IX	115	0	198	313
X	56	0	109	165
XI Science	7	0	10	17
XI Arts	50	0	91	141
XI Commerce	8	0	14	22
XI Vocational	0	0	0	0
XII Science	0	0	0	0
XII Arts	52	0	95	147
XII Commerce	0	0	0	0
XII Vocational	0	0	0	0
Total	641	0	1122	1763

Software developed and maintained by Samagra Shiksha, Education Department, Delhi

- B. Vasant Kunj GBSSS (Government Boys Senior Secondary School) , School ID : 1720173 ,
 -- Total students : 1990

<https://edustud.nic.in/mis/student/student/firmStudentAttendanceReport.aspx?Type=DesiredSchool>

All Schools	Desired School
Districts	Morning Schools
Zones	Evening Schools
Schools not marked online attendance	

Desired School Attendance Report

Select School:

Select Date: 2025

Class	Present	Absent	Leave	Total
VI	114	222	0	336
VII	144	227	0	371
VIII	128	241	0	369
IX	98	218	2	318
X	48	187	0	235
XI Science	4	20	0	24
XI Arts	64	100	0	164
XI Commerce	14	13	0	27
XI Vocational	0	0	0	0
XII Science	0	0	0	0
XII Arts	108	1	0	109
XII Commerce	15	22	0	37
XII Vocational	0	0	0	0
Total	737	1251	2	1990

Software developed and maintained by Samagra Shiksha, Education Department, Delhi

- C. Rajkiya Pratibha Vikas Vidyalaya, School ID : 1720031 , Zone : 24 -- Total Students :

EXTRACTED FROM DAV SCHOOL WEBSITE

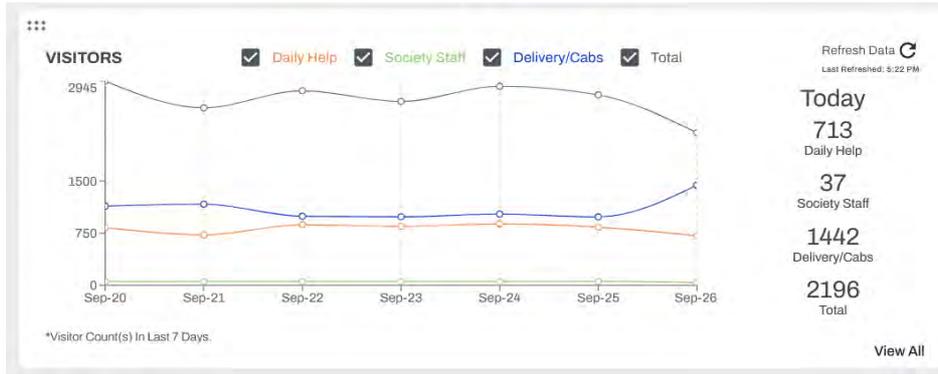
DAV Public School

SCHOOL DETAILS

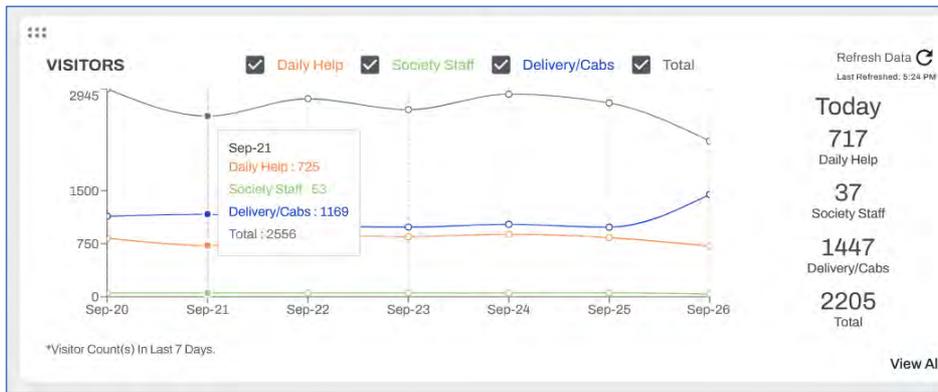
1.	Name of the school with address: 1. E-mail 2. Ph. No.	D.A.V. Public School Sector – B, Pocket – 1, Vasant Kunj New Delhi – 110070 davvasantkunj@gmail.com 011 – 46660400																																
2.	Year of establishment of school	1982																																
3.	Affiliation Authority Status of affiliation.	CBSE Senior Secondary																																
4.	Name of Trust/Society Registered under Section 25 of the Company Act, 1956.	D.A.V. Collage Trust and Management Society																																
5.	Area of Land	2.396 Acres																																
6.	No. of Students as on 25 th March 2019	<table border="1"> <thead> <tr> <th>Class</th> <th>No. of Students</th> </tr> </thead> <tbody> <tr> <td>Pre-School</td> <td>124</td> </tr> <tr> <td>Pre-Primary</td> <td>134</td> </tr> <tr> <td>I</td> <td>132</td> </tr> <tr> <td>II</td> <td>121</td> </tr> <tr> <td>III</td> <td>136</td> </tr> <tr> <td>IV</td> <td>137</td> </tr> <tr> <td>V</td> <td>102</td> </tr> <tr> <td>VI</td> <td>181</td> </tr> <tr> <td>VII</td> <td>166</td> </tr> <tr> <td>VIII</td> <td>149</td> </tr> <tr> <td>IX</td> <td>198</td> </tr> <tr> <td>X</td> <td>154</td> </tr> <tr> <td>XI</td> <td>133</td> </tr> <tr> <td>XII</td> <td>116</td> </tr> <tr> <td>Total</td> <td>1983</td> </tr> </tbody> </table>	Class	No. of Students	Pre-School	124	Pre-Primary	134	I	132	II	121	III	136	IV	137	V	102	VI	181	VII	166	VIII	149	IX	198	X	154	XI	133	XII	116	Total	1983
Class	No. of Students																																	
Pre-School	124																																	
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IX	198																																	
X	154																																	
XI	133																																	
XII	116																																	
Total	1983																																	
7.	Total Number of staff	117																																
	Teaching	85																																
	Non-Teaching	32																																
8.	Library																																	
	Number of Books Journals & Magazine	22,520 29																																

-True Copy-

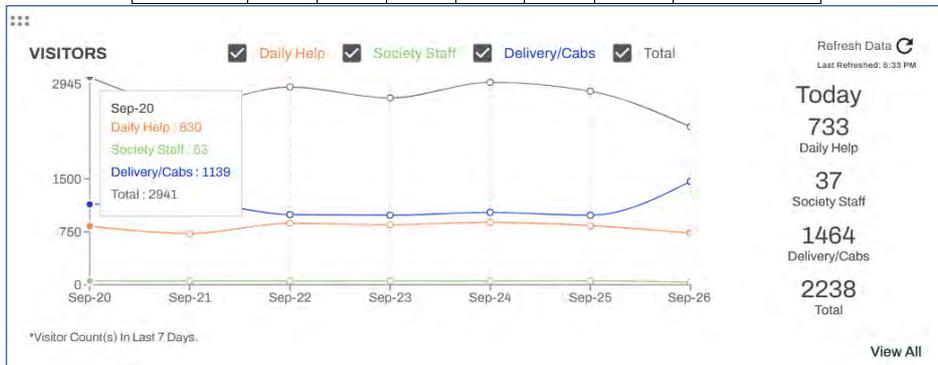
1) Data snapshot taken on 26 September 2025 at 5:20 pm

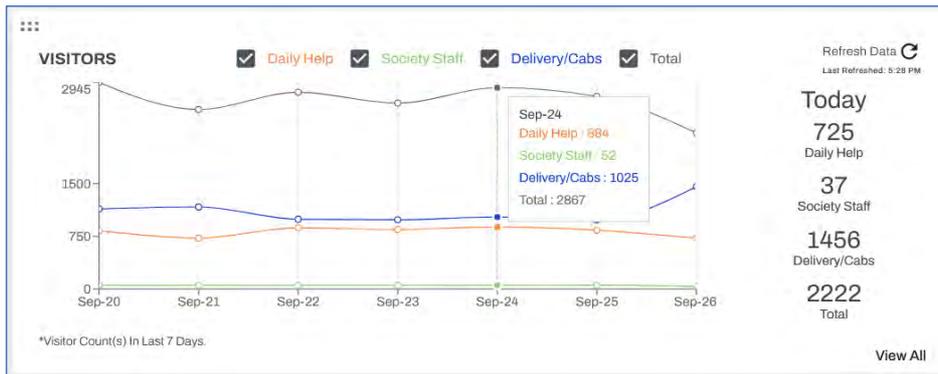
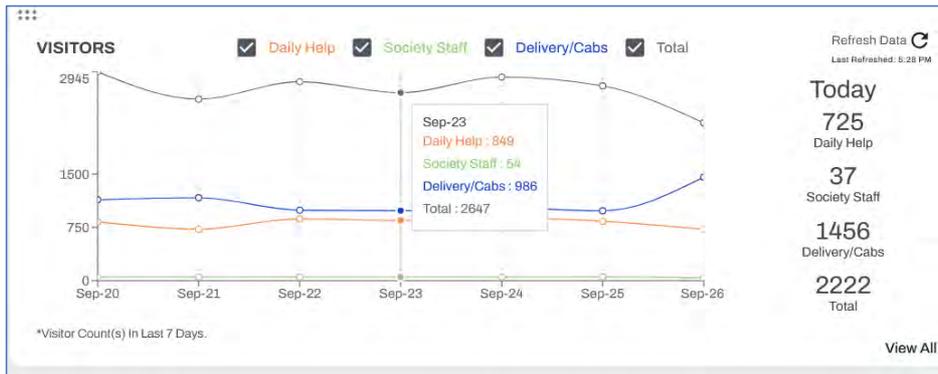
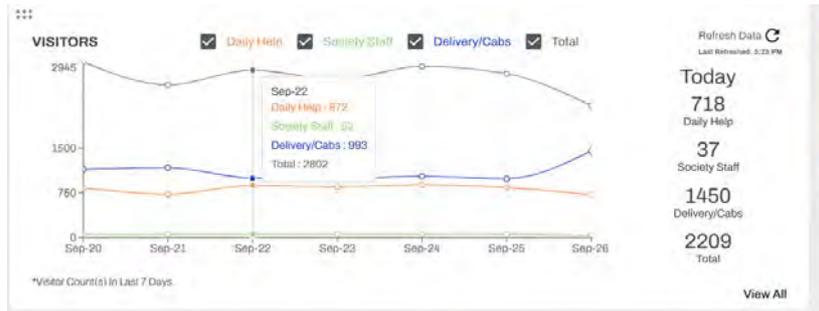


Individual days of 7-day cycle (from Sep 20 2025 to 5:20 pm Sep 26 2025) with graph :-

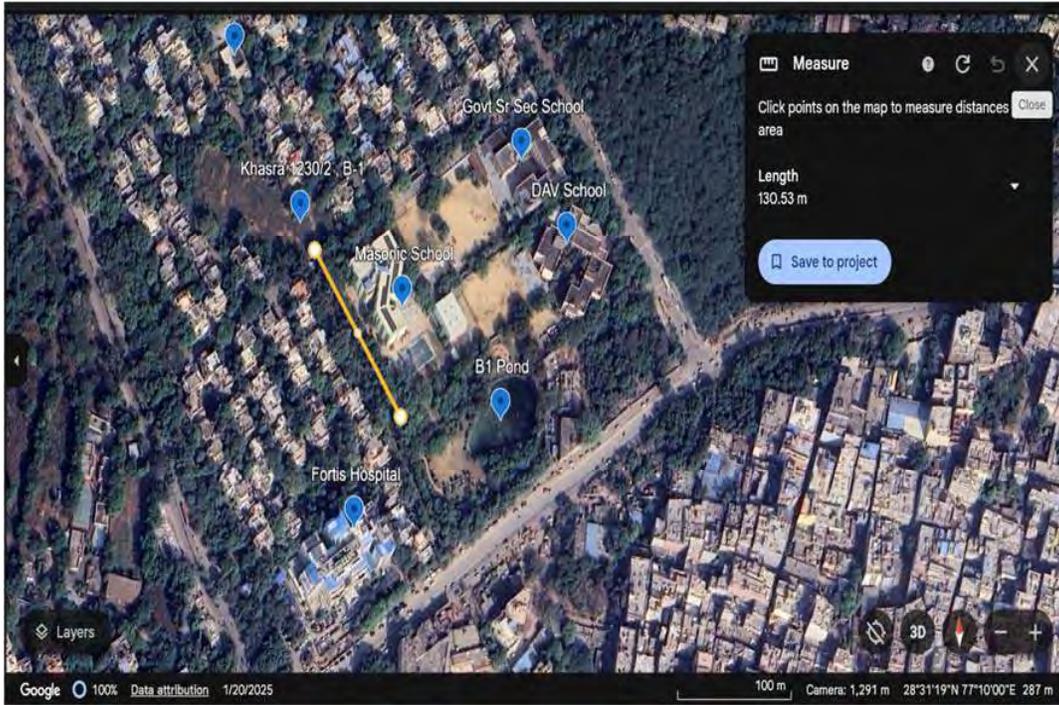


Category	Sep 20	Sep 21	Sep 22	Sep 23	Sep 24	Sep 25	Sep 27 (till 5:20 pm IST)
Daily Help	830	725	872	849	884	837	727
Society Staff	53	53	52	54	52	55	37
Delivery & Cabs	1139	1169	993	986	1025	984	1460
Total	2941	2556	2802	2647	2867	2743	228









Distance between Khasra 1230/2 and B-1 pond /Mehrauli Adhrang Nath Pond

-True Copy-

PREFACE

NCT Delhi constitutes a small sub-basin of the Yamuna river. The city is greatly dependent on external water resources having little of its own. The city is economically vibrant, being the economic engine of north India, and thus attracts many migrants resulting in a rapid population growth and commensurate demand for water.

So far NCT Delhi has focused on augmenting supplies from distant basins [the last augmentation being from Tehri Dam in 2006], plundering its aquifers, fire-fighting summer crises, showing indifference at the first sign of monsoon showers and generally engaged in service related and billing issues.

There has never been a comprehensive strategic approach to the water sector. In 2011, Delhi Jal Board CEO Shri Ramesh Negi, initiated the task of formulating a water policy for Delhi with the objective of ensuring water security for Delhi in the face of an uncertain resource scenario. Without a policy the water sector actions in Delhi will remain flavoured with ad hocism with changes in CEOs and political governance.

The draft document was deliberated in 3 workshops where non-govt. experts, concerned NGOs, RWAs participated. In January, 2015 the document was posted on DJB website inviting public comments. Further, a fourth and final workshop on 10 September, 2015 was inaugurated by Hon. Chief Minister, Delhi, with participation from various govt. agencies and civil society organizations. Comments were invited from interested parties through newspaper advertisements. While these were welcome it is clear that there is a great need for water literacy at all levels.

Subsequent to all inputs the final policy document is presented in the following pages. It may be stated that this is not the end of the matter. The policy, to be effective, needs to be detailed for implementation through the deliberation of relevant sub-groups. Policy implementation brings results in the long run. The process requires consistent support at the political level. Otherwise the policy would be remembered only at the time of crisis and then forgotten. Let us remember the wise saying :

“ DON’T DIG A WELL WHEN YOU ARE THIRSTY”

CHAPTER XV : PROPOSED POLICY STATEMENTS

15.1 The Water Policy Of NCT Delhi consists of a series of policy statements each of which will have to be elaborated into an actionable program by a working group. Components of different statements could converge on a common objective.

15.2 **The prime objective of policy** is ensuring the long term water security of the NCT Delhi even under conditions of external flux. **Water security** may be defined as having access to norm based supply to all citizens of Delhi over a long term horizon [2050] and building resilience to face challenges of resource variability.

15.3 The policy is built around 5 pillars :

- Demand Management
- Optimization of available resources
- Recycling
- Augmentation of internal resources and building resilience to climate change
- Equity

15.4 POLICY STATEMENTS

Statement 1 : Priority In Water Allocation

101 The priority in allocation of water resources, in case of shortage, would be in the following sequence :

- Drinking water and meeting domestic demand
- Institutional, Commercial, Industrial Use
- Power Sector
- River and Wetland Ecology
- Irrigation

Statement 2 : Demand Management

201 NCT Delhi will focus on Demand Management : Towards this end NCT Delhi will reduce its present per capita consumption norm of 172 lpcd by a minimum of 10 litres every 5 years

Statement 3 : Recycled Water Resource

301 NCT Delhi will progressively use recycled wastewater to meet its water requirement and thereby decrease its freshwater footprint.

302 NCT Delhi will frame targets to increase its recycled wastewater use :



2527
DELHI POLLUTION CONTROL COMMITTEE
 (Government of N.C.T. of Delhi)
 4th Floor, I.S.B.T. Building, Kashmere Gate, Delhi - 110006
 Website : <http://www.dpcc.delhigovt.nic.in>



REAL TIME AMBIENT AIR QUALITY DATA

Pooth Khurd, Bawana || Nehru Nagar || Jawaharlal Nehru Stadium || Dr. Karni Singh Shooting Range || Major Dhyan Chand National Stadium
 Patparganj || Vivek Vihar || Sonia Vihar || Narela || Najafgarh || Rohini || Okhla Phase-2 || Ashok Vihar || Wazirpur || Jahangirpuri || Dwarka, Sector 8
 Alipur || Pusa || Sri Auribindo Marg || Mundka || Anand Vihar || Mandir Marg || Punjabi Bagh || R.K. Puram || || Main Index

Date : Monday, October 27, 2025 Time (IST) : 01:58 PM

PARTICULATE CONCENTRATION & METEOROLOGICAL CONDITION

Air Quality Monitoring Station : R K Puram
Advance Search

Parameters

Start Date & Time :

End Date & Time :

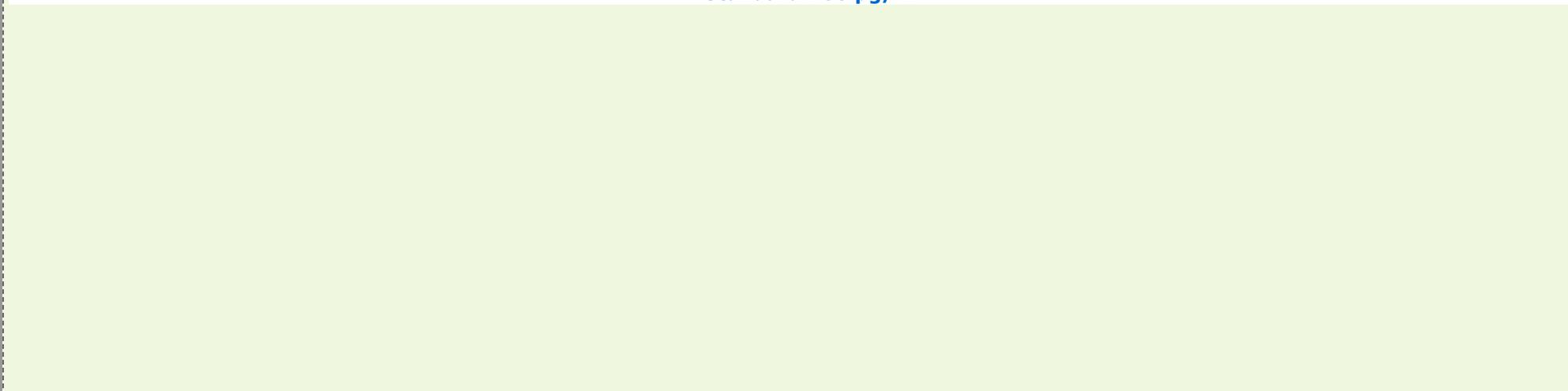
Difference between start date and end date can not be more than 7 days.

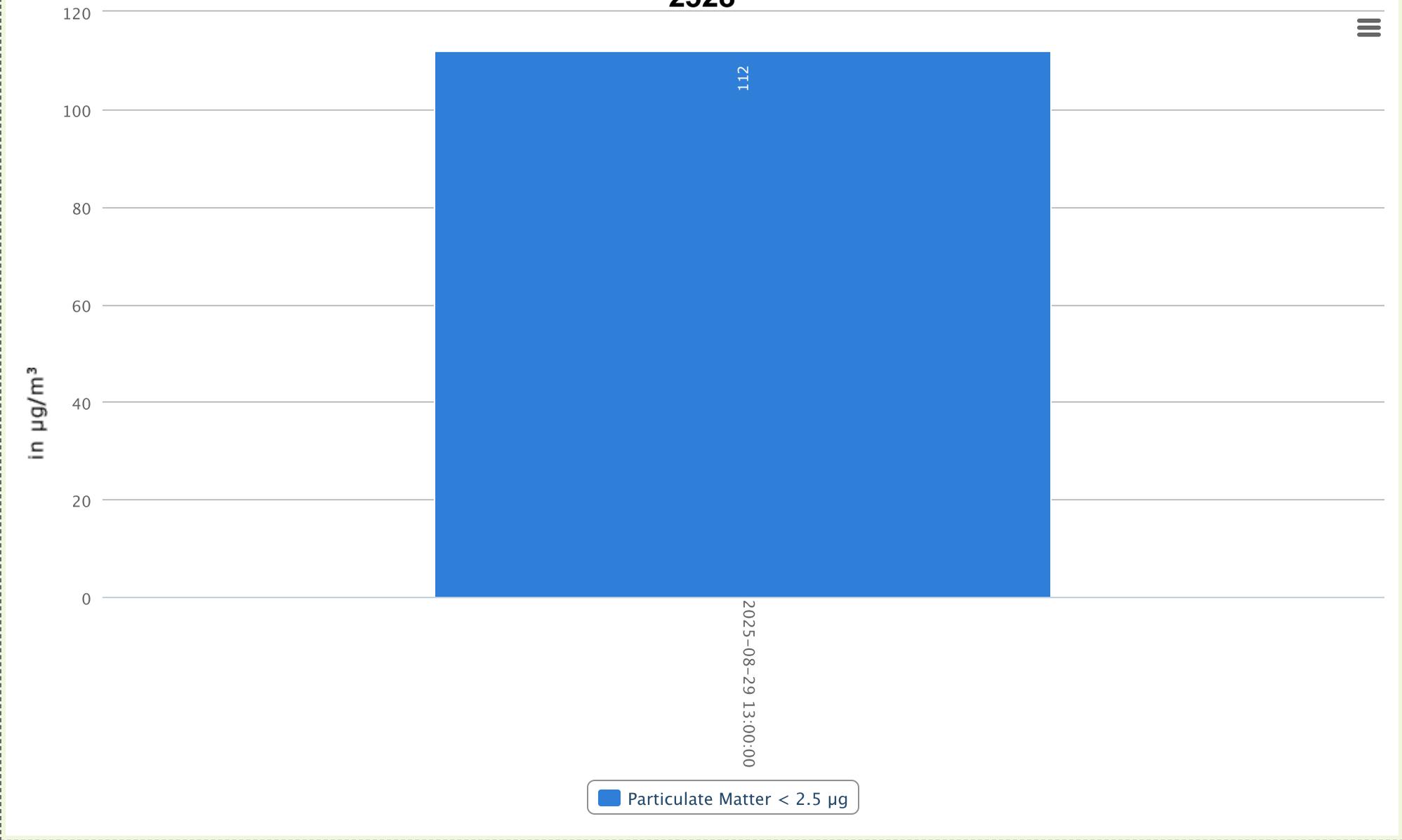
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Graph Type:

Search Result of Particulate Matter < 2.5 µg between 28-08-2025 01:57 PM and 29-08-2025 01:58 PM

Standard : 60 µg/m³





2529



DELHI POLLUTION CONTROL COMMITTEE
(Government of N.C.T. of Delhi)
4th Floor, I.S.B.T. Building, Kashmere Gate, Delhi - 110006
Website : <http://www.dpcc.delhigovt.nic.in>



REAL TIME AMBIENT AIR QUALITY DATA

Pooth Khurd, Bawana || Nehru Nagar || Jawaharlal Nehru Stadium || Dr. Karni Singh Shooting Range || Major Dhyan Chand National Stadium
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Alipur || Pusa || Sri Auribindo Marg || Mundka || Anand Vihar || Mandir Marg || Punjabi Bagh || R.K. Puram || || Main Index

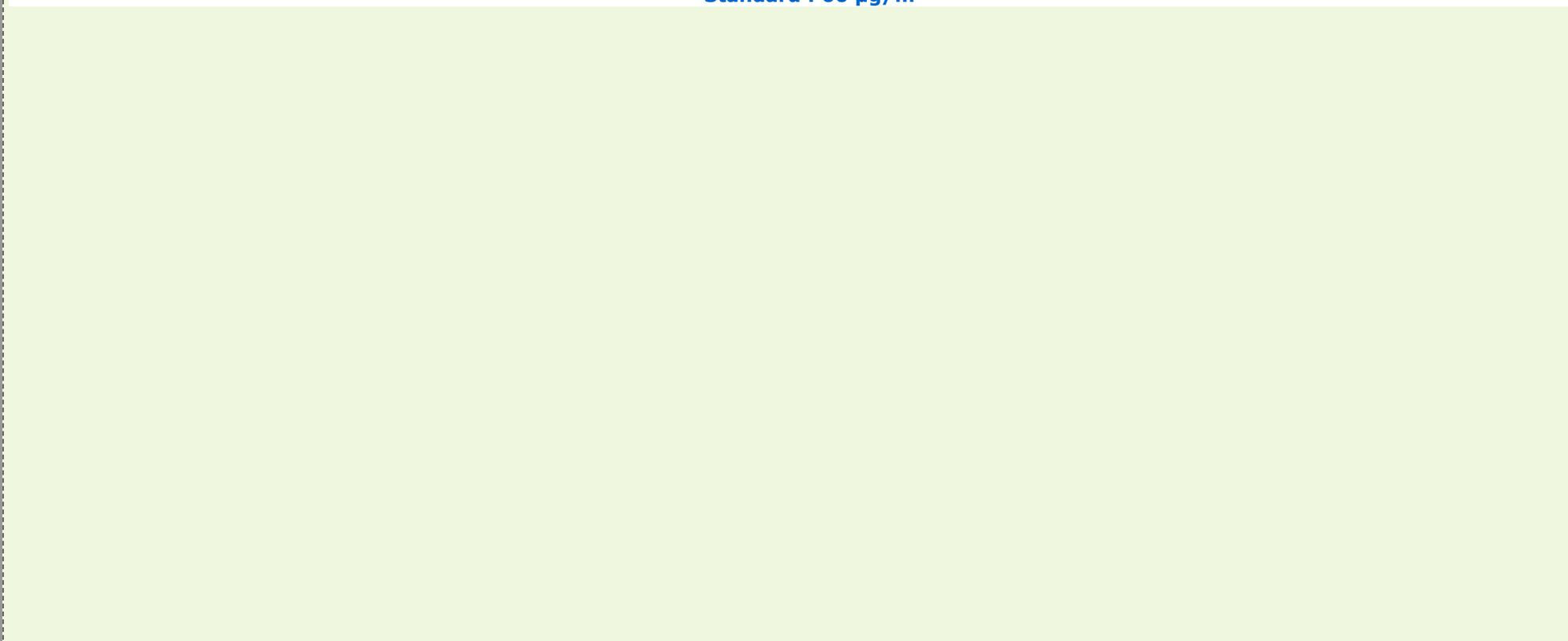
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PARTICULATE CONCENTRATION & METEOROLOGICAL CONDITION

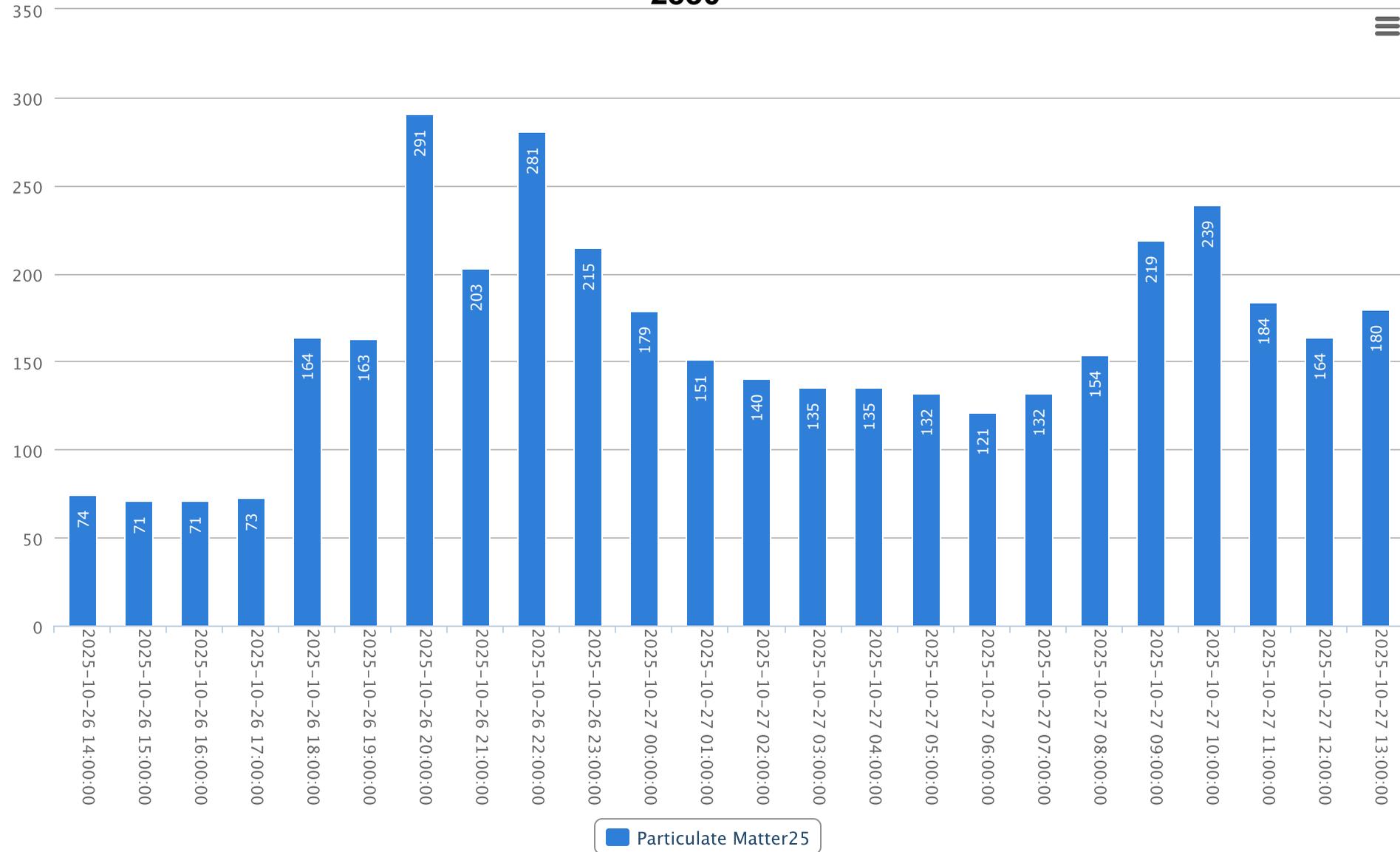
Air Quality Monitoring Station : R K Puram

Particulate Matter < 2.5 µm for last 24 hours

Standard : 60 µg/m³



2530



This is Beta Version

Disclaimer

"All efforts have been made to make this information as accurate as possible, the Delhi Pollution Control Committee will not be responsible for any loss to any person caused by inaccuracy in the information available on this Website. DPCC may be consulted for an accurate information. Any discrepancy found may be brought to our notice."

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2496]

नई दिल्ली, बुधवार, जुलाई 4, 2018/आषाढ़ 13, 1940

No. 2496]

NEW DELHI, WEDNESDAY, JULY 4, 2018/ASHADHA 13, 1940

दिल्ली विकास प्राधिकरण

अधिसूचना

नई दिल्ली, 4 जुलाई, 2018

का.आ. 3249(अ).—दिल्ली विकास प्राधिकरण केन्द्र सरकार के पूर्व अनुमोदन से दिल्ली विकास अधिनियम, 1957 की धारा 57 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा निम्नलिखित विनियम बनाता है:—

1. संक्षिप्त नाम एवं आरंभ

- 1.1 इन विनियमों को “निजी स्वामित्व वाली भूमि के नियोजित विकास हेतु विनियम” कहा जाएगा।
- 1.2 इन विनियमों को वर्तमान दिल्ली मुख्य योजना और एकीकृत भवन-निर्माण उपविधि के साथ पढ़ा जाएगा।
- 1.3 ये विनियम राष्ट्रीय राजधानी क्षेत्र दिल्ली में निजी स्वामित्व वाली भूमि पर (इन विनियमों के खण्ड 3.1 में निर्दिष्ट अनुप्रयोज्यता के अनुसार) लागू होंगे और अधिसूचना की तिथि से लागू होंगे।
- 1.4 इन विनियमों में प्रयुक्त सभी शब्द एवं अभिव्यक्तियों, जिन्हें परिभाषित नहीं किया गया है, का अभिप्राय दिल्ली विकास अधिनियम, 1957 अथवा पूर्वोक्त अधिनियम के अंतर्गत तैयार और अनुमोदित की गई दिल्ली मुख्य योजना अथवा दिल्ली नगर निगम अधिनियम, 1957 अथवा एकीकृत भवन-निर्माण उपविधि, जैसी भी स्थिति हो, में उनके लिए दिए गए अभिप्राय से होगा।
- 1.5 विवाद की स्थिति में वर्तमान दिल्ली मुख्य योजना के प्रावधान/शर्तें लागू होंगी और ये विनियम माननीय न्यायालय के आदेशों, यदि किसी विशिष्ट मामले में जारी किए गए हों, का अधिक्रमण नहीं करेंगे।
- 1.6 इन विनियमों की व्याख्या से संबंधित किसी भी मुद्दे को आवश्यक निदेशों और उचित कार्रवाई के लिए प्राधिकरण के समक्ष प्रस्तुत किया जाएगा।

2. परिभाषाएं

- 2.1 इन विनियमों में जब तक कि विषय अथवा संदर्भ के विरुद्ध कुछ न हो :
 - 2.1.1 “अधिनियम” से अभिप्राय समय-समय पर यथा संशोधित दिल्ली विकास अधिनियम, 1957 से है।

- 6.5 भूस्वामी द्वारा प्रस्तुत किए गए ले-आउट प्लान के अनुमोदन पर प्लान को संस्वीकृति प्रदान करने वाले संबंधित प्राधिकरण द्वारा उनकी मानक प्रचालन प्रक्रिया के अनुसार समयबद्ध रूप से कार्यवाही की जाएगी।
- 6.6 दि.वि.प्रा., संबद्ध स्थानीय निकाय और सरकारी विभाग/एजेंसियां इन विनियमों के अंतर्गत प्रदान किए गए अनुमोदन के अनुसार उचित उपयोग/उपयोग आधारिका के समावेशन के लिए, जहां भी आवश्यक हो, आबंटन पत्र, विक्रय विलेख इत्यादि जैसे सांविधिक दस्तावेजों में आवश्यक संशोधन करेगी।
- 7. लागू प्रभार**
- 7.1 आधारीक संरचना के प्रावधान के लिए सभी अपेक्षित प्रभारों, जिसमें अन्य बातों के साथ बाह्य विकास प्रभार भी शामिल होंगे, का भुगतान भूस्वामी द्वारा सेवा प्रदाता को विकास के समय प्रचलित लागत पर किया जाएगा।
- 7.2 भूस्वामी को सरकार द्वारा समय-समय पर लागू तथा निर्धारित किए गए परिवर्तन प्रभारों तथा अन्य सभी प्रभारों, यदि कोई हो, का भुगतान करना होगा।
- 7.3 सभी अपेक्षित प्रभारों, जैसे यथा लागू विकास/सुधार प्रभार, परिवर्तन प्रभार इत्यादि अथवा सरकार द्वारा समय-समय पर निर्धारित प्रभार का भुगतान भूस्वामी द्वारा मामले पर कार्यवाही के समय तथा भूमि पर किसी भी प्रकार के विकास कार्यक्रमलाप शुरू करने से पहले किया जाएगा।
- 8. अस्वीकृति/अनुमति वापिस लेने की शर्त**
- इन विनियमों के अंतर्गत प्रदान की गई अनुमति या पंजीकरण को प्राधिकरण या संबंधित स्थानीय निकाय द्वारा उन किसी भी शर्तों का उल्लंघन करने के मामले में रद्द या निलंबित किया जा सकता है, जिनके अंतर्गत अनुमति/पंजीकरण प्रदान किया गया था।
- 9. दंडात्मक कार्रवाई**
- उक्त वर्णित प्रावधानों के उल्लंघन के मामले में, दिल्ली विकास अधिनियम अथवा दिल्ली नगर निगम अधिनियम अथवा किसी अन्य प्रासंगिक लागू संविधि के संबंधित प्रावधानों के अंतर्गत कार्रवाई की जाएगी।
- 10. शिकायत निवारण प्रक्रिया**
- 10.1 शिकायत निवारण समिति का गठन आयुक्त (योजना), दि.वि.प्रा. के अधीन किया जाएगा, जिसमें वास्तुकला विभाग, दि.वि.प्रा. के प्रतिनिधि, संबंधित स्थानीय निकाय के प्रतिनिधि (अभियांत्रिकी विभाग और योजना विभाग प्रत्येक से एक-एक), सेवा प्रदाता एजेंसी के प्रतिनिधि, वित्त शाखा, दि.वि.प्रा. के प्रतिनिधि और निदेशक (भवन), दि.वि.प्रा. संयोजक के रूप में शामिल हैं। समिति अलग-अलग मामले के आधार पर, जब भी आवश्यकता होगी, अन्य सदस्यों को भी सहयोजित कर सकती है।
- 10.2 समिति ले-आउट/भवन प्लान के अनुमोदन से संबंधित सभी शिकायतों का हल करेगी, जिसमें विकास नियंत्रण मानदंडों की प्रयोज्यता और विकास से संबंधित कोई अन्य मामले शामिल हैं।
- 10.3 शिकायत निवारण समिति के अधिनिर्णय (यदि संपत्ति के स्वामी द्वारा स्वीकार्य न हो) को इस उद्देश्य हेतु गठित एक अपीलीय समिति को भेजा जाएगा, जो एक स्वतंत्र निकाय जैसे 'रेरा' होगा अथवा प्राधिकरण द्वारा जैसा निर्णय लिया जाएगा। इस संबंध में अपीलीय समिति का निर्णय अंतिम और बाध्यकारी होगा।

[फा. सं. 15(12)2017/एमपी]

डी. सरकार, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY**NOTIFICATION**

New Delhi, the 4th July, 2018

S.O. 3249(E).—In exercise of the powers conferred by sub-section (1) of Section 57 of the Delhi Development Act, 1957, the Delhi Development Authority, with the previous approval of Central Government, hereby makes the following Regulations:

1. SHORT TITLE AND COMMENCEMENT

- 1.1 These Regulations shall be called "Regulations for Enabling the Planned Development of Privately Owned Lands".

- 1.2 These Regulations are to be read along with the prevailing Master Plan for Delhi (MPD) and Unified Building Bye Laws (UBBL).
- 1.3 These Regulations shall be applicable to privately owned lands (as per applicability set out in Clause 3.1 of these Regulations) in National Capital Territory of Delhi and shall come into force with effect from the date of notification.
- 1.4 All words and expressions used in these Regulations, but not defined shall have the meaning as assigned to them in the Delhi Development Act, 1957 or the MPD prepared and approved under the said Act or the Delhi Municipal Corporation (DMC) Act, 1957 or the UBBL, as the case may be.
- 1.5 In case of conflict the provisions / stipulations of prevailing MPD shall prevail and these Regulations shall not supercede orders of the Hon'ble Courts, if issued in any specific case,
- 1.6 Any issues relating to the interpretation of these Regulations, shall be referred to the Authority for necessary directions and appropriate action.

2. DEFINITIONS

2.1 In these Regulations, unless anything repugnant in the subject or context:

- 2.1.1 **“Act”** means the Delhi Development Act, 1957 as amended from time to time.
- 2.1.2 **“Authority”** or **“Delhi Development Authority”** or **“DDA”** means the Delhi Development Authority constituted under section 3 of the Act.
- 2.1.3 **“Private Land / Privately Owned Land”** means any unacquired / freehold land or property, which is not open to the use and enjoyment of the public and the ownership of the said land vests with an individual land owner or a company or a society or a group of land owners voluntarily agreeing to participate pursuant to an agreement. This is subject to applicability set out in Clause 3.1 of these Regulations.
- 2.1.4 **“Master Plan”** or **“MPD”** means the Master Plan for Delhi, prepared and approved under the Act, for the time being in force.
- 2.1.5 **“Competent Authority”** means the Vice Chairman or any other officer/ Committee as nominated by the Vice Chairman in this regard, for grant of permission in notified development areas of the Authority. In case of other local bodies, the Competent Authority would be as notified by the concerned local body as per provisions of the relevant act and orders of the local body for approval of layout plans.

2.2 Other definitions shall be in accordance with the relevant Acts, MPD, Zonal Development Plan (ZDP), UBBL, etc.

3. APPLICABILITY

3.1 These regulations shall **APPLY** to the following types of privately owned land parcels:

- 3.1.1 Land parcels having activities / uses that were already in existence before the notification of MPD 1962.
- 3.1.2 Land parcels that were left out and could not form a part of any layout plan / planned development during the implementation of the MPD.
- 3.1.3 Land parcels that could not be acquired by DDA because:
 - a) Acquisition proceedings were challenged by the land owners and quashed by the courts.
 - b) Acquisition lapsed as per sub-section 2 of section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (the ‘New Land Acquisition Act’).
- 3.1.4 Land parcels assigned ‘Recreational use’ in the layout plan, resulting in restricting their development are also included (except for notified or reserved forest area, Regional Park and Monument Regulated Zones as per MPD 2021).

3.2 These regulations shall **NOT BE APPLICABLE** on the following types of land parcels:

- 3.2.1 Land parcels in Zone 'O'
- 3.2.2 Land parcels in Notified Green Belt
- 3.2.3 Land parcels covered under water bodies
- 3.2.4 Land parcels in the Ridge, Regional Park, Reserved Forest areas
- 3.2.5 Land parcels in Monument Regulated Zones
- 3.2.6 Land parcels already eligible for land pooling as per the notified Land Policy
- 3.2.7 Land parcels falling in Lal Dora (Village Abadi) / Extended Lal Dora and Unauthorized colonies.
- 3.2.8 Disputed land parcels wherein the land acquisition proceedings are pending/ matter is sub judice. The owner can apply after getting the land free from all legal encumbrances.

3.3 These regulations shall not entitle any land owner for regularization of any already existing unauthorized / illegal development on its property.

4. PRE-REQUISITES AND PLANNING REGULATIONS

- 4.1 Development on the privately owned land shall be in consonance with the land use as notified in prevailing MPD / ZDP or land use / use premise mentioned in already approved layout plans / schemes of that area, if any or as specified in these Regulations.
- 4.2 DDA (in the 'development area') / ULB (in the 'non-development area') shall take up the master planning for external development of the plots i.e. roads and linkages required for provision of infrastructure and services (subject to payment of applicable external development charges by the land owner).
- 4.3 Where any land is required for providing governmental or public semi-public use of the private land, the same shall be acquired by the concerned implementing agency either by mutually agreed rate or under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and appropriate compensation to be paid accordingly by the agency concerned.
- 4.4 The category / type of development activity shall be in conformity with the existing development on majority of the plots adjacent / surrounding the said land parcel.
- 4.5 Amalgamation, reconstitution and subdivision of plots within the same land use category will be permitted as per the prevailing MPD for the planning purpose.
- 4.6 The landowners shall be responsible for preparing all detailed plans (covering inter-alia, aspects such as site layout, buildings, services), as per the prevailing MPD and ZDP and applicable development controls, for undertaking internal development within their land parcel. Landowners will also be responsible for obtaining all requisite NOCs from concerned agencies and procuring necessary services (electricity, sewerage, water supply, etc.) upon payment of applicable charges to respective service providing agencies.
- 4.7 Request of NOC shall be processed by the respective government department / Urban Local Body / service providing agency in a time bound manner on payment of requisite charges, if any.

5. DEVELOPMENT CONTROL NORMS

- 5.1 Land owner shall abide by the development control norms as prescribed in the prevailing MPD and UBBL or specifically mentioned in these regulations, if any.
- 5.2 Planning and development of privately owned land falling within facility corridors shall be as per the development control norms specified in prevailing MPD/ZDP for Public Semi-Public facilities and District / Commercial Centres (in case of Commercial / Industrial use):

- 5.2.1 Maximum FAR 150 and Ground Coverage 50% on the total plot area. Of the remaining 50% plot area, 30% shall be developed as Green/ Open Spaces, and 20% for Transportation (roads, parking etc.).
- 5.2.2 Use/activities permitted on such plots shall be non-residential uses like Commercial, Recreational, Public and Semi-Public, Utilities, Industrial, Service and Repair etc. as permissible under the prevailing Master Plan.
- 5.3 The land parcels falling under “Residential” land use, within Low Density Residential Area (LDRA) shall be governed as per the provisions given under Para 4.4.3 (G) Low density Residential Plot of Chapter 4 in MPD-2021.
- 5.4 Any land pocket being utilized for any specific commercial / PSP activity, for which no development controls have been specified, shall be permitted FAR 120, Ground Coverage of 30% and Height not restricted, subject to approval of statutory authorities or as per surrounding development, whichever is lower. Rest of the development control norms shall be as per prevailing MPD / ZDP and UBBL.
- 5.5 Land parcels falling within the already approved or developed schemes of DDA/ULBs/other government bodies shall be in conformity with the surrounding development, irrespective of applicable development control norms. The development of such lands will be governed by the use/ activity and the development control norms of the surrounding development (subject to availability of required infrastructure services), maintaining the planned development around the land parcel.
- 5.6 Privately owned land falling within a layout plan, which has been assigned the use premise namely “Government” or “Utility”, the owner shall be allowed to develop any compatible PSP use as per requirement of the neighbourhood with prevailing development control norms. The same shall be subject to NOC from the concerned government agency / authority and change in the layout plan as per standard operating procedure.
- 5.7 Privately owned lands with pre-MPD 1962 activities / use, can choose to continue with the same activity / use provided that all provisions specified in the Regulations are met. The landowner can also opt to develop as per the use specified in the prevailing MPD/ ZDP/ approved layout plan subject to payment of requisite charges.
- 5.8 Any activities / uses existing on privately owned land prior to MPD-1962 will be allowed to continue, irrespective of the land use specified in prevailing MPD/ ZDP, provided their purpose and extent (dimensions, area, FAR, height etc.) remain the same, subject to documentary proof thereof, as contained in proviso to Section 14 of Delhi Development Act, 1957, with the following controls:
- 5.8.1 Activities / uses existing / permitted prior to MPD-1962 for such areas shall be allowed to continue in all compatible land use categories including those the provision stipulated under Chapter 15.0 on Mixed Use Regulations in MPD-2021, if any.
- 5.8.2 Any portion of land if required for governmental or public semi-public use or for any physical infrastructure (like road, drainage, sewerage, drinking water supply, etc.), the same shall be acquired by the concerned implementing agency either by mutually agreed rate or under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and appropriate compensation to be paid accordingly by the agency concerned.
- 5.8.3 Individual cases based on documentary proof and scrutiny shall be approved by the DDA / concerned Local Body.
- 5.8.4 Charges for use conversion shall not be applicable if the use prior to Master Plan 1962 is continued.
- 5.8.5 Local body may levy any other charges to the beneficiaries for the continuation of pre – MPD 1962 activities / uses, if any addition/ alteration is proposed.
- 5.9 Land parcels falling in more than one land use category mentioned in MPD / ZDP, the land owner shall be permitted to utilize the land as an integrated development proportionately as per built-up space permissible in the specific land use / use category (without any physical subdivision of the land pocket).

- 5.10 Land parcel being proposed to be used for multiple use premises shall be considered only for activities permitted in the same specific land use / use category in which the property falls, subject to payment of mixed use charges prescribed by the Government from time to time.
- 5.11 Owners of the privately owned land parcels assigned 'Recreational use' in the approved layout plan shall be permitted to utilize their land as per the following provisions:

5.11.1 The owner shall develop such land based as follows:

Sl. No.	Extent	Percentage to be dedicated / maintained as Green (through tree plantation)	Percentage to be developed by the owner as a remunerative component in accordance with these regulations
1.	Up to 2000 sq. mtr. i.e. 0.2 Ha. (including the first 2000 sq.mts. of the larger plot)	-	100*
2.	0.2 to 5.0 ha.	57	43
3.	5.0 ha. to 10 ha.	65	35
4.	Over 10 ha.	68	32

* *Open spaces within the plot to be maintained as "Green"*

- 5.11.2 FAR shall be permissible on the area under remunerative component (i.e. use / development activity in conformity with the existing development on majority of the plots adjacent / surrounding the said land parcel).
- 5.11.3 The change of use premise in layout plans (only for the area / portion of land proposed for building development) shall be taken up as laid down procedure, subject to payment of charges and meeting the requirements of compensatory plantation as prescribed by the Government from time to time.
- 5.11.4 Afforestation / tree plantation on the portion of land to be maintained as green, shall be taken up by the land owner as per guidelines of Forest Deptt., GNCTD/ Central Government for compensatory plantation w.r.t. percentage of land brought under development.

6. PROCEDURE FOR GRANT OF PERMISSION FOR DEVELOPMENT

- 6.1 Owner satisfying the prescribed applicability and conditions laid down in the Regulations, shall submit an application of intent for development on its land to DDA (in 'development areas) or respective ULB (in 'non-development areas'), along with dimensioned survey plan on a scale of 1: 1000 showing the boundaries and dimensions of its land, the locations of existing streets, surrounding buildings and premises etc.
- 6.2 The application shall be processed by DDA/ ULB and the owner/ applicant shall be informed about the details of requisite NOCs/ permissions, documents, applicable charges etc.
- 6.3 Thereafter, the landowner shall prepare the layout plan of their respective land parcels within the provisions of prevailing MPD/ ZDP/ approved layout plans or as specified in these Regulations, as the case may be.
- 6.4 The proposal shall be submitted to the plan sanctioning authority for approval along with all the requisite documents and NOCs from statutory bodies / service providing agencies etc. as the case may be.
- 6.5 The approval of the layout plan submitted by the land owner shall be processed by the concerned plan sanctioning authority in a time bound manner as per its standard operating procedure.
- 6.6 DDA, concerned local bodies and government departments / agencies shall take up necessary amendments in the statutory documents like allotment letters, sale deeds etc. for incorporation of the appropriate use / use premise as per approval granted under these regulations, wherever required.

7. APPLICABLE CHARGES

- 7.1 All requisite charges for the provision of infrastructure which inter alia would include external development charges shall be payable by the owner to the service providers on cost prevailing at the time of development.
- 7.2 The owner shall have to pay conversion charges and all other charges, if any, applicable and prescribed by the Government from time to time.
- 7.3 Payment of all the requisite charges i.e. development / betterment charges, conversion charges etc. as applicable, shall be made by the land owner at the time of processing the case and before taking up of any development activity on its land, or as may be prescribed by the Government from time to time.

8. CONDITION FOR DENIAL / WITHDRAWAL OF PERMISSION

Permission or registration granted under these Regulations can be revoked or suspended by the Authority or the concerned local body in case of violation of any of the conditions under which such permissions / registration was granted.

9. PENAL ACTION

In case of violation of the above said provisions, action shall be taken under the relevant provisions of the Delhi Development Act or Delhi Municipal Corporation Act or any other relevant applicable statute.

10. GRIEVANCE REDRESSAL MECHANISM

- 10.1 Grievance Redressal Committee will be constituted under Commissioner (Plg.), DDA comprising of representatives of Architecture Deptt., DDA, representative of concerned local body (one each of Engineering Deptt. and Planning Deptt.), representative of service providing agency, representative of Finance Wing, DDA with Director (Building), DDA as Convener. The committee may co-opt other members, as and when required on case to case basis
- 10.2 The Committee shall address all grievances related to approval of layout / building plan including applicability of development control norms and any other matters related to development.
- 10.3 The award of the Grievance Redressal Committee (if not acceptable to the owner of the property) shall be referred to an Appellate Committee for this purpose which shall be an independent body like RERA or as decided by the Authority. The decision of the Appellate Committee will be final and binding in this regard.

[F. No. 15(12)2017/MP]

D. SARKAR, Commissioner-Cum-Secy.

RAKESH
SUKUL

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Date: 2018.07.04 20:52:13
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Anuranjan Prasad Sinha
 (Age - 87 years)
 Flat No -1425.
 B-1, Vasant Kunj,
 New Delhi - 70

To

The General Secretary
 Residents' Welfare Association
 B-1, Vasant Kunj, New Delhi-70

Breach of Security & Privacy of Super Senior Citizens Due To Illegal Construction Along B-1 Boundary Wall Adjacent to Flat No 1425/1425A

This is to inform you that a house/hutment is being constructed in the private land along B-1 boundary wall adjacent to Flat No 1425/1425A. It appears that some persons will be lodged there. Any such illegal human activities along B-1 boundary wall will pose serious security hazard to us. Moreover, it will cause breach of our privacy due to presence of strangers/unknown people in the house. It will also cause insanitary conditions as there are no latrine/bathrooms for people residing in the house and even there is no sewerage system in the said premises for disposal of sewer wastes etc.

I would like to inform you that couple of years back, attempts were made to lodge some people in the house by the owner of the private land. However, the then RWA took stern action and they were evicted from the premises on aforesaid grounds.

Though, the land on which the house is being constructed may be in private hands, however, they have no right to construct hutment close to residential flats and house their employees or labourers and thereby create nuisance for residents residing in the vicinity.

Accordingly, you are requested to take immediate action to stop the construction and evict the people who are residing there in the hutment.

Yours sincerely

A. P. Sinha
 28/5/2024

(Anuranjan Pd Sinha)
 Age -87 years

Flat No. 1425

(A)

(S)

(L)

(2) ~~_____~~
 (K. R. Soni - 1426)

(3) Pushpa 1427

Anuranjan Prasad Sinha
(Age – 87 years)
Flat No -1425,
B-1, Vasant Kunj,
New Delhi – 70

30 May 2024



30/5/24

To

The SHO (North)
Vasant Kunj Police Station
Vasant Kunj, New Delhi-70

Breach of Security & Privacy of Super Senior Citizens Due To Illegal Construction Along B-1 Boundary Wall Adjacent to Flat No 1425/1425A

I am writing to you on behalf of my parents who are 87 years old (Father) and 83 years old (Mother) and residents of Flat No 1425, B-1, Vasant Kunj, New Delhi -70. Mostly they are bed ridden due to old age and medical ailments and they are not in a position to file police complaint themselves.

This is to inform you that a house is being constructed in the land along B-1 boundary wall adjacent to Flat No 1425/1425A. It appears that some persons will be lodged there. Any such illegal human activities along B-1 boundary wall next to their residence will pose serious security hazard to my parents. Moreover, it will cause breach of their privacy due to presence of strangers/unknown people in the house. It will also cause insanitary conditions due to lack of sewerage system in the said premises for disposal of sewer wastes etc. Photograph of house under construction indicating therein location of Flat No 1425/1425A, B-1 boundary wall and the said house is attached as Annex 'A'.

I would like to inform you that couple of years back, attempts were made to construct a permanent structure to lodge some people in the house by the owner of the private land. However, the local police took stern action and they were evicted from the premises on aforesaid grounds.

Though, the land on which the house is being constructed may be in private hands, however, they have no right to construct hutment close to residential flats, along the B-1 boundary wall and house their employees or labourers and thereby create nuisance for residents residing in the vicinity. It is also not known whether any such permanent construction in the said premises has been permitted by local authorities.

This is causing serious inconvenience to my aged parents and requires immediate interventions by the local police. Accordingly, you are requested to take immediate action to stop the construction and evict the people who are residing there in the hutment.

Ends: As stated above

Yours sincerely,

1400707 30/5/24
(Rajeev Ranjan)

Son of
Sh Anuranjan Prasad Sinha
Age -87 years

Mobile No - 9811578878
26899528 (R)

2540





2542



-True Copy-

**Rajeev Ranjan & other residents
of B-1, Vasant Kunj,
Flat No. 1314, Sector-B, Pocket-1
Vasant Kunj, New Delhi -70
24 Sep 2024**

To

**Hon'ble Union Minister of Environment, Forest & Climate Change
Government of India**

**Secretary
Ministry of Environment, Forest & Climate Change
Government of India**

**Sh Amandeep Garg
Additional Secretary
Ministry of Environment, Forest & Climate Change
Government of India**

**Sh Munna Kumar Shah, Sc 'E'
Member Secretary IA (Infra-II)
Ministry of Environment, Forest & Climate Change**

**Blatant Violation of Environmental Norms in Sanctioning of Construction of Luxury Multi-
Storied Residential Apartments in B-1 Vasant Kunj: "Group Housing at Khasra No. 1230/2,
Sector-B, Pocket-1, Vasant Kunj, Part of Revenue Estate of Village Mehrauli, New Delhi (UID
No. PE252681-C-03)**

Respected Sir,

1. We are writing to you in connection with Environmental Clearance application submitted by M/s R R Texknit LLP in respect of "Group Housing at Khasra No. 1230/2, Sector-B, Pocket-1, Vasant Kunj, Part of Revenue Estate of Village Mehrauli, New Delhi (UID No. PE252681-C-03).

Brief Background

2. Sector-B, Pocket-1, Vasant Kunj is a Self Financing Housing Scheme (SFS) of the DDA conceived in 1985 and consist of 1021 low-rise (4 floors) SFS flats occupied by nearly 5000 residents. There are two senior secondary schools abutting boundary wall of B-1 Vasant Kunj – Masonic Public School and Government Secondary School with student population of more than 2000 each and two nursery/Montessori schools within the B-1 premises. There is a super specialty hospital namely Fortis Hospital which abuts B-1 boundary wall.

3. While B-1 colony was being developed in 1985 or so, a piece of land measuring 06 Bigha & 07 Biswa (5309.40 sq metre) was not acquired by the DDA for inexplicable reasons. In the approved layout plan of B-1 which was published in September 1983 for intending purchasers, DDA had planned **48 numbers of SFS flats** and other facilities such as parks, parking and roads etc, on the subject land. Despite numerous representations by Residents' Welfare Association to the public authorities from time to time, DDA failed to acquire the subject land **since 1989** and resultantly it remained in the possession of the private owners. The subject land is surrounded from all sides by fully constructed DDA flats, 4 schools and a hospital. Nearly 150 flats and Masonic Public School are located in close proximity of the land in question.

4. Recently, MCD has approved construction of luxury multi-storied buildings housing project on the subject land. The housing project consists of two towers, each with 9 floors and stilt and another tower with four floors. The super luxury multi-storied buildings will have three level basements measuring approx 7052 sq metre. The housing complex will contain 138 dwelling units in total. The height of multi-storied towers will be 33.25 metre as against 15 metre height of surrounding DDA SFS flats. The residential population proposed to occupy luxury towers is approx 800 persons.

Violation of Statutory Norms in the Sanctioned Layout Plan

5. As per MPD-2021, which is a statutory regulation, group housing plot should be located on roads **facing a minimum width of 18 metre (60 feet) right of way**. The plot in question is located on roads facing **a minimum width of less than 13 metre**, which are internal residential roads of B-1 colony. Further, group housing plots should be located in isolated locations/standalone with separate entry and exit to the plot. The said land, on the contrary, is located in the middle of B-1 colony and has **no** separate entry/exit to the said plot. The said plot can be accessed only through B-1 colony gates and the internal roads of B-1 colony. Hence, the plot in question does not qualify for "Group Housing" plot in accordance with Clause 4.4.3B of the MPD-2021.

Violation of "Regulations for Enabling Planned Development of Privately Owned Lands, 2018

6. As per clause 4.4 of "**Regulations for Enabling the Planned Development of Privately Owned Lands**" issued vide SO 3249(E) of 2018, the category/type of development activity in privately owned land shall be in conformity with the existing development on majority of the plots adjacent/surrounding the said land parcel. As per clause 5.5 of the said Regulations, land parcels falling within the already approved or developed schemes of DDA shall be in conformity with the surrounding development irrespective of applicable development control norms. B-1 colony is an approved and developed colony of DDA. All dwelling units surrounding the land in question have 4 floors. Hence, any proposed construction in a privately owned land should be in synchronization or in league with B-1 layout plan. Therefore, sanction for super luxury multi-storied buildings/towers is in complete violation of Regulations for Enabling Planned Development of Privately Owned Lands.

Violation of B-1 Layout Plan

7. The approved layout plan of B-1, Vasant Kunj on the land in question, included 48 SFS dwelling units (flat no 1297 to 1312 & Flat No 1393 to 1424) and other facilities such as parks, parking, roads etc on the said land, which was shown to allottees/intending purchasers. Residents had applied for allotment of DDA SFS flats pursuant to the plan projected by DDA way back in the year

1985. The plan did not include construction of luxury multi-storied buildings/towers within DDA SFS flats by any developer. Therefore, DDA/MCD cannot deviate from the projections and cannot allow any private multi-storied buildings/towers to be set up within four corners of the already developed pocket B-1, planned and developed by DDA 40 years back.

Violation of Population Density Norms

8. DDA had planned 48 SFS low-rise flats in the layout plan. As per 4.4.3 A (Terms & Conditions) (ix), such dwelling unit shall be considered to accommodate 4.5 persons. It means population prescribed for 48 flats is $(48 \times 4.5) = 216$. While in the layout plan for the sanctioned multi-storied building, population prescribed is approx 800, which far exceeds population proposed for 48 flats in the original B-1 layout.

Acute Shortage of Parking Space in B-1 Colony

9. Sector-B, Pocket-1 is a densely populated pocket having 1021 number of flats with a population of nearly 5000 persons. Today each flat has at least two cars and also two-wheelers, resulting in significant congestion in the area. As a result, vehicles are parked on both sides of the internal roads which is causing, clutter and pandemonium. As per the earlier parking norms, when the layout plan of the pocket was prepared by DDA, one car space was provided for every 100 sq metre built-up areas. Whereas, as per MPD-2021, the parking norms have been increased to two car space per 100 sq metre of built-up area. Hence B-1 colony is deficit in the requisite car space as per existing norms. Instead of fixing this problem of acute congestion in B-1 colony, DDA/MCD proposes to aggravate the already critical situation by permitting private developers for construction of group housing complex in B-1 colony.

Procedural Irregularity

10. There are procedural irregularities involved in the sanctioning process. As per the DMC Act, the high-powered Standing Committee of MCD is competent to sanction group housing or high valued projects exceeding Rs 5 crores. As on date, the Standing Committee of MCD has not been constituted. It is not known as to how the said layout plan has been sanctioned in the absence of Standing Committee of MCD. It may be relevant to note that developers' earlier building/layout plan was rejected by the Standing Committee of MCD in Nov 2008.

Irregular Execution of Sale Deed by the Purchaser of the Land in Question

11. In the court documents and also in the environmental clearance application submitted by owners of the property in question, four sale deeds were found attached (**Section F/Annexure 2 of the EC application**). It is seen that sale deeds have been executed by the said sellers/purchasers for property type "Agriculture Land". It is submitted that the **Landuse** of the said property- Khasra No 1230/2, in the revenue estate of village Mehrauli is "**Residential**" as evident from DDA/MCD documents. On the basis of change of Landuse from "Agricultural" to "Residential" by the DDA, sanction has been granted by the MCD for construction multi-storied apartments on the said property.

12. Once the landuse of the property has been changed from "Agriculture" to "Residential, it is mandated by law that sale deeds are executed on the basis of circle rate applicable to Vasant Kunj and not as per circle rate applicable to agriculture land, as done in this case. Irregular sale deeds executed

in Apr 2024, based on misrepresentation of facts by the sellers and purchaser are liable to invite penal action including cancellation of registered sale deeds. We are informed that mutation/registration in urbanized villages of Delhi are not permitted. It is, therefore, apparent that due diligence with regard to land title of the plot in question has not been done.

Writ Petition – CM APPL. 52907/2024 & CM APPL. 52908/2024

13. Residents' Welfare Association of B-1 Vasant Kunj has filed a Writ Petition No **CM APPL. 52907/2024 & CM APPL. 52908/2024** in Hon'ble High Court of Delhi on matters relating to violation of statutory norms as highlighted above. The matter is sub judice. The next date of hearing is on 16.10.2024

Environmental Impact

14. The proposed luxury housing area falls in the notified South Central Delhi Ridge (Kishengarh ridge) of the Aravalli morphological ridge area as demarcated in the Delhi Forest Department's GIS map (E-vanlekh of Delhi Department of Forest and Wildlife). This needs to be placed before the Ridge Management Board, Delhi, Principal Chief Conservator of Forest, Surveyor General of India and Director, GSI, Faridabad to ascertain. The Hon'ble Supreme Court vide its order dated 30.11.2011 directed that **"..in respect of such a land, clearance from the Ridge Management Board or the Hon'ble Supreme Court through the Central Empowered Committee is to be obtained before carrying out any construction. Such permission is a pre-requisite in view of the directions of the Supreme Court."** The said plot falls under Morphological Ridge as evident from the attached map (Appendix 'A')

15. The construction of a Luxury building project with 2 towers with a height of 33.25m and a third tower of 16.75 m will likely to impact the Aravalli ridge's stability. It will have 3 level basement in each of the towers (7052 sq m built-up), which amounts to mining in the Aravalli ridge area. Also as per the geotechnical survey submitted by the builder, (**Annexure 12 of EC application**), there is no mention of metamorphic/quartzite outcrops. When achieving a depth for 3 basements it needs to be ascertained if whether any rare rock outcrops it lost due to destruction of a section of the South Central Ridge leading to destabilization of the adjoining built-up area. According to the Supreme Court Bench order of May 2, 2024, MOEFCC is to constitute a committee to arrive at a common and uniform definition of the Aravalli hills and ranges. Till then no mining or any construction that digs, which amounts to mining, can be undertaken. **The said Luxury project is not for common good such as the Delhi Metro running through the Aravalli; instead, it is for private consumption.**

16. B1 Vasant Kunj pond on the NE side of the colony, under DDA, and is less than 100 metre from the proposed high-rise luxury project site of the Luxury apartments. This fact has been misrepresented in the EC application of the builder **vide Annexure 9** of the EC application. This pond is under the protection of the Wetland Conservation and Management Rules 2017, which does not allow for a permanent structure, let alone a luxury high-rise within 50 m from it. This is a wetland catchment area. Also, this area is an Aravalli biodiversity hotspot, within 390 m of the Sanjay Van protected forest.

17. B1 Vasant Kunj Luxury high rise does not conform to the Ministry of Environment, Forest & Climate Change on Ground Water Impact (2010). The Luxury project will have an impact on groundwater and soil stability, which needs to be assessed. Moreover, geological/ morphological studies are required to ascertain the effects of basement constructions on surrounding buildings built in 1985.

18. The Environment Clearance application for the project “Group Housing At Khasra No. 1230/2, Sector-B, Pocket-1, Vasant Kunj part of Revenue estate of Village Mehrauli, New Delhi” submitted by M/s R R Texknit LLP has not taken into account important factors such as number of people living in B-1 colony, their age groups, school students, patients in the hospital, number of vehicles, capacity of existing sewage networks, storm water drains, capacity of underground storage water reservoir, traffic flow etc. **On the contrary, the proposed project has been designed in isolation without carrying out a detailed analysis of its impact on 5000 B-1 resident who currently live here and school students etc.** It is, therefore, imperative to carefully assess impact of super luxury multi-storied residential buildings with regard to environment facets, traffic flow, ease of living etc on the 5000 residents living in B-1 colony, more than 4000 school students in adjoining schools and hospital patients, while considering environment clearance to the project.

19. The existing B-1 colony was planned for a particular number of flats. The present infrastructure is not geared to accommodate additional number of super luxury residential units proposed by the private colonizer. Moreover, any new large scale construction, especially by private colonizer/builder, in fully occupied government colony will wreak havoc with overstretched infrastructure (road, water, sewage, electricity etc). It is also not possible to create new infrastructure to handle additional load within a built-up neighbourhood. Hence, any further residential activities at a large scale as envisaged by the private colonizer in the B-1 colony will have serious impact on existing civic infrastructure and resultantly, on quality of life of residents.

20. B1 colony of Vasant Kunj suffers from water scarcity, which is grossly inadequate for its 5,000 residents. B1 colony receives only one hour of water supply daily. During summer seasons water supply becomes worse and residents do not get DJB water for days together. In fact, entire Vasant Kunj suffers from water shortage and some of the pockets of Vasant Kunj are dependent on supply from water tankers. This Luxury housing project will require approx 95 KLD, for which no concrete and viable provision has been laid out. Delhi Jal Board vide their letter no DJB/AEE (M)-45/2041/533 dated 05.02.2024 (**Section F/Annexure 7 of EC application**) has categorically clarified in Para 2 of the letter under reference “**portable water will be provided by DJB from nearby water supply network only as per availability at the time of the water connection after completion of building which may not fulfill the demand of the applicant. DJB will not be bound to supply water as per demand. The applicant/developer/builder will have to make his own arrangements. The applicant will not file any claim for any sort of compensation/grievance in the court**”. Consequently, claim of water assurance from Delhi Jal Board is misrepresentation of facts as evident from letter under reference.

21. In order to provide requisite water supply to additional population, DJB has to upgrade capacity of its underground reservoir, to upgrade its existing water supply infrastructure and ensure

that adequate water is received at optimum pressure from Sonia Vihar Plant to cater to additional population of super luxury high rise residential apartments. Merely making a lumpsum payment to DJB by the builder and then to claim in the EC report that they have obtained water assurance from DJB is misrepresentation of factual position. Moreover, during the construction phase, conservative estimate indicates 45 KLD will be required, for which no viable provision has been laid out.

22. The private housing, during its operational phase, is likely to generate approximately 350 Kg/d of solid waste. The required infrastructure for this is not visible in the project's plan. Presently, sewer network of B1 colony is choked and grossly inadequate to carry additional sewer load. Almost every day DJB sucker machine is requisitioned to clear choked sewer networks in B1 colony, which are old and crumbling. An addition of 138 dwelling units (super luxury and EWS) with 3-4 toilets will lead to total collapse of sewer networks.

23. The use of heavy construction machinery, the ensuing structural deformity of roads unsuitable for heavy vehicle traffic, and the impact of the Aravalli morphology and abutting flats, along with its impact on elderly residents, women and children have not been accounted for.

24. The said luxury project has not worked out any rainwater harvesting plan, per the guidelines on rainwater harvesting and artificial recharge to ground water. Also, inadequate provisions for storm water drainage networks can cause further water logging in the colony that suffers from this, exacerbating unprecedented vector-borne diseases that impact over 5000 residents.

25. The impact of two 9 floor apartments with stilt with a height of approx 34 metre on the sunlight, ventilation and airflow/air quality on easement rights of the residents has not been considered. The proposed luxury building is to be located in the heart of B1 colony, surrounded by blocks of flats with heights not more than 12m. The diurnal pattern of sunlight will be obstructed substantially throughout the year, especially during the dark days of winter as shown in the attached diagram (**Appx B**).

26. Width of internal roads of B1 are narrow as both sides of the internal roads are used for parking and in the event of fire, there will be obstruction to fire tender movement which is a prerequisite for making multistoried luxury towers (Reference Chapter 4, Fire and Life Safety (NBC 2016). Moreover, there is hardly any space for turning radius on road corners which is again a norm to provide 9 m turning radius for fire tender movement at corner.

27. Construction of multi-storied/buildings/towers with three basements within fully built-up and fully occupied neighbourhoods will be an environmental disaster and seriously impact quality of life of approx 5000 B-1 residents. These basements will have depth of more than 80 ft. Construction of huge basement in close vicinity of fully built and fully occupied neighbourhood will have serious impact on the surrounding buildings having foundational depth of 4-5 ft. Such instances of impact of construction of basement on surrounding buildings are well documented (**Appx 'C'**):

- (a) During construction, B1 flats which are in close vicinity are likely to become unsafe for living as the builder intends to make 3 basements at least 15 metre below the current ground

level. The distance between B1 flats and the proposed multi-storied luxury apartments is nearly 10 metres. Some of the flats are less than 5 metres away from the building site. Excavation, while done by making diaphragm wall or otherwise is likely to negatively impact the foundation of these existing block of flats making them unsafe for living.

(b) Construction by deep excavation has already shown negative impact all over Delhi as evidenced caving in of roads etc in the rainy season. Negative impact of basement construction may be seen in the attached diagram (Appx 'C')

(c) If construction of foundation is done by piling, the impact of vibrations due to piling equipment can cause damage to old existing buildings which were constructed in 1985.

(d) Additionally, there is a large number of senior citizens and children living in B1, whose health will be adversely impacted due to constant construction noise.

Vulnerable Groups Who are Affected by the Project (in addition to B-1 Residents)

28. Masonic Public School, which is a Senior Secondary School (10 + 2) having nearly 2000 students, is located in B-1 colony, abutting boundary wall of proposed luxury multi-storied apartments. The school's entry and exit route is through internal residential roads of B-1 colony which include access roads to the plot in question. More than 2000 students, their buses and private vehicles enter and exit through the colony's internal roads. In addition, there are Government Senior Secondary School abutting B-1 boundary wall and in close vicinity of the said land and two nursery schools within the B-1 premises. There is also a multi-speciality hospital (Fortis Hospital) in the vicinity of proposed luxury multi-storied buildings. Noise, dust, vehicular emissions and other environmental facets shall adversely impact all the three areas- **residential, schools and hospital.**

Traffic Impact Assessment Report (Annexure 13 of the EC Application)

29. The builder of luxury multi-storied apartments intends to use B-1 internal residential roads for in and out movement of all traffic from the building site as it does not have independent access to main roads. A total of 138 dwelling units have been proposed. As a result, there will be at least 300 cars, large and small plying on already burdened roads of B. As of now, there is no space for addition of even a single car to B1 colony. Eventually, this will lead to chaos on internal roads. The proposed road widening shown by the applicant/builder near Masonic Public School is by increasing road width of existing 10.66 metre to 13 metre is misrepresentation of factual position as beyond the land boundary of plot in question lies B-1 colony, where widening is not possible. Moreover, consultant to the project has taken ultimate capacity of 2 Lane Undivided (Indian Highway Capacity Manual 2017 – CCRI) to carry out capacity analysis. The traffic analysis is based on the assumption of empty roads with width of 13 metre. Factual situation is that only 5 metre and at places 4.5 metre of actual road width is available due to parking on both sides of internal roads of B-1 colony. Thus the traffic analysis by the consultant and its outcome are grossly inadequate.

Impact on resident during Construction Phase and Thereafter

30. Regular movement of heavy trucks and heavy machineries through narrow residential roads, digging of colony's internal roads for laying waterlines, electrical cables etc will cause multiple challenges and turmoil.

(a) The duration of construction is proposed for 5 years. Movement of large RMC mixer trucks, cranes, hydra and other heavy vehicles for ferrying men and material is expected throughout day and night. Movement of heavy vehicles is not possible as internal roads of B1 are not of optimum width and load bearing capacity to withstand constant movement of heavy duty trucks and construction machinery/equipment.

(b) Already B1 internal roads are choked due to parking on both sides and due to location of school abutting the building site, the site location witness peak traffic jam and congestion.

(c) The building material carrying vehicles as well as construction machinery generate toxic emissions. Dust pollution including brick and silica, wood dust from joining and other wood working and from earth moving equipment and other vehicle movement will seriously affect residents. Construction machineries pose a special threat to air quality. It emits toxic pollutants and are source of fine particulates (PM 2.5) and oxides of nitrogen. Operation phase will involve emissions from vehicular movement and diesel generators.

31. As pointed out earlier, the said plot is located in the middle of B1 colony. The plot does not have separate entry/exit and its access to main roads is through internal roads of B1. It is submitted in the EC application that about 150 workers with their families will stay at the site during entire duration of construction. They will be using B1 market and resources for day to day activity. Usually such temporary workers hutment do not create problem when in isolated/independent sites. On the contrary, presence of these onsite workers in the heart of B1 colony inhabited by 5000 residents will be disastrous. Safety and security of residents especially elderly, women and children will be under serious threat due to the influx of large numbers of workers in the colony.

Redressal Sought

32. The case for environmental clearance for the luxury multi-storied residential project namely "Group housing Project by R R Texknit LLP at Khasra No 1230/2, Sector-B, Pocket-1, Vasant Kunj (UID No. PE252681-C-03)" in the heart of Sector- B, Pocket-1, Vasant Kunj is pending with the Ministry of Environment, Forests & Climate Change, as the term of the Delhi State Environment Impact Assessment Authority has expired. It is apparent from the EC application submitted M/s R R Texknit LLP has been prepared in isolation without assessing impact of upcoming construction on 5000 residents of B1 colony who are living in close proximity to the site, two senior secondary schools and a super specialty hospital. It is emphasized that the plot of land in question located in the heart of B-1colony surrounded from all sides by fully built and fully occupied colony, senior secondary school (Masonic Public School with more than 2000 students) abutting the boundary of the said land, Government Senior Secondary School (approx 10 metre or so, apart from the said land boundary, Fortis super Specialty Hospital which is 100 metre away from the said land.

33. It is, therefore, requested that a detailed examination of all environment facets – land, air, water, noise, biological, solid waste and socio-economic environment, may be carefully assessed in relation to 5000 residents living in close proximity, two senior secondary schools and a super specialty

hospital. Hon'ble Union Minister is urged to uphold residents' basic rights to clean land, air, water, ambient noise etc including school children and more importantly non-essential luxury housing project is located on geologically extended ridge area (morphological ridge).

34. We shall be most grateful for your intervention and pass necessary directions to Expert Appraisal Committee to carefully consider environmental facets as brought out above and deny environmental clearance to luxury multi-storied residents units within the fully built up and fully occupied DDA SFS colony.

Yours sincerely

(Rajeev Ranjan)

24.09.2024

Contact No.

9811578878

**Rajeev Ranjan and
other residents of B-1**
1314, B-1, Vasant Kunj
New Delhi-110070
18.11.2024

To

The Principal Chief Conservator of Forests
Deptt of Forests & Wildlife
Govt of NCT of Delhi

The Dy Conservator of Forest
West Forest Division
Govt of NCT of Delhi
Mandir Lane
New Delhi -110060

Subject: Proposed Construction of High-Rise Luxury Group Housing Project in the Land Parcel Bearing Khasra No. 1230/2, Sector-B, Pocket-1, Vasant Kunj, New Delhi in Reserve Forest /South Central Morphological Ridge Delhi

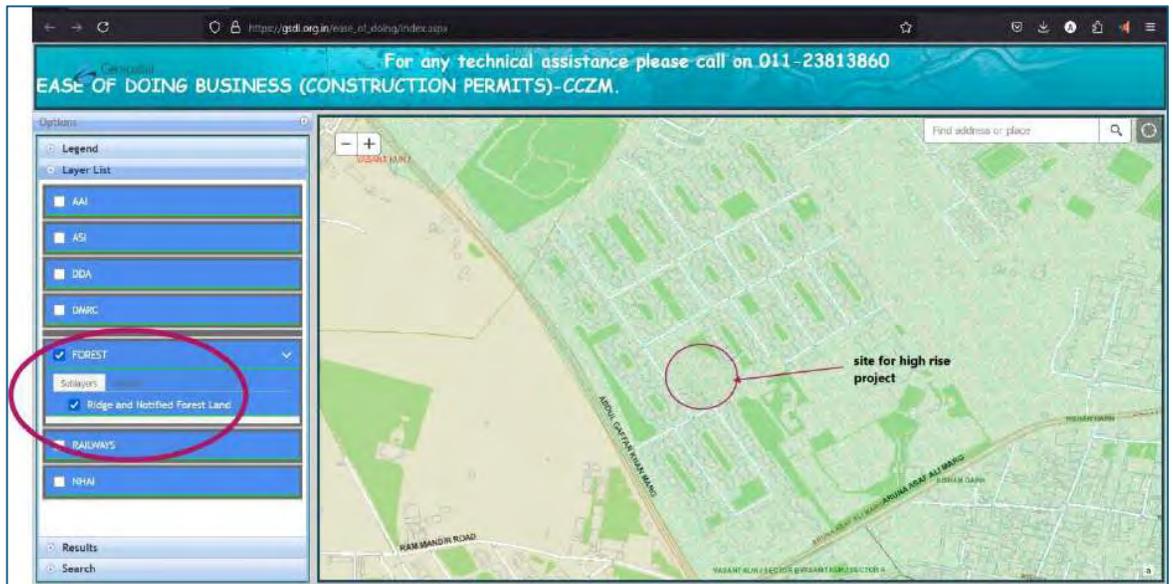
1. This is to bring to your notice serious violations of provisions of *Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 (i.e. The Forest (Conservation) Act, 1980)* and rules made there under and a prayer for further investigation into the same and to take action against the violators of the said law.

Brief Background

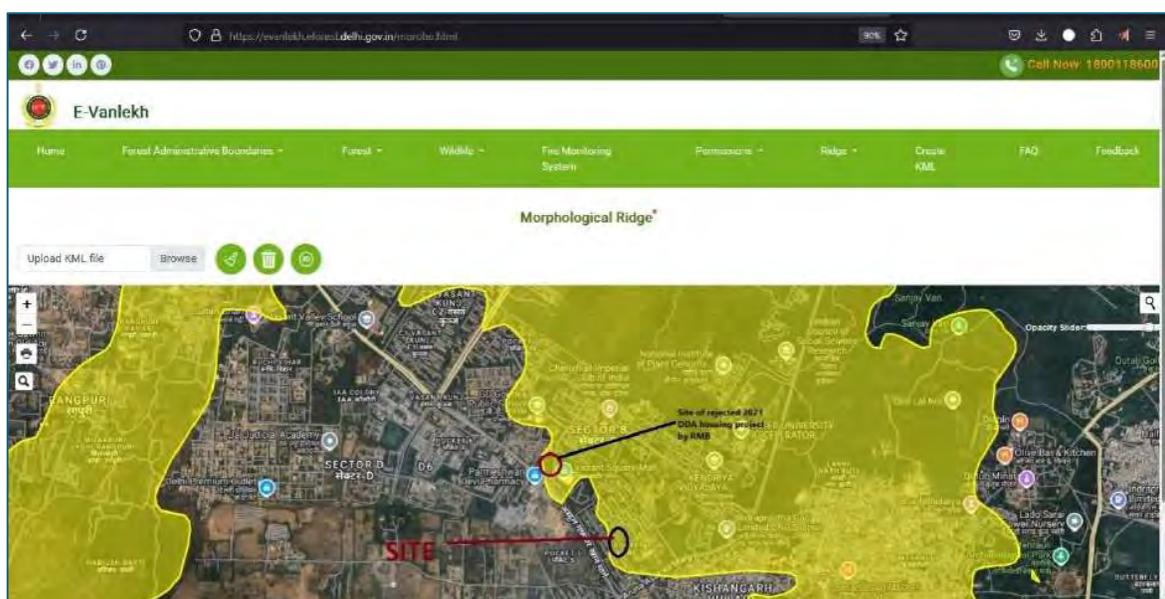
2. Recently, MCD vide their letter dated 13 May 2024 has approved construction of luxury multi-storied housing project on the subject land. The housing project consists of two towers, each with 9 floors and stilt and another tower with four floors. The super luxury multi-storied buildings will have three level basements measuring approximately 7052 square metres. The housing complex will contain 74 dwelling units and 64 C.S.P and EWS dwelling units (a total of 138 dwelling units). The height of multi-storied towers will be 33.25 metre. The residential population proposed to occupy luxury towers is approximately 800 persons.

Violations of the Forest (Conservation) Act, 1980 and Relevant Statutory Rules

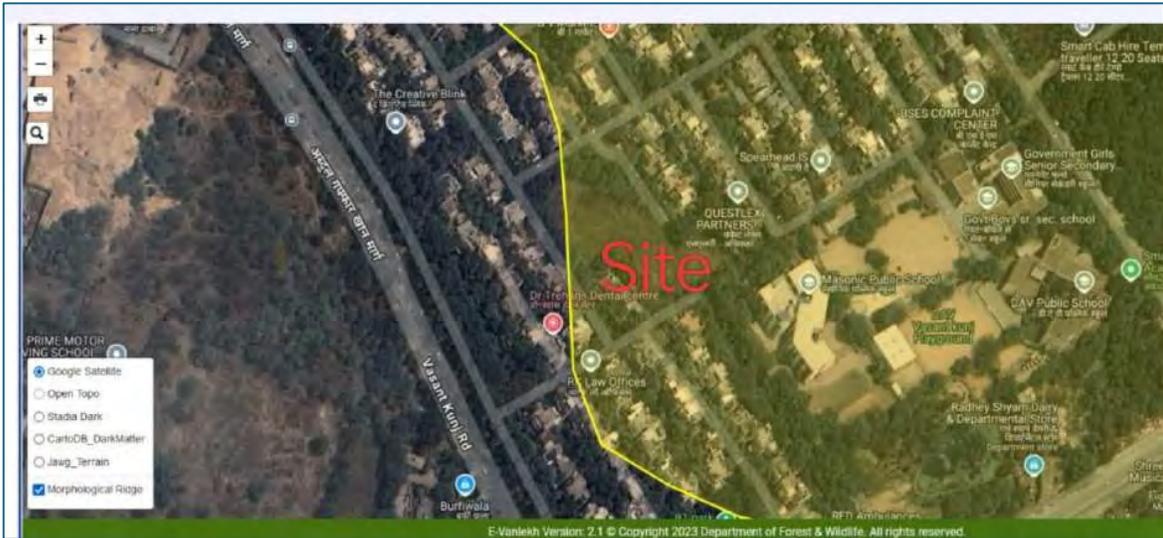
3. As per the relevant maps issued by the competent authorities, the vacant plot of land (Khasra 1230/2) in Sector B, Pocket 1, Vasant Kunj under reference, lies within the reserve forest area and in the South-Central morphological ridge. The location of the said land parcel (construction site) is indicated in the GSDL Map attached below **(Picture A)** and E-Vanlekh Map issued by the Govt of NCT of Delhi **(Picture B & C)**



Picture A: Geo Spatial Delhi Limited (GSDL) map showing proposed project site in Ridge and notified forest land.



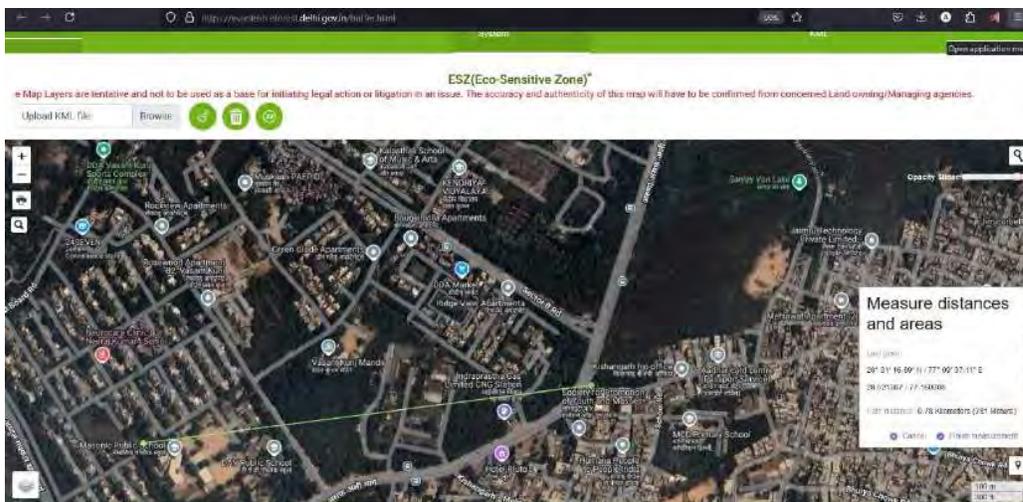
Picture B: Delhi Forest Department's E-Vanlekh website map of morphological ridge (South Central). The proposed project shown in red font as "Site". Also shown is the site of 2021 DDA housing project in Masoodpur, Vasant Kunj, which was rejected by Ridge Management Board on account of it being in reserve forest area and south forest area.



Picture C: Zoomed portion of the above map from E-Vanlekh map.

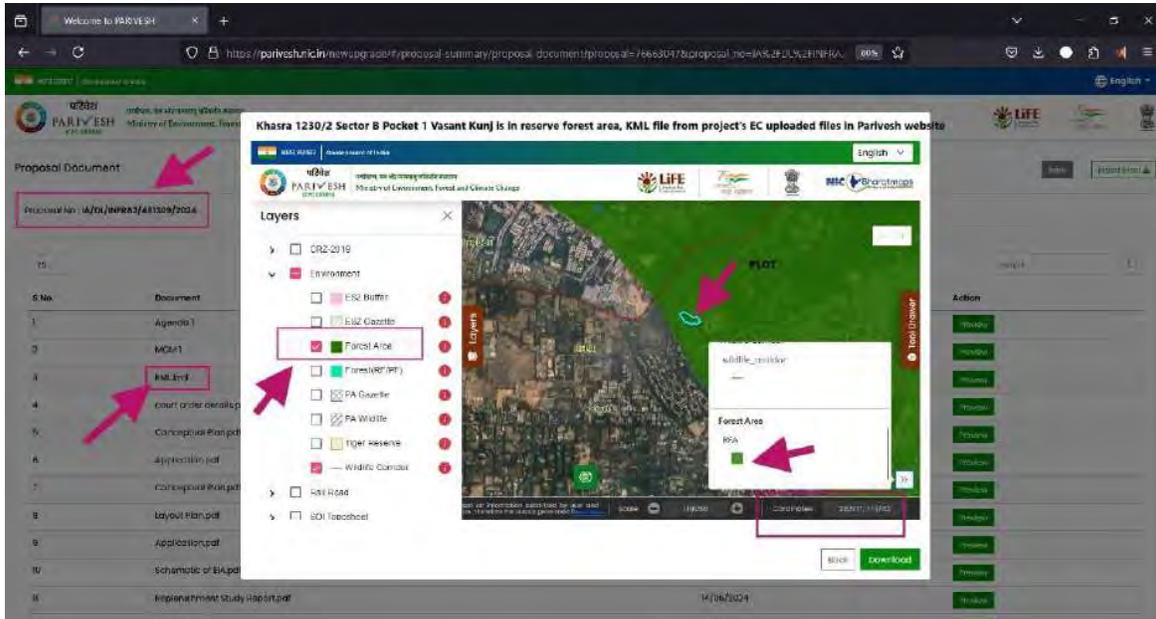
It is, thus clear from the above maps that the land in questions lies within the reserved forest area and within the morphological ridge area, where construction is not permitted.

4. The following **Picture D** depicts distance of the project site in question from the Sanjay Van Forest, which is approximately 0.7 km.



Picture D: Distance of high-rise group housing project and Sanjay Van Forest :0.7 km

5. Further, the KML map uploaded by the builders vide application no. SIA/DL/INFRA 2/481309/2024 (UID No. PE 252681-C-03) for Environmental Clearance on the Ministry of Environment, Forest & Climate Change's **Parivesh** website, clearly shows that the project site lies within the Reserve Forest Area (**Picture E**).



Picture E: The KML map uploaded by the builders in its application for Environmental Clearance on the Parivesh website, shows the project site is in Reserve Forest Area.

6. It has been observed that the owners of land parcel in question **have not been granted NOC or statutory permission** from the competent authority in the Department of Forests & Wildlife for construction of luxury multi-storied apartments with three level basements. It further transpires that the said owners have not even applied to Ridge Management Board (RMB) and Central Empowered Committee (CEC) constituted by the Hon'ble Supreme Court for construction of group housing project within the morphological ridge area as per the directions of the Hon'ble Supreme Court.

7. It is also brought to your notice that the said owners have committed a series of environmental violations without obtaining requisite Environmental Clearance from the competent authority, which is summarized below:

- (a) The land parcel was lying vacant at least since 1989 and supported a variety of flora and fauna. Without environmental clearance, the owners/ builder levelled the complete land parcel by recklessly removing existing flora and fauna. The difference in the landscape of land parcel maybe seen in the attached **picture F (taken in June 2022 and then in September 2024)**.



Picture F:Before (June 2022)

After : September 2024

The status of land parcel in Jun 2022 and in September 2024, after leveling of land
(No Forest Dept, CEC/RMBapproval, no Environ. Clearance from MoEF&CC)



Picture G: Labourers working on the said land parcel without requisite Environmental Clearance from Ministry of Environment, Forest & Climate Change

(b) The Tree survey report submitted by the owners of the said land parcel claim only 11 trees in the said land (owner's tree survey submitted to Ministry of Environment, Forest & Climate Change as part of Environmental Clearance application attached as **Annexure 1 to this representation**). Whereas during the site visit ordered by the Hon'ble High Court of Delhi (details may be seen below), the concerned tree officer noted presence of 19 trees on the land parcel. This discrepancy in the number of trees reported by the Tree officer and that reported by the said owners needs to be investigated. Tree Survey Report extracted from the EC application of the owners/builders is attached.

TREE NO.	NORTHING	EASTING	LATITUDE	LONGITUDE	TREE NAME	GIRTH	CROWN	HEIGHT	LEVEL
1	3156914	711311.7	28° 31' 18.6466" N	77° 9' 33.7764" E	AZADIRACHTA INDICA (NEEM)	Ø0.40	Ø8.08	11.977	215.558
2	3156907	711324.4	28° 31' 18.4166" N	77° 9' 34.2395" E	SOUTHERN SILKY AZADIRACHTA	Ø0.33	Ø9.61	15.432	215.438
3	3156906	711326.9	28° 31' 18.3703" N	77° 9' 34.3305" E	INDICA (NEEM)	Ø0.34	Ø6.65	9.69	215.337
4	3156905	711329.3	28° 31' 18.3272" N	77° 9' 34.4159" E	SOUTHERN SILKY AZADIRACHTA	Ø0.40	Ø1.9	14.744	215.437
5	3156901	711337	28° 31' 18.1986" N	77° 9' 34.6961" E	INDICA (NEEM)	Ø0.46	Ø7.65	11.465	215.456
6	3156899	711341.1	28° 31' 18.1323" N	77° 9' 34.8469" E	AZADIRACHTA INDICA (NEEM)	Ø0.70	Ø0.47	11.197	215.551
7	3156875	711375.1	28° 31' 17.3412" N	77° 9' 36.0796" E	FICUS RELIGIOSA (PEEPAL)	Ø0.67	Ø12.78	12.527	215.596
8	3156883	711381.8	28° 31' 17.5854" N	77° 9' 36.3316" E	AZADIRACHTA INDICA (NEEM)	Ø0.74	Ø6.33	9.931	215.658
9	3156886	711387	28° 31' 17.7046" N	77° 9' 36.5258" E	SOUTHERN SILKY TAMARINDUS	Ø0.42	Ø4.73	18.678	215.896
10	3156889	711391.5	28° 31' 17.8003" N	77° 9' 36.6923" E	INDICA	Ø0.36	Ø2.94	13.925	215.852
11	3156877	711400.2	28° 31' 17.3779" N	77° 9' 37.0047" E	BOMBAX (SEMAL)	Ø0.62	Ø7.29	18.413	215.392



Picture H: Photos of the felled tree from different angles

(c) We are also of the view that couple of trees have been felled in the said land parcel. Picture of one particular tree lying uprooted are attached above **(Picture H)**. It is accordingly, urged that the Tree Officer may kindly undertake requisite technical

analysis to ascertain number of trees that have been felled or cut or weakened in public interest.

(d) The said owners have built structures/site offices and dumped construction material on the said land parcel without any Environmental Clearance or approval of the Forest Department of GNCTD. The Environmental Clearance application for the said project is currently pending with the MoEF & CC under status "Deferred".



Picture I: Site office in the said land parcel

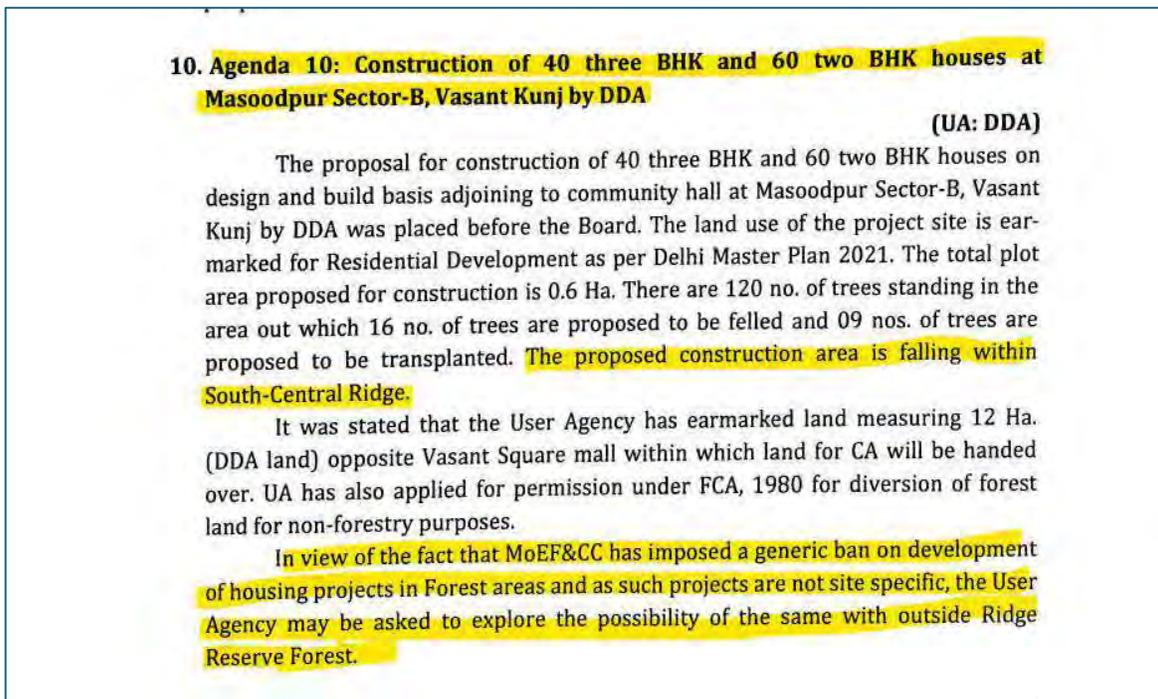
(e) In the Hon'ble High Court of Delhi, a case has been filed by Residents' Welfare Association of B-1 Vasant Kunj against RR Texknit LLP for illegally felling trees (CM 52908/2024 of CONT.CAS(C) 1149/2022 Bhavreen Kandhari vs Shri C.D. Singh and Ors.) where the DCF (South) has filed a status report the project site has 19 trees. **Hence, the Tree survey submitted by plot owner stating 11 trees as part of Tree survey to the MoEF & CC is misrepresentation of facts.**

<p>CM APPL. 52908/2024</p> <p>19. It is stated that the DCF (South) has filed a Status Report stating that one tree has been rehabilitated and the 19 trees are healthy. The Status</p> <p><small>This is a digitally signed order. The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DNC Server on 06/11/2024 at 14:47:21</small></p>
 
<p>Report is not on record. Let the same be brought on record before the next date of hearing.</p> <p>20. Mr. Anand, learned counsel for the applicant states that the copy of the status report be supplied to him. Let the needful be done.</p> <p>21. List on 06.12.2024.</p>

Picture J: Order of the Delhi HC in this case on October 25, 2024, relevant portions.

Rejection of DDA Housing Project in Masoodpur, Sector-B, Vasant Kunj

8. It may be mentioned that a DDA group housing project to build 100 flats in Masoodpur, Sector-B, Vasant Kunj, which is at a distance of approximately 1 km from the said project site was rejected by the Ridge Management Board in 2021 on the ground that the project site lies within the morphological ridge area and the reserve forest. Details are given in **Picture K**.



Picture K: Reasoning given by Ridge Management Board meeting held on to reject a DDA housing project close to the current project being discussed and shown in picture K.

Source: Minutes of meeting held on 05-03-2021 by Ridge Management Board https://forest.delhi.gov.in/sites/default/files/generic_multiple_files/10._mom_05.03.2021_0

9. The Hon'ble Supreme Court and Hon'ble High Court of Delhi in its various judgements, as given below, have emphatically directed that diversion of morphological ridge and reserve forest area is a serious offence and needs strict monitoring to prevent recurrence of violations.

S. No.	Court case details	Relevant portion
I.	Delhi High Court: WP(C) 3339/2011 titled <i>Ashok Kumar Tanwar Vs. Union of India & Ors.</i> Vide orders dated 30.11.2011	<i>"It is clear from the aforesaid that the area in question is given the character of a 'Geological Ridge' though falling outside the Notified Forest Ridge Land. Even in respect of such a land, clearance from the Ridge Management Board or the Hon'ble Supreme Court through the Central Empowered Committee is to be obtained"</i>

		before carrying out any construction. Such permission is a pre-requisite in view of the directions of the Supreme Court.” (emphasis added)
II.	Supreme Court: DRI HQ (Directorate of Revenue Intelligence HQ) in Vasant Kunj Sector C case, T.N. Godavarman Thirumulpad vs Uol and Ors and Ors. (Orders dated 08.02.2023). (DRI HQ Vasant Kunj is also in the same south Central morphological ridge area as Sector B Pocket 1 Vasant Kunj)	“Vice Chairman, DDA shall deposit in RMB Fund 5% of Rs.9,00,15,837/- (cost of land paid by DRI to DDA) as penalty for allotment of land <u>Morphological Ridge</u> without obtaining prior approval of this Hon’ble Court. ... This Hon’ble Court may consider directing the Delhi Development Authority not to allot in future any land to any agency situated in the notified Ridge <u>and Morphological Ridge</u> without the prior approval of this Hon’ble Court land falling outside the demarcation of notified ridge but having similar ‘morphological features’ of ridge should be given same protection as is given to the notified areas and no construction should be permitted thereon. It cannot be doubted that the ridge in Delhi acts as a lung, which supplies oxygen to the citizens of Delhi. The necessity to protect the ridge, therefore, cannot be undermined.” (emphasis added)
III.	Supreme Court: Delhi Development Authority v. Kenneth Builders and Developers and Ors., Civil Appeal No. 5370 of 2016 with Civil Appeal No. 5371 of 2016	The CEC held that any non-forestry use of land falling in the Ridge was only permitted after clearance by the Ridge Management Board, and that the <u>present land did indeed fall in the “extended ridge area”</u> . The decision in W.P. (C) No. 3339 of 2011, decided 30th November 2011, required the clearance of the Ridge Management Board for development projects on land outside the notified Ridge Area, but possessing morphological features conforming to the Ridge. The Respondents’ application to DPCC for “consent to establish” was denied in the absence of the ridge demarcation report (not provided by DDA) and forest clearance. (emphasis added)
IV.	W.P.(C) 1346/2015, Delhi High Court (Court on its own motion (Air pollution in Delhi) vs Union of	1. Municipal Corporation of Delhi (MCD) has filed a detailed affidavit in terms of order of this Court dated 01st February 2023, whereby the construction of at least one large scale residential complex in the Southern Ridge

	<p><i>India & Ors. Orders dated 05-09-2023</i></p>	<p>Forest zone is confirmed, a housing project called "Risland-Sky Mansion" at Chhatarpur. She states that MCD has no role in the encroachment as the relevant land owner is Forest Department, GNCTD, which can file relevant affidavits in respect of constructions which have come up in the Southern Ridge Forest.</p> <p>2. Mr. Kailash Vasdev, learned amicus curiae, submits that irrespective of the fact that the housing projects were built in Lal Dora/Abadi areas, these Abadi areas fall within the Southern Ridge Forest zones and no construction could have permitted herein as they are Reserved Forests.</p> <p>3. Learned counsel appearing on behalf of the Forest Department, GNCTD as well as counsel for MCD and Delhi Development Authority, are directed to file a detailed and exhaustive affidavit, explaining the grant of permissions in respect of new constructions in the Southern Ridge Forest area, including but not limited to the housing project "Risland-SkyMansion". <i>(emphasis added)</i></p>
--	--	---

10. A complaint filed with RERA, Delhi regarding a group housing project in southern ridge which lies within the reserve forest area is attached below for your perusal.

https://rera.delhi.gov.in/sites/default/files/Com-17-18-19-20-21 of 2024 dt. 11.03.2024_2.pdf

REAL ESTATE REGULATORY AUTHORITY
For National Capital Territory of Delhi
2nd Floor, Sarayu Stadium Annexe Building,
Shaheed Bhagat Singh Marg, New Delhi-110001

S. No.	Comp. No.	Complainant(s)	Respondents	Attended by Complainant(s) (Sh./Ms.)	Attended by Respondents (Sh./Ms.)
1.	Com17/01/2024	Sh. Akshay Arora	M/S BRILLIANT ETOILE PRIVATE LIMITED	Adv. Mahesh K. Chaudhary & Adv. Sushrta Chaudhary along with Complainant	Not applicable
2.	Com18/01/2024	-do-	-do-	-do-	-do-
3.	Com19/01/2024	-do-	-do-	-do-	-do-
4.	Com20/01/2024	-do-	-do-	-do-	-do-
5.	Com21/01/2024	-do-	-do-	-do-	-do-

Corum:
Mr. Devesh Singh, Member

ORDER
Dated: 11.03.2024

- All cases are taken up together being of similar nature against the same Respondents.
- Ld. Counsel for Complainants states that the Complainant has booked residential unit in the project named Sky Mansion of the Respondent Society and have paid the following amounts towards the same :-

S.No.	Complaint No.	Unit No. With Tower No.	Paid amount
1.	Com17/01/2024	2302, C Tower	1,45,66,010/-
2.	Com18/01/2024	2102, C Tower	1,45,66,010/-
3.	Com19/01/2024	2101, C Tower	1,45,66,010/-
4.	Com20/01/2024	1902, C Tower	1,45,66,010/-
5.	Com21/01/2024	1901, C Tower	1,45,66,010/-

- Ld. Counsel for the Complainant further states that the Respondents had promised to handover the possession of the said apartments on or before 23.12.2022 or within extended grace period of 6 months from the said date.
- However, the Respondents have failed to handover the possessions of the units on or before the promised date and therefore, the Complainant is eligible for refund in terms of Section 18 of RE(RD) Act, 2016.

- They have further stated that the Hon'ble High Court of Delhi vide its order dated 05.09.2023 in W.P.C. No. 1346 of 2015 has observed that the Amicus Curiae have submitted that the area on which the said project has been developed falls within the Southern Ridge Forest Zone and no construction could have been undertaken there in as the area is Reserved Forest.
- The Complainant therefore requested the promoters for refund, but the promoter has not refunded the amount so far. Instead the promoters have issued a Termination Notice on 06.01.2024 for cancellation of the said allotment.
- In view of the above, Complainant has requested for cancellation of the said termination notice dated 06.01.2024 and has sought refund of the amount paid with interest thereon.
- Issue notice to the Respondents to furnish the reply by 12.04.2024 with copy served on the Complainant.
- Complainant may file rejoinder, if any, by 02.05.2024 with copy served on the Respondents.
- The operation of the termination notice dated 06.01.2024 issued by the Respondents is stayed till the next date of hearing.
- List the cases on 07.05.2024 at 11:30 a.m.

Devesh Singh
Member

Picture L: A sample complaint filed in Real Estate Regulatory Authority of Delhi regarding a group housing project in southern Ridge in reserve forest area (case referred to in W.P.(C) 1346/2015, Delhi High Court (Court on its own motion (Air pollution in Delhi) vs Union of India & Ors. Orders dated 05-09-2023)

11. In the Tree Felling form issued by the Deptt of forest & Wild Life, GNCTD, it is mandatory to indicate whether the land parcel lies within the Aravalli range and/or deemed forest/notified forest area. Thus, the form used in the subject case must indicate whether the construction site is in Aravalli range and/or deemed forest /notified forest area (**Picture M & N**).

Picture N (continued): The highlighted portion in the Tree felling form of Department of Forests & Wildlife shows that it is mandatory to indicate whether the project area lies within the Aravalli range and/or deemed forest /notified forest area.

UNDERTAKING FOR TREE TRANSPLANTATION/ FELLING IN PROJECT AREA
(To be given by Tree Officer under whose jurisdiction project area falls)

Tree Officer (*South/ North/ West/ Central*) hereby certifies that:-

1. The project area (Name of the project & area) was visited by undersigned on (date) and all trees as per definition of Delhi (Preservation) of Trees Act (DPTA), 1994 have been counted and brought on record for processing under DPTA, 1994. The total number of trees in the area is (number of trees) out of which (number of trees) number of trees have been proposed for transplantation, (number of trees) have been proposed for felling and (number of trees) have been proposed for pruning.
2. The status of land where project is proposed has been checked and it has been found that:-
 - c. The project area isha.
 - b. The project area has been surveyed using DGPS/ Total Station Method (TSM) and data has been provided by the User Agency for Boundary of the area and all standing trees in the area.
 - c. It falls/ does not fall in rocky surface/ denuded hills of Aravali Range.**
 - d. It falls/ does not fall in notified forest area under Indian Forest Act (IFA), 1927.**
 - e. It falls/ does not fall under definition of Deemed Forest as per affidavit of GNCTD in case No. W.P (C) No. 202 of 1995 in the Hon'ble Supreme Court.**
 - f. It falls/ does not fall in notified protected areas under Wildlife (Protection) Act (WPA), 1972.
 - g. It falls/ does not fall in Eco Sensitive Zone of Asoja Bhatti Wildlife Sanctuary (ABWLS) and Okhla Bird Sanctuary.
 - h. I have complied with all directions issued by Hon'ble High Court order dated 28.04.2022 & 19.05.2022 in Contempt Case No. 851/2021, titled as "Neeraj Sharma" Vs. Vinay Sheel Saxena & Ors".
 - i. The details of offences under Delhi Preservation of Trees Act, 1994, Forest (Conservation) Act, 1980, Indian Forest Act, 1927 and Wildlife (Protection) Act, 1972 with respect to above proposed project area is/ are given as under:-

SN	Name of Act under which offence has been booked	Details of Offence

Date:-
Place:-

Signature of Tree Officer
(Name, Designation with stamp)

Source: [https://dpta.eforest.delhi.gov.in/TEMP/Grant%20of%20felling%20permission%20in%20compliance%20of%20the%20order%20dated%2029.07.2022%20in%20W.P.%20\(C\)%20%2011261-2022%20in%20the%20matter%20of%20DDA%20vs.%20DCF%20\(W\)-%20reg.pdf](https://dpta.eforest.delhi.gov.in/TEMP/Grant%20of%20felling%20permission%20in%20compliance%20of%20the%20order%20dated%2029.07.2022%20in%20W.P.%20(C)%20%2011261-2022%20in%20the%20matter%20of%20DDA%20vs.%20DCF%20(W)-%20reg.pdf)

Prayer

12. In view of the above, it is requested that the Deptt of Forests & Wild Life may kindly initiate following action:

- (a) Cognizance of violations of environmental norms by the said owners before receipt of requisite environmental clearance from the competent authority and imposition of suitable penalty as per law.
- (b) Requisite technical/soil analysis may be carried out to ascertain as to how many trees have been cut by the owners in the said land parcel (reserved forest area) without obtaining statutory permission and initiate suitable action as per law.
- (c) Investigate with regard to discrepancy in the number of trees reported by the Tree Officer during his site visit and number of trees declared by the owners in the environmental clearance application and the reasons for under reporting number of trees within the said land parcel by the owners.
- (d) As the said land parcel lies within the reserved forest area and the morphological ridge area, no construction of luxury high-rise 9-storeyed apartments with three-level basement may be permitted as per provisions of the Forest Conservation Act and other laws/regulations/orders in force.

Yours sincerely
Sd
(Rajeev Ranjan)
18.11.2024
Mob No. 9811578878

Enclosures: Annexure 1: Tree survey submitted by RR Texknit (owner of the plot Khasra 1230/2 Sector B Pocket 1 Vasant Kunj) as part of Environmental Clearance application to the Ministry of Environment, Forest & Climate Change

Enclosure VII - Tree Survey Report



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Part-II, Jamia Nagar, Okhla
New Delhi-110 025
(M) : 9818290048, Tel. : 011-64624399
Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :

PROJECT – Group Housing at khasra NO. 1230/2, Sector- B, Pocket – 1, Vasant Kunj,
Revenue Estate of Village Mehrauli , New Delhi By M/S RR TEXKNIT LLP

DATE – 24.06.2024



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C O N T E N T S

	PAGE NO.
I . NUMBER OF TREES	1
II . PARTICULARS OF TREES	2
III . SITE PLAN	3
IV . PHOTOGRAPHS	5 - 15



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Registration No. : 799

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Survey drawing no .L/S/2024/JUN/P-24 a dated 24.06.24 has been submitted based upon tree survey belonging to M/S R R Texknit LLP
Various observation are being presented as follows:-

NUMBER OF TREES

Total area of the plot which has been surveyed is 1.536 Acres .Total Eleven No of trees have been observed at the sites.

Particular of Trees

Tree survey observation are being presented in tabular form as Follows:-

TREE NO.	NORTHING	EASTING	LATITUDE	LONGITUDE	TREE NAME	GIRTH	CROWN	HEIGHT	LEVEL
			28° 31'	77° 9'	AZADIRACHTA				
1	3156914	711311.7	18.6466" N	33.7764" E	INDICA (NEEM)	Ø0.40	Ø8.08	11.977	215.558
			28° 31'	77° 9'					
2	3156907	711324.4	18.4166" N	34.2395" E	SOUTHERN SILKY	Ø0.33	Ø3.61	15.432	215.438
			28° 31'	77° 9'	AZADIRACHTA				
3	3156906	711326.9	18.3703" N	34.3305" E	INDICA (NEEM)	Ø0.34	Ø6.65	9.69	215.337
			28° 31'	77° 9'					
4	3156905	711329.3	18.3272" N	34.4159" E	SOUTHERN SILKY	Ø0.40	Ø1.9	14.744	215.437
			28° 31'	77° 9'	AZADIRACHTA				
5	3156901	711337	18.1986" N	34.6961" E	INDICA (NEEM)	Ø0.46	Ø7.65	11.465	215.456
			28° 31'	77° 9'	AZADIRACHTA				
6	3156899	711341.1	18.1323" N	34.8469" E	INDICA (NEEM)	Ø0.70	Ø0.47	11.197	215.551
			28° 31'	77° 9'	FICUS RELIGIOSA				
7	3156875	711375.1	17.3412" N	36.0796" E	(PEEPAL)	Ø0.67	Ø12.78	12.527	215.596
			28° 31'	77° 9'	AZADIRACHTA				
8	3156883	711381.8	17.5854" N	36.3316" E	INDICA (NEEM)	Ø0.74	Ø6.33	9.931	215.658
			28° 31'	77° 9'					
9	3156886	711387	17.7046" N	36.5258" E	SOUTHERN SILKY	Ø0.42	Ø4.73	18.678	215.896
			28° 31'	77° 9'	TAMARINDUS				
10	3156889	711391.5	17.8003" N	36.6923" E	INDICA	Ø0.36	Ø2.94	13.925	215.852
			28° 31'	77° 9'					
11	3156877	711400.2	17.3779" N	37.0047" E	BOMBAX (SEMAL)	Ø0.62	Ø7.29	18.413	215.392



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III. LOCATIONS

Locations of 11 no. trees are being shown on the
Enclosed survey plan no. L/S/2024/JUN/P-24 A dated 24.06.24.

IV. PHOTOGRAPHS

Photographs of 11 no. trees are being enclosed
With this report.

FOR LATEST SURVEYORS

FAHAD ULLAH

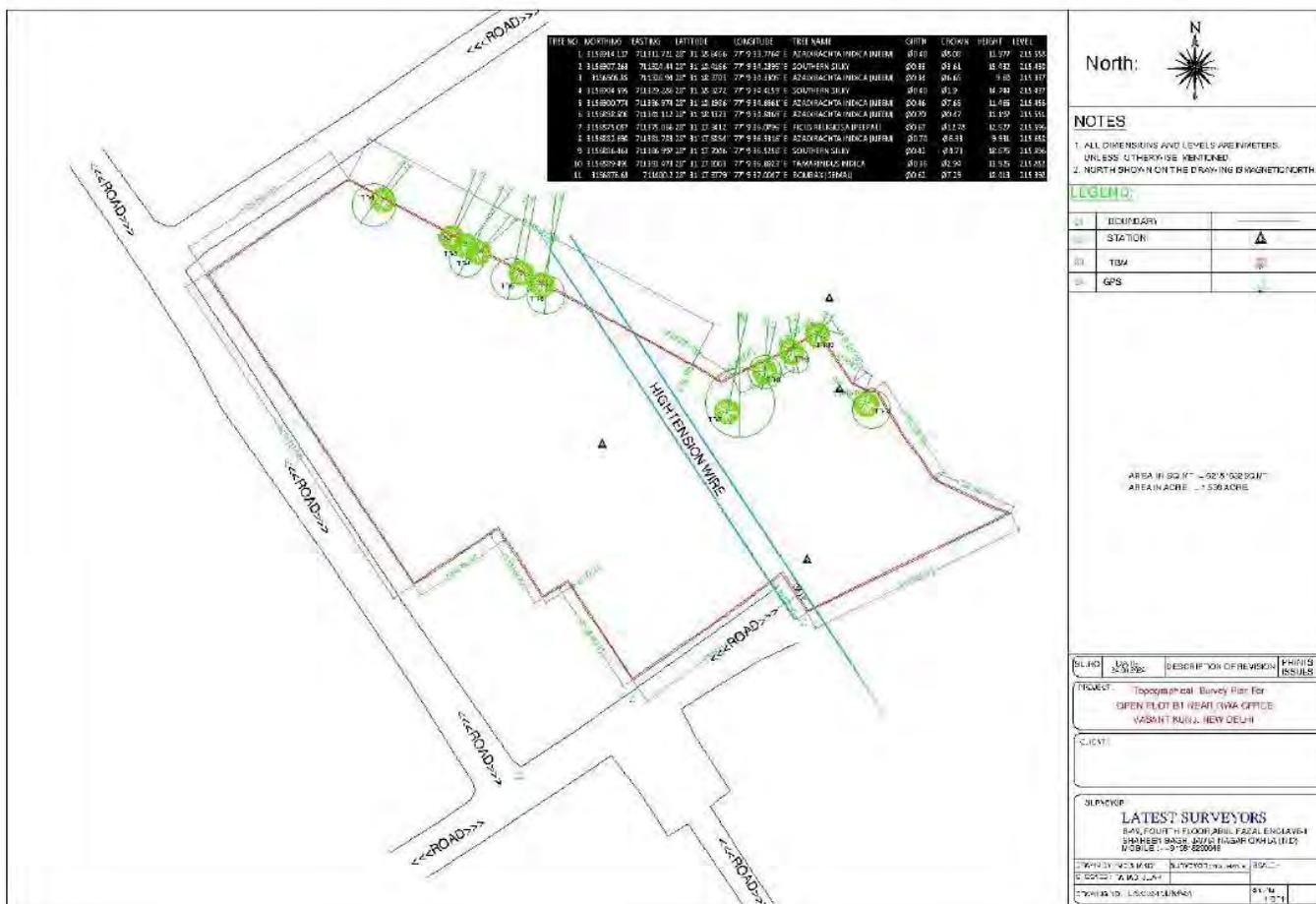


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TREE NO - 1



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TREE NO - 02



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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO - 03

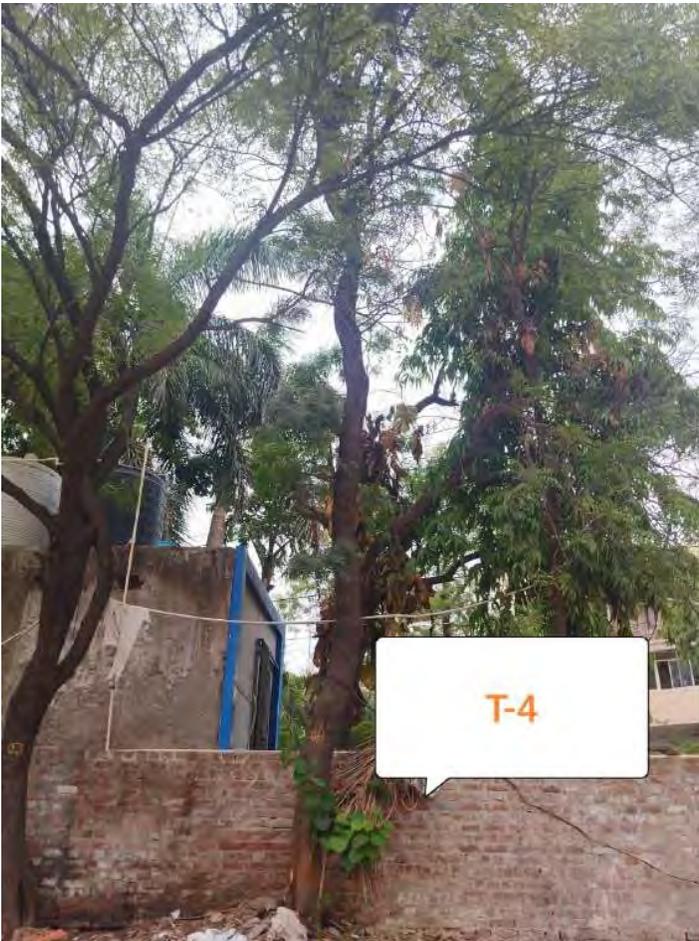


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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO - 04

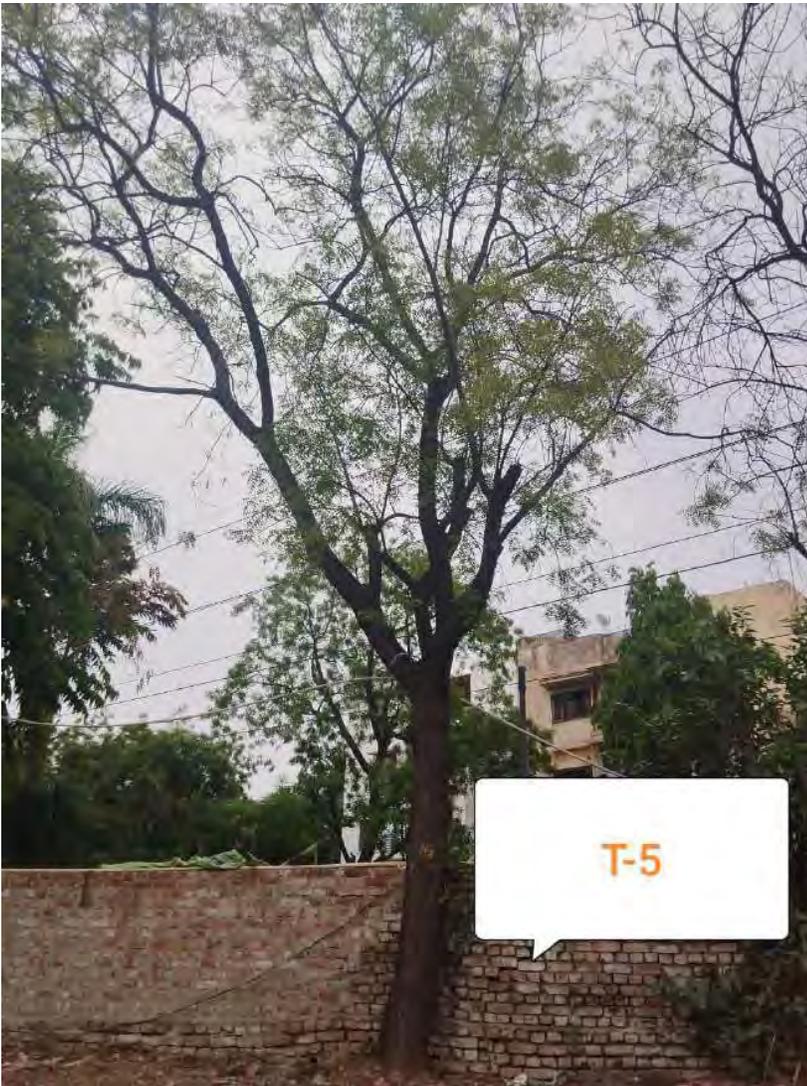


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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO - 05



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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO - 06

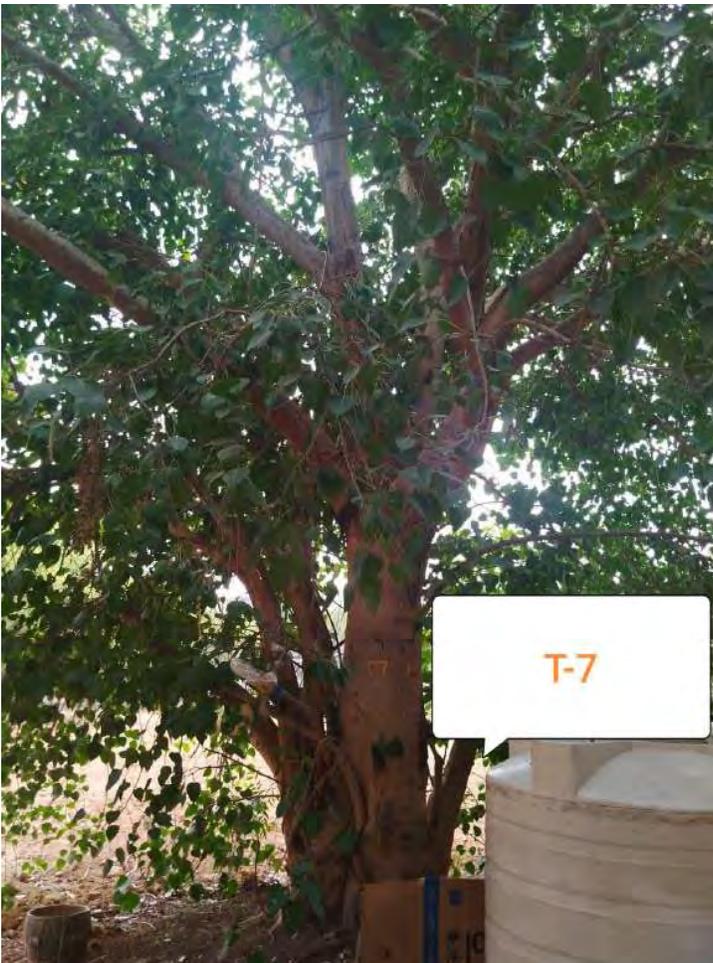


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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO -07



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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO - 08



Latest Surveyors

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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO - 09



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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO - 10



Latest Surveyors

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Email : latestsurveyors@yahoo.com

Registration No. : 799

Date :



TREE NO - 11



Service in Vasant Kunj RWA, Sector-B, Pocket-1 Vs. MOEF & CC & Ors. [Appeal No. 15 of 2025]

1 message

ELDF <eldflegal@gmail.com>

Mon, Oct 27, 2025 at 2:35 PM

To: rkhranallegal@gmail.com, office@marklegal.co.in, jmalawoffices@gmail.com, Jyoti Mendiratta <jyoti.legal@gmail.com>
Cc: Mansi Bachani <mansi@eldfindia.com>, Gitanjali Sanyal <gitanjali@eldfindia.com>, Surya Gupta <surya@eldfindia.com>

Dear Sir/Ma'am

Please find the attached copy of the **Rejoinder Affidavit** on behalf of Vasant Kunj RWA, Sector-B, Pocket-1. to the Reply dated 26.06.2025 filed by Respondent No. 1, MoEF & CC in the above-mentioned case.

Thanks & Regards

--

Sameer Manher*Clerk**Enviro Legal Defence Firm**29, Presidential Estate LGF,**Nizamuddin East New Delhi – 110013**Ph. No. 011-40573181***Rejoinder.pdf**

10350K