

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 ...Appellants

-Versus-

Ministry of Environment, Forest & Climate Change & Ors. ...Respondents

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NDoH:28.10.2025

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**REJOINDER AFFIDAVIT ON BEHALF OF VASANT KUNJ RWA,
SECTOR B, POCKET-1 (APPELLANT) TO THE REPLY FILED BY
RESPONDENT NO. 5 (RR TEXKNIT LLP) TO THE APPEAL NO. 15
OF 2025 AS WELL AS THE REPLY DATED 01.09.2025 BY
RESPONDENT NO 5. TO THE IA NO. 451 OF 2025**

MOST RESPECTFULLY SHEWETH:

1. That the present Appeal was filed by the Appellant herein, challenging the Environmental Clearance dated 13.01.2025 bearing EC Identification No. EC24C3801DL5556057N (hereinafter referred to as the “**Impugned EC**”) obtained by RR Texknit LLP (Respondent No. 5), based on a plagiarised Environment Impact Assessment Report, forged tree felling permissions, a deficient and misleading traffic impact assessment, and submission of incorrect information in Form 1, which is in blatant violation of the Environment Impact Assessment Notification, 2006 and ,which has been glossed over by the SEIAA as well as the EAC of the MoEF&CC. Further, the Respondent No. 5 had also concealed that 80% of the project is situated in a morphological ridge, thereby requiring Forest Clearance, as per the Directions of the Hon’ble High Court of Delhi, this Hon’ble Tribunal, as well as the Hon’ble Supreme Court.
2. That on 21.02.2025, this Hon’ble Tribunal was pleased to issue Notice and directed Respondent No. 1, Ministry of Environment, Forest and Climate Change, to produce the original record of the Environmental Clearance. Subsequently, on 04.04.2025, the Respondent No. 5 was granted four weeks to submit their response to the Appeal. On 01.07.2025, the Respondent No. 5 had filed its response, *inter alia* stating that the grounds raised in the Appeal challenging the Environmental Clearance dated 13.01.2025 are frivolous and without any merit.

3. That on 03.07.2025, this Hon'ble Tribunal granted liberty to the Appellant herein to file its Rejoinder to the Reply Affidavit dated 01.07.2025 of Respondent No. 5. Accordingly, the present Rejoinder is being submitted, highlighting the blatant disregard for the provisions of law by Respondent No. 5, plagiarism in the Environmental Impact Assessment Report, misrepresentation of facts and technical data, for obtaining the Environmental Clearance. The Appellant seeks to submit Preliminary Submissions on the maintainability of the Appeal and the bonafides of the Appellants which has been raised by the Respondent No. 5, before submitting the objections on the merits of the Environmental Clearance dated 13.01.2025, for a holistic adjudication of the case.

I. Preliminary Submissions on Maintainability of the Appeal

4. That M/s R.R. Texknit LLP (hereinafter referred to as "Respondent No. 5") has challenged the maintainability of the present Appeal, questioning the locus of the Appellant as well as the bonafides by wrongly stating that the Appellant has engaged in forum shopping.
5. That the Appellant, being a Resident Welfare Association, is directly affected by environmental degradation in their immediate vicinity, especially when the project of Respondent No. 5 seeks to impact the quality of life of 5000 residents, and thus has a clear locus standi under Section 18(2) of the NGT Act, 2010. This Hon'ble Tribunal, in a catena of cases, has clarified that under Section 18, the term "Aggrieved Person" has to be widely construed and involves all legal entities, so as to enable them to prefer an Appeal [Ms. Medha Patkar & Ors. v. MoEF&CC & Ors. Appeal no. 01 of 2013, Goa Foundation and Anr. v. Union of India and Ors. O.A. 26 of 2012, M.C. Mehta v. UGC & Ors. O.A. No. 12 of 2014].
6. That further, the Respondent No. 5 is misleading this Hon'ble Tribunal by incorrectly submitting that the same allegations pertaining to the challenge to Environmental Clearance have also been raised before the Hon'ble High Court of Delhi and the Hon'ble Supreme Court. The proceedings before the Hon'ble High Court as well as the Supreme Court are distinct causes of action. It is humbly submitted that the Resident Welfare Association, in pursuance of the advice received and aggrieved by the conduct of the Respondent No. 5 who had engaged goons for breaking

inside the colony, which also led to the altercation between the residents and the personnel of the builder approached different forums with respect to different permissions. However, the issue of Environmental Clearance is not sub-judice before any of the forums and has neither been discussed or deliberated upon either by the CEC, the High Court or even the Hon'ble Supreme Court. It is also pertinent to mention, apart from the Resident Welfare Association, some residents, as well as other third parties had also filed petitions before the Hon'ble High Court as well as the Hon'ble Supreme Court. The details of each proceeding and cause of action are being clarified below.

a) Details of the Proceedings before the High Court – Challenging the MCD Sanction and violation of tree felling embargo in Bhavreen Kandhari Case [Cont. Case (C) No. 1149/2022]

- i. The W.P.(C) No. 11283/2024 filed by the Appellant herein challenged the MCD building sanction granted to Respondent No. 5 for violation of the Building Byelaws of Delhi, which is not the jurisdiction of this Hon'ble Tribunal.
- ii. CM Application No. 52907/2024 and 52908/2024 were filed by the Appellant herein against the illegal felling of trees and violation of the Order dated 13.08.2023 of the Hon'ble High Court in the case of Bhavreen Kandhari v. Shri C.D. Singh and Others [Cont. Cas(c) No. 1149/2022]. The matter was disposed of on 06.12.2024 with directions to the Respondent No. 5 to ensure maintenance of the 19 trees and to restrict any further felling of the said trees. The same was raised before the Hon'ble High Court of Delhi, as this Hon'ble Tribunal does not have the Delhi Preservation of Trees Act, 1994, in the Schedule to the National Green Tribunal Act, 2010, and therefore does not possess the subject matter jurisdiction to deal with issues arising out of the same.
- iii. Recall Application (CM No. 5956/2025) has been filed in the Cont. Cas. (C) No. 1149/2022, requesting recall and clarification of the order dated 06.12.2024, as the Status Report of 19.09.2024 was not brought to the notice of the Hon'ble High Court and contains contradictory statements with respect to the Report dated 04.10.2024

of the DCF on the same issue. Notice was issued in the Application on 25.04.2025, and the matter is pending consideration.

- iv. Writ Petition No. 352/2025 was filed by one of the residents of B-1, Colonel Ajay Yadav, without consulting the RWA. The said Writ Petition was dismissed by the Single Judge Bench on 20.01.2025 in view of the pendency of the similar Writ Petition of RWA before the High Court and the said Order was upheld by the Division Bench on 07.02.2025. However, liberty was granted to take recourse to legal remedies depending upon the outcome of the CEC proceedings.

b) Details of the Proceedings before the Ld. CEC

- i. Mr. Rajeev Ranjan, in October 2024, before becoming the president of the Resident Welfare Association, had approached the Ld. Central Empowered Committee to raise grievances against the commencement of the construction of the project in the morphological ridge without clearance from the Ridge Management Board.
- ii. Thereafter, on 26.10.2024, the Appellant herein also submitted a Letter Petition to the Ridge Management Board against commencement of construction in the morphological ridge in contravention of existing orders. In this regard, a copy of the said Letter Petition dated 24.10.2024 has been appended herewith as **ANNEXURE A/1**.
- iii. Subsequently, in response to the Letter of CEC dated 25.02.2025, the Ridge Management Board wrote to the CEC on 24.03.2025 clarifying that no permission has been given to Respondent No. 5 for commencing the construction of the Project. Further, in view of the Order dated 16.05.2024 of the Hon'ble Supreme Court in Bindu Kapurea v. Subashish Panda [Contempt Petition (Diary No.) 21171/2024 in W.P.(C) No. 4677/1985], the Ridge Management Board will not be able to share its views as the Board has been restricted from clearing the project without seeking permission from the Hon'ble Supreme Court.
- iv. Subsequently, the Ld. CEC on 14.05.2025 has recommended the project subject to conditions with respect to tree plantation, restriction on felling of trees, remedial measures for waste management and quarterly compliance report to CEC. The Ld. CEC had also

recommended that all conditions imposed while granting Environmental Clearance should be strictly adhered to.

c) Details of the Proceedings before the Hon'ble Supreme Court

- i. Ms. Bhavreen Kandhari filed a Contempt Petition[Diary No. 57901/2024] titled Bhavreen Kandhari v. Rakesh Sharma in the Hon'ble Supreme Court in W.P.(C) No. 4677/1985] alleging violation of the 09.05.1996 Order of the Hon'ble Supreme Court in W.P.(C) No. 4677/1985 whereby all encroachments were directed to be removed by the Hon'ble Supreme Court from the ridge area and mandated continuance of its protection and maintenance. Notice was issued by the Hon'ble Court against the alleged contemnors and the matter is pending consideration before the Hon'ble Supreme Court and is listed for further consideration post the hearing on the CEC Report.
 - ii. The Report No. 25 of 2025 of the Ld. CEC was placed for consideration before the Hon'ble Supreme Court on 12.08.2025 and the Hon'ble Supreme Court noted that the recommendations of the Ld. CEC are accepted subject to compliance with conditions of the Ld. CEC.
7. That the above-mentioned clarifications pertaining to the cases before the Hon'ble Supreme Court and the Hon'ble High Court clarify that the Appellants herein have not challenged the Environmental Clearance dated 13.01.2025 in any other forum, and neither has the said right been restricted by the Hon'ble Supreme Court. Further, specifically with respect to the violation of the Environmental Impact Assessment Notification, 2006, O.A. No. 1171/2024 was filed as the Respondent No. 5 had commenced construction activities without Environmental Clearance. Subsequently, when the Environmental Clearance was granted to the Respondent No. 5, the Appellant withdrew the said O.A. and filed the present Appeal, in pursuance of the liberty granted by this Hon'ble Tribunal. Hence, the allegations of forum shopping are baseless and without any merit. The abovementioned clarifications vis-à-vis existing litigations clarify that the relief sought in a particular Court could not have been granted by another Court or by this Hon'ble Tribunal and vice versa.

II. Preliminary Submissions on the Bonafides of the Respondent No. 5

8. That it is surprising that the Respondent No. 5 is casting aspersions on the Resident Welfare Association, when in fact there have been confirmed reports of forgery by the Respondent No. 5 in obtaining tree felling permissions, apart from numerous other contradictions and misrepresentations in the Form 1 as well as in the Environmental Impact Assessment Report. Infact, the Respondent No. 5 has gone to the extent of collusion with some of the government authorities leading to contradictory reports and the subsequent issue of forgery of tree felling permissions, which is now pending adjudication before the High Court and the Hon'ble Supreme Court (Contempt Petition Diary No. 57901/2024 titled Bhavreen Kandhari v. Rakesh Sharma).
9. That further on 13.12.2024, the Deputy Conservator of Forest, West Forest Division, has written to the Station House Officer, Vasant Kunj Police Station for registering complaint regarding forgery of government documents and impersonation, which has been recovered from Mr. Rakesh Kumar Sharma. Another letter was written by the DCF West Division, on 06.03.2025, to the Deputy Conservator of Forest (P&M), Department of Forest and Wildlife stating that fake permission has been issued for tree felling/transplantation/pruning in the name of this office. The Station House Officer, Police Station, Vasant Kunj has been directed to take cognisance of the issue and register FIR under Section 173 of Bhartiya Nagarik Suraksha Sahinta. The copy of the Letters dated 13.12.2024 and 06.03.2025 is marked and annexed as **ANNEXURE A/2**.
10. That further, this is not the first case of misrepresentation by the Respondent No. 5. In the Environmental Impact Assessment Report, there are numerous instances of incomplete and plagiarised information, in blatant violation of the Environmental Impact Assessment Notification, 2006, which include –
 - a) Verbatim copying of the Air Pollution Dispersion Report from Gulabi Bagh project, wherein the project description incorrectly states Construction of Group Housing at Khasra no.219/220 part at Sindhora Kalan Village, Gulabi Bagh, despite the present project of Respondent No. 5 being in B-1 Vasant Kunj. The relevant extracts are annexed in

the IA for Additional Documents at Annex A3, Page No.(s) 1839,1840.

- b) Concealment of the existence of Adhrang Nath Pond, a water body located 128.18 meters from the project site. The distance of the pond from the site of Respondent No. 5 is mentioned at Annex A7, Pg. 1871 along with photographs at Annex A6, pg 1868 and recognition of the pond as a wetland is mentioned at Annex A8, Page 1908.
- c) Discrepancy in the reported number of trees in the Status Report dt. 23.10.2024 (A/8, Pg. 416-435) and 19.09.2024 (A/7, Pg. 399-415) of the Forest Department listing 23 and 38 trees, while the Respondent No. 5 mentioned 11 trees in Form 1 [Refer, Para 7.22, Pg. 39 & A/2, Pg. 88 of the Appeal] and 19 trees in the EIA Report.
- d) Incomplete and incorrect traffic and population assessment, including the carrying capacity of the colony and the consequent pollution load.
- e) Lack of information /details about the presence of the project in a morphological ridge [Refer Form 1 at page 1449 and 1450 along with reply to ADS at page 335 of Appeal No. 19/2025].
- f) False undertaking regarding felling of trees at page 334 of Appeal No. 19/2025 among others.

Thus, the Respondent No. 5, from the very start, has been obtaining forged permission and submitting incomplete information for commencing the present residential project. This Hon'ble Tribunal in the case of Save Mon Region Federation v. Union of India and Others [Appeal No. 39/2012] 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 has a cascading effect on the final outcome [Refer Para 12 of the Judgment]. This Hon'ble Tribunal may take strict note of the conduct 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.

It is also pertinent to highlight that Respondent No. 5 and their associates have also engaged in maligning the image of the Appellant and also spreading false information regarding the pendency of the present Appeal amongst the residents of B-1 Vasant Kunj. This is another instance of the Respondent No. 5 engaging in misleading practices and misrepresentation of information. The photograph of the pamphlets, as well as of the associates of the Respondent No. 5 distributing the same, is marked and annexed herein as **Annexure A/3**.

III. Preliminary Objections to the grant of Environmental Clearance in violation of the Environment Impact Assessment Notification, 2006, as well as the Orders of this Hon'ble Tribunal.

11. That the Respondent No. 5, in their Reply Affidavit, have submitted that the allegations and grounds for challenging the impugned Environmental Clearance dated 13.01.2025 are frivolous and the Environmental Clearance has been obtained in accordance with the law. Specifically, on the merits of the grounds raised in the Appeal as well as the supporting documents submitted in IA No. 451 of 2025 on 01.07.2025, by the Appellant herein, it is submitted that the Respondent No. 5 has utterly failed to substantiate the grant of Environmental Clearance as per the procedure as established under the Environment Impact Assessment Notification, 2006.

A. Plagiarism of Information submitted in the Environmental Impact Assessment Report

12. That the application submitted by Respondent No. 5, M/s R.R. Texknit LLP for obtaining prior clearance (prepared by consultant - Perfact Enviro solutions Pvt. Ltd.) contains several similarities to an application for EC prepared by the same consultants for an entirely different project i.e., a Group Housing Project at Khasra No. 219/220 in Sindhora Kalan Village, Gulabi Bagh. The similarities between the EC application for the instant project and the Gulabi Bagh project are as below:

a) Firstly, in the Air Pollution Dispersion Report (*Refer Form 1A at Annexure A-2, Page 361-384 of the Appeal*), it is noted that the

“project is located on flat terrain in a rural area” in Paragraph 2.2.2 Dispersion Parameters.

- b) Secondly, in Paragraph 2.2.3 of the Air Pollution Dispersion Report, 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.
- c) Thirdly, in Paragraph 2.3.1 of the above Report, while describing the project, the Report notes – *“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”*
- d) Fourthly, 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.

That the wrong description of the project, including khasra numbers and the name of the village, leaves no manner of doubt that the application for EC has been callously prepared by taking values and parameters mentioned in the Gulabi Bagh project. This not only raises serious doubts about the accuracy and reliability of the said Report, but also defeats the entire purpose behind carrying out these scientific studies before granting EC. It is pertinent to note that the Office Memorandum dated 05.10.2011 [Refer Pg. 1855 of IA No. 451 of 2025] issued by the Ministry of Environment, Forest and Climate Change, has clarified that where contents of the EIA Report have been copied from other EIA Reports, the Environmental Clearance will be withdrawn and the procedure for obtaining Environmental Clearance will be initiated *de novo*. Thus, in view of the above-mentioned plagiarism, the present Environmental Clearance dated 13.01.2025 should be cancelled by this Hon'ble Tribunal, which ought to have been done by MOEF&CC itself. It is also pertinent to mention that neither the SEAC, SEIAA, nor the EAC perused the report in detail to notice that the contents of the report have been copied and pasted in the Respondent No. 5's EIA Report [Refer Annex

A4, page 1855 of the IA No. 451 of the Appellants in Appeal No. 15]. Infact, a False Plagiarism Certificate was provided claiming Dupli checker evaluation and compliance with good scientific practice. That in *University of Delhi v. MoEF&CC*, Appeal No. 17/2021, Para 62, this Hon'ble Tribunal observed that, the information provided in Form 1 serves as a base upon which the process stipulated under the EIA Notification, 2006 rests. Missing or misleading information in Form 1 significantly impedes the functioning of the authorities.

B. Incomplete and Incorrect Information Submitted in Form 1 - Absence of Additional Load of Pollution in terms of population, traffic, air and noise levels.

13. That the entire project, from the very beginning, is riddled with inaccuracies and misrepresentations. It is pertinent to note that the DDA's 1987 scheme envisioned the development of four-storey walk-up flats, as per the layout plan at that time. However, the present project is being taken up for 9 storey's, apart from the creation of a stilt and 3 basements, in complete contravention to the original layout plan for Sector B, Pocket 1, Vasant Kunj. This is evident from the Minutes of the Screening Committee, which records that the initial plan/scheme of the DDA is four storeys. In fact, the Regulations for enabling the Planned Development of Privately Owned Lands, 2018 themselves clarify that for development of land in already approved DDA schemes should be in conformity with the surrounding development. This shows the lack of application of mind by SEIAA/EAC as the environmental impact of such huge discrepancy from the earlier layout plans would invariably have an adverse environmental impact on the surrounding household in the Appellants Colony. No such discussions have been found in the Minutes of the Meeting of the SEIAA/EAC either. The relevant extracts of the screening committee meeting dated April, 2019 are marked and annexed as **ANNEXURE A/4**. The Regulations for Planned Development of Privately Owned Lands, 2018 is marked and annexed as **ANNEXURE A/5**.
14. That it is pertinent to mention that the previously approved layout plan of the DDA for the group housing project was prepared after an assessment of the carrying capacity of the area. However in the present case, the

increase in the height of the project to 33.25 mts as well as the increase in the number of floors has been undertaken by Respondent No. 5 in contravention to the existing building bye laws as well as without undertaking any carrying capacity assessment of the increase in the number of population, floors, cars in an area where only four storeys were initially envisaged in the DDA's layout plan. The additional pollution load in terms of air or noise levels in the area has clearly not been taken into consideration by the Respondent No. 5 and more importantly by the SEAC/SEIAA/EAC. This Hon'ble Tribunal in the case of Delhi University v. MoEF&CC & Others [Appeal No. 17/2021] had categorically 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. From the Minutes of the EAC as well as the Environmental Clearance dated 13.01.2025, it is evident that the said aspect has been completely overlooked at the time of appraisal. It is therefore urged that unless such a carrying capacity study by an independent agency confirms the fact that there shall be no adverse impact of such a project, this Hon'ble Tribunal may direct the Respondent No. 5 to not proceed with the project until such time.

B.1 Incorrect and incomplete information submitted in the Traffic Assessment Report

15. That further, the submission of the Respondent No. 5 with respect to the requisite assessments pertaining to traffic assessment in Form 1 and 1A is incorrect and misleading. In Form I, at page 314, the Respondent No. 5 has merely stated that internal roads will be developed for proper circulation of traffic and to avoid congestion. The number of residents proposed in the project is 792, which includes residents, staff, and visitors, among others. Form 1A of the Project also states that the total parking requirement of the project is 227 Equivalent Car Spaces, and parking provision of 290 will be developed. However, no traffic or population analysis has been undertaken with respect to the number of residents as well as visitors proposed in the project of Respondent No. 5 vis-à-vis the existing residents in the said area, and the number of cars already in

existence utilising the said area. The photographs taken on 26.09.2025 of the road congestion are marked and annexed as **ANNEXURE A/6**.

16. That on one hand, the Traffic Analysis Report has noted on page 1709 that the traffic density along the approach of the road is significant, however, on the other hand the report concludes at page 1720 that the incremental traffic from the proposed site is insignificant. 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. It is also pertinent to mention that the traffic is bidirectional and hence the capacity of the road vis-à-vis Bidirectional traffic has not been estimated in the report. The recent statistics from 19.09.2025 – 24.09.2025, which have been retrieved from the My Gate App installed in B-1, Vasant Kunj reveals that on an average day, there are almost 2600-2900 visitors including 1800 deliveries/cabs. It is pertinent to mention that this figure does not include the vehicles of the residents, which will be in addition to the present figure. Approximately 1848 vehicles (four-wheelers) of B-1 residents have been issued “Park Plus” Radio Frequency Identification („RFID“) Tags by the Appellant for the seamless entry and exit of residents“ vehicles. This figure is not surprising as there are 1021 flats in the B-1 Colony. In fact, the vehicles figures may exceed as some residents do not avail facilities of RFID installed by Park Plus (vendor) in B-1 Colony. 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. In addition to the present number of visitors and residents, the Masonic School is visited by 2300 students and 130 staff and the DAV school is visited by 1983 students and 117 staff. The said statistics, despite being readily available with the Appellant and in the My Gate App, have not been considered by the consultant of Respondent No. 5 or the EAC. This clearly shows non application of mind and the resultant air pollution that will be caused due to a huge increase in traffic. The statistics from the My Gate App are marked and annexed as **ANNEXURE A/7**.

B.2 False declaration regarding the absence of any water bodies in the vicinity of the Project of Respondent No. 5

17. That the Respondent No. 5 has failed to mention the existence of a notified wetland, i.e., Adhirang pond, in its Form 1 and Form 1A [refer page 101 and 111 of the present Appeal]. It is pertinent to mention that the said wetland is mentioned in the List of Wetlands/Ponds in South Delhi issued by Delhi Parks and Gardens Society as well as in the Affidavit of the Wetland Authority in the case of Curious Case of Delhi's Disappearing Water Bodies (O.A. No. 633/2024) [Refer page 1864, Pg 1908 of the IA No. 451].

B.3 Absence of analysis on the impact on groundwater levels, nearby houses due to the creation of three basements

18. That the Form 1 mentions that approximately 30,000 m³ of soil will be excavated for the purpose of foundation and development of 3 basements. The Soil Investigation Report states that trapped or perched water could occur within low-permeable strata (Refer to Page 1661 of the IA for Additional Documents). Contrary to this statement, the Soil Analysis Report, as well as the Respondent No. 5 in his Affidavit, have stated that there will be no impact on the groundwater level as the same was not encountered at a depth of 15 mts. Further, as per the Respondent No. 5, the basements will be developed till a depth of 10.52 mts however the depth of the basements has not been mentioned either in the soil analysis report or in Form 1 or 1A. Any conclusion on 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 any SEIAA/SEAC/EAC have directed the Respondent No. 5 to do the same. This clearly shows lack of application of mind by the EC granting authorities.

B.4 Incorrect and incomplete information submitted in the EIA Report with respect to Air Pollution Load and Noise Pollution Parameters

19. That the additional load of air pollution due to the increase in population, construction activities as well as traffic have also not been factored in the

EIA Report. The Air Pollution Analysis Report at page 1739 and 1740 notes the increased parameters of PM 10 and PM 2.5 compared to the standards prescribed in the law. Thus, the additional load of vehicles as well as population is bound to adversely impact the air quality of the said area. The Special Bench of this Hon'ble Tribunal in the case of Delhi University has clarified that the sustainability of the housing project has to be evaluated by undertaking carrying capacity assessments in terms of – estimation of existing PM load, total assimilative capacity with respect to the PM Load, and estimation of total supportive capacity of the PM Load. The August 2025 DPCC Air Pollution Monitoring Report also notes increased levels of PM10 and PM2.5. Thus, the existing, total assimilative and supportive PM load should have been analysed and assessed in the Environmental Impact Assessment Report, especially since the carrying capacity of the said area is sought to be increased in comparison to the original layout plan. The same has not been done and neither discussed by the EC granting authorities, which clearly shows lack of application of mind.

20. That further, the EIA Report mentions on Page 1515 that the sound levels during the construction phase will be in the range of 80-100 dB(A). This is despite mentioning the presence of schools within 100 mts of the project, thereby making the site location of the project of Respondent No. 5 a silent zone as per the Noise Pollution Rules, 2000. It is pertinent to reiterate that the Noise Pollution Rules, 2000 clarify that the sound levels are required to be maintained at 50db(A) in the morning and 40db(A) in the evening. In the Reply Affidavit dated 01.07.2025, the Respondent No. 5 has merely stated that no construction will be undertaken during night-time and anti-vibration pads will be utilised for an insertion loss of 25dB. There is not a whisper regarding the Noise Pollution measures and their effectiveness in achieving the prescribed standards as per the law in the EIA Report or in the conditions of Environmental Clearance. The additional load of Noise post the construction of the project has also not been factored in. In *University of Delhi v. MoEF&CC*, Appeal No. 17/2021, Para 245, this Hon'ble Tribunal held “A holistic approach is required in such matters instead of taking the impact of the project in isolation”.

C. Misrepresentation and Suppression of the presence of the project in the Morphological Ridge and unauthorised felling of trees by Respondent No. 5

21. That at the outset, reliance had been placed on the Regulations for Planned Development of Privately Owned Lands, 2018 for allowing private group housing project in an already established group housing project by the Respondent No. 5 before the DDA and MCD in the Technical Screening Committee for obtaining permission for the project. The Regulations itself mentions that the said Regulations will not be applicable on land which is categorised as “Ridge”. However, despite the presence of the Project in morphological ridge, the said fact was conveniently suppressed by the Respondent No. 5. It is also important to emphasize that the implementation of the abovementioned Regulations will be a case precedent for the entire NCT of Delhi and if such faulty project is allowed to mushroom then the entire NCT of Delhi would bear the brunt in every colony. It is therefore important to err in caution than repent later. This also clearly would be aligned to the Precautionary Principle as enumerated in Section 20 of the NGT Act, 2010.
22. 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 Respondent No. 5 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 of Respondent No. 5 does not require NOC from the Ridge Authority of Delhi [Refer Page 331 of Appeal No. 19]. However, on 14.11.2024, the Respondent No. 5 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 [Refer to page 335 of the Appeal

- No. 19]. This again shows that the EC granting authorities have not applied their mind with regard to a Stage I Forest Clearance of such a morphological ridge. The OM dated 11.04.2022 also states that in any grant of EC in forest land (Morphological Ridge in the present case), the Stage I clearance is a prerequisite.
23. 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 [Refer Annex A17, Pg 2049 and 2051 of IA No. 451 of 2025].
24. That the EAC, without verifying the response of the Respondent No. 5 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 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.

25. 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 Respondent No. 5 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. Further, forged permissions for tree felling were also obtained from the Respondent No. 6. This again shows lack of application of mind by the EC granting authorities.
26. 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 and accordingly set aside the EC.

PARA WISE RESPONSE/REJOINDER TO THE REPLY DATED 01.07.2025

27. That the contents of para 1 needs no reply except the fact that the EC has been granted on plagiarised information, false information and non-application of mind by the granting authorities.
28. That the contents of para 2-4 are denied as wrong, false and devoid of all merit. The Respondent No. 5 has misrepresented, submitted plagiarised information and suppressed vital information for processing its application for Environmental Clearance. The only response and reasoning for justifying such suppression has been that the project is being developed around a developed residential area, which cannot be any reason for

failing to address vital environmental concerns and carrying capacity assessment as per the Orders of this Hon'ble Tribunal, as well as the Environmental Impact Assessment Notification, 2006. The characterisation of the present Appeal as „frivolous“ is an attempt to deflect from systematic violations committed by R-5 as well as the EC granting authorities.

Response to Preliminary Submissions – A. Categorisation as Category B in Form 1A.

29. That in response to the contents of Para (A) (i-iv), it is submitted that the EIA Amendment Notification dated 22.12.2014 whereby category 8(a) and 8(b) projects were granted exemption from General Conditions was set aside firstly by the Kerala High Court in the case of One Earth One Life v. MoEF&CC & Others[WP (C) No. 3097 of 2016] on 06.03.2024. Thereafter, this Hon'ble Tribunal [Central Bench] in OA No. 93/2024 on 09.08.2024 clearly noted that after quashing of the Notification dated 22.12.2014, the General Conditions are clearly applicable to building and construction projects. Accordingly, MoEF&CC was directed to issue a clarification regarding the same. In pursuance of the Order of the Hon'ble High Court of Kerala and this Hon'ble Tribunal, the MOEF&CC issued a Draft Notification on 17.11.2024 and final Notification on 29.01.2025, again exempting Building and Construction Projects from the applicability of General Conditions. However, 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 stayed the EIA Amendment Notification dated 29.01.2025 and Clarification dated 30.01.2025. 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 by the Respondent No. 5. Further, it is pertinent to mention that in the site visit itself the court commissioner 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 vis-à-vis commencement of the construction without clearance.

Response to – B. The project site does not violate the Forest Conservation Act

30. That the contents of Para 5(B)(i-ix) are denied as wrong, false and devoid of all merit, save what are matters of record. At the outset, it is pertinent to mention that the Respondent No. 5 has misrepresented the contents of the CEC Report as well as the submissions of the Forest Department. The Ld. CEC at Page 1118 of the Reply of Respondent No. 5 has clearly stated that the area of the project falls within the morphological ridge. It is also pertinent to note that the Forest Department in their reply to the Ld. CEC dated 16.12.2025 have also stated that the 90% of the Project falls in the morphological ridge. Thus, the conclusion of the Respondent No. 5 that the project is not part of the morphological ridge is devoid of all merit and is another attempt to mislead this Hon'ble Tribunal.
31. That further, it is reiterated that the Hon'ble Supreme Court, as well as the Oversight Committee constituted under the aegis of this Hon'ble Tribunal in the case of Sonya Ghosh v. GNCTD and Others [O.A. No. 58/2013], have clearly stated that the morphological ridge would require the same level of protection as a notified ridge and thus would require Forest Clearance under the Van Sanrakshan Evam Sanvardhan Adhiniyam, 1980. Infact, the Hon'ble Supreme Court on 07.05.2025 has also initiated contempt proceedings in the case of Bhavreen Kandhari v. Rakesh Sharma due to the commencement of construction on the morphological ridge without requisite clearance. Thus, the blatant disregard for the provisions of the law by suppression of the facts clearly highlights the conduct and intention of the Respondent No. 5 to mislead this Hon'ble Tribunal. It is reiterated that Stage 1 Forest Clearance is a prerequisite to the grant of the Environmental Clearance as stated earlier. It is therefore clear that there is non-application of mind and this is a ground alone to quash the EC.

Response to – C. Claim that the water body is within 100 meters of the project site is false.

32. That the contents of para 5C clearly highlight that the Respondent No. 5 is unaware of the law which clarifies that both natural and man-made water bodies can be categorised as wetlands. Further, the requirement in Form 1 and 1A does not distinguish between manmade or natural water bodies, thus the blatant disregard for the procedure established by law by Respondent No.5 should be taken strict note of by this Hon'ble Tribunal. In Form 1A at S. No 1.8, Respondent No. 5 falsely stated that there are no low-lying areas and wetlands that exist in and around the project site. In *University of Delhi v. MoEF&CC*, Appeal No. 17/2021, Para 62, this Hon'ble Tribunal held that "*Deliberate concealment and/or submission of false or misleading information shall make the application liable for rejection*". The contents of para .. of the preliminary submissions are reiterated and are not being repeated for the sake of brevity. Moreover, the universe of Environmental Impact Assessment that has to be mandatorily carried out is 15 kms and the project's impact within that zone of influence as per Form 1 and 1A of the EIA Notification, 2006. This again demonstrates the lack of application of mind by the EC granting authorities who have not followed their own manual which is supposed to guide their informed decisions.

Response to – D. Groundwater Analysis and Soil Analysis

33. That the contents of para D(i-iv) fail to clarify how the creation of three basements will not impact the soil percolation as well as the groundwater levels, which fluctuate depending upon the season. The creation of three basements is bound to impact the natural aquifer, leading to flooding in the area and impacting the roads as well as the houses of the nearby residents, especially when the Soil Analysis report itself notes water may be present in the lower soil strata. It is surprising that the recommendations and observations of the report are contrary in many places and thus could not have been relied upon as a reliable assessment. In any case following the precautionary principle, the competent authority which is the Central Ground Water Authority need to assess this situation and inform accordingly. The EC granting authority ought to have consulted the

CGWA in this regard. Yet again a case of non-application of mind which is a ground for quashing authority.

Response to – E. Water Supply

34. That in response to the contents of para E(i)-(iii), it is stated that the DJB permission clearly states the supply of water is dependent on the availability of the same with the DJB and there is no guarantee for meeting the demand of the Respondent No. 5. Further, non-potable water arrangements have to be made by Respondent no. 5. Thus, the supply of water by DJB and whether the supply to Respondent No. 5 would disrupt the supply to the existing residents of B-1 colony have not been taken into consideration at the time of preparation of the report. These false water sourcing claims demonstrate a complete lack of sustainable water management planning.

Response to F. - Traffic Impact Assessment

35. That the contents of Para F(i)-(vii) with respect to adequate arrangement for traffic management and insignificant impact of the additional cars on the existing roads is completely devoid of all merit. At the outset, it is reiterated that the traffic assessment itself has presented contrary statements by stating on one hand that there is significant traffic movement during peak hours and on the other hand concluding that the additional load of 790 vehicles is insignificant and will not create additional traffic load or congestion on the roads. Further, the correct picture of the existing number of vehicles entering and exiting the colony has not been provided . There are around 1200-1500 cars of residents inside the colony apart from daily inflow of cabs, deliveries and other visitors, which has not been taken into consideration at the time of traffic assessment. However, the EIA Report has failed to compile and analysis the existing data and has given speculative figures as the basis of calculation. The replies in paras of the preliminary submissions are reiterated and are not being repeated for the sake of brevity.

Response to G. - Tree Felling

36. That the contents of Para G(i) to (vi) is denied as wrong, false and devoid of all merit. At the outset, the Appellant's tree count of 11 trees was clearly misleading and due to the complaint of unauthorised tree felling filed before the Hon'ble High Court of Delhi by the Appellant, inspection by the Forest Officials was undertaken in September 2024. The EAC 132nd Meeting minutes also note unauthorized tree felling activities. The reports of the forest officers clarify that unauthorised tree felling was undertaken, and one tree was found to be missing. The said report and affidavits have also been submitted before the Hon'ble Supreme Court by the Principal Secretary of the Forest and Wildlife Department Delhi, clearly highlighting that prima facie the Respondent No. 5 has been engaged in unauthorised felling of trees and forging of tree felling permissions. The response in the preliminary submissions is reiterated and is not being repeated for the sake of brevity.

Response to H. – Silence Zone

37. That this Hon'ble Tribunal may take strict note of the submissions of Respondent No. 5 in para(s) G(i-iii) , whereby casual remarks pertaining to noise pollution measures have been made by Respondent No. 5 without addressing how the parameters of 50db(A) will be maintained during the construction phase, especially with presence of three schools within 100 mts of the project site apart from residential apartments around the site. The additional load of the project vis-à-vis the noise pollution has been given a complete go by in the assessment as the minimum level of noise pollution has been taken as 80db(A) in clear violation of the standards for silence zone as per the Noise Pollution Rules, 2000. The contents of the preliminary submissions are reiterated and are not being repeated for the sake of brevity.

Response to – details of mandatory compliances by Respondent No. 5

38. That the contents of para 6-12 pertain to other compliances obtained by Respondent No. 5. It is reiterated that when the first sanction was obtained by the Respondent No. 5 from the DDA as per the Regulations for Planned Development of Privately Owned Lands, 2018, the

misrepresentation was blatant in the said minutes of the Screening Committee whereby the presence of the land on morphological ridge was purposefully suppressed as the said Regulations is not applicable on ridge area. Thus, the subsequent permissions of Fire Department, Airport Authority height clearance, undertaking of implementing the dust mitigation measures are questionable given that the permissions have been obtained based on false claims and without any proper geotechnical studies. The Respondent No. 5 is put to strict proof vis-à-vis the height of the building, which has been proposed without any detailed geo-technical studies, in an area where the rest of the housing layout was restricted to four storey's by the DDA. The environmental norms and compliances have thus been given a casual go-by merely on the premise that another residential complex exists in the same area without clarifying that the present project was also part of the said complex and envisaged a four-storey capacity building in contravention to what is proposed at present. The payment of various fees does not cure fundamental environmental law violations. The rationale for increasing the number of floors and residents has nowhere been justified either on technical or environmental considerations, thereby undermining the carrying capacity of the entire colony and creating potential risks to the safety of the existing residents in the future.

Response to the Conduct of the Appellant

39. That the allegations pertaining to the bona fides of the Appellant in Para(s) 13-15 are denied as baseless and constitute an attempt to deflect attention from their own systematic violations and fraudulent submissions. The Appellants have been bonafide in their approach to highlight the illegality in the conduct as well as permissions obtained by Respondent No. 5 through plagiarised and misrepresented information and accordingly approached the different forums based on their jurisdiction vis-à-vis a specific permission. The Appellant being a Resident Welfare Association represents the interests of 5000 residents of B-1 Vasant Kunj, whose quality of life will be adversely impacted by the project of Respondent No. 5. It is a settled position of law by this Hon'ble Tribunal as well as the Hon'ble Supreme Court that right to a clean and healthy environment is a

fundamental right under Article 21 of the Constitution of India. Development of a housing project within an existing housing project, especially over an area where the capacity envisaged was one fourth of what the new project proposes, clearly requires detailed carrying capacity studies, which has been ignored by Respondent No. 5 in their haste to obtain all the requisite permissions as well as the non-application of mind by the EC granting authorities. After obtaining the sanction and clearance from the DDA and MCD in 2024, the project went on to obtain all other permissions in less than a year including conducting an Environmental Impact Assessment Study. This clearly highlights that the present project has least consideration towards the environment and the safety, well-being of the existing residents. It is for this reason that plagiarised information in the EIA Report and forged permissions are now coming to the fore on detailed inspections, and clearly highlights the malafide conduct and intention of Respondent No. 5.

40. That the contents of Para 16(a) to (d) are denied as wrong, false and devoid of all merit. The contents of Preliminary Submissions are reiterated and are not being repeated for the sake of brevity.

Response to Para Wise Reply to Brief Facts

41. That the contents of Para 6(6.1 to 6.23) reiterate the submissions of Respondent No. 5 vis-à-vis their alleged compliance with the provisions of the law, forum shopping by the Appellant and the same is vociferously denied as wrong, baseless and without any backing in facts or law. The Appellants have approached this Hon'ble Tribunal challenging the Environmental Clearance and no other permissions or issues have been raised herein which are sub judice before the High Court or the Supreme Court. The right to Appeal where an individual or any other legal entity is aggrieved by the grant of an Environmental Clearance under Section 16 of the National Green Tribunal Act, 2010 cannot be equated to the challenging the sanction plan of MCD or alleging unauthorised tree felling before the Hon'ble High Court of Delhi. The false and misleading submissions challenging the bonafide of the Appellant is nothing but an attempt to mislead this Hon'ble Tribunal with respect to the merits of the present Appeal, whereby material omissions and suppressions have been

highlighted, which were missed by the statutory authorities at the time of processing their proposals and have come to light at a belated stage leading to issuance of contempt proceedings against the Respondent No. 5. The denial of the presence of the project in ridge area, the unauthorised tree felling, commencing levelling of land prior to Environmental Clearance, submitting plagiarised information, are but some of the misdemeanours of Respondent No. 5 that have come to light and require urgent consideration and adjudication by this Hon'ble Tribunal. The contents of the Preliminary Submissions are reiterated and are not being repeated for the sake of brevity.

Response to Para Wise Reply to Grounds

42. That the contents of para 17(7.1-7.60) reiterate the submissions of Respondent No. 5 vis-à-vis compliance with the provisions of law and are vehemently denied as false assurances, without any backing in facts or law. The Environmental Impact Assessment Notification, 2006 in para 8(vi) clearly states that deliberate concealment and/or submission of false or misleading information or data which is material to screening or scoping process shall make the environmental clearance liable for cancellation. In the present case as well the deliberate concealment and, in fact false and plagiarised information is evident prima facie from the extracts of the EIA Report placed on record before this Hon'ble Tribunal. This Hon'ble Tribunal in a catena of cases has cancelled and quashed environmental clearances where the project proponent has failed to submit the complete information, vital for processing the Environmental Clearance [Delhi University v. Union of India and Others and Save Mon Region Federation v. Union of India and Others, Appeal No. 39/2012]. The conduct of the Respondent No. 5 along with the statutory authorities shows lack of basic consideration towards the life of the residents as well as towards the environment. The Appellants have no objections to development however where the area sought to be developed is saturated in terms of residents and traffic and additional load of population and cars is being imposed on a saturated colony, in excess of the originally envisaged capacity and without any carrying capacity assessment is in contravention to the principles of Sustainable Development and Precautionary Principle.

43. That the Appellant urges this Hon'ble Tribunal to take strict note of the practice of DDA and MCD as well as the Ministry of Environment, Forest and Climate Change in giving clearances and sanctions without any assessment of carrying and assimilative capacity which leads to flooding, increase in pollution and decreases the quality of life as well as adversely impacts the environment. It is pertinent to note that this is not a project for creating housing accommodation for homeless or low income category but a luxury project intended for profiteering and should be judged on strictest environmental considerations. Furthermore, where the illegality is blatant and the contrary reports leading to evidence of forged permissions is highlighted, urgent intervention is required on behalf of this Hon'ble Tribunal vis-à-vis the Environmental Clearance, which has been granted based on such forged permissions. The grievance of 5000 residents cannot be held to be questionable, especially when substantial allegations and reports of violations in obtaining the Environmental Clearance are prima facie available on the public forum. In view of the abovementioned facts and position of law, it is humbly prayed that this Hon'ble Tribunal quash the present Environmental Clearance dated 13.01.2025 granted to Respondent No. 5 in view of the plagiarised reports, forged permission and suppression of vital information as per para 8(vi) of the Environmental Impact Assessment Notification, 2006 as well as the orders and judgments of this Hon'ble Tribunal. Further, this Hon'ble Tribunal quash the present EC as it has ignored the salient features of any such project where carrying capacity studies, impact on existing residents, population increase, traffic situation analysis, impact on ground water, impact on nearby waterbodies, green belt and rationale for going beyond the existing four storey residential flats have not been explained and clearly shows the non-application of mind by the EC granting authorities.

Para Wise Response to the Reply dated 01.09.2025 to the IA No. 451 of 2025 for Additional Documents

1. That the contents of Para 1 need no reply.
2. That the contents of para 2 -3 are wrong, false and devoid of all merit. It is submitted that the IA for additional documents merely supplements the Questions of Law and Grounds which have been raised in the Appeal,

specifically the Question of Law at serial No. 5 (iv) at page 15 of the Appeal, wherein it has been clearly highlighted that there is material suppression and non-disclosure of critical facts by the Respondent No. 5 herein.

3. That contents of Para 3 are denied as wrong, false and devoid of all merit. The blatant misrepresentation and suppression of material facts are evident right from the beginning when the initial clearance/permission was obtained for the sanction plan/scheme by failing to mention that the area is situated in a morphological ridge. The contents of the Preliminary Submissions are reiterated and are not being repeated for the sake of brevity.
4. That the contents of para 4 -7 are denied as wrong and clearly showcases another attempt by the Respondent No. 5 to mislead this Hon'ble Tribunal. From the submissions of Respondent No. 5 in para 5 specifically whereby a casual attitude towards comparison of rural and urban parameters for AQ modelling has been undertaken to showcase that the same parameters are applicable, clearly establishes that wrong parameters for the Air Quality modelling study were undertaken by the EIA consultant. The same has been surprisingly missed out not only by the SEAC and SEIAA but also by the EAC. It is evident that a lackadaisical attitude was adopted in clearing the project of the Respondent No. 5, in clear violation of the statutory mandate under the EIA Notification, 2006. The contents of the Preliminary Objections are reiterated and are not being repeated for the sake of brevity.
5. That in response to the contents of para 8, it is submitted that the Form 1 and 1A [Refer Pg. 1463 and 1464 of the I.A. No. 451 of 2025] requires project proponents to adjudicate upon the impact of the project in a 15 km radius. However, the Respondent No. 5 and their Consultant have conveniently ignored this mandate and failed to mention the presence of Adhrang Nath Pond, which has been duly identified as a wetland. The existence of the wetland is duly corroborated with the List of Wetlands/Ponds in South Delhi issued by Delhi Parks and Gardens Society as well as in the Affidavit of the Wetland Authority in the case of Curious Case of Delhi's Disappearing Water Bodies (O.A. No. 633/2024) [Refer page 1864, Pg 1908 of the IA No. 451]. The identification of the pond as a wetland was much before the Respondent No. 5 received the Environmental Clearance. Further, arguendo, it is in the process of being

rejuvenated, it is all the more imperative that the adverse impact of the construction on a wetland in the process of being rejuvenated is duly captured in the EIA Report.

6. That the contents of para 9-11 are denied as wrong, false and devoid of all merit, save what are matters of record. The Ld. CEC as well as the Hon'ble Supreme Court has not allowed the construction in violation of the law and the requirement of Forest Clearance as well as the NOC from the Ridge Management Board, before commencing the construction is required as per the law, as well as the Judgments/orders of the Hon'ble Supreme Court, High Court and this Hon'ble Tribunal. Further, Stage I Forest Clearance is required to be obtained prior to the grant of Environmental Clearance as per the Office Memorandum dated 11.04.2022. The Ld. CEC, as well as the Hon'ble Supreme Court, merely decided the limited issue of a project on a morphological ridge. There are no other Directions vis-à-vis other permissions obtained by the Respondent No. 5 herein, including the Environmental Clearance. It is also pertinent to mention that the Respondent No. 5 herein has already commenced with the clearing of ground, establishment of the project, despite the pendency of the present proceedings before this Hon'ble Tribunal to create a fait accompli situation.

Response to Para-Wise Reply

7. That the contents of para 12-15 are denied and the submissions in the abovementioned paras along with the Preliminary Submissions and Objections are reiterated and are not being repeated for the sake of brevity.
8. That the contents of para 16-18 are vociferously denied as wrong, false and are a clear attempt by the Respondent No. 5 to misrepresent the facts and the documents before this Hon'ble Tribunal. The Respondent No. 5 cannot claim that the results of the AQ modelling study, as well as the urban heat island effect of a project situated inside an existing group housing project in an urban area, will be similar to a project situated in a village. Further, the Respondent No. 5 has claimed that the mention of the details of the Gulabi Bagh project is a clerical error and there are no further similarities and the results of the AQ modelling are different. However, even the emission characteristics of the proposed stack sources includes mention of DG sets and vehicles and the number is exactly the same as that mentioned in the Gulabi Bagh project. Thus, the claim that there is no other similarity

on merits is false, as the sources of pollution have been taken to be the same, including the number of vehicles. Specifically with respect to Urban Heat Island & Daylight Compliance Report, the data or results cannot be the same across projects given the difference in the sources of the pollution at each location. The contents of the Preliminary Submissions are reiterated and are not being repeated for the sake of brevity.

9. That the contents of para 19 are denied as wrong and false, and the contents of the Preliminary Objections and the contents of para-wise response are reiterated and are not being repeated for the sake of brevity.
10. That the contents of para 20 are denied as wrong, false and devoid of all merit. The EIA Report of Respondent No. 5 has failed to clarify the adverse impact on the availability of the water for the 792 residents, when there are numerous instances of DJB failing to provide water to the existing residents due to shortage of water. Any conclusion on 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 SEIAA/SEAC/EAC have directed the Respondent No. 5 to do the same. This clearly shows lack of application of mind by the EC granting authorities.
11. That the contents of para 21 to 27 are denied as wrong, false and devoid of all merit. The insistence on the CEC Report as well as the Order dated 12.08.2025 of the Hon'ble Supreme Court by the Respondent No. 5, without clarifying the context of the said Report clearly highlights the malafide intent of the Respondent No. 5. The Ld. CEC as well as the Hon'ble Supreme Court have not directed the Respondent No. 5 to continue with the project without the Forest Clearance. The reliance on the minutes of Ridge Management Board, the decisions of the Hon'ble Supreme Court as well as the Hon'ble High Court and pertinently even this Hon'ble Tribunal, clarifies that no construction can be undertaken on the morphological ridge without any Forest Clearance. Further, the issue of Contempt and forgery is pending adjudication before the Hon'ble Supreme Court and has not been closed by the Hon'ble Supreme Court till date. However, the Environment and Forest Department have submitted in the Hon'ble Supreme Court that there was forgery in obtaining the tree felling permissions.

12. That in view of the abovementioned facts and position of law, the IA for Additional Documents provides supporting documents to the contentions raised in the Appeal and cannot be rejected. Moreover, there cannot be any bar to putting on record Judgments of this Hon'ble Tribunal or of this Hon'ble Tribunal as well as the EIA Report of the Respondent No. 5, which is a crucial factual document and the basis of the challenge of the present Appeal. Additionally, all the grounds of material suppression of facts and law has been raised in the Appeal and thus the present supporting documents squarely fall within the ambit of the Appeal. It is also pertinent to add that the plea of the present Appeal and the IA for Additional Documents delaying the project is baseless as the Respondent No. 5 has commenced with the construction of the project and clearly establishes that they hold no regard to the rule of law or the decisions of the Hon'ble Courts or this Hon'ble Tribunal. The recent activities by the Respondent No. 5 have already enhanced traffic and pollution issues in the colony and the same can be verified from the photographs annexed at ANNEXURE A/5 of the present Rejoinder. It is humbly reiterated that the present Environmental Clearance dated 13.01.2025 granted to Respondent No. 5 in view of the plagiarised reports, forged permission and suppression of vital information is clearly in violation of para 8(vi) of the Environmental Impact Assessment Notification, 2006 as well as the orders and judgments of this Hon'ble Tribunal and deserves to be quashed.

Date: 27.09.2025
Place: New Delhi

DRAWN AND FILED BY:

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**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
01/10/2030
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



B-1 Vasant Kunj Residents' Welfare Association

Sector - B, Pocket - 1, Vasant Kunj, New Delhi - 110070

Tel. : 011 - 2612 5704, 4177 5283

(Regn. No. S/26006)

E-mail : rwab1.vasant@gmail.com



Date: 26.10.2024

To,
Ridge Management Board
 Through its Chief Secretary,
 2nd Floor, A-Block, Vikas Bhawan,
 IP Estate, New Delhi – 110002

Subject: Objections to proposed construction of Group Housing Scheme at Khasra No. 1230/2 (New), admeasuring 6 Bighas and 7 Biswa, located in Sector-B, Pocket-1, Vasant Kunj Housing Scheme, New Delhi in morphological ridge of Delhi

Respected Sir/Madam,

1. The undersigned, are writing to bring to your urgent attention the concerns related to the proposed construction of a Group Housing Complex at Khasra No. 1230/2 (New), admeasuring 6 Bighas and 7 Biswa, located in Sector-B, Pocket-1, Vasant Kunj Housing Scheme, New Delhi ("**Subject Property**").
2. It has recently come to our attention that one M/s R.R. Texknit LLP having its office at 137, Jor Bagh, Lodhi Road, New Delhi-11003, claiming to be the owners of the Subject Property, have obtained a sanction from the Municipal Corporation of Delhi (MCD) dated 13.05.2024 for the construction of a group housing society on the Subject Property. The total built up area for this project is approximately 25,650 sq. mtrs., as per the approved area chart. The sanction plan explicitly mandates obtaining the necessary environmental clearance prior to commencing any construction activities. It has also come to the knowledge of the undersigned that the M/s R.R. Texknit LLP has started construction of the Group Housing Scheme including the levelling of land in the subject property.



3. That it has recently come within the knowledge of the Petitioner that the area in question is a critical ecological zone that falls within the Morphological Ridge of Delhi. A true copy of the subject property situated within the morphological ridge of Delhi as mentioned on the official website is annexed herewith and marked as **Annexure 1**
4. The Government of National Capital Territory of Delhi by Notification dated 24-5-1994 under Section 4 of the Forest Act, 1927 notified 7777 ha of Delhi Ridge Area as Reserved Forests commonly referred to as Notified Ridge Area. The Delhi Ridge serves as the green lungs for Delhi and acts as a buffer against rising pollution levels. The pressures of rapid urbanisation in Delhi have, over the years, threatened and adversely affected the forests in Delhi Ridge Area. The ridge area thus identified needs to be conserved with utmost care and should be afforested with the indigenous species with minimum of artificial landscape
5. That the Ridge Management Board (RMB) was constituted pursuant to the orders of Hon'ble High Court dated 29.09.1995 in IA No. 1820-21 in WP(C) 4677/85 titled '*M.C. Mehta vs. Union of India & ors.*' in order to protect and conserve the Ridge Forests. The Board has been assigned various functions, relating to conservation and protection of Ridge. These include execution of the management scheme for the Ridge Forests, protection of boundaries, of the ridge and preparation and execution of detailed plans for upgradation of the ridge
6. Morphological Ridge is defined as that part of Ridge area which is not falling under any notifications, but has similar features as the Notified Ridge, and form part of the extension of the Aravallis
7. That by order dated 3-11-2011 in *Ashok Kumar Tanwar v. Union of India*, 2011 SCC OnLine Del 5733 the Hon'ble High Court of Delhi in Writ Petition (Civil) No. 3339 of 2011, held that lands situated outside the notified Ridge Areas but which have morphological features conforming to the ridge should be given the same protection as is given to the notified areas. Consequently, all the agencies concerned were restrained from carrying out construction works on such lands (morphological ridge) also referred to as "extended Ridge Area" till necessary clearance from the Ridge Management Board and through CEC the permission of this Hon'ble Court is first obtained. The relevant extract is as under,

“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 before carrying out any construction. Such permission is a pre-requisite in view of the directions of the Supreme Court.”

8. That this position was reiterated by the Hon'ble Supreme Court in *DDA v. Kenneth Builders & Developers (P) Ltd.* (2016) 13 SCC 561.
9. It transpires that there was initially some difficulty in identifying the areas of morphological ridge. *In Re : T.N. Godavarman Thirumulpad v. Union of India*, 2023 SCC OnLine SC 1951, the Hon'ble Supreme Court was pleased to pass directions to work out the modalities for identifying the said areas which needs to be protected as notified ridge –

*13. The High Court of Delhi vide order dated 30.11.2011 in Writ Petition No. 3339/2011 (Ashok Kumar Tanwar v. Union of India), and this Court in DDA v. Kenneth Builders & Developers (P) Ltd.2 [(2016) 13 SCC 561] has held that **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.*

14. It appears that there has been some difficulty in identifying the areas of ridge, which are not notified but also have the same features.

15. We, therefore, find it appropriate that the Ministry of Environment, Forest and Climate Change (MoEFCC), appoints a Committee consisting of the following officials/officers, to work out the modalities

for identifying the said area which has similar 'morphological features' as that of a notified ridge and which needs to be protected as a notified ridge: —

- i) A senior officer of the MoEFCC, not below the rank of Joint Secretary.*
- ii) A representative of the Forest Department of the NCT of Delhi.*
- iii) A representative of the Geological Survey of India.*
- iv) A nominee of the Ridge Management Board*
- v) A representative of the DDA*

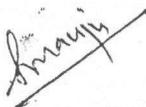
10. Subsequently, the Morphological Ridge has been notified and uploaded on the website: <https://evanlekh.eforest.delhi.gov.in/morocho.html>

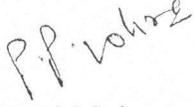
11. In light of these facts, construction on the subject property without obtaining the necessary approvals and without obtaining sanction from the Hon'ble Supreme Court would constitute a violation of the orders passed

12. by the Hon'ble Supreme Court, but also the **Delhi Preservation of Trees Act, 1995**, and the **Forest Conservation Act, 1980**

We respectfully request that no environmental clearance or construction permission be allowed in this area taking necessary approvals without following due process of law and without the permission of the Hon'ble Supreme Court. We look forward to your prompt action in this matter and request that we be informed of any decisions or developments regarding the same.

Thanking you,
Yours sincerely,


Manju Swaminathan,
President,
RWA, B-1, Vasant Kunj


Preeti Vohra
General Secretary
RWA, B-1, Vasant Kunj



Copy To,

1. ✓ **Ridge Management Board** Through its Chief Secretary, 2nd Floor, A-Block, Vikas Bhawan, IP Estate, New Delhi - 110002
2. **The Secretary**, Ministry of Environment Forest and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003.
3. **Government of National Capital Territory of Delhi**. Through Land & Building Department B Block, Vikas Bhawan, New Delhi-110002.
4. **Delhi Development Authority** Through its Vice Chairman Vikas Sadan, INA, New Delhi-110023
5. **Municipal Corporation of Delhi** Through its Commissioner 24th Floor, Dr. S.P.M. Civic Centre, Minto Road, New Delhi-100002
6. **The Chairman**, Delhi Pollution Control Committee, 4th & 5th Floor ISBT, GT Karnal Rd, Kashmere Gate, New Delhi, Delhi 110006

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Dy. No. 6214
Date 21/12/24
P.S. Vasant Kunj North
New Delhi

GOVT. OF N.C.T. OF DELHI
DEPARTMENT OF FORESTS & WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS (WEST)
WEST FOREST DIVISION: MANDIR LANE: NEW DELHI-110060
E-Mail: dcwest.nctd@gov.in

F.2(302)/DCF(W)/Offence Misc./2021-22/8145-47

Dated: 13/12/2024

✓ To,
The Station House Officer,
Police Station, Vasant Kunj, Nelson Mandela Marg,
Pocket-4, Sect-C, Vasant Kunj, New Delhi-110070.

Sub:- Complaint Regarding Forgery of Government Document and Impersonation w.r.t. issuance of fake permits for cutting trees.

I am writing this complaint to bring to your kind notice a serious matter of forgery of a government document and impersonation of a government official whereby fake permission of cutting of trees are being issued illegally.

I Deputy Conservator of Forest (IFS), West Forest Division, in the Department of Forest and Wildlife, GNCTD in my official capacity of Tree Officer is authorized to issue permission for the Felling/Transplantation/Pruning of trees under Delhi Preservation of Tree Act, 1994.

Recently, it has come to my attention that a certain individual/group is issuing fake permission for tree Felling/Transplantation/Pruning in the name of my office. I have attached a copy of the forged permission as proof of this fraudulent activity, which had been recovered from Rakesh Kumar Sharma, R/o 137, Jorbagh, Ludhi Road District South New Delhi-110003 at the aforesaid address. This illegal activity not only undermines the government's efforts to protect the environment but also poses a serious threat to public order. It is imperative to take immediate action to apprehend the culprits involved in this scam and to dismantle the network behind it.

I request you to kindly act on this issue urgently, take cognizance of this complaint and register an FIR u/s 173 of Bhartiya Nagarik Suraksha Sanhita (BNSS) against the unknown persons involved in this forgery and impersonation. I also request you to investigate the matter thoroughly and take necessary steps to arrest the culprits and bring them to justice.

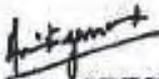
[Signature]
DEPUTY CONSERVATOR OF FORESTS
WEST FOREST DIVISION

Enclosures: Copy of the forged permission

ASE Ashok
[Signature]
SNO/V-K North
[Signature]

Copy to: -

1. The Conservator of Forest (HQ), Department of Forest and Wildlife, 'A' Block, 2nd Floor, Vikas Bhawan, I.P. Estate, New Delhi-110002.
2. The Deputy Commissioner of Police, (DCP), Basant Lok, Vasant Vihar, New Delhi, Delhi 110057.


DEPUTY CONSERVATOR OF FORESTS
WEST FOREST DIVISION

384/C

GOVT. OF N.C.T. OF DELHI
DEPARTMENT OF FORESTS AND WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
WEST FOREST DIVISION; MANDIR LANE; NEW DELHI-110060

No.F.2 (25)/DCF (W)/Legal/Supreme-Court/2024-25/10971-10973

Dated: 06/03/25

To,

The Deputy Conservator of Forests (P&M)
Department of Forest and Wildlife
Govt. of NCT of Delhi
'A' Block, 2nd Floor, Vikas Bhawan
I.P. Estate, New Delhi-110002

Sub:- Bhavreen Kandhari Vs. Rakesh Sharma and Ors Cont Petition (C) Diary No 57901/2024 in W.P. (C) in 4677/1985.

Ref:- No.F.1(2726)/Legal/HQ/2024-25/10123-26 dated 03.03.2025.

Sir,

This is for your kind information that the above cited matter is pending before the Hon'ble Supreme Court of India. The matter pertains to illegal construction/felling of trees in Khasra No. 1230/2, Sector-B, Pocket-1, Vasant Kunj, New Delhi.

After perusing the previous status reports dated 19.09.2024 and 23.10.2024 (annexed with the Cont. Petition) it has been found that the above said khasra no. does not pertain to the West Forest Division.

That it had come to attention of undersigned that a certain individuals/group was issuing fake permission for tree Felling/Transplantation/Pruning on the name of this office which had been recovered from Sh. Rakesh Kumar Sharma, R/o 137, Jorbagh, Lodhi Road, District-South, New Delhi-110003 at the aforesaid address as proof.

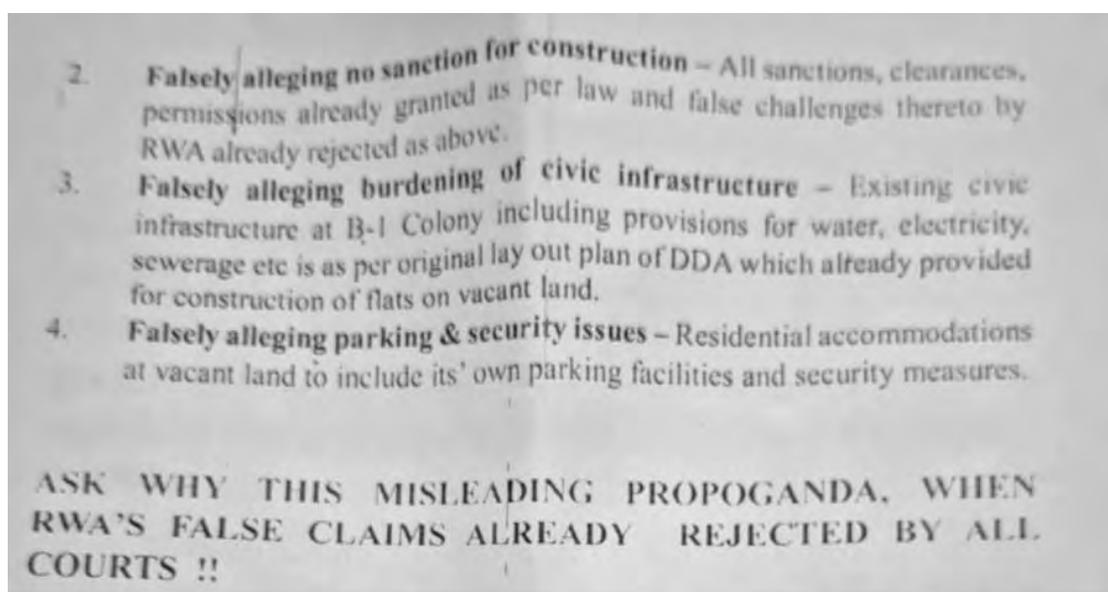
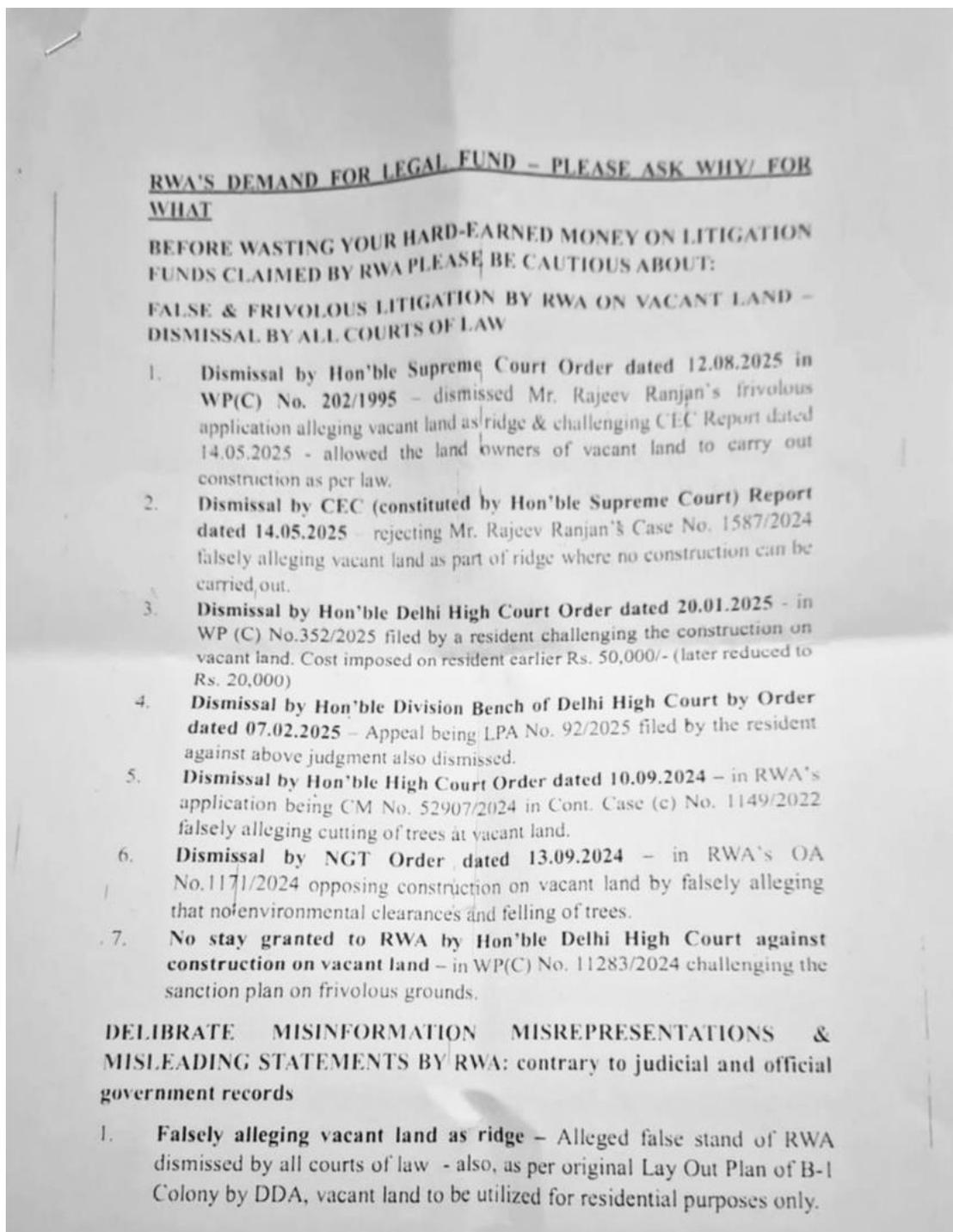
This office had written a letter on 13.12.2024 to Station House Officer (SHO), Police Station, Vasant Kunj to take cognizance of issue and register and First Information Report (FIR) under Section 173 of Bhartiya Nagarik Surkasha Sahinta (BNSS).

It is also to mention that a reply was received in this office on 17.02.2025 sent by Station House Officer (SHO), Police Station, Vasant Kunj, through Assistant Sub Inspector (ASI) information that the alleged forged permission is illegible. Further it is also to inform that the location cannot be found. During the interrogation the said Sh. Rakesh Kumar Sharma refused the allegation regarding forged permission and felling/damaging of trees. The Assistant Sub Inspector has requested original copy of forged permission to process the matter further otherwise the complaint shall be closed. It is also to mentioned that the same issue is sought by Central Empowered Committee (CEC) vide application No. 1587/2024 and the intimation of the same is already been sent on 03.03.2025 vide letter No.F.2(304)/DCF(W)/Tree Offence/ID-101/2024-25/10739-42.

Submitted for your kind information and further necessary action.


DY. CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)

Photographs taken on 21.09.2025 depicting the Pamphlets shared by M/s R.R. Texknit and its associates amongst the residents of B-1, Vasant Kunj



Stop Wasting Money on RWA's False Litigation!

⚠ Think Before You Pay!

Your hard-earned money is too precious to be squandered on **baseless and frivolous cases** repeatedly filed by the RWA & rejected by all Courts of Law.

✔ **Supreme Court** has dismissed Mr. Rajeev Ranjan's false claims & oppositions alleging ridge on the vacant land where no construction can be done.

✔ **Delhi High Court** has dismissed petition by a resident of B-1 Colony challenging sanction plan as illegal and imposed costs for false petition.

✔ **NGT** has rejected RWA's false objections alleging no environmental clearances & cutting of trees.

✔ **Expert body appointed by Supreme Court - CEC** has also turned down Mr. Rajeev Ranjan's false plea of ridge on vacant land & permitted construction as per law.

👉 Every forum has called out the **misinformation and false propaganda** spread by RWA.

👉 **No stay exists** from any court against construction on the vacant land.

👉 **All approvals and sanctions** are granted as per law & false objection against it already rejected.

💡 **Ask before paying:** Why is the RWA asking for more litigation funds when every case has been dismissed?

Beware of Misinformation – Don't Fund Lies!

✗ RWA's False Claims vs ✓ The Truth

- ✗ Vacant land is a "ridge" → ✓ Dismissed by Supreme Court, CEC & High Court.
- ✗ No sanction for construction → ✓ All legal clearances are in place & false challenges thereto rejected by Courts of Law.
- ✗ Burden on civic infrastructure → ✓ DDA's original layout already provided for residential flats even on vacant land with civic services planned & given accordingly.
- ✗ Parking & security issues → ✓ New residential flats include their own parking facilities & all security measures in place.



FACT: Every authority – Supreme Court, High Court, NGT, CEC – has rejected RWA's false propaganda on vacant land.

☞ **Don't let your money be drained in frivolous and useless litigation.**

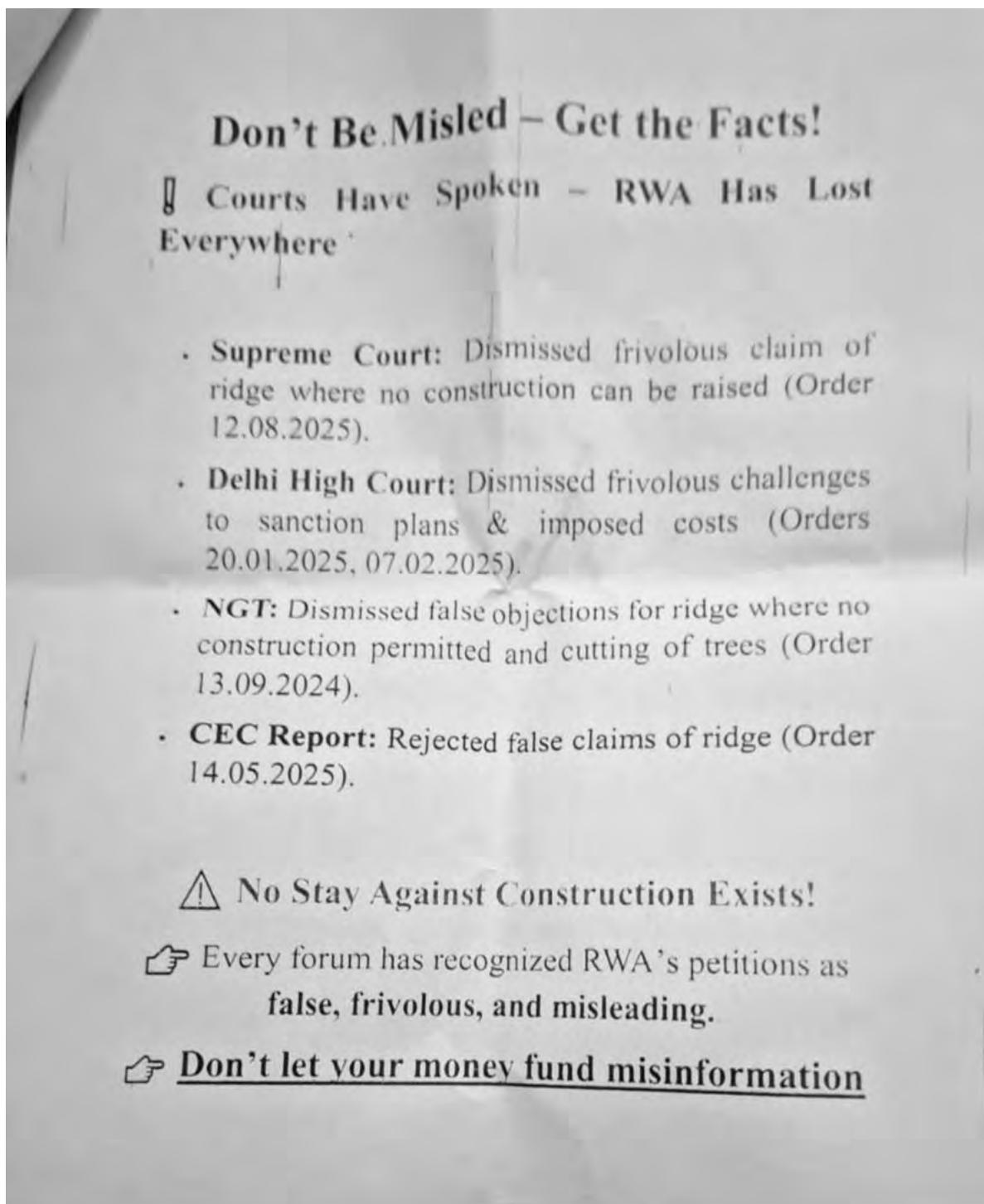
Residents – Protect Your Pocket!

- **Say NO to RWA's Litigation Fund Demands**
 - Courts have repeatedly dismissed RWA's false and frivolous litigations and petitions on vacant land.
 - Heavy costs imposed on residents for filing false cases.
 - RWA continues to mislead by spreading half-truths and fabricated allegations.

⑤ Your contribution towards "legal funds" is being wasted in:

- False claims of ridge land already dismissed by all Courts,
- False claims of no clearances declined by Courts,
- False claims of burden on infrastructure,
- False claims about parking.

⚡ **Don't pay for RWA's agenda – Demand accountability instead!**



Photographs taken on 21.09.2025 depicting M/s R.R. Texknit and its associates distributing the above shown pamphlets amongst the residents of B-1, Vasant Kunj





AGENDA FOR SCREENING COMMITTEE MEETINGScreening Committee Meeting No. 368Item No. 44:2019

File No: SA/SZ/HUPW/DDA/2014/SCM

Project Name/ Title: Incorporation of privately owned land in the approved Layout Plan of SFS Housing at Sector -B, Pocket-1, Vasant Kunj New Delhi in view of 'The Regulations for enabling the Planned Development of Privately Owned Land'.

SYNOPSIS - Proposal is for incorporation of privately owned land, khasra.No.1230/2 in the approved Layout Plan of SFS Housing at Sector - B, Pocket-1, Vasant Kunj New Delhi, in view of the case referred by Chief Engineer (HQ) South DMC and **Notification No. S.O.3249(E) dated 4th July 2018** regarding 'The regulations for enabling the Planned Development of Privately Owned Land'.

1.3 BACKGROUND:

- 1.1 As a part of the large scale acquisition, planning, development and disposal DDA prepared a scheme in the name of SFS Housing at Sector - B, Pocket-1, Vasant Kunj New Delhi, and got it approved from the competent authority on 21.12.1987. Due to non-acquisition of Khasra No.1230/2, in the revenue estate of village Mehrauli, measuring 3353.64 sq. m., DDA could not fully implement the scheme.
- 1.2 Since the land under reference remained unacquired and the area was denotified vide notification dated 20.08.1996, the owner of the unacquired property applied to MCD on 23.08.2008 for sanction of plans of group housing.
- 1.3 The Standing Committee of MCD rejected the request of the applicant on 23.12.2008 on the grounds that DDA has not issued NOC.
- 1.4 Applicant approached various courts, as per the details mentioned below: -
 - (i) The AT/MCD court vide Judgement dated 6.5.2010 and 7.12.2012, set aside the impugned resolution NO 902 dt 17/11/2009 of standing committee. (Refer Annexure-I)
 - (ii) The Hon'ble Adol. Session and District Judge in the matter of DDA Vs Rakesh Mahajan & Others in Appeal No.04/13 ID No.02406C0061392013 decided that no NOC is required for the development of privately owned denotified land. (Refer Annexure-II)



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- 1.5 The regulations for enabling the Planned Development of Privately Owned Land (Annexure-III) were notified vide Notification No. S.O.3249(E) dated 4th July 2018.
- 1.6 The applicant submitted plans to South DMC, South DMC after verification of documents referred the matter to DDA for incorporation of the said land in the approved layout plan.
- 1.7 The case was put up in the 367th Screening Committee Meeting vide Item No.23: 2019 dated 26.02.2019. The Agenda was withdrawn with the following observations :- (Refer Annexure-IV)
1. It was pointed out that while preparing the layout plan for the privately owned land in case of areas where layout plans are available or to be prepared all these cases have certain unique issues vis a vis variable plot sizes/shapes, unplanned development around such plots, accessibility for such plots landuse, either the road network already established is too narrow or in some cases, it has an accessibility for the existing planned development.
 2. It was also pointed out that in case of the facility corridor, no details/plans are readily available of the already developed plots with the Planning Department (sanctioned by concerned agencies). In addition, there are certain land parcels falling in the designated Green/ Recreational Areas as per the MPD-2021, which may also have specific issues, and required to be dealt at site conditions.
 3. The issue regarding the examination of proposal by the concerned ULBs w.r.t. the step I as per the SOP (i.e. verification from the Revenue records, its applicability etc.) has also not been provided.
 4. After detailed discussions and deliberations, it was decided that DDA shall only examine and limit its roles to external planning in case of already prepared Layout Plans. In case of pockets and land parcels, where no Layout Plan is available a set of some generic principles need to be formulated by Planning, Architecture and Landscape Departments. These Guidelines shall be put up and be placed in the next Technical Committee Meeting.
- 1.8 In view of the decision at 1.7(4) above a meeting was held in the chamber of VC, DDA and it was decided to put up all the cases for approval of Layout Plan, where an approved Layout plan already available/exists, in the next Screening Committee. All other compliance of statutory regulations notified with SO 3249 (E) dated 04.07.2018 alongwith fulfilment of all the requirements as laid down in the standard operating procedure for grant of permission for planned development of privately owned land issued by DDA and other charges shall be seen by the concerned MCD before the sanctioning of Building Plans.

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2.0 LOCATION:

The plot under reference forms part of the Integrated Housing Scheme of Sector-B, Pocket-1, Vasant Kunj and is irregular in shape. The Plot under reference is surrounded by built up DDA flats and is bounded as under.

North West	-	Parking, DDA housing, Lawn
South	-	13.0 M wide R/W road
East	-	13.0 M wide R/W road and Primary School
West	-	13.0 M wide R/W road

3.0 EXAMINATION:

- 3.1 DDA prepared a scheme in the year 1987 in the name of SFS Housing at Sector - B, Pocket-1, Vasant Kunj New Delhi, for planned development of area including the plot under reference, wherein a proposal for DDA 4 storied walkup housing is approved. Being a very old scheme, the details of approval of the scheme from SCM are not available in the office records.
- 3.2 The case of the applicant for approval of building is being processed in SDMC as per notification dated 4th July 2018. In view of the standard Operating Procedure issued by DDA, Chief Engineer (Bldg.) HQ, South DMC vide letter no. South DMC/D-618 dated 22.01.2019 has forwarded all the files pertaining to the case to DDA. (Refer Annexure-V)
- 3.3 The Law Officer/SDMC vide his note dated 12.9.18 in File No.02/LP/B/HQ/SDMC/2016 dated 26/10/2016 at page 10/N has stated that 'the ownership on the basis of Mutation indicated in the Khasra Girdhari dated 29.12.16 may be taken in order'. The latest report in this behalf should also be obtained from the Revenue Authority/Deptt., GNCD. (Refer Annexure-VI)
- 3.4 Director(Plg.)/NP vide P/Dir(Plg.) Narela/2018/24 dated 15.01.2019 & vide no. F15(12)2017-MP/PL-I/D-38 dated 18.2.2019 has issued the Minutes of meeting regarding implementation of regulations to enable the planned development of privately owned land notified on 4.7.2018. (Refer Annexure-VII)
- 3.5 As per standard operating Procedure (S.O.P.) the request for grant of permission for planned development of privately owned land is to be examined in two stages. In the first stage the applicant is to submit all the documents as listed in the S.O.P. and the same has to be examined by DDA/ Local body with respect to land details, land use as per Master Plan/Zonal Plan and use premises of the land with reference to the Layout Plans/Schemes of respective area, applicability of private land policy, verification of ownership of documents. NOC is to be conveyed to the applicant after the application is found in order subject to fulfillment of all statutory requirements. After examination the local body will forward the application to DDA for preparation of Layout plan. The owner submitted the documents in South DMC. Chief Engineer (Bldg.) HQ South DMC has forwarded the application to DDA.

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Meeting,
Committee

- 3.6 The site under reference forms a part of the integrated layout plan of S Pocket-1, Vasant Kunj. The Landuse of the plot is Residential. The plot is surrounded by 13.0 M R/W road on three sides.
- 3.7 Due to non-acquisition of the Plot under reference 60 no. of DDA flats, some part of green area, part of 13.0 M R/W road on the western side of primary school & part of parking could not be developed at site by DDA as per the approved layout plan.
- 3.8 Dy. Director (LM) south west zone vide letter dated 19.2.2019 has forwarded a copy of the part Layout Plan superimposing khasra no. 1230/2 village Mehrauli. (Refer Annexure-VIII).

4.0 PROPOSAL

- 4.1 The approach of the Group Housing at Sector-B Pocket-1 is from 24M road R/W in the North and Western side, 45M road R/W on the Eastern Side and 75M Road R/W in the Southern Side. The plot under reference forms an integral part of this pocket. Therefore, as per MPD the entire pocket along with plot under reference qualifies for Group Housing.
- 4.2 On the basis of the above report submitted by Dy. Director (LM) south west zone, Khasra No.1230/2, village Mehrauli has been incorporated in the layout plan of SFS Housing at Sector - B, Pocket-1, Vasant Kunj for Group Housing.
- 4.3 The proposal is subject to compliance of all the statutory regulations notified vide S.O.3249(E) dated 4.7.18 regarding 'The regulations for enabling the planned Development of Privately Owned land' and fulfillment of all the requirement as laid down in 'Standard Operating Procedure for grant of permission for planned development of privately owned land' issued by DDA and relevant provisions of Master Plan/UBBL-2016 before the sanctioning of the Building Plan by South DMC.
- 4.4 South DMC shall verify the area of the Khasra No.1230/2, village Mehrauli, its location, configuration, dimensions etc. from the concerned Revenue Department of Govt. NCT of Delhi / Delhi Municipal Corporation.
- 4.5 South DMC shall Levy all applicable charges.

5.0 FINANCIAL LIABILITY AND SOCIAL GAIN:

The proposal will generate Housing for the people.

6.0 RECOMMENDATIONS:

Since the present case is the first case being put up after notification of private land policy, therefore, the principles adopted in this case shall also be applied in other similar cases.

The proposal is put up before the screening committee for its deliberations and approval.

7.0 FOLLOW UP ACTION:

After approval of the proposal the owner shall deposit the processing fee and other charges as decided by DDA, thereafter a copy of the authenticated Agenda, Minutes of

for 4/5 9/2019 308: 4/1/2019

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Meeting, approved Plan along with copy of notifications, SOP and Minutes of Technical Committee shall be forwarded to:-

g.s/s
Vand

1.	Chief Engineer (Bldg) HQ South DMC	i) For taking necessary action with respect to regulations notified vide S.O.3249(E) dated 4.7.18 for 'The regulations for enabling the planned Development of privately Owned land' and 'Standard Operating Procedure' issued by DDA..
2.	Commissioner (Plg) DDA	
3.	L M Department DDA	
4.	Lands Costing Department DDA	
5.	System Department DDA	For uploading the approved plan in the web portal of DDA.
6.	Owner	For submitting an Affidavit and Indemnity Bond to DDA, stating that DDA shall not be party to any dispute arising at any stage with regard to the location, shape, size and ownership of the plot.

Meenu Mehrol
12/4/19
(Meenu Mehrol)
A.D. (Arch.)/SZ

Vijay Kumar Verma
12/4/19
(Vijay Kumar Verma)
D.D. (Arch.)/SZ

Mohan Chandra
12/04/19
(Mohan Chandra)
ACA-I. (South Zone)

DELHI DEVELOPMENT AUTHORITY
 CERTIFIED
 Approved in 368 Screening
 Comm. No. Meeting Dt. 22.4.2019
 Vide Item No. MU, 2019
 Sign. *Mohan Chandra*
 Name. Mohan Chandra
 Designation. ACA-I (S2)

DELHI DEVELOPMENT AUTHORITY
 HUPW-CO-ORDINATION UNIT
 Approved in 368 Screening
 Committee Meeting Dated 22.4.19
 Vide Item No. 44: 2019
[Signature]
 Dy. Director (Arch.) Co-ordn.

DELHI DEVELOPMENT AUTHORITY
 HUPW-CO-ORDINATION UNIT
 Approved in 370 Screening
 Committee Meeting Dated 17.6.19
 Vide Item No. 64: 2019 (Conf. of minutes)
[Signature]
 Dy. Director (Arch.) Co-ordn.

APPROVED MINUTES OF 370th SCM HELD ON 17.06.2019 AT 11.00AM in VIKAS SADAN

HUPW/140/C

140/C

	ISSUES	DISCUSSIONS/ RECOMMENDATIONS	REMARKS
61:2019	Confirmation of minutes of 368 th SC/M and 369 th SCM.	The Minutes of 368 th SCM held on 22.04.2019 and 369 th SCM held on 06.05.2019 were confirmed and approved. Note: In 368 th SCM, vide item no:44:2019 in place of file no: ACA-1/SZ/HUPW/DDA/2019 (1)/SCM it may be read as: SA/SZ/HUPW/DDA/2014/SCM	✓
62:2019	Utilisation plan of DDA land at Dheerpur Phase-I opposite Gandhi Vihar resettlement colony falling in Planning Zone-C, for proposed "Sewage Pumping station"(300 sq.m.) for Delhi Jal Board. File no.F.3(69)99-MP	The proposal was presented by Dir.(Plg.)C&G. After detailed deliberation the proposal as reflected in the agenda was Approved.	ACTION: 1.Dir.Plg.C&G 2.CE(NZ) 3.SE Elec.NZ 4.LM, NZ 5.LD deptt 6.LS Deptt 7.Hort. wing
63:2019	Part layout plan for providing 200 sq.m. plot for installation of online booster pump at IFC, Narela. File no.F.20(7)96-MP/Pt-1	The proposal was presented by Dir.(Plg.)NP. After detailed deliberation, the proposal as reflected in the agenda was Approved.	ACTION: 1.Engg wing civil 2.Engg. wing elect. 3.LD wing 4.DIB 5.Hort.Deptt.
64:2019	Proposed part layout plan for wholesale and warehousing plots at Integrated Freight After detailed deliberation, The proposal was presented by Dir.Plg.NP. the proposal as reflected in the agenda was Approved. Complex, Narela sub-city for utilization of vacant land. File no.F.3(01)2012-MP/Vol.II	The proposal was presented by Dir.(Plg.)NP. After detailed deliberation the proposal as reflected in the agenda was Approved.	ACTION: 1.Dir.Plg.NP 2.Engg wing 3.LD wing 4.Electrical wing
65:2019	Modification in the Layout plan of Sector-19(I) due to Sub Division of PSP plot measuring 25162 sq.m.approx. for carving out plots for State Bhawan/State Guest House. File no.F4(19)2006/Plg./Dwk./Ph-11/Pt.H	The proposal was presented by Dir.(Plg.)Dwk. After detailed deliberation, the proposal as reflected in the agenda was Approved.	ACTION: 1.Dir.Plg. Dwk 2.CE Dwk 3.SE Elect. 4.LD Wing

370th SCM

DELHI DEVELOPMENT AUTHORITY
HUPW-CO-ORDINATION UNIT
Approved in.....368.....Screening
Committee Meeting Dated.....22.4.19
Vide item No.....44:2019
Dy. Director (S. h.) Co-ordn.

DELHI DEVELOPMENT AUTHORITY
HUPW-CO-ORDINATION UNIT
Approved in.....370.....Screening
Committee Meeting Dated.....17.6.19
Vide item No.....61:2019 (Conf. Min & 369 SCM)
Dy. Director (S. h.) Co-ordn.

APPROVED MINUTES OF 368th SCM HELD ON 22.04.2019 AT 12.00 NOON

44:2019	Incorporation of privately owned land in the approved layout plan of SFS Housing at Sector-B, Pocket-1, Vasant Kunj New Delhi in view of "The Regulations for enabling the Planned Development of Privately Owned Land." File no. ACAI/SZ/HUPW/DDA/2019(1)/SCM	The proposal was presented by ACA(SZ). After detailed deliberation, the proposal as reflected in the agenda was Approved with the observations that the private land in question shall not be bounded by permanent physical barrier.	ACTION: 1.ACA-I(SZ) 2.CE(Bldg.) HQ south DMC 2.Commr(Plg) 3.LM Deptt 4.Land Costing Deptt 5.Systems Deptt
45:2019	Incorporation of privately owned land in the approved layout plan of SFS Housing at Sector-D, Pocket-1, Vasant Kunj New Delhi in view of "The Regulations for enabling the Planned Development of Privately Owned Land." File no. ACAI/SZ/HUPW/DDA/2019(1)/SCM	The proposal was presented by ACA(SZ). After detailed deliberation the proposal as reflected in the agenda was Deferred and it was directed to put up the item in the next SCM.	ACTION: 1.ACA-I(SZ) 2.CE(Bldg.) HQ south DMC 2.Commr(Plg) 3.LM Deptt 4.Land Costing Deptt 5.Systems Deptt
46:2019	Modified utilization plan of vacant land near AU Block, Pitampura along the proposed 40.40 m. Master Plan road RoW. File no. F.3(83)/2001/MP	Due to paucity of time the proposal could not be deliberated upon and it was directed that the item will be discussed in the next SCM	
47:2019	Community Centre at Sector 10, Dwarka. File no. F.39/SA(Dwk)/HUPW/DDA/Pl/S CM/017/	Due to paucity of time the proposal could not be deliberated upon and it was directed that the item will be discussed in the next SCM	

PLACED ON TABLE ITEMS

48:2019	Utilization plan of vacant DDA lands w.r.t. finalization of boundary of proposed Group housing vacant land measuring 4063 sq.m. approx. at Basant Village in residential land use as Zone-F under	Due to paucity of time the proposal could not be deliberated upon and it was directed that the item will be discussed in the next SCM	
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DELHI DEVELOPMENT AUTHORITY
HUPW-CO-ORDINATION UNIT
Approved in...
Committee Meeting Dated 17.6.19.
Page 6 of 7
Vide Item No. 6.1.2.2019 (Conf. of Min. St) 368 SCM
Dy. Director (Asst. n.) Co-ordn.

DELHI DEVELOPMENT AUTHORITY
CEP
Approved In...
Committee Meeting D. 22.4.2019
No. 441.2019
Mohan Chandra
Position ACA-I (SZ)

368thscm

Dy. Director (Asst. n.) Co-ordn.
 Video Item No. 441.2019
 Committee Meeting Dated 22.4.19
 HUPW-CO-ORDINATION UNIT
 Approved in...
 Screening

map etc



LAYOUT PLAN OF SECTOR B, PMF-2, VASANT KUNJ
 INDICATING PRIVATELY OWNED LAND, KHARSA AND
 1230/2, VILLAGE, MEJRAULI

09/08/2009 ACAT (52)

The sketch has been approved on the 24th 08/2009 vide
 item no. 4097 and on 24/08/09 with the observation
 that the detailed land acquisition plan has to be approved
 by concerned registered land office.

Plan of 1230/2 and the map
 with the above mentioned
 observations are placed
 for the record of the
 office.

09/08/2009 ACAT (52)

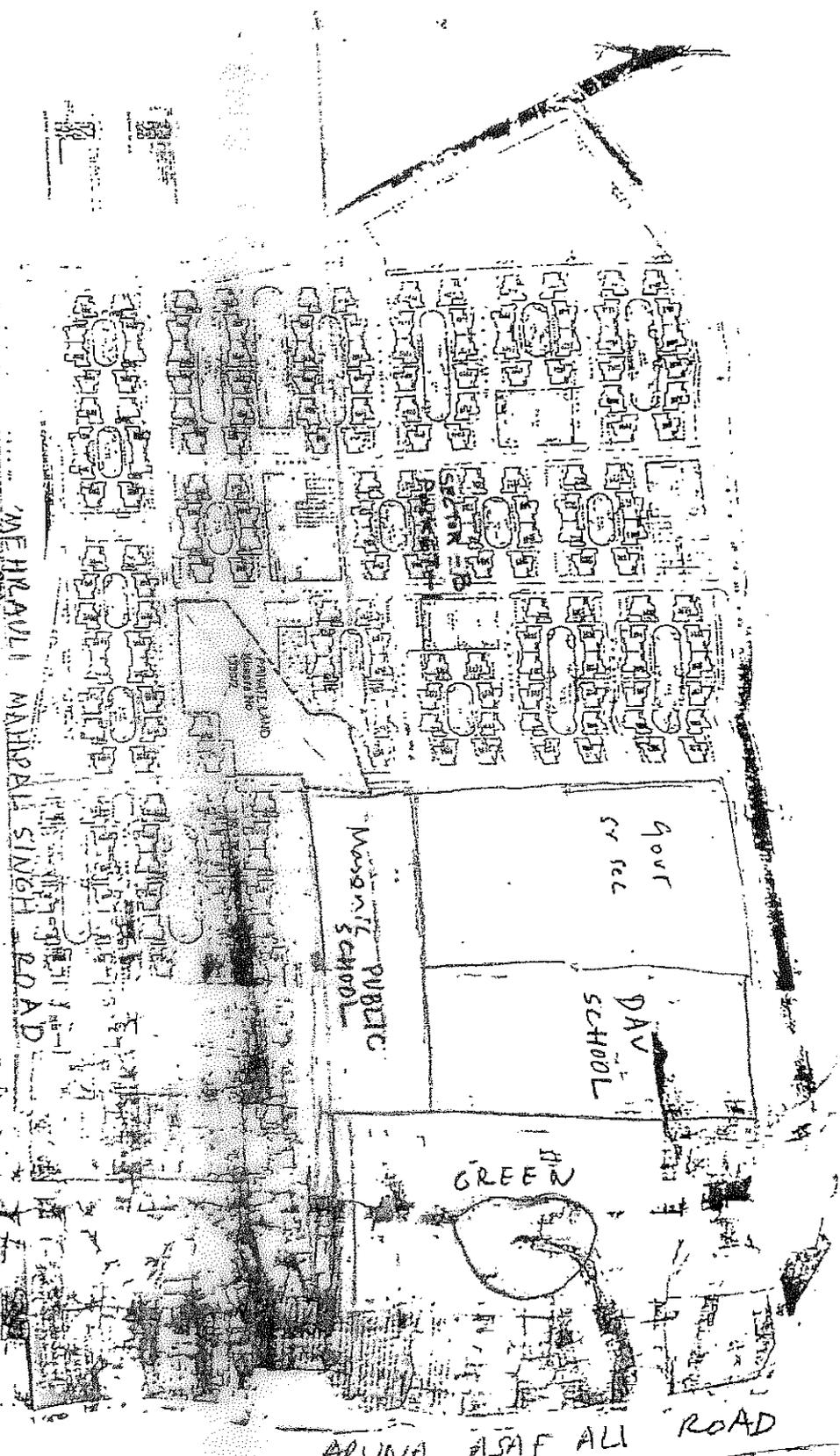
09/08/2009 ACAT (52)

09/08/2009 ACAT (52)

1. The proposed development is for a residential colony of 1000 units.
 2. The site is situated in the village of Mehrauli, District of Gurgaon, Haryana.
 3. The site is bounded by Aruna Asaf Ali Road to the North, Mehrauli Mahipal Singh Road to the East, and a private road to the West.
 4. The site is situated in the Zone of Residential Development (ZRD) as per the Gurgaon Master Plan, 2001.
 5. The site is situated in the Zone of Residential Development (ZRD) as per the Gurgaon Master Plan, 2001.

6. The site is situated in the Zone of Residential Development (ZRD) as per the Gurgaon Master Plan, 2001.
 7. The site is situated in the Zone of Residential Development (ZRD) as per the Gurgaon Master Plan, 2001.

MEHRAULI MAHIPAL SINGH ROAD



The site has been approved in the 1985-86 and 1986-87. The site is situated in the Zone of Residential Development (ZRD) as per the Gurgaon Master Plan, 2001. The site is situated in the Zone of Residential Development (ZRD) as per the Gurgaon Master Plan, 2001.

LAYOUT PLAN OF SECTOR-B, PRT-2, VASANT VIHAR
 INDICATING PRIVATELY OWNED LAND, KUSUMABA
 1230/2, VILLAGE, MEHRAULI
 (BY D/P/0000) ACAT (52)

ARUNA ASAF ALI ROAD

Scale etc

LAI D ON TABLE

Minutes of the Technical Committee Meeting held on 23.12.2019

ITEM No. 47/TC/2019

Subject: Applicability of Development Control Norms with reference to privately owned land in the approved layout plan of SFS Housing at Sector -B, Pkt.-I, Vasant Kunj in view of the regulations for enabling the planned development of privately owned land notified on 4th July 2018.

1.0 BACKGROUND:

1.1 "The Regulations for enabling the planned development of privately owned land" were notified on 4th July 2018.

1.2 In pursuance to the notification proposal of incorporation of privately owned land in the layout plan of SFS Housing at Sector B, Pkt.-1, Vasant Kunj was approved by the 368th Screening Committee Meeting held on 22.04.2019. The proposal contained in the agenda was approved with observations that privately owned land in question shall not be bounded by permanent physical barrier. The proposal approved by the Screening Committee was as follows:-

- (i) The approach of the Group Housing at Sector-B Pocket-I is from 24 M. road R/W in the North and Western Side, 45 M. road R/W on the Eastern Side and 75 M. road R/W in the Southern Side. The plot under reference forms an integral part of this pocket. Therefore, as per MPD the entire pocket alongwith plot under reference qualifies for Group Housing.
- (ii) On the basis of the above report submitted by Dy. Director (LM) south west zone, Khasra No. 1230/2, village Mehrauli has been incorporated in the layout plan of SFS Housing at, Sector-B, Pocket-I, Vasant Kunj for Group Housing.
- (iii) The proposal is subject to compliance of all the statutory regulations notified vide S.O. 3249(E) dated 04.07.2018 regardin 'The regulation for enabling the planned development of Privately Owned Land' and fulfillment of all the requirement as laid down in 'Standard Operating Procedure for grant of permission for planned development of private owned land' issued by DDA and relevant provisions of Master Plan/UBBL- 2016 before the sanctioning of the Building Plan by South DMC.
- (iv) South DMC shall verify the area of the Khasra No. 1230/2, village Mehrauli, its location, configuration, dimensions etc. from the concerned Revenue Department of Govt. of NCT of Delhi/Delhi Municipal Corporation.
- (v) South DMC shall levy all applicable charges.

2.0 EXAMINATION:

2.1 After the approval of the Screening Committee as a follow up action the owner was to submit an Affidavit and Indemnity Bond to DDA stating that DDA shall not be party to any dispute arising at any stage with regard to location, shape, size and ownership of the plot. The owner subsequently submitted Indemnity Bond vide letter dated 05.09.2019 and deposited an amount of Rs. 20,000/- (Twenty Thousand Only) as processing fees @ Rs. 10,000/- (Ten Thousand Only) per Acre subject to approval by the Ministry of Housing and Urban Affairs. The payment has been verified by Dy. CAO (PE), DDA dated 09.09.2019.

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2.2 The decision of the Screening Committee was conveyed to Chief Engineer (Bldg.) HQ vide letter No. F.No.ACA-I/SZ/HUPW/DDA/2019(4)/SCM/SDMC/D-02 dated 16.09.2019 for taking further necessary action by South Delhi Municipal Corporation.

2.3 The Chief Engineer. (Bldg.) SDMC forwarded the file on the subject seeking clarification regarding decision taken in the Screening Committee. The clarifications sought by SDMC is as follows:-

- 1) *It has been mentioned in the letter dated 16.09.2019 of DDA that the privately land under reference shall not be bounded by physical barrier. Being group housing project, the EWS & Community Services may also be part of Group Housing, therefore, it may be clarified by DDA that how this can be achieved without permanent physical barrier with the surrounding DDA Flats.*
- 2) *In the letter of DDA, it has been mentioned that the entire pocket B-1 qualifies for the Group Housing. However, it has not been clarified whether this individual plot under reference qualifies for Group Housing or not and whether it can be treated as an independent plot of Group Housing or no.*
- 3) *The plot under reference abuts the road which is 10.66 meter wide while as per MPD-2021, the minimum road width requirement for group housing is 18 meters. This needs clarification/relaxation from DDA. Moreover, the density of the Group Housing may be taken as per MPD-2021 or MPD-2001, has not been mentioned in the letter of DDA.*
- 4) *The plot under reference is part of the approved comprehensive scheme of DDA for pocket B-1, however, DDA has not provided the modified layout plan of the area. As per Private Land Policy dated 04.07.2018, the agency who has prepared the Layout Plan shall amend its existing layout plan. As such, DDA may be requested to provide a copy of the modified Layout plan of the area showing the boundaries and dimensions etc. of the plot under reference.*
- 5) *As far as height of the building is concerned, in this regard para 5.5 of the Development Control Norms of private Land Policy read as Under:
"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 developed control norms. The development of such land will 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".*

-16- 10/11

In the vicinity of the plot under reference there exists 3 stories flats constructed by DDA having height less than 15 meters. Whether the height more than 15 meters can be considered in the present case, may be clarified by the DDA.

- 6) In the letter of DDA, it has been mentioned that location, configuration, dimension etc. may be taken up from Revenue Deptt. In this regard, it is pertinent to mention here that the said land was shown by the DDA for development of DDA flats of Pocket B-1. Being the land for development of DDA flats, the Layout Plan of which was also approved by the DDA. Hence, the requisite clarification w.r.t. location, configuration, dimensions etc. be done by the DDA with the Revenue Department. As such, location, configuration, dimensions etc. be super-imposed along with the Khasras in the modified layout plan which may be done by the DDA.

2.4 Sr. Architect (South Zone) vide letter No. F.PA/Dir(Plg.)/Narela/2018/319 dated 09.12.2019 was requested to provide the clarifications on the issues raised by South Delhi Municipal Corporation as per Integrated Housing Scheme of DDA, Vasant Kunj, Pkt. B-1. Sr. Architect (South Zone) vide note No. SA/SZ/HUPW/DDA/2014/SCM/D-36, dated 17.12.2019 provided the following comments-

- (i) The private land under reference shall not be bounded by permanent physical barrier is the observation of SCM, referred in the letter. The EWS and community services may be provided as per the provisions of MPD.
- (ii) In para 4.1 under 'Proposal' it is mentioned that "the plot under reference forms an integral part of the pocket. Therefore, as per MPD the entire pocket along with plot under reference qualifies for Group Housing". Therefore, it cannot be treated as an independent plot of Group Housing.
- (iii) The entire pocket at Sector-B, Pocket-I is a Group Housing Plot which is bounded by 24 M. road R/W in the North and Western side, 45 M. road R/W on the Eastern side and 75 M. road R/W on the Southern side. The development controls norms shall be as per Clause 5.5 of the 'Regulations for enabling the Planned Development of privately owned lands' dated 4th July, 2018.
- (iv) The copy of the approved agenda, minutes along with the Layout plan of Sector-B, Pocket-I, Vasant Kunj incorporating, KH. No. 1230/2, Village Mehrauli were forwarded to Commissioner (Plg.). In the Layout Plan, tentative location of KH. No. 1230/2, is marked. As per Para-3 of Minutes of Meeting dated 15.01.2019 issued by Director (Plg.) NP, documents pertaining to ownership etc. may be got verified by the local body from Revenue Deptt., GNCTD.
- (v) The issue is regarding permissible Height of building. The statutory provisions of para 5.5 of 'the regulation for enabling the planned development of privately owned land' shall be complied. This issue is clarified in para 4.3 of the agenda.

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(vi) The issue is regarding location, configuration, dimension etc. to be taken up from Revenue Deptt. In this context it is clarified that as per Para-3 of Minutes of Meeting dated 15.01.2019 issued by Director (Plg.)NP documents pertaining to ownership etc. may be got verified by the local body from Revenue Deptt., GNCTD. After examination the same shall be forwarded to DDA for further necessary action for preparation of layout plans, alteration and addition etc.

3.0 PROPOSAL:

3.1 The issue regarding location, configuration, dimension etc. to be dealt by the DDA. The verification of ownership documents from the Revenue Deptt. is to be dealt by local bodies.

3.2 The matter regarding applicability of Development Control Norms and Height in this matter as per the Para 5.5. of the Regulations for enabling planned development of the privately owned land is placed before the Technical Committee for its deliberation.

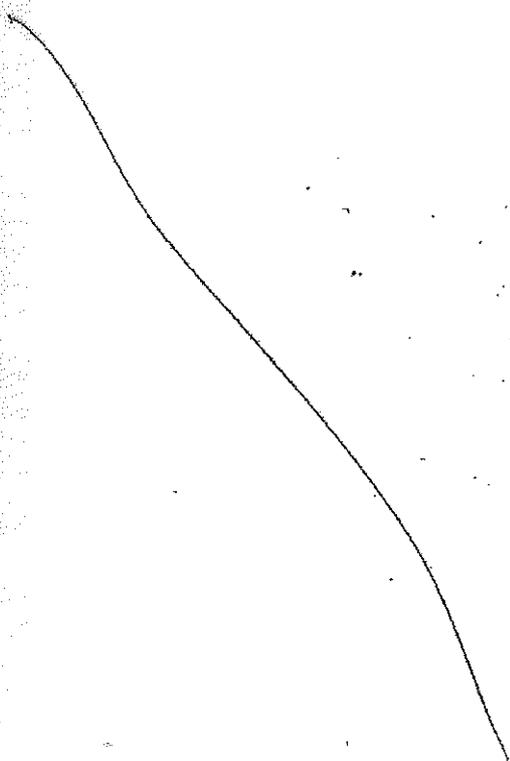
4.0 RECOMMENDATION:

The proposal contained in Para-3 above is placed for consideration of Technical Committee.

Addl. Commissioner (Plg.)-III

Dy. Director (Plg.)
Zone-F&H (part)

Asstt. Dir. (Plg.)
Zone-F&H/part



61

" DECISION "

<p>47/2019</p>	<p>Applicability of Development control norms with reference to privately owned land in the approval layout plan of SFS Housing at Sector - B, Pkt - I, Vasant Kunj in view of the regulations for enabling the planned development of privately owned land notified on 4th July - 2018.</p>	<p>The proposal was presented by Addl. Commissioner-III (Plg.). The members were informed that incorporation of the said private land in the already approved layout plan was approved in the 368th Screening Committee held on 22.04.2019.</p> <p>Further Chief Engineer Building SDMC has forwarded the file seeking clarification regarding decisions taken in the Screening Committee. The issues raised by SDMC were deliberated point-wise and the following was clarified.</p> <ol style="list-style-type: none"> 1. The said pocket under consideration is part of integrated layout plan of housing pocket and the access to the pocket is already defined as existing LOP. Therefore, circulation pattern of the existing layout has to be followed. Similarly, the owner of private land will also provide all the access as per the existing LOP. 2. The said plot u/r is part of existing integrated layout plan. 3. The same has already been clarified in point no.1. 4. As informed, the incorporation of private land (Kh. 1230/2), Village Mehrauli in the already approved layout plan of existing housing pocket is approved and has been forwarded to SDMC, along with approved minutes and agenda. 5. As per MPD-2021, in controls prescribed for group Housing, there is no restriction on height subject to clearance from AAI/ Fire Department and other statutory bodies. 6. It has already been mentioned in SOP for private land policy that location, configuration, dimensions shall be verified by the concerned ULB's from Revenue Deptt. GNCTD. <p>It was decided that the guidelines, SOP be forwarded to Ministry and LG Office. These guidelines may be updated from time to time as and when cases are put up in SCM and Technical Committee. The above points emerging from the aid clarifications may also be included in the SOPs/Guidelines.</p> <p>Further, it was deliberated and directed that SDMC may start the process for verification of Khasra and other documents simultaneously while examining the matter in detail.</p>
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DELHI DEVELOPMENT AUTHORITY
 MASTER PLAN SECTION
 Approved by: [Signature] Technical
 Committee Meeting Dt. 23.12.2019
 Vide Item No. 47/TC/2019
A. Madan
 Asst. Director
 Master Plan
[Signature]
 Asst. Director
 Master Plan

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

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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 आधारिक 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 कार्यकलाप 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 है। 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

Digitally signed by RAKESH
SUKUL
Date: 2018.07.04 20:52:13
+05'30'

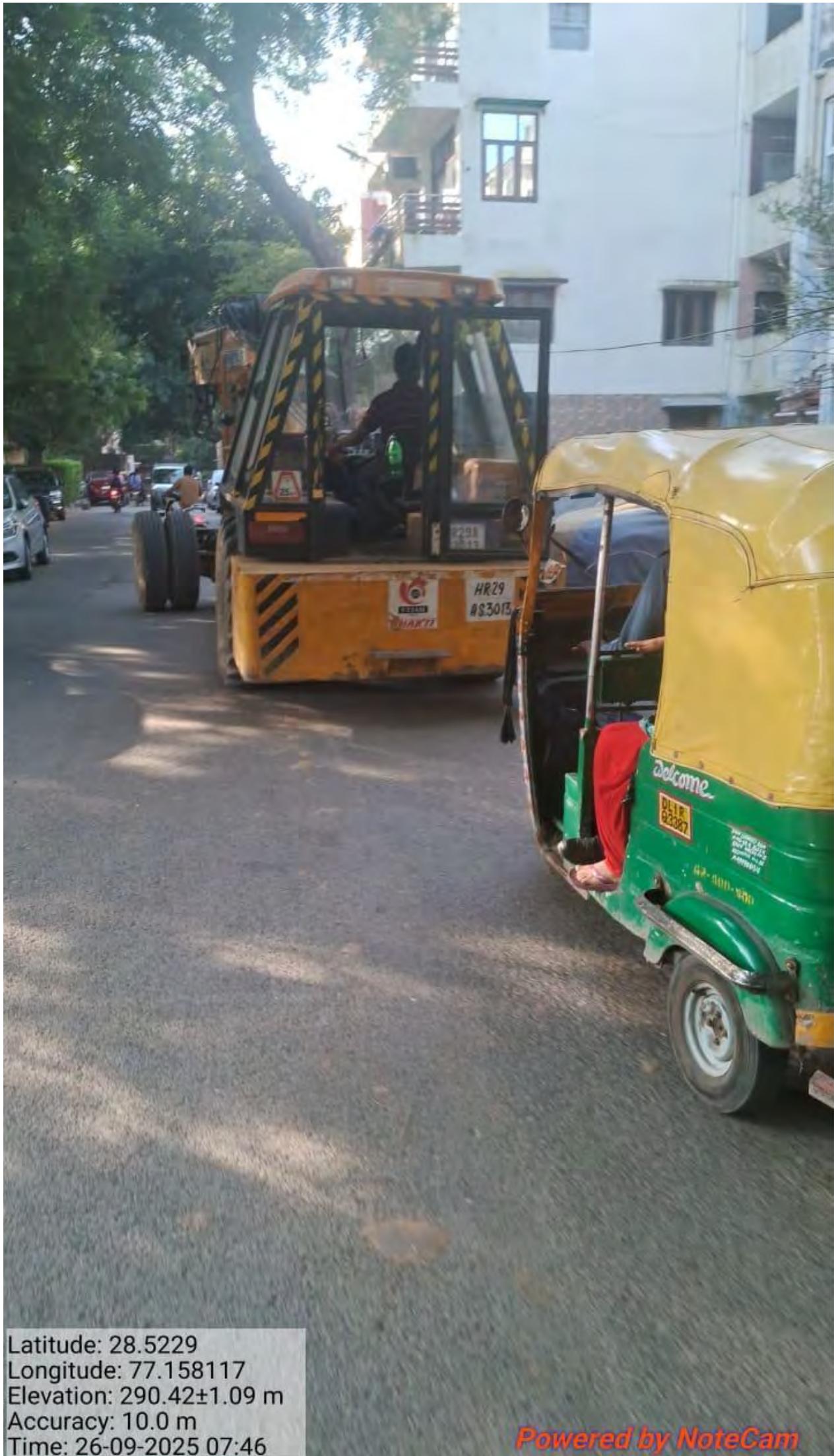
Photographs taken on 26.09.2025 showing traffic congestion owing to the work being undertaken by R.R. Texknit





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Accuracy: 36.33 m
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Powered by NoteCam



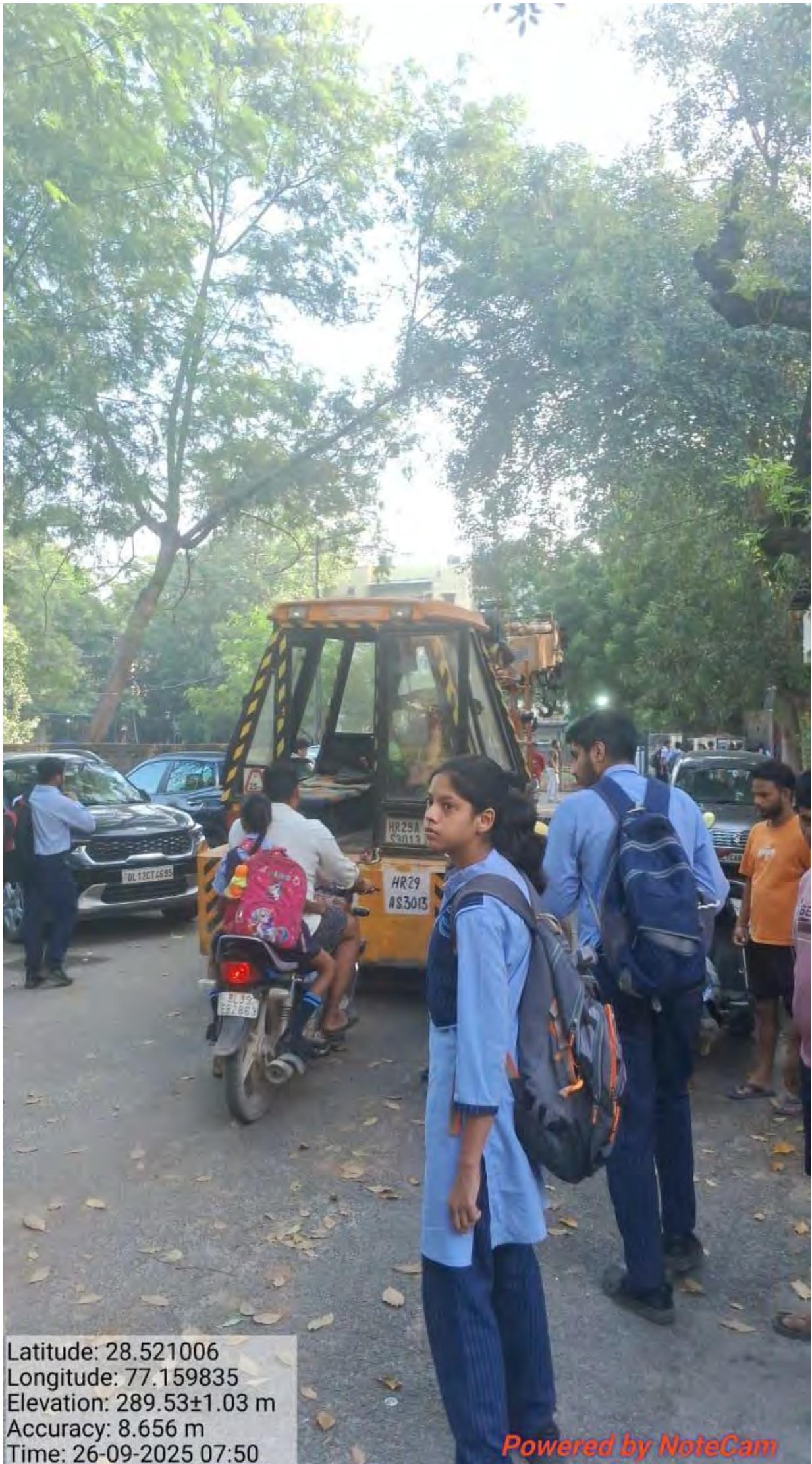
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Powered by NoteCam



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Powered by NoteCam



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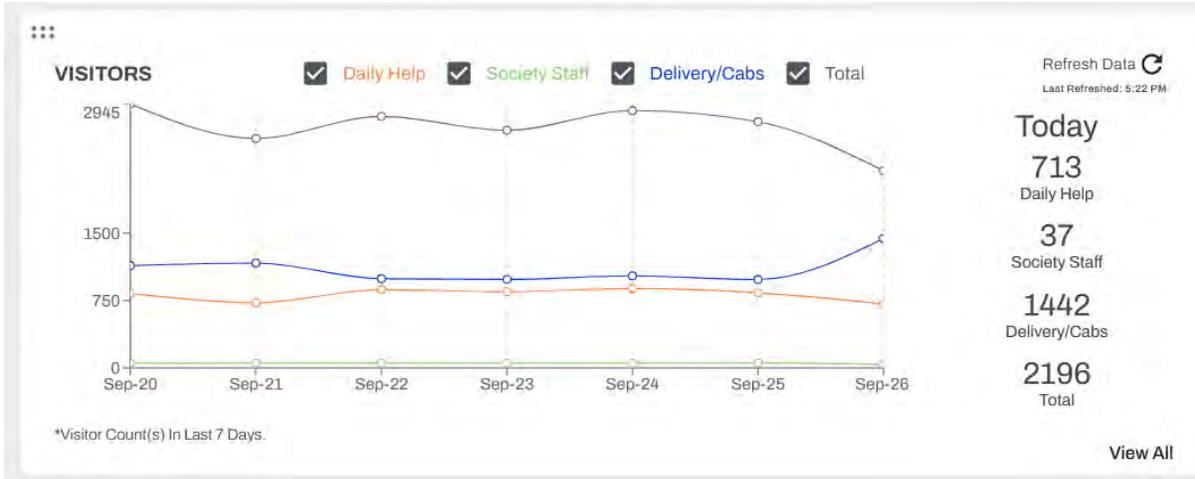
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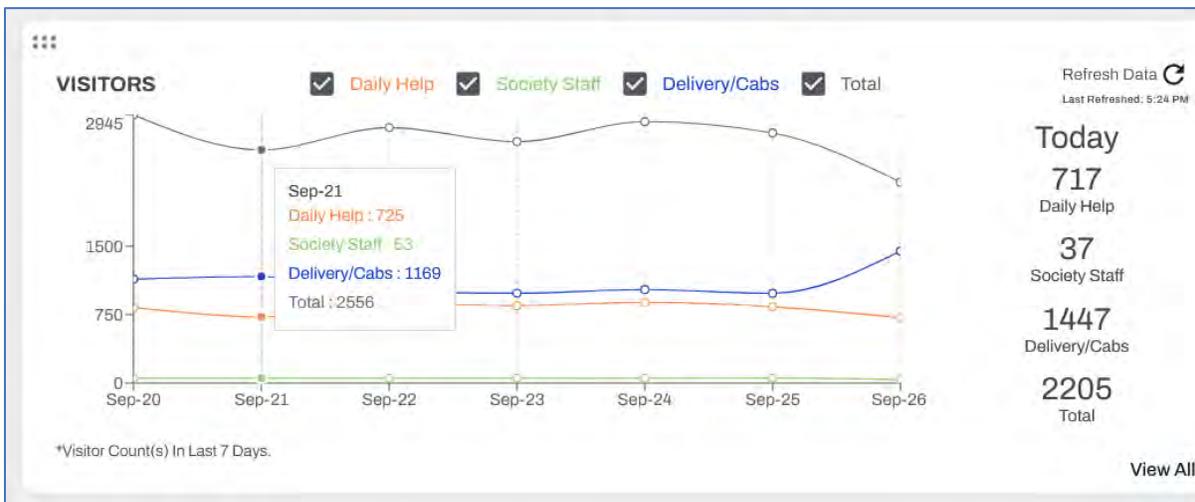


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1) Data snapshot taken on 26 September 2025 at 5:20 pm

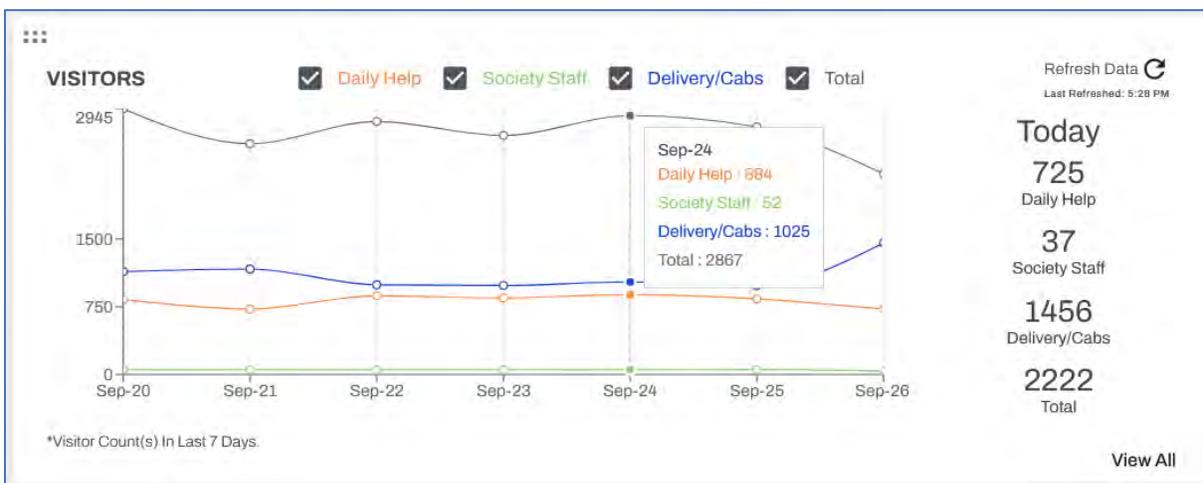
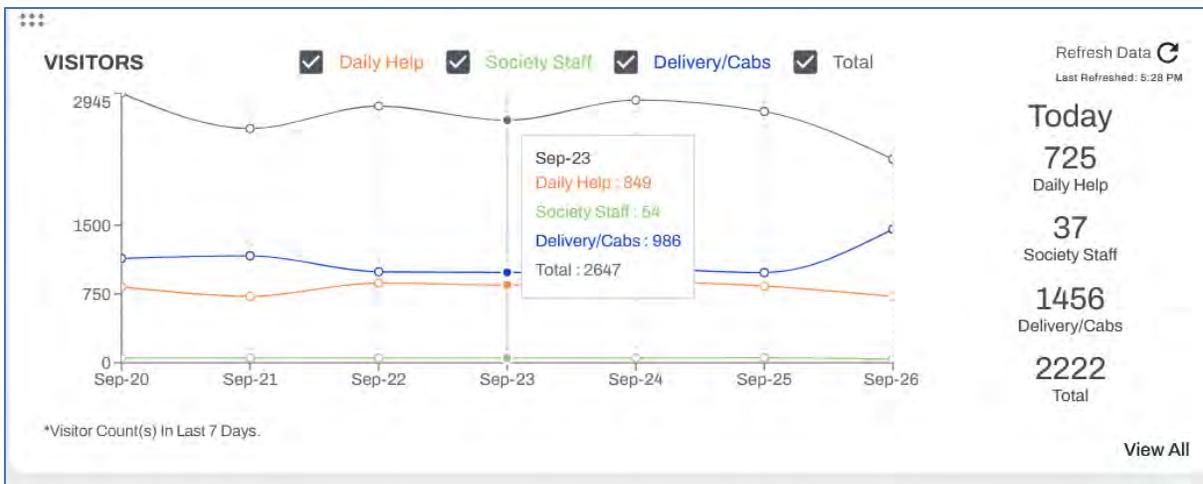
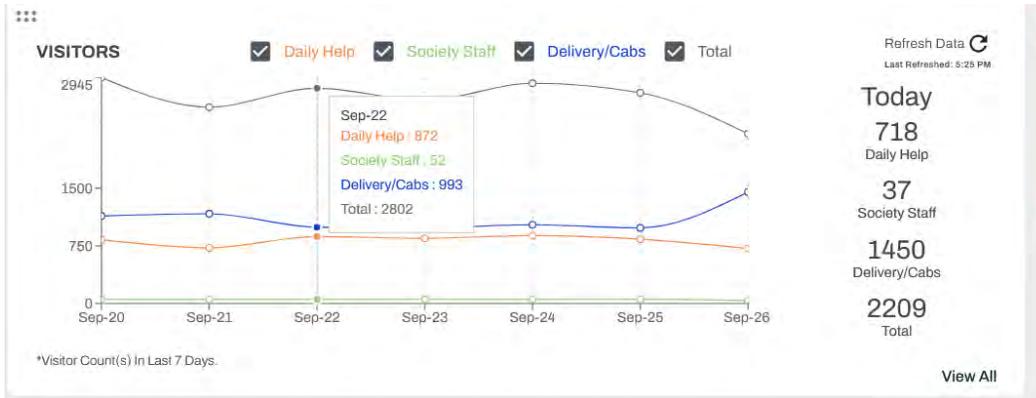
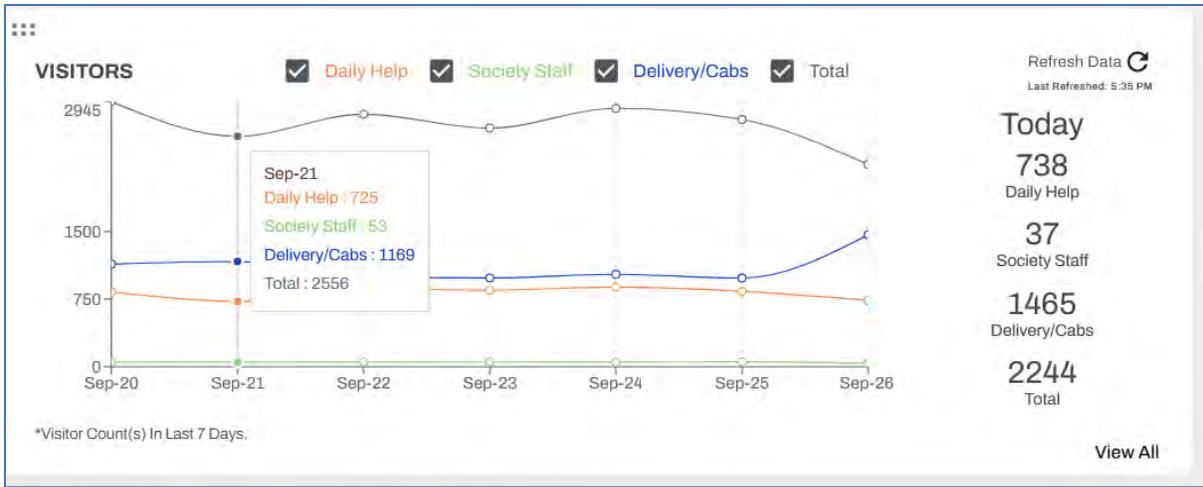


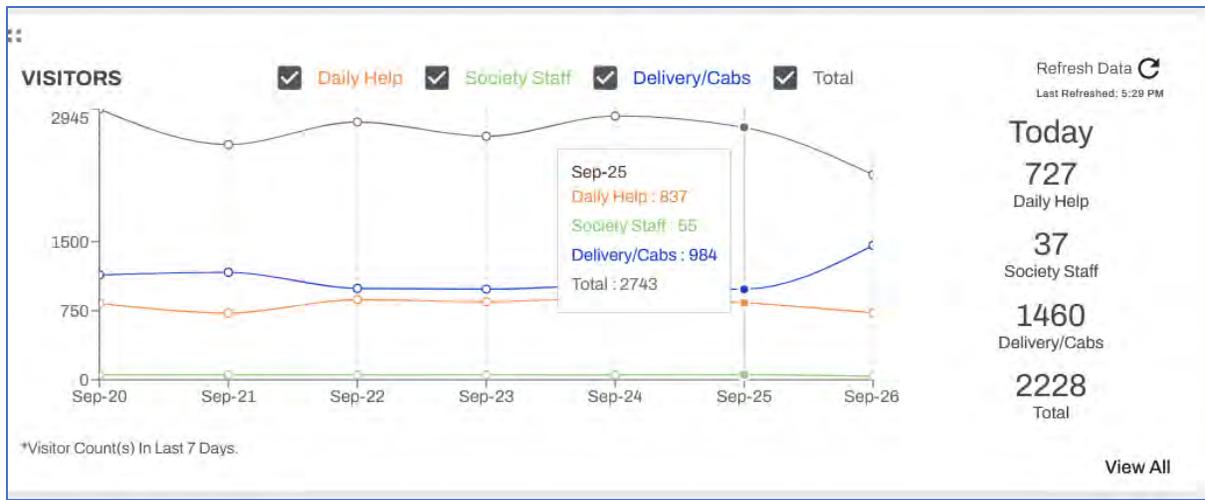
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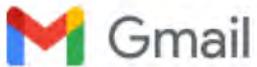


Category	Sep 20	Sep 21	Sep 22	Sep 23	Sep 24	Sep 25	Sep 27 (till 5:20 pm IST)
Daily Help	830	725	872	849	884	837	727
Society Staff	53	53	52	54	52	55	37
Delivery & Cabs	1139	1169	993	986	1025	984	1460
Total	2941	2556	2802	2647	2867	2743	228









ENVIRO LEGAL DEFENCE FIRM <eldflegal@gmail.com>

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

1 message

ELDF <eldflegal@gmail.com>

Sat, Sep 27, 2025 at 1:39 PM

To: rkhuranalegal@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>

Dear Sir,

Please find the attached copy of the **Rejoinder Affidavit** on behalf of Vasant Kunj RWA, Sector-B, Pocket-1. to the Reply filed by Respondent No. 5 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**
18409K