

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,

NEW DELHI

Original Application No. 73/2026

In the matter of

Jogha Singh & Ors.

...Applicant(s)

Versus

Government of National Capital Territory of Delhi & Ors.

...Respondent(s)

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Applicant

Through Counsel



Date 19.07.2026

Tarun Cummra, Ranjit Kumar

Place New Delhi

(ADVOCATES)

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REPLY / OBJECTIONS TO THE JOINT COMMITTEE REPORT

Most Respectfully Showeth:

1. At the outset, the Applicant respectfully submits that the Joint Committee Report, though confirming several material allegations raised in the Original Application, is incomplete, inconclusive and falls substantially short of the mandate assigned by this Hon'ble Tribunal vide order dated 30.01.2026. furthermore, the report itself establishes that large-scale illegal felling of trees has taken place without any permission under the Delhi Preservation of Trees Act, 1994 and identifies the owner of Manchanda Farm as the person responsible. These findings alone fully vindicate the Applicant's grievance and demolish the stand taken by the private respondents.
2. However, despite recording these serious violations, the Committee has failed to conduct a comprehensive investigation into the larger environmental issues involved in the present matter.

3. That the Committee has specifically recorded that **Khasra Nos. 100, 101, 102, 103 and 105 are classified as Forest Land**, whereas only Khasra No. 60 falls under Abadi Land. This finding is of enormous legal significance because any activity upon notified forest land attracts the rigours of the Indian Forest Act, 1927, the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, and the law declared by the Hon'ble Supreme Court in **T.N. Godavarman Thirumulpad v. Union of India**, wherein the expression "forest" has been given a wide interpretation irrespective of ownership. Surprisingly, after recording that the land is forest land, the Committee has remained completely silent regarding the legal consequences arising therefrom.
4. That merely mentioning that certain khasra numbers are forest land without examining their present status renders the report incomplete. The Committee ought to have clearly stated whether the entire forest land remains intact, whether any portion stands encroached, fenced, converted, levelled or otherwise occupied by private persons, and whether any permanent or temporary structures exist thereon. No such findings have been returned.
5. That equally significant is the fact that the Committee has not undertaken or annexed any **revenue demarcation** of the forest land. In absence of a proper demarcation conducted by the competent Revenue Authorities in the presence of the Forest Department, it is impossible to ascertain whether the illegal construction, boundary wall, farm activities or tree felling have actually taken place upon notified forest land. The report merely reproduces the statement of the Revenue representative without supporting it through a demarcation report, field book, GIS overlay or authenticated site plan. Consequently, the report fails to conclusively establish the exact location and extent of encroachment over forest land.

6. That the Committee has further failed to ascertain the total forest area comprised in Khasra Nos.100, 101, 102, 103 and 105. There is no mention of the total area under forest, the area presently under occupation of the project proponent or private respondent, or the area affected due to illegal activities. Such omission frustrates the very purpose of the investigation.
7. That another glaring deficiency is that the Committee has counted only the trees presently existing on the date of inspection and the visibly damaged trees. The report nowhere mentions the **original tree density** of the forest land prior to commencement of illegal activities. There is no comparison with previous satellite imagery, Forest Department plantation records, working plans, historical inspection reports or revenue records. Consequently, the Committee has not determined the actual number of trees lost over a period of time.
8. That the Committee has also failed to identify the approximate age, ecological value and environmental services rendered by the illegally felled trees. Mature Neem, Peepal, Gular, Siris and other native species require several decades to attain their existing girth. Merely directing plantation of 250 saplings cannot restore the ecological loss caused by destruction of mature trees. The report is completely silent regarding valuation of ecosystem services, biodiversity loss, habitat destruction and ecological compensation based upon the "Polluter Pays" Principle. Furthermore, the report is silent about the status of plantation of 250 trees. Further, Although the Committee has recommended imposition of ₹1,00,000/- per illegally felled tree. Report is silent about the status of such cost imposition. It is humbly submitted that the recommendation therefore remains vague and incapable of effective implementation.

9. That the Committee has also not examined whether the illegal felling continued **despite issuance of the Restraint Order dated 30.10.2025**, notices under Section 31 of the Delhi Preservation of Trees Act, repeated complaints through the Green Helpline, PCR calls and pendency of proceedings before the Tree Officer. If illegal activities continued despite these official directions, the matter clearly discloses deliberate, wilful and continuing violation of statutory orders warranting stringent action, including prosecution for contempt of lawful authority and environmental restoration.
10. That the report is further silent regarding the accountability of public authorities. It records that complaints were received as early as October 2025 and multiple inspections were carried out thereafter. Yet the report does not explain how illegal felling continued for months despite repeated complaints, restraint orders, PCR calls and departmental knowledge. There is no finding regarding departmental negligence, supervisory failure or dereliction of statutory duties by any officer. Such omission renders the report one-sided.
11. That the Committee has also failed to examine whether excavation, earth filling, levelling, construction activities and movement of heavy machinery caused damage to tree root systems and forest soil. Merely counting standing trees does not satisfy the environmental assessment contemplated by this Hon'ble Tribunal.
12. That likewise, no finding has been recorded regarding the effect of the illegal activities on groundwater recharge, natural drainage, biodiversity, avifauna or ecological connectivity. The report is therefore confined only to visible tree damage while ignoring the broader environmental consequences.

13. That the report further does not disclose whether the boundaries of the forest land have ever been notified, fenced or protected by the Forest Department, nor does it recommend any permanent measures for preventing future encroachments. Without such safeguards, there remains every likelihood of further degradation of the forest land.
14. It is respectfully submitted that the mandate issued by this Hon'ble Tribunal was not confined merely to counting trees. The Joint Committee was expected to place before this Hon'ble Tribunal a comprehensive factual status report covering the extent of forest land involved, encroachment, illegal occupation, environmental degradation, statutory violations and remedial measures. Instead, the report confines itself to partial observations while leaving several material questions unanswered.

PRAYER

In these circumstances, it is respectfully prayed that this Hon'ble Tribunal may be pleased:

1. To reject or treat the present Joint Committee Report as incomplete and direct the Committee to file a comprehensive supplementary report.
2. To direct the Revenue Department to conduct a fresh revenue demarcation of Khasra Nos. 100, 101, 102, 103 and 105 in the presence of the Forest Department and submit a duly authenticated demarcation report along with field book and GIS coordinates.
3. To direct the Forest Department to disclose the total forest area, existing tree inventory, historical tree cover, details of encroachments, constructions, damaged forest area, and complete ecological assessment.
4. To direct assessment of environmental compensation on the basis of actual ecological loss, restoration cost, biodiversity loss and the Polluter

Pays Principle instead of limiting the matter merely to compensatory plantation.

5. To direct removal of every encroachment, unauthorized construction and obstruction, if found existing upon the notified forest land, after proper demarcation.
6. To direct initiation of appropriate criminal and departmental proceedings against all persons responsible for illegal tree felling as well as against officials, if any, found negligent in preventing continuing violations.

जोगा सिंह

Applicant

VERIFICATION

I, the Applicant above named, do hereby verify that the contents of the above Reply/rejoinder are true and correct to my knowledge and belief and that nothing material has been concealed therefrom.

जोगा सिंह

Applicant

Through Counsel

Date 19.07.2026

Place New Delhi



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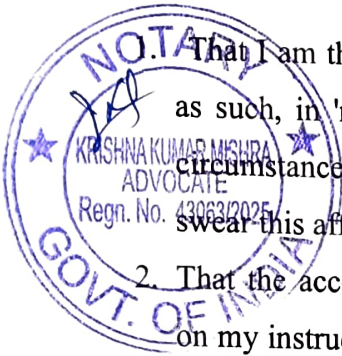
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Affidavit

I Jogha Singh, S/o Kartar Singh, aged about 77 years, R/o House NO. B-178 C, Ambedkar Colony, Post Office-Mehrauli, Chattar Pur, South Delhi, Delhi 110074, do hereby solemnly affirm and declare as under:



1. That I am the applicant in the aforesaid Original Application (OA), and as such, in my said capacity, I am well conversant with the facts and circumstances of the case leading to the present OA and competent to swear this affidavit.
2. That the accompanying reply/rejoinder has been drafted by my counsel on my instructions. The contents of the accompanying reply/rejoinder are true and correct to my knowledge.
3. That I have read over the contents of the accompanying reply/rejoinder and the same is true and correct and drafted on my instruction.

जोगा सिंह

DEPONENT

11 9 JUL 2026 Verification

Verified at New Delhi on ____ July 2026 that the contents of the above reply/rejoinder affidavit are derived from the official records and personal knowledge and are correct and true to the best of my knowledge and belief. Nothing material has been concealed therefrom.



जोगा सिंह

DEPONENT

I identify the deponent who has
Signed / put 'X' in my presence

Solemnly affirmed before me
Readover & Explained to the Deponent
who has signed before me.

A handwritten signature in blue ink, appearing to read 'KK Mishra', written over a horizontal line.

KRISHNA KUMAR MISHRA
NOTARY PUBLIC (DELHI)
GOVT. OF INDIA

11 9 JUL 2026