

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 175/2021

IN THE MATTER OF :

NAHARPUR RESIDENTS
WELFARE ASSOCIATION (REGD) ...APPLICANT

VERSUS

DEPUTY CONSERVATOR OF FORESTS AND TREE
OFFICER (NORTH) & ORS ...RESPONDENT(S)

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Dated: 16.10.2024

Delhi

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 WELFARE ASSOCIATION (REGD) ...APPLICANT

VERSUS

DEPUTY CONSERVATOR OF FORESTS AND TREE
 OFFICER (NORTH) & ORS ...RESPONDENT(S)

REPLY AFFIDAVIT ON BEHALF OF THE
RESPONDENT NO.1, DEPUTY CONSERVATOR OF
FOREST AND TREE OFFICER (NORTH),
DEPARTMENT OF FOREST AND WILDLIFE,
GOVERNMENT OF NCT OF DELHI

MOST RESPECTFULLY SHOWETH:-

I, Cheshta Singh O/a. MGICCC, Bakoli, Alipur – 110036 Aged about 35 years working as Dy. Conservator of Forests/Tree Officer at North Forest Division, Dept. of Forest & Wildlife, GNCTD do hereby solemnly affirms and state as under:

1. That I am working as Dy. Conservator of Forests/Tree Officer at North Forest Division, Dept. of Forest & Wildlife, GNCTD and I have been impleaded as Respondent No. 1 in the present case vide order dated 15.07.2024. I am well conversant with the facts of the present case on the basis of information derived from the official records maintained in regular course.



2. That I have filed the present reply in Compliance of order dated 15.07.2024 passed by the Hon'ble National Green Tribunal in this present matter.
3. That the present application has been remanded back to the Hon'ble National Green Tribunal in consideration of order dated 04.12.2023 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 5097/2021 titled as "*Naharpur Residents Welfare Association (Regd.) Vs. Deputy Conservator Of Forests And Tree Officer (West) & Ors*". Contents of the same are provided hereunder:-

"We, therefore, set aside the impugned order dated 23rd July, 2021 and remand Original Application No.175/2021 to the National Green Tribunal, Principal Bench, New Delhi, for fresh consideration."

"The learned counsel appearing for the appellant states that he will implead the intervenor - Mr. Ashish Mittal, as party respondent to the complaint."

4. That it is pertinent to mention that the present original application (i.e. O.A.No.175/2021) had already been disposed off by the Hon'ble National Green Tribunal, Principal Bench, New Delhi vide its order dated 23.07.2021 wherein the Ld. Tribunal had held as provided hereunder:

"2. We have heard learned Counsel for the applicant and do not find any valid reason to entertain the application for reasons that follow."

"5. In view of above, repeated applications in the same matter cannot be entertained but this order will not debar any



other remedy of the applicant in accordance with law. The application is disposed of accordingly."

5. That the applicant had approached the Hon'ble National Green Tribunal by way of an Original Application (O.A.No. 463 of 2019) filed earlier, wherein the applicant had asserted the allegation of apprehension of illegal felling of trees in village Naharpur, Rohini, Delhi and the same was disposed off by the Hon'ble National Green Tribunal vide its order dated 17.05.2019 with the following observation as provided hereunder:

"Grievance in this application is that there is apprehension of illegal felling of trees in village Naharpur, Rohini, Delhi inspite of orders of the High Court disallowing the same."

"If the applicant has such apprehension, it will be open to it to approach the Forest Department of the Delhi Government for appropriate action in accordance with law."

"The application stands disposed of."

6. That it is submitted that the primary grievance of the Applicant before the Hon'ble National Green Tribunal appears to be an apprehension of illegal felling/cutting of 500 trees in village - Naharpur, Sector - 7, Rohini, Delhi - 110085.
7. That it is submitted that it is only the apprehension of the Applicant that 500 trees are being fell/cut or permission for the same has been accorded by Respondent No.1 (i.e. Dy. Conservator of Forests (North), GNCTD). However, no such permission for large scale felling/cutting of 500 trees (as



alleged) has been given/accorded by Respondent No.1 (i.e. Dy. Conservator of Forests (North), GNCTD) at Naharpur, Sector - 7, Rohini, Delhi - 110085.

8. That it is submitted that on receipt of complaint of tree offence, official of North Forest Division (GNCTD) on 10.08.2023 visited and inspected the site i.e Plot No 97, Pocket E - 4, Sector - 7, Rohini, Delhi - 85. During the course of inspection it was observed that 01 (one) tree located at the offence site had been pruned illegally/without permission.

Copy of inspection report dated 10.08.2023 is annexed as Annexure - 'A'.

9. That it is submitted that consequently a Notice dated 27.10.2023 under Section 31 of the Delhi Preservation of Trees Act, 1994 scheduling a tree hearing on 08.11.2023 at 11 A.M was forwarded from the office of the deponent to one Mr. Sukhbir Singh Saini for tree offence of illegal pruning of 01 (one) tree located at Plot No 97, Pocket E - 4, Sector - 7, Rohini, Delhi - 85. Furthermore, during the course of tree hearing Mr. Sukhbir Singh Saini accepted that the offence of illegal tree pruning of 01 (one) tree was carried out by him and thereafter submitted a compounding affidavit along with a compounding fine of Rs. 20,000.

Copy of Notice under Delhi Preservation of Trees Act, 1994 dated 27.10.2023 along with Compounding Affidavit of Mr. Sukhbir Singh Saini is annexed as Annexure - 'B' COLLY.



10. That it is submitted that on receiving of complaint of Sh. Balram Saini on Green Help Line Portal vide CALLID20243343 official of North Forest Division (GNCTD) on 10.06.2024 visited and inspected the site i.e Plot No 97, Pocket E - 4, Sector - 7, Rohini, Delhi - 85. During the course of inspection it was observed that 05 (five) trees located at the offence site had been felled illegally/without permission.

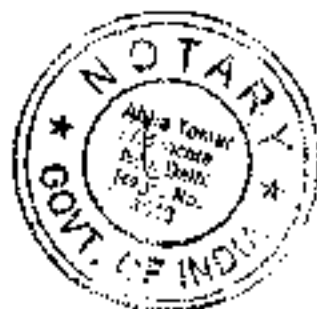
Copy of inspection report dated 14.06.2024 is annexed as Annexure - 'C'.

11. That it is submitted that consequently a Notice dated 25.06.2024 under Section 31 of the Delhi Preservation of Trees Act, 1994 scheduling a tree hearing on 02.07.2024 at 11:30 A.M was forwarded from the office of the deponent to one Mr. Sukhbir Singh Saini for tree offence of illegal felling/cutting of trees located at Plot No 97, Pocket E - 4, Sector - 7, Rohini, Delhi - 85.

Copy of Notice under Delhi Preservation of Trees Act, 1994 dated 25.06.2024 is annexed as Annexure - 'D'.

12. That it is submitted that, during the course of tree hearing Mr. Sukhbir Singh Saini accepted that the offence of illegal tree cutting of 05 (five) trees was carried out by him and thereafter submitted a compounding affidavit along with a compounding fine of Rs. 3,50,000.

Copy of order dated 10.07.2024 passed by the deponent along with Compounding Affidavit of Mr. Sukhbir Singh Saini is annexed as Annexure - 'E' COLLY.



13. That it is submitted that on receiving of complaint of Sh. Balram Saini on Green Help Line Portal vide CALLID20243455 official of North Forest Division (GNCTD) on 28.06.2024 visited and inspected the site i.e Plot No 94, Pocket E - 4, Sector - 7, Rohini, Delhi - 85. During the course of inspection it was observed that a Restraintment Order had already been affixed on the said property. Furthermore, it was observed that 16 - 18 trees on the said property Plot No 94, Pocket E - 4, Sector - 7, Rohini, Delhi - 85 had been illegally cut without any permission.

Copy of inspection report dated 01.07.2024 is annexed as Annexure - 'F'.

14. That it is submitted that consequently a Notice dated 16.07.2024 under Section 31 of the Delhi Preservation of Trees Act, 1994 scheduling a tree hearing on 23.07.2024 at 12:15 P.M was forwarded from the office of the deponent to (1). Mr. Rajender Sachdeva, (2). The Owner Plot No 94, Pocket E - 4, Sector - 7, Rohini, Delhi - 85, (3). Sh. Balram Saini (Complainant). However, none of the above appeared before the deponent for Tree Hearing dated 23.07.2024.

Copy of Notice under Delhi Preservation of Trees Act, 1994 dated 16.07.2024 is annexed as Annexure - 'G'.

15. That it is submitted that subsequently another Notice dated 09.10.2024 under Section 31 of the Delhi Preservation of Trees Act, 1994 scheduling a tree hearing on 23.10.2024 at 11:30 P.M was forwarded from the office of the deponent to (1). Mr. Rajender Sachdeva, (2). The Owner Plot No 94,



Pocket E - 4, Sector - 7, Rohini, Delhi - 85 (3). Sh. Ravinder, ASI, Police Station North, Rohini, Delhi - 85 (To present the owner of the said plot) (4). Sh. Balram Saini (Complainant).

Copy of Notice under Delhi Preservation of Trees Act, 1994 dated 09.10.2024 is annexed as Annexure - 'H'.

16. That it is submitted that the deponent has also forwarded a letter dated 14.10.2024 to the Station House Officer (SHO), Police Station North, Rohini, Delhi - 85 to lodge a FIR against the House Owner Plot No 94, Pocket E - 4, Sector - 7, Rohini, Delhi - 85 for illegal felling under section 8 of the Delhi Preservation of Trees Act, 1994, No appearance on tree hearing dated 23.07.2024 and violation of order dated 05.04.2024 passed by the Hon'ble National Green Tribunal in O.A.No.175/2021 (i.e. present case).

Copy of letter dated 14.10.2024 forwarded to the Station House Officer (SHO), Police Station North, Rohini, Delhi - 85 is annexed as Annexure - 'I'.

17. It is most respectfully and humbly stated that the deponent of the present reply affidavit has the utmost regard and respect for the majesty of the Hon'ble Court and has in the past, as also in the present instance done and will continue to do everything in its power to ensure compliance of the directions issued by this Hon'ble Court.

PRAYER

In view of the above stated facts, circumstances and averments made by the deponent it is hereby most



respectfully prayed that this Hon'ble Tribunal may kindly be pleased to:

- A. Dismiss and dispose of the present application filed vide O.A.No.175/2021 as the same is merely based on alleged apprehension of the applicant and no such permission for felling of 500 trees at Naharpur, Rohini, Delhi - 85 has ever been accorded by the deponent. Furthermore, if the applicant has such apprehension, it will be open to it to him to approach the Forest Department of the Delhi Government for appropriate action in accordance with law
- B. Pass any other order as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

Dated: 16.10.2024

Delhi


DEPONENT

VERIFICATION

16 OCT 2024

Verified at New Delhi on this 16th day of October that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

*Abhishek D/8477/19
Notary has witnessed & signed in my presence*



Certified that the foregoing statement was declared in solemn affirmation before me which has been read over to the deponent who has admitted

to be correct

Notary, DE.


DEPONENT

16 OCT 2024

सेवा में,

उपवन संरक्षण (30)
वन विभाग दिल्ली सरकार MGICCC
वॉकोली दिल्ली - 110036

विषय - अवैध रूप से पेड़-छाड़ों के संवर्धन में,

महोदय जी,

उपरोक्त विषय में आपका कार्रवाई कराना है कि आप

दिनांक 09/08/23 को निम्नलिखित हेतु प्लॉट NO. 97, Pocket E4,
Sector-7 रोहीनी मंडला, वहाँ में पाया की एक पीपल के
छत्र की गारी भागा में छाड़ों बिड़े हुई थी। जिसकी परिधि लगभग
35 से 40 cm है। वहाँ पर आस-पास पुष्पतापा में
आप्लॉट के मालिक का नाम पता चला। प्लॉट के मालिक
का नाम श्री सुखवीर सिंह सैनी व Mob. 8750990222 है।
महोदय BPTA -1994 के अंतर्गत धारा 8/24 के तहत यह
छत्र अपराध बनता है यह रिपोर्ट दिल्ली वन विभाग (N)
दिल्ली सरकार से प्राप्त हुई थी, जिसका मैंने मॉक
परिष्कार निम्नलिखित विधा में सुखवीर सिंह सैनी का विवास स्थान
H.No-28 गौरीपुर Sector-7 रोहीनी
110085

1. मोरें नाम स्थान है

Vikas S/o L. L. Ram (F-6)

Dated 10/08/23. Vikash



Handwritten signature



GPS Map Camera
New Delhi, Delhi, India
99, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.706972°
Long 77.116837°
08/08/23 01:52 PM GMT +05:30
Google



GPS Map Camera
New Delhi, Delhi, India
99, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.706972°
Long 77.116837°
09/08/23 01:51 PM GMT +05:30
Google



GPS Map Camera
New Delhi, Delhi, India
99, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.706963°
Long 77.116813°
09/08/23 01:53 PM GMT +05:30
Google



GPS Map Camera
New Delhi, Delhi, India
99, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.706973°
Long 77.116839°
09/08/23 01:51 PM GMT +05:30
Google



GPS Map Camera

New Delhi, Delhi, India
99, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.706972°
Long 77.19885°
09/05/23 01:53 PM GMT +05:30

Google



GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILD LIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR, NEW DELHI-110036

No.F.158/DCF(N)/Tree Offence/2023-24/ 7007

Date:

27/10/2023

NOTICE UNDER DPTA, 1994

Whereas, it has been alleged that a tree offence has been committed by illegal pruning of tree located at plot no.97, E-4, Sector-7, Rohini, Delhi-110085 without permission, which is violation of Delhi Preservation of Tree Act, 1994.


And whereas, the statement/presence of the person (s) this notice addressed to are required to find out the factual position and to determine the extent of offence according to its merit.

Now, therefore, I, **DY. CONSERVATOR OF FORESTS (NORTH)**, Tree Officer, as empowered u/s 31 of Delhi Preservation of Trees Act, 1994 call upon you to appear before me on ...2.11.23... at...11.00... A.M. in the office of Dy. Conservator of Forests cum Tree Officer, North Forest Division, MGICCC, Alipur, Bakhawarpur Road, Bakoli, Delhi-110036, in event of failure to appear, legal action will be initiated against concerned and the matter would be proceeded ex-parte. *As per section 136, CrPC, non-compliance of this notice will attract penal provisions u/s 188 of IPC.*

To,

1. Sh. Sukhbir Singh Saini (MOB:8750990222) R/o HNo. 28, Naharpur, Sector-7, Rohini, Delhi-110085 with direction to appear before the undersigned.

o/c


Tree Officer & DCF
(North Forest Division)

COMPOUNDING AFFIDAVIT

I, Sukhbir Singh Seini s/o
65 ,/o No 28 Naharpur Sec-7 Rohini
Delhi - 85 Age

Do hereby solemnly affirm and declare as under:-

1. That the cutting/damage of 01 nos. of tree/ trees without permission at D 97 Sec-7 Rohini E-4 by us.
2. I say that hereby agree to compound the said offence case and pay admissible fines as may be imposed under the Delhi Preservation Tree Act, 1994. I am ready to pay the compounding fee/fine of Rs. 20,000/- imposed on me.
3. I say that sworn this affidavit is in order to produce to the forest authority.

S Seini

DEPONENT

Verification:

Verified at New Delhi on this 8th day of Nov 2023

S Seini

DEPONENT

T.R.No. - 75
Date -> 18/12/2023



सेक्टर 7, रोडिंगी - 110085.
SECTOR-7, RDINGI-110085.
RTGS/NEFT/PAC CODE BARBOTRDNAH
21180015181192

दिनांक DEMAND 22 11 20 23
द्राफ्ट DRAFT D D M M Y Y Y Y

मैंने जारी कर **Dr. Conservator of forest (North)** — X — X — X — या चुनने आदेश पर
On Demand Pay Or Order

रुपये **Twenty thousand only** — X — X — X — X — X —
Rupees

₹ **20000/-**

मूल्य प्राप्त हुआ / FOR VALUE RECEIVED
*** Not Over INR. 20000.00 ***

Purchaser Name: **Sukhvive Saini**
Service Bt Delhi
(SERDEL)

कुते बैंक ऑफ बड़ोवा
for Bank of Baroda
for/4 file
Below Reserve
संयुक्त प्रबंधक / Joint Manager
शाखा प्रबंधक / Branch Manager

अदाकारी शाखा / Drawee Branch
DD/2413/UF
BPRE 02 ALPHA CODE
T R D N A H

हस्ता. / SS NO. () हस्ता. / SS NO. ()

सेवा में,

श्रीमान डिप्टी कन्सुलर वन (उत्तरी)

वन विभाग खण्ड, एमजी. हाई.

बकौली, डलीपुर, नई दिल्ली - 110036

विषय:- पत्र सं. / स्फ. 158 / डी.सी. स्फ. (स्न) / Tree offence / 2023-
24 / 7163 दिनांक 25/11/2023 के संबन्ध में पत्र।

मान्यवर,

सर्विनय निवेदन यह है कि मेरे पुत्र ने प्लॉट न E/4/97
सेक्टर-7 रोडिणी दिल्ली-85 प्लॉट में पीपल के ट्री की कुछ
टहनियां काट दी थी। जिसके सम्बन्ध में वन विभाग द्वारा मुझ
पर जुर्माना लगाया है। मैं आज दिनांक 24/11/2023 को DD No
104014 दिनांक 22/11/2023 के अनुसार अपना जुर्माना अदा
कर रहा हूँ।

धन्यवाद सहित,

दिनांक 24-11-23

TS
[Signature]

प्राची
[Signature]
सुरवीर सैनी पुत्र स्व.
श्री खजान सिंह सैनी
मन-28 नाहरपुर सेक्टर-7
रोडिणी दिल्ली-85
फोन-8750990222



17
102
INSPECTION REPORT

ANNEXURE - 'C'

8/C

This is to inform you that I AKASH, SARSHWATI VEHAR, DEAT (Name of I/O, Beat and Range), Inspected the below mentioned area as per information received from _____
Related to the offence committed under DPTA, 1994.

1.	Name of Inspection Officer	AKASH
2.	Date of Inspection	10/06/2024
3.	Time of Inspection	12:40 PM
4.	Location of Offence	Plot No- 97, Pocket E-4 Sector-7 Rohini - 85
5.	Geo-Coordinates of the Offence Location	Lat - 28.706938° Long - 77.116812°
6.	Type of Offence	Felling Tree
7.	No. of Trees Damaged	5
8.	Color Photographs of Damaged Trees with Geo-Coordinates	Attached
9.	Alleged Offender Name & Address (Individual) To whom notice under DPTA 1994 may be issued for investigation of this case	Name - Sukhbir Singh Saini Mob - 8750990222 Add - H.No - B-28, Pocket E-4, Sector-7 Rohini - 85
10.	Alleged Offender Name (Civic Department) To whom notice under DPTA 1994 may be issued for investigation of this case	_____
11.	Name of the Complainant & Address, (If Any)	Balsram Saini Mob - 9910266994
12.	Statement of Witness, (If Any)	N.A



TOL
CB
116.

13. Description of site visit in detail:

महोदया जी,

उपरोक्त विषय में आपको अवगत कराना चाहता हूँ। कि मुझे Green help line पोर्टल से CALLID 20243343 से शिकायत प्राप्त हुई जिसमें पेड़ों को काटे जाने की शिकायत थी जब मैं मौके पर जाकर निरीक्षण किया तो देखा की वहां पर 5 पेड़ों को काट दिया गया है जिसमें 5 अलग-2 प्रजाति के पेड़ शामिल है - 1 - बरगद , मोटाई - 100-120cm

1 - गुलर - मोटाई - 70-80 cm लगभग

1 - बकैत - मोटाई - 65-70 cm लगभग

1 - पिपल - मोटाई - 90-110 cm लगभग

1 - मरोड़ फली - मोटाई - 40-50 cm लगभग

(मरोड़ फली की दो शाखाएं हैं) जो 30-40 cm लगभग मोटाई के हैं

किसी प्रकार के भवत निर्माण कार्य के लिए पेड़ों को काटा गया है।

DPTA की अधिनियम 8/24 के तहत कृषि अपराध बताया है। अतः गव. ब्लॉक मालिक को Notice भेज कर स्पष्टीकरण मांगा जा सकता है।

I.O. की रिपोर्ट मुलाक मोके पर 5 पेड़ों का वृक्ष अपराध पाया गया है जोकि

Forwarded to:

DPTA 1994 के तहत आरोपी को Notice

बेफकत अग्रिम कार्यवाही करने हेतु रिपोर्ट प्रस्तुत है। इसके शिकायतकर्ता व आरोपी दोनों को नोटिस भेजा जा सकता है। रिपोर्ट प्रस्तुत है।

आम्काश

Handwritten signature

NAME & SIGNATURE OF I/O
DATE: 14/06/2024
NORTH FOREST DIVISION

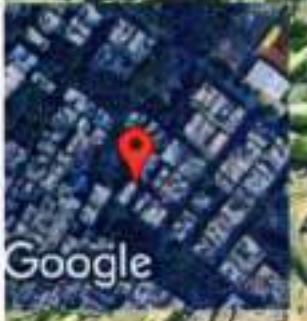
Handwritten signature
14/06/24
forester (W)

DCF (N)

गेट के सामने
गाड़ी खड़ी करना
खतरे का कारण बनता
सस्ता मजरा है।

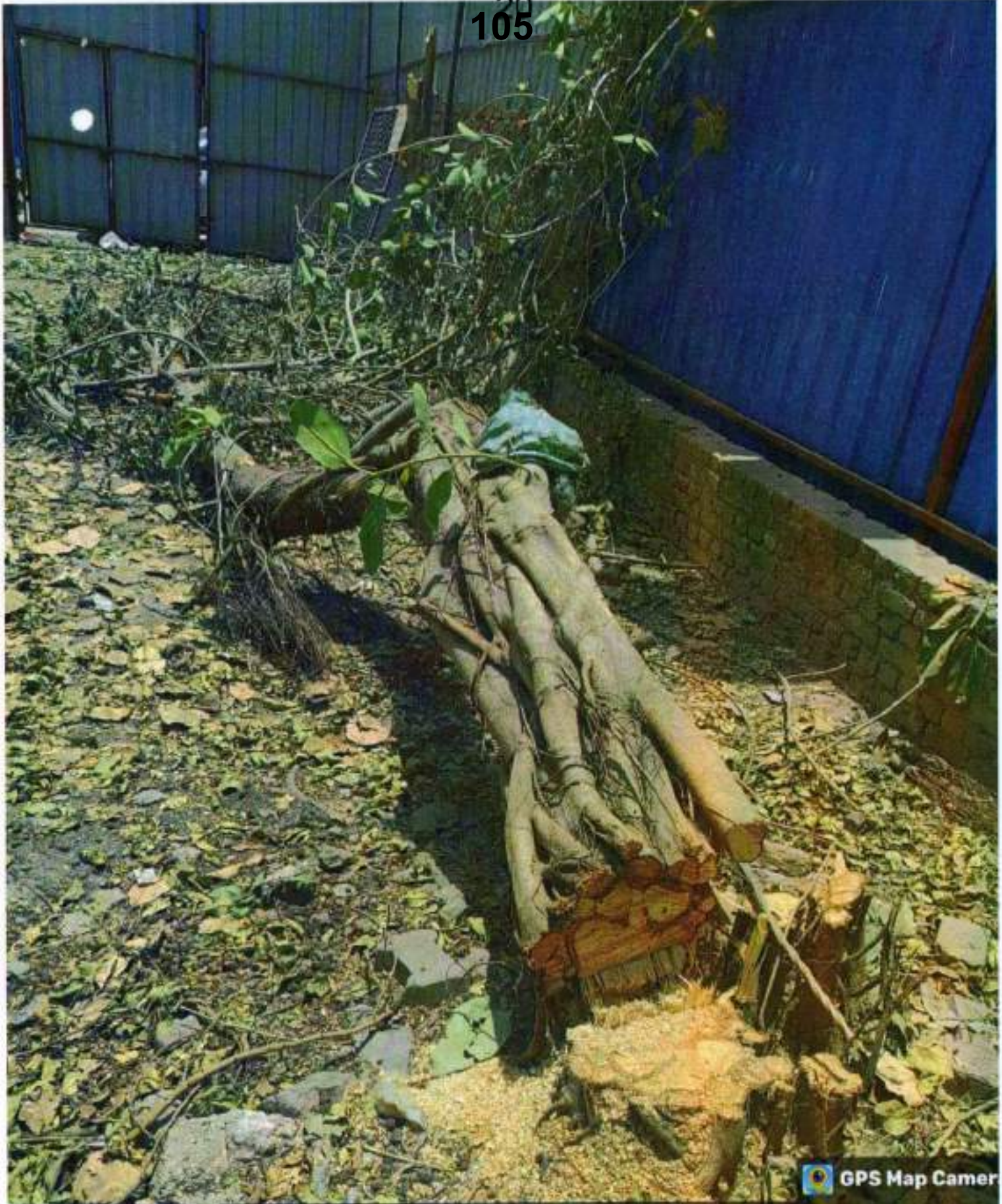
GPS Map Camera

New Delhi, Delhi, India
99, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.706952°
Long 77.116894°
10/06/24 12:42 PM GMT +05:30

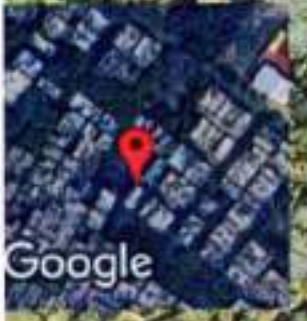


Google

20
105

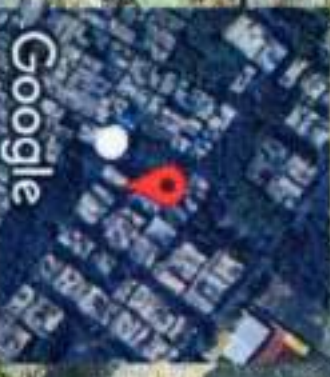


GPS Map Camera



New Delhi, Delhi, India
99, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.706983°
Long 77.116848°
10/06/24 12:42 PM GMT +05:30

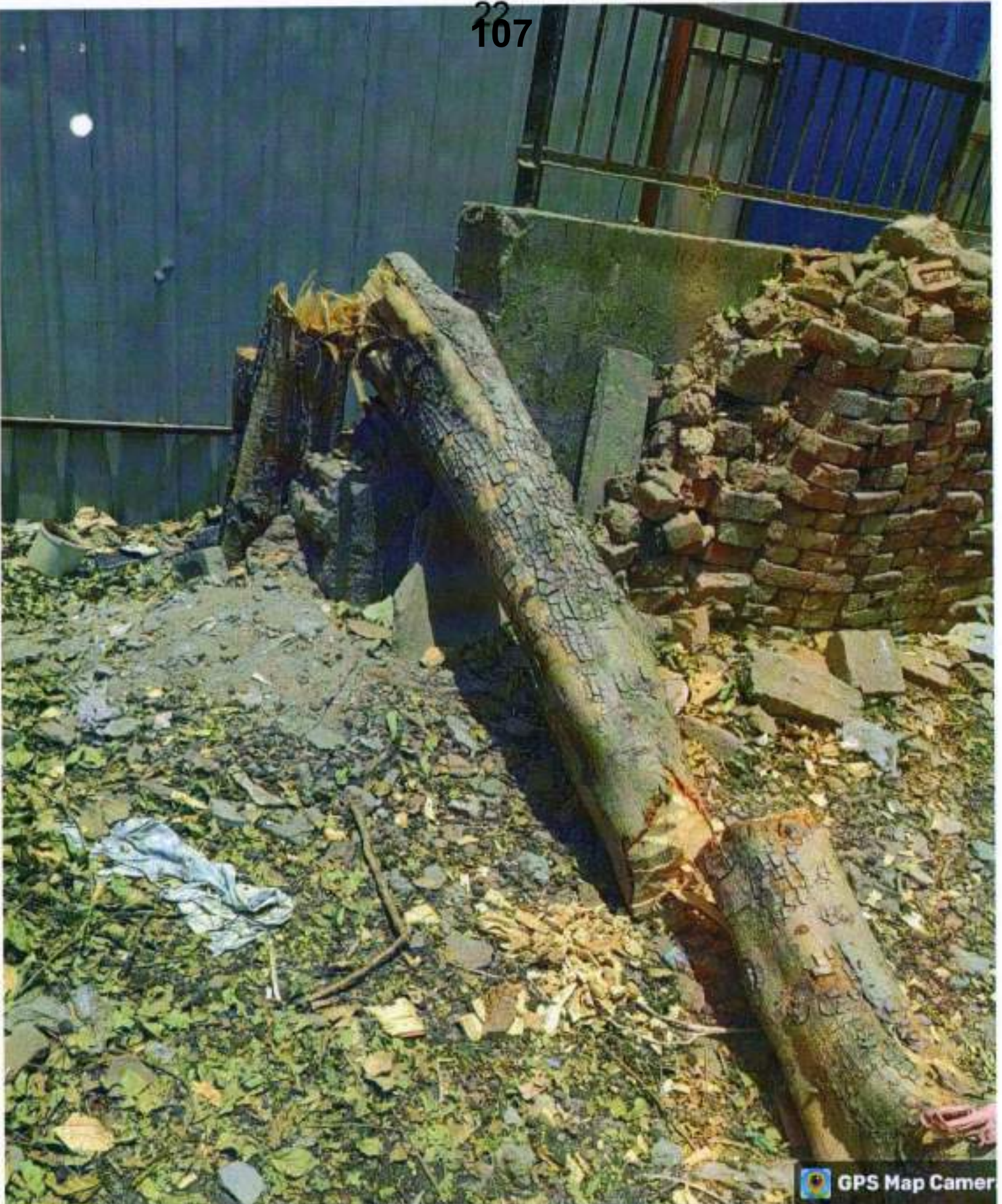
y/c



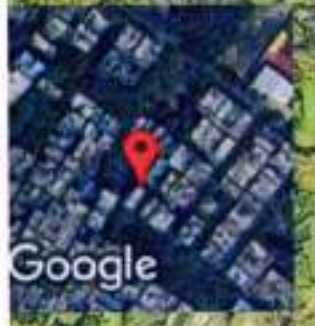
GPS Map Camera

New Delhi, Delhi, India
99, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.70693°
Long 77.116884°
10/06/24 12:41 PM GMT +05:30

22
107



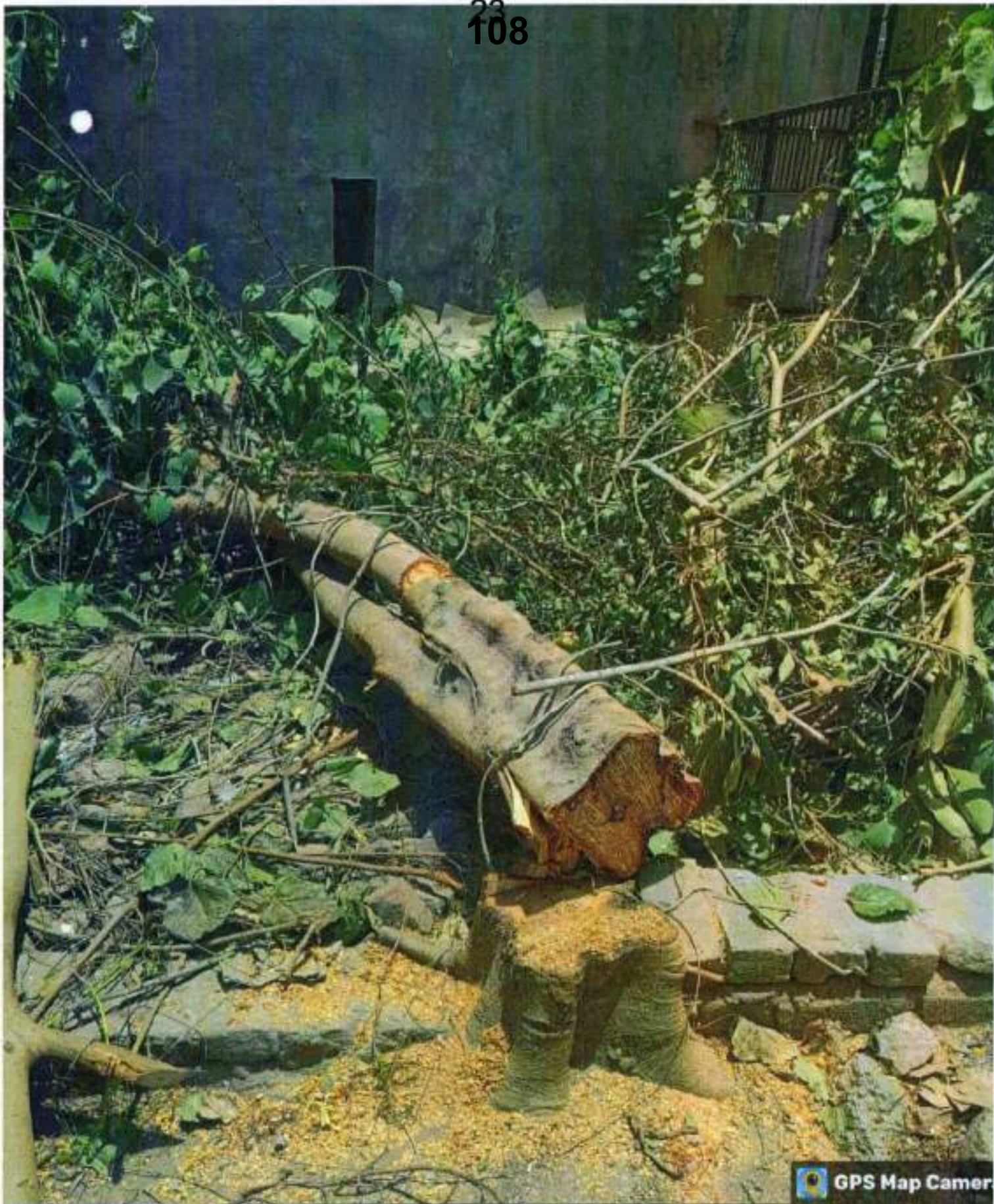
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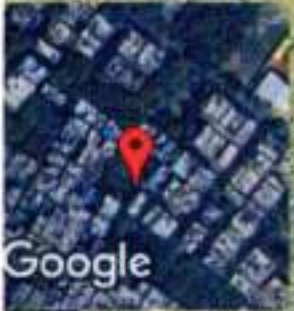
New Delhi, Delhi, India
83, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.706973°
Long 77.116878°
10/06/24 12:41 PM GMT +05:30

Google

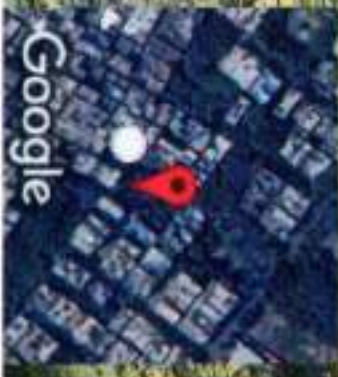
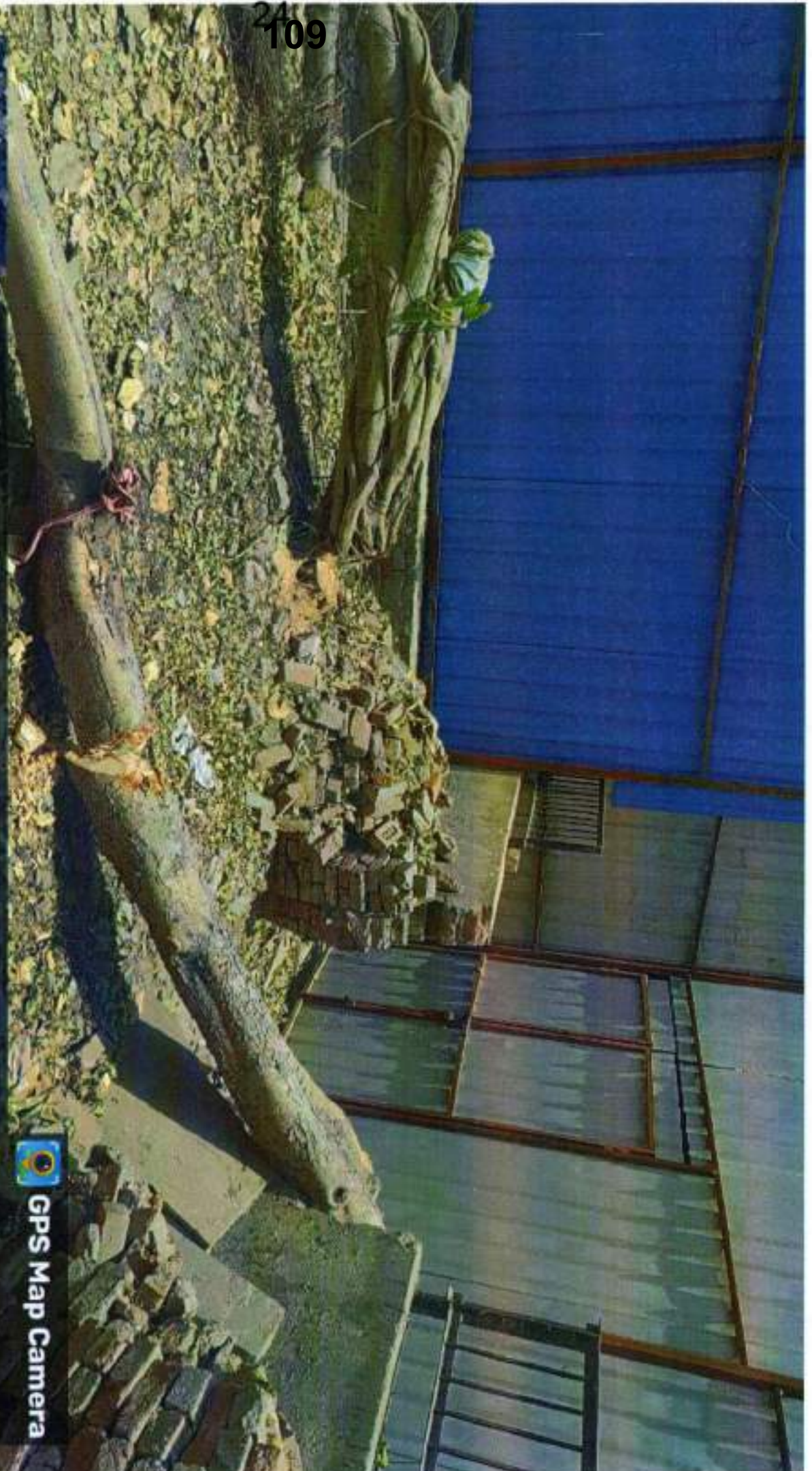
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108



GPS Map Camera



New Delhi, Delhi, India
80, Pocket E4, Sector 7, Rohini, New Delhi, Delhi, 110085, India
Lat 28.707032°
Long 77.116818°
10/06/24 12:41 PM GMT +05:30



Google

Delhi, Delhi, India

P448+VM2, Sector 7E, Rohini, Delhi, 110085, India

Lat 28.707018°

Long 77.116684°

10/06/24 12:41 PM GMT +05:30



GPS Map Camera



GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILD LIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR, NEW DELHI-110036

No.F.39/DCF(N)/Tree Offence/2024-25/ 3443

Dated:

25/06/2024

NOTICE UNDER DPTA, 1994

Whereas, it has been alleged that a tree offence has been committed by illegal cutting of trees located at Plot No. 97, Pocket E-4, Sector-7, Rohini, Delhi without permission, which is violation of Delhi Preservation of Tree Act, 1994.

And whereas, the statement/presence of the person (s) this notice addressed to are required to find out the factual position and to determine the extent of offence according to its merit.

Now, therefore, I, **DY. CONSERVATOR OF FORESTS (NORTH)**, Tree Officer, as empowered u/s 31 of Delhi Preservation of Trees Act, 1994 call upon you to appear before me on 25.06.2024 at 11:30 A.M. in the office of Dy. Conservator of Forests cum Tree Officer, North Forest Division, MGICCC, Alipur, Bakhawarpur Road, Bakoli, Delhi-110036, in event of failure to appear, legal action will be initiated against concerned and the matter would be proceeded ex-parte. *As per section 136, CrPC, non-compliance of this notice will attract penal provisions u/s 188 of IPC.*

To,

1. Sh. Sukhbir Singh Saini, (Mob: 8750990222), R/o H.No. B-28, Pocket E-4, Sector-7, Rohini, Delhi with direction to appear before undersigned.

o/c


Tree Officer & DCF
(North Forest Division)

GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILD LIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR, NEW DELHI-110036

No.F.39/DCF(N)/Tree offence/2024-25/ 3639

Date: 6/07/2024

IN THE COURT OF TREE OFFICER/DY. CONSERVATOR OF FOREST,
NORTH FOREST DIVISION, NEW DELHI

ORDER

1. Sh. Sukhbir Saini S/o Sh. Khazan Singh appeared before this Court in the hearing.
2. Whereas, in this case, the inspection has been carried out by the I.O, it has been found that a tree offence has been committed by Sh. Sukhbir Saini, by illegally cutting of five (05) nos. of trees located inside plot no. 97, pocket E-4, sector-7, Rohini, Delhi-110085 without permission from the concerned department and the same has been accepted by Sh. Sukhbir Saini before this Court.
3. Whereas on enquiry, it is found that in the above mentioned case, the trees have been cut/felled, which is violation of Delhi Preservation of Tree Act, 1994. And in the hearing held in the chamber of Tree Officer, North Forest Division on 03.07.2024, Sh. Sukhbir Saini accepted that the trees located inside plot no. 97, pocket E-4, sector-7, Rohini, Delhi-110085, have been illegally cut/felled by him and stated that he is ready to compound the said offence and agreed to submit the compound affidavit.
4. Whereas Sh. Sukhbir Saini has been directed to submit the compounding affidavit accepting the offence regarding illegally cutting of trees as mentioned above and the same has been signed/submitted by Sh. Sukhbir Saini on the same day.
5. Whereas, after going through the facts of case and as empowered under Section-21 of Delhi Preservation of Tree Act, 1994, I the Tree Officer/Dy. Conservator of Forests (North), agreed to compound the offence. A compounding fee of **Rs. 3,50,000/- (Rupees Three Lakh Fifty Thousand only)** is hereby imposed on Sh. Sukhbir Saini, for illegally cutting/felling of five (05) nos. of trees, at the rate of Rs. 70,000/- (Rupees Seventy Thousand only) per tree for illegal cutting/felling.
6. Whereas, Sh. Sukhbir Saini, is hereby directed to deposit the above-mentioned amount, **through DD in favour of Dy. Conservator of Forest (North)**, being the composition fees within 30 days of receipt of this order. In case of failure to deposit the same within prescribed period of 30 days, action shall be initiated in the court of Law, as per relevant provisions of Delhi Preservation of Tree Act, 1994.



To,

1. Sh. Sukhbir Saini S/o Sh. Khazan Singh, R/o Plot No.97, Pocket E-4, Naharpur, Sector-7, Rohini, Delhi-110085.


Tree Officer & DCF
(North Forest Division)

Attendance Sheet

Attendance sheet in respect of hearing held in the Chamber of Dy. Conservator of Forests, North Forest Division on 02.07.2024 related to illegal felling/pruning/damaging/concretization of trees at Plot No - 97, Plot - E-4, Sector 7 Rohini

S.No.	Name & Designation (if any)	Address	Mobile No. & Email	Signature
1.	Sukhu's Singh Saini	H No - 28, Nohampur Village Sec - 7 Rohini Delhi - 85	8750990 222	
2.	Brijesh Saini	Same	9891857166	
3.				
4.				
5.				
6.				
7.				
8.				
9.				

Sh. Sukhu's Singh Saini ← H. No. 28, Nohampur Village, Sector - 7, Rohini,
Delhi - 110085 [E-4/97, Sector - 7]

COMPOUNDING AFFIDAVIT

I, Sudhika Saini s/o Sb. Latesh Khazan Singh
 Age 65 R/o 28 Mahatma Pura Sect-7 Rohini
Delhi 85 (E-4-97 Sect-7) Rohini

Do hereby solemnly affirm and declare as under:-

1. That the cutting/damage of 5 nos. of tree/ trees without permission at E-4-97 Sect-7 Rohini D-85 by us.
2. I say that hereby agree to compound the said offence case and pay admissible fines as may be imposed under the Delhi Preservation Tree Act, 1994. I am ready to pay the compounding fee/fine of Rs 350,000/- imposed on me.
3. I say that sworn this affidavit is in order to produce to the forest authority.

S Saini
3/7/2024

DEPONENT

Verification:

Verified at New Delhi on this day of

S Saini

DEPONENT

सेवा में,

श्री मती डिप्टी कन्जर्वेटर वन विभाग (उत्तरी)

वन विभाग रोड, रामजी. आई.

बकौली, अलीपुर, नई दिल्ली-110036

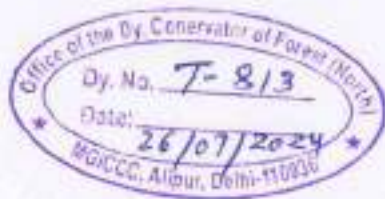
विषय:- पत्र सं. / स्फ. / 58 / डी सी स्फ. (रन.) / 1000/11/24,
2024-25 / 3639 दिनांक 10-07-24 के
सम्बन्ध में पत्र।

माननीया,

सावित्रय निवेदन यह है कि मुझे आपके
कार्यालय से उपरोक्त पत्र प्राप्त हुआ। जिसमें मन्
E-4-97 सेक्टर-7 रोहिणी दिल्ली-85 में अनाधिकृत
रूप से प्लॉट के अन्दर खेड 5 फुट काटे का
आरोप निर्धारित किया गया और इस सम्बन्ध में
मुझ पर पैड काटे के कारण 3,50,000/रु तीन
लाख पचास हजार रु की जुर्माना राशी प्रतिपैड
70000/रु सत्र हजार रु वन विभाग से डी डी.
नं० 104226 राशी 3,50,000/रु तीन लाख पचास
हजार रु. के रूप में अदा कर रहा हूँ।

धन्यवाद सहित,

दिनांक 26-07-2024



TK

21/2

प्राधी

Xsaini

सुखवीर सेनी पुत्र स्व.
श्री खजान सिंह सेनी
मन 28 नाहर पुर लखर-7
रोहिणी दिल्ली-110085.

Bank of Baroda

Branch: 7, Roshni - 110085
Sector: 7, Rochari - 110085
Account: Roshni BARBOTRONAH
21180015181192

Pay to the order of: DRY CONSERVATOR OF FOREST (NORTH)

Amount: Three lakh fifty thousand only

₹ 3,50,000/-

For Bank of Baroda: *[Signature]*
Branch: Roshni / S.S. NO. 1

Received by: *[Signature]*
Branch: Roshni / S.S. NO. 1

DD/2021/MF
(DD Alpha Prefix)

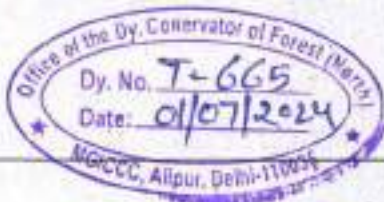
MP 304 226 10001204112 202118 15

0	9	8	7	6	5	4	3	2	1
	9	6	0	0	0	0	0	0	0

INSPECTION REPORT

This is to inform you that I AKASH, Sanhwati Vihar Beat (Name of I/O, Beat and Range), Inspected the below mentioned area as per information received from Green helpline Portal Related to the offence committed under DPTA, 1994.

1.	Name of Inspection Officer	AKASH
2.	Date of Inspection	28/06/2024
3.	Time of Inspection	4:20 PM
4.	Location of Offence	Plot No - 94, Pocket E-4 Sector - 7, Rohini, Delhi - 85
5.	Geo-Coordinates of the Offence Location	Lat - 28.705916° Long - 77.116962°
6.	Type of Offence	Felling Tree
7.	No. of Trees Damaged	16 - 18
8.	Color Photographs of Damaged Trees with Geo-Coordinates	Attached
9.	Alleged Offender Name & Address (Individual) To whom notice under DPTA 1994 may be issued for investigation of this case	Name - Rajender Sachdeva (Sanhwa Vihar Property) Add. - Sector - 11, Rohini Delhi - 110085
10.	Alleged Offender Name (Civic Department) To whom notice under DPTA 1994 may be issued for investigation of this case	—
11.	Name of the Complainant & Address, (If Any)	Balsram Saini Mob - 9910266994 Add. - B28, Pocket E-4 Rohini (Sec-7)
12.	Statement of Witness, (If Any)	— NA —



T/C
B.S.

13. Description of site visit in detail:

गहोदया जी,
 उपरोक्त विषय में आपको अवगत कराया जाता है कि उपरोक्त बिकायत Plot No-94, Pocket E-4 Sector-7 Rohini, की है।
 मौके पर जाकर सैने बरीक्षण किया तो देखा की Plot के अंदर 16-18 पेड़ों को काट दिया गया है जिनका विवरण निम्न प्रकार है।

8 - Bakain	Approx. Girth	5 - खूबसूरत	Approx. Girth
(i)	17 cm	(i)	32 cm
(ii)	25 cm	(ii)	37 cm
(iii)	27 cm	(iii)	29 cm
(iv)	45 cm	(iv)	21 cm
(v)	100 cm	(v)	22 cm
(vi)	35 cm		
(vii)	70 cm		
(viii)	30 cm		

3 - Peepal	Approx. Girth	1 - पिलरवट	Approx. Girth
(i)	20 cm	(i)	30 cm
(ii)	22 cm		
(iii)	50 cm		

1. कावुली बिकायत
 Approx. Girth | 200 cm

Forwarded to:

Arash
 ARASH
 NAME & SIGNATURE OF I/O
 DATE: 01/07/2024
 NORTH FOREST DIVISION

13. Description of site visit in detail:

उपरोक्त Plot में पहले भी पेड़ों को काटा गया था यह habitual offender है।

Note - Plot पर पहले Restainment Order और Seal भी लगाई गई थी। जिसको तोड़ कर पेड़ों को काटा गया है। पेड़ों को ILLEGAL तरीके से काटा गया तो DPTA 1984 की धारा 8/24 के तहत वृक्ष अपराध बनता है।

अतः Plot मालिक को Notice भेज कर स्पष्टीकरण मांगा जा सकता है।

रिपोर्ट सूचना एवं अग्रिम कार्यवाही हेतु प्रस्तुत है।

I.O. की रिपोर्टनुसार प्रो.के पर वृक्ष अपराध हुआ है और आदेशी आदतन पेड़ों को काट रहा है इसलिए

Forwarded to:

अतः आदेशी की दोनो रिपोर्ट को देखकर संलग्न करके Notice भेजकर कार्रवाई का प्रस्ताव है। जो कि तब तक इस Plot पर Restainment order भी लगाया गया था। रिपोर्ट अग्रिम कार्यवाही हेतु प्रस्तुत है।

Kuneene
01/07/2024
Forester (MR)

Aakash
01/07/24
AKASH
NAME & SIGNATURE OF I/O
DATE: 01/07/2024
NORTH FOREST DIVISION









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ANNEXURE - 'G'

8/c



GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILD LIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR, NEW DELHI-110036

No.F.77/DCF(N)/Tree Offence/2024-25/ 3704-06

Dated: 16/07/2024

NOTICE UNDER DPTA, 1994

Whereas, it has been alleged that a tree offence has been committed by illegal felling of trees located at Plot no. 94, Pocket E-4, Sector-7, Rohini, Delhi without permission, which is violation of Delhi Preservation of Tree Act, 1994.

And whereas, the statement/presence of the person (s) this notice addressed to are required to find out the factual position and to determine the extent of offence according to its merit.

Now, therefore, I, **DY. CONSERVATOR OF FORESTS (NORTH)**, Tree Officer, as empowered u/s 31 of Delhi Preservation of Trees Act, 1994 call upon you to appear before me on ~~23:07:24~~ at ~~12:15~~ P.M. in the office of Dy. Conservator of Forests cum Tree Officer, North Forest Division, MGICCC, Alipur, Bakhawarpur Road, Bakoli, Delhi-110036, in event of failure to appear, legal action will be initiated against concerned and the matter would be proceeded ex-parte. *As per section 136, CrPC, non-compliance of this notice will attract penal provisions u/s 188 of IPC.*

To,

1. Sh. Rajender Sachdeva (Sanwariya Property) Add: Sec-11, Rohini, Delhi with direction to appear before undersigned.
2. The Owner of Plot No. 94, Pocket E-4, Sector-7, Rohini, Delhi with direction to appear before undersigned.
3. Sh. Balram Saini (Mob: 9910266994) Add: B28, Pocket E-4, Sec-7, Rohini, Delhi with direction to appear before undersigned.

o/c

B.
Tree Officer & DCF
(North Forest Division)



GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILD LIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR, NEW DELHI-110036

No.F.77/DCF(N)/Tree Offence/2024-25/ 5028-31

Dated: 09/10/2024

NOTICE UNDER DPTA, 1994

Whereas, it has been alleged that a tree offence has been committed by illegal felling of trees located at Plot no. 94, Pocket E-4, Sector-7, Rohini, Delhi without permission, which is violation of Delhi Preservation of Tree Act, 1994.

And whereas, the statement/presence of the person (s) this notice addressed to are required to find out the factual position and to determine the extent of offence according to its merit.

Now, therefore, I, **DY. CONSERVATOR OF FORESTS (NORTH)**, Tree Officer, as empowered u/s 31 of Delhi Preservation of Trees Act, 1994 call upon you to appear before me on 23.10.24 at 11.50 A.M. in the office of Dy. Conservator of Forests cum Tree Officer, North Forest Division, MGICCC, Alipur, Bakhawarpur Road, Bakoli, Delhi-110036, in event of failure to appear, legal action will be initiated against concerned and the matter would be proceeded ex-parte. *As per section 136, CrPC, non-compliance of this notice will attract penal provisions u/s 188 of IPC.*

To,

1. Sh. Rajender Sachdeva (Sanwariya Property) Add: Sec-11, Rohini, Delhi with direction to appear before undersigned.
2. The Owner of Plot No. 94, Pocket E-4, Sector-7, Rohini, Delhi with direction to appear before undersigned.
3. Sh. Ravinder, ASI, Police Station North, Rohini, New Delhi-110085, with direction to appear before undersigned and present the above mentioned persons before undersigned.
4. Sh. Balram Saini (Mob: 9910266994) Add: B28, Pocket E-4, Sec-7, Rohini, Delhi with direction to appear before undersigned.

Tree Officer & DCF
(North Forest Division)

o/c

GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FOREST
NORTH FOREST DIVISION, ALIPUR, BAKHTAWARPUR ROAD,
MGICCC, BAKOLI DELHI-110036

F.No.77/DCF(N)/Tree Offence/2024-25/ 5037

Date: 14/10/2024

To,

The Station Housing Officer
Police North Rohini,
Rohini, Delhi-110085

Sub:-Regarding Lodging of FIR in the Tree Offence Case at Plot No. 94, Pocket E-4, Sector-7, Rohini, Delhi.

Ref:-Letter dispatch No. 1669 dated 12.07.2024 (P.S. North Rohini)


This is in reference to the tree offence case of illegal cutting/felling of trees at Plot No. 94, Pocket E-4, Sector-7, Rohini, Delhi, registered/booked u/s 8 of Delhi Preservation of Trees Act, 1994. The trees have been illegally cut/felled in violation of Delhi Preservation of Tree Act, 1994. As per the initial investigation report submitted by I/O in said case, approx. sixteen nos. of trees located inside the said property have been illegal cut/removed without obtaining permission from the Tree Officer u/s 9 of DPTA, 1994.

In this regard, it is mentioned that in the said offence case, one (01) notice u/s 31 of Delhi Preservation of Trees Act, 1994 was served to the alleged offender to appear before the Court of Tree Officer (North) on 23.07.2024 to find out the factual position & to determine the extent of offence, but no one was present in the Court of Tree Officer (North) in the hearing.

Furthermore, the above action is a violation of order dated 05.04.2024 passed by the Hon'ble NGT (National Green Tribunal) in O.A.No. 175/2021 titled as "*Naharpur Residents Welfare Association (Regd) Vs. Deputy Conservator of Forests & Tree Officer (West) & Ors*" and order dated 31.08.2023 passed by the Hon'ble High Court of Delhi in Cont.Cas(e). 1149/2022 titled as "*Bhavveen Kandhari Vs. Shri C.D. Singh & Ors*".

In view of the above, it is hereby directed to lodge a FIR in the present case.

Attachment: (1). Inspection Report Dated 01.07.2024
(2). Tree Hearing Notice dated 16.07.2024


Dy. Conservator of Forests
(North Forest Division)