

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

O.A. NO. 5 OF 2025

IN THE MATTER OF :-

KARTAR SINGH AND ORSAPPLICANTS

VERSUS

GOVT. OF NCT OF DELHI
AND OTHERSRESPONDENTS

NDOH: 20.08.2025

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PK Banejee
RESPONDENT NO. 3/MCD

THROUGH



POOJA KALRA
COUNSEL FOR MCD
CHAMBER NO. 430, BLOCK-1
DELHI HIGH COURT,
NEW DELHI - 110003
Ph No. 9312839323

Place: New Delhi
Dated: 18.08.2025

BEFORE THE HONABLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH NEW DELHI
OA No. 5/2025

IN THE MATTER OF

KARTAR SINGH AND ORS-----APPLICANTS

VERSUS

GOVT.OF NCT OF DELHI AND ORS-----RESPONDENTS

NDOH: 20.08.25

REPLY BY WAY AFFIDAVIT ON THE BEHALF OF RESPONDENT No.03 MUNICIPAL CORPORATION OF DELHI (MCD)

I Pijush Kumar Banerjee S/O Sh. Sunil Kumar Banerjee, aged 56 years currently posted as Deputy Director Horticulture in Horticulture Deptt. Najafgarh Zone of MUNICIPAL CORPORATION OF DELHI (MCD) having office at Opp. Dhansa Bus Stand, Najafgarh, New Delhi 110043, do hereby solemnly affirm and declare as under :-

1. That I am duly authorized and competent to affirm the present affidavit on the behalf Respondent No 03 /Municipal Corporation of Delhi (MCD) which has been prepared under my instruction. I am fully conversant with the facts and circumstances of the present case on the basis of records maintained in the office of Horticulture Department to enable me to file the present Affidavit.

2. That Applicant in its OA is objecting to encroachment and construction of DTC terminal and Multi Stories commercial building at Khasra No 12/11 and 12/19 without taking CLU and NOC from forest department for cutting/shifting the 39 trees from this land as well as seeking direction for restoring the said Wetland /Johar/Waterbody land of revenue estate Village Najafgarh.
3. The Gram Sabha Land of Village Najafgarh in pursuance of SO (Annexure R-3(1) was taken over by the DDA on 29.06.1981 (Annexure R-3(2) for the purpose of development and maintenance of the said land as green and for taking such steps as may be required to serve the said purpose, subject to the conditions that the D.D.A. shall not make or cause or permit to be made any construction on the said land and shall when required by the Central Government so to do, replace the said lands of any portion thereof as may be so required ,at the disposal of the Central Government .
4. The DDA more than 35 years after 29.06.1981(Annexure R-3(2), the date of taking over the aforesaid land, handed over the portion of land as Wetland /Johar/Water body measuring area of 1.36 acre along with 30 others parks of less than 03 acres to Horticulture Department of SDMC (now MCD) Respondent No 03 on 31.05.2016 as detailed with location of parks in the list annexed as Annexure R-3(3).
5. The Applicant in para 05 of its OA has alleged that about 20 years ago Transport Department of Delhi/DTC encroached and constructed the temporary structure /booths on the land situated in Khasra No 12/11 and 12/19 to operate its Buses etc. and the same is interaction with concerned Govt. Agency having no any

concern and relevancy with SDMC(now MCD)/Respondent No 03 on 31.05.2016 ,the part of this land as Wetland /Johar/Water body measuring area of 1.36 acre along with 30 others parks of less than 03 acres was handed over/transferred by DDA vide Annexure R-3(3) to Horticulture Department of SDMC(now MCD)/Respondent No 03.

6.The MCD / Respondent No.03 has been maintaining and preserving entire area of 1.36 acre as Wetland /Johar/Water body in all respect with greenery without cutting of any kinds of trees, encroachment and construction therein since 31.05.2016 the date of its taking over from DDA vide Annexure Annexure R-3(3) and photographs (Annexure R-3(4) containing the maintenance of entire area 1.36 acre as land of this Wetland /Johar/Water body are submitted herewith.

7.The above information, documents and present affidavit are submitted accordingly.

VERIFICATION: Verified at New Delhi on this August 2025 that the contents of the above affidavit are true and correct to my knowledge based the records of the Municipal Corporation of Delhi and no part of it is false and nothing material has been concealed there from.

PK Banerjee
Pijush Kumar Banerjee
Deputy Director Horticulture
Horticulture Deptt Najafgarh Zone
Opp.Dhansa Bus Stand Najafgarh Delhi 110043.

(Annexure R-3(1) to (Annexure R-3(4))

P.K. BANERJEE
Dy. Director (Hort)
NGZ/MCD

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PUBLISHED IN PART II, SECTION 3, SUB-SECTION (ii)
OF THE GAZETTE OF INDIA ON SATURDAY, AUGUST, 24,
1974/ BHADR. 2, 1996 ON PAGE 2327 (IN HINDI) AND
ON PAGE 2327 (IN ENGLISH).

MINISTRY OF WORKS & HOUSING

NEW DELHI, The 20th August, 1974.

S.O. 2190--- Whereas the terms and conditions upon which nazul lands specified in the schedule annexed below will be taken over the Delhi Development Authority have been agreed upon between the Central Government and the Authority.

And therefore, in exercise of the powers conferred by sub-section (1) of section 22 of the Delhi Development Act, 1957 (31 of 1957), the Central Government hereby placed, with immediate effect, the lands which had vested in the Central Government on the urbanisation of the villages specified in the said Schedule at the disposal of the DDA for the purpose of development & maintenance of the said lands as well as for taking such steps as may be required to serve the said purpose, subject to the conditions that the Delhi Development Authority shall not make, or cause, or permit to be made any constructions on the said lands and shall when required by the Central Govt. so to do, replace the said lands or any portion thereof as may be so required, at the disposal of the Central Government.

SCHEDULE

S.No. Name of the Village.	S.No. Name of the Village.
1. Khuroji Khas	25. Bor Sarai.
2. Sadhora Kalan.	26. Katwaria Sarai.
3. Chakri Mubarakabad.	27. Madangir.
4. Sadhora Khurd.	28. Badampur.
5. Naohari.	29. Khajpur.
6. Dhaka.	30. Tughlakabad.
7. Saliapur Mazra Madipur.	31. Dharwar.
8. Anandpur.	32. Phurda.
9. Shukarpur.	33. Pooval Thala.
10. Madipur.	34. Wacarpur.
11. Khatola.	35. Ghosia (4 Parts).
12. Chhagpur.	36. Kauripur.
13. Saindarapur.	37. Karkaridona.
14. Mangam.	38. Soolampur.
15. Mandaband.	39. Ghosli.
16. Bahattar.	40. Mandi Fagadpur.
17. Ahrauli (Kishangarh).	41. Ghosipur.
18. Bahin Sarai.	42. Khicori Pur.
19. Karkhi.	43. Hasol Pur.
20. Badhala.	44. Shukarpur Khas.
21. Wasla.	45. Gohli.
22. Madampur Khodur.	46. Hastal (Partly Urbanised).
23. Chak Khurd.	47. Patampur (Partly Urbanised).
24. Gauri Baul.	48. Mandipur Kela (Partly Urbanised).

Annexed to be true copy of (S.O. 2190/1/74-11).

SECRETARY
DELHI DEVELOPMENT AUTHORITY

SECRETARY

1974-75

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE DY. DIRECTOR HORT. VIII
B2-B JANAKPURI NEW DELHI

Detail List of parks Under Hort. Div. VIII handed over to SDMC (less then 3 acre)

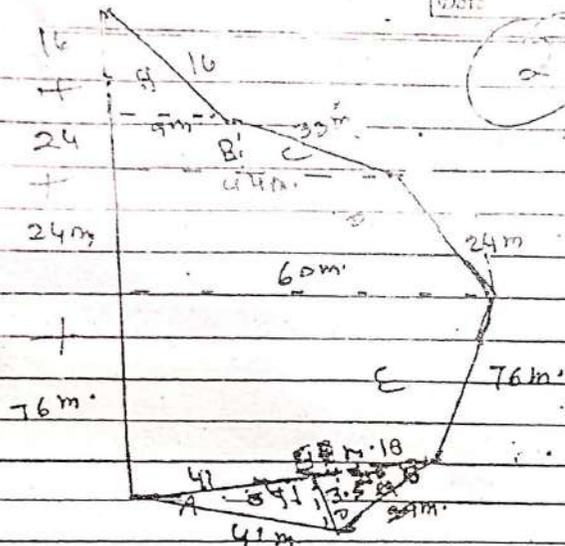
S.No.	Name of Schemes	Area in Acres	No Of Park		Year
1	M/o NHP C-2 (Model Park) Janak Puri	2.65	1	SDMC	2016
2	M/o NHP (Veer Haqikat Vatika) at C-2 Janak Puri	1.79	1	SDMC	2016
3	M/o Green Belt C-3A at Janak Puri	2.66	1(Six piece)	SDMC	2016
4	M/o NHP (Near Petro Pump) at Janak Puri	0.27	1	SDMC	2016
5	M/O NHP B-3 (Kamla Malhotra) at Janakpuri	2.31	1	SDMC	2016
6	M/O NHP B-2 (Model Park) at Janakpuri	2.53	1	SDMC	2016
7	M/o Water Body near DTC Terminal, Najafgarh	1.36	1	SDMC	2016
8	M/o Water Body Senior Sec. School at Najafgarh	1.03	1	SDMC	2016
9	M/O NHP A-4 C at Janakpuri	1.00	1	SDMC	2016
10	M/O Park A-3/97 at Janakpuri	1.40	1	SDMC	2016
11	M/O Park NHP A-2/90 at Janakpur	0.41	1	SDMC	2016
12	M/O Park A-1 B at Janakpuri (Gim wala)	1.92	1	SDMC	2016
13	M/O Park A-1 /248 at Janakpuri (opp. Gim) L-Shape	1.28	1	SDMC	2016
14	M/O Park A-1 /314 at Janakpuri (Battak wala).	0.81	1	SDMC	2016
15	M/o A-1 Green belt near Pankha Road	0.24	1	SDMC	2016
16	M/o NHP near Asalat Pur Village	0.61	1	SDMC	2016
17	M/o NHP near DTC Colony at Hari Nagar	2.44	1	SDMC	2016
18	M/o NHP at Partap Nagar	2.66	1	SDMC	2016
19	M/O NHP Chanchal Park D-Block at Janakpuri	0.95	1	SDMC	2016
20	M/O NHP Park No. 38 D-Block at Janakpuri	1.07	1	SDMC	2016
21	M/O NHP Park No. 27 D-Block at Janakpuri	1.00	1	SDMC	2016
22	M/O MP green area Todapur	2.39	1(Two Piece)	N MCD	2016
23	M/o Green belt MS Block (Kanhiya Park) at Hari Nagar	0.99	1	SDMC	2016
24	M/o Green belt MS Block (Ekta Park Park) at Hari Nagar	2.03	1	SDMC	2016
25	M/O Shyan Vihar (NearMetro Station) at Najafgarh	1.19	1	SDMC	2016
26	M/O Park and green belt RSP/NHP at A Block Bakkarwala	2.01	1	SDMC	2016
27	M/O Park and green belt and RSP at C Block Bakkarwala	1.20	1	SDMC	2016
28	M/O Shastri Park at Inderpuri	2.72	1	N MCD	2016
29	M/o Park at site No.-1 Shankar Road	1.08	1	N MCD	2016
30	M/o NHP (Near Varinder Nagar) at Janak Puri	0.55	1	SDMC	2017
31	M/O Park near CRPF Colony at Najafgarh (North side)	2.05	1	SDMC	2018
Total		46.60			

Dy. Director(Hort.)-VIII
DDA

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ANNEXURE R-5

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$area = A = 16 \times 9 / 2 = 72 m^2$
 $B = 24 \times 9 = 216 m^2$
 $C = \frac{1}{2} (S-A)(S-B)(S-C) \quad S = \frac{A+B+C}{2}$
 $S = \frac{35 + 33 + 24}{2} = 46$
 $\frac{1}{2} \times 46(46-35)(46-33)(46-24)$
 $\frac{1}{2} \times 46 \times 11 \times 13 \times 22 = 144716$
 $= 380.41 m^2$
 $D = \frac{44+60}{2} \times 13.5 = 52 \times 13.5 = 702 m^2$
 $E = \frac{76 \times (41+18)}{2} = 59.5 \times 60 = 3570 m^2$
 $G = \frac{41 \times 3.5}{2} = 71.75 = 18 \times 3.5 / 2 = 31.5 m^2$

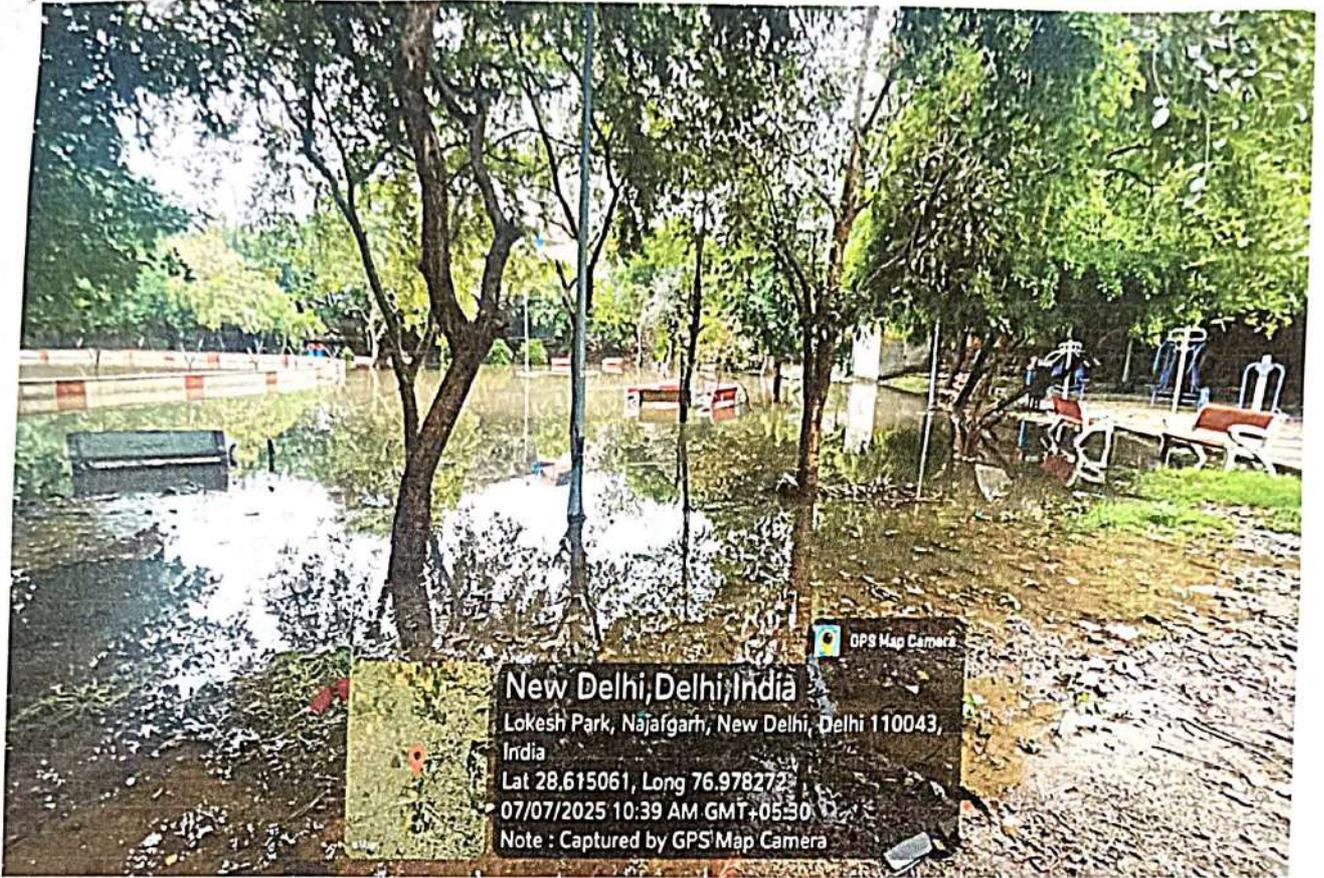
Total = 5517.91 m² = 5.3634 Acres
 Periphery = 359 m.

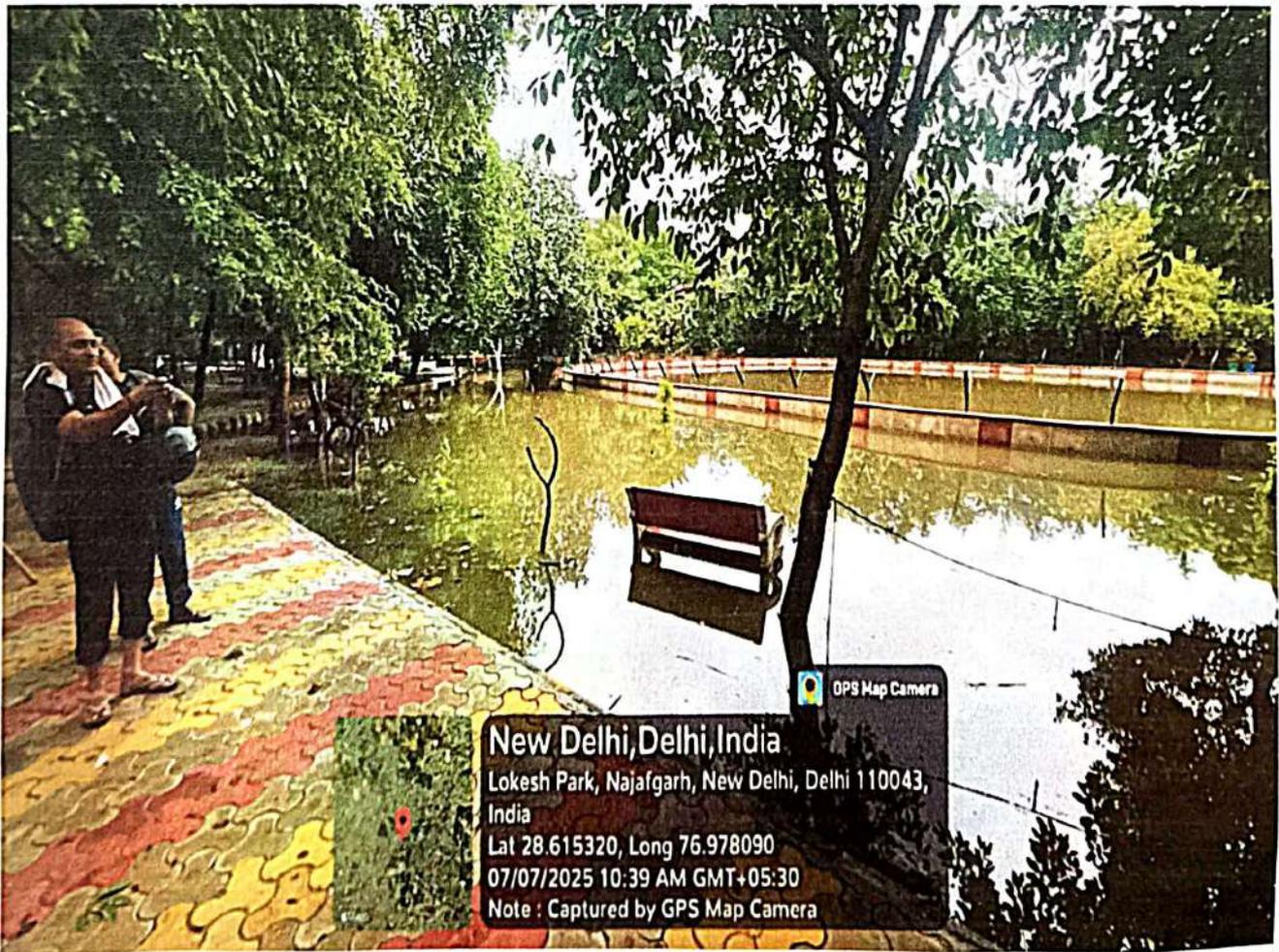
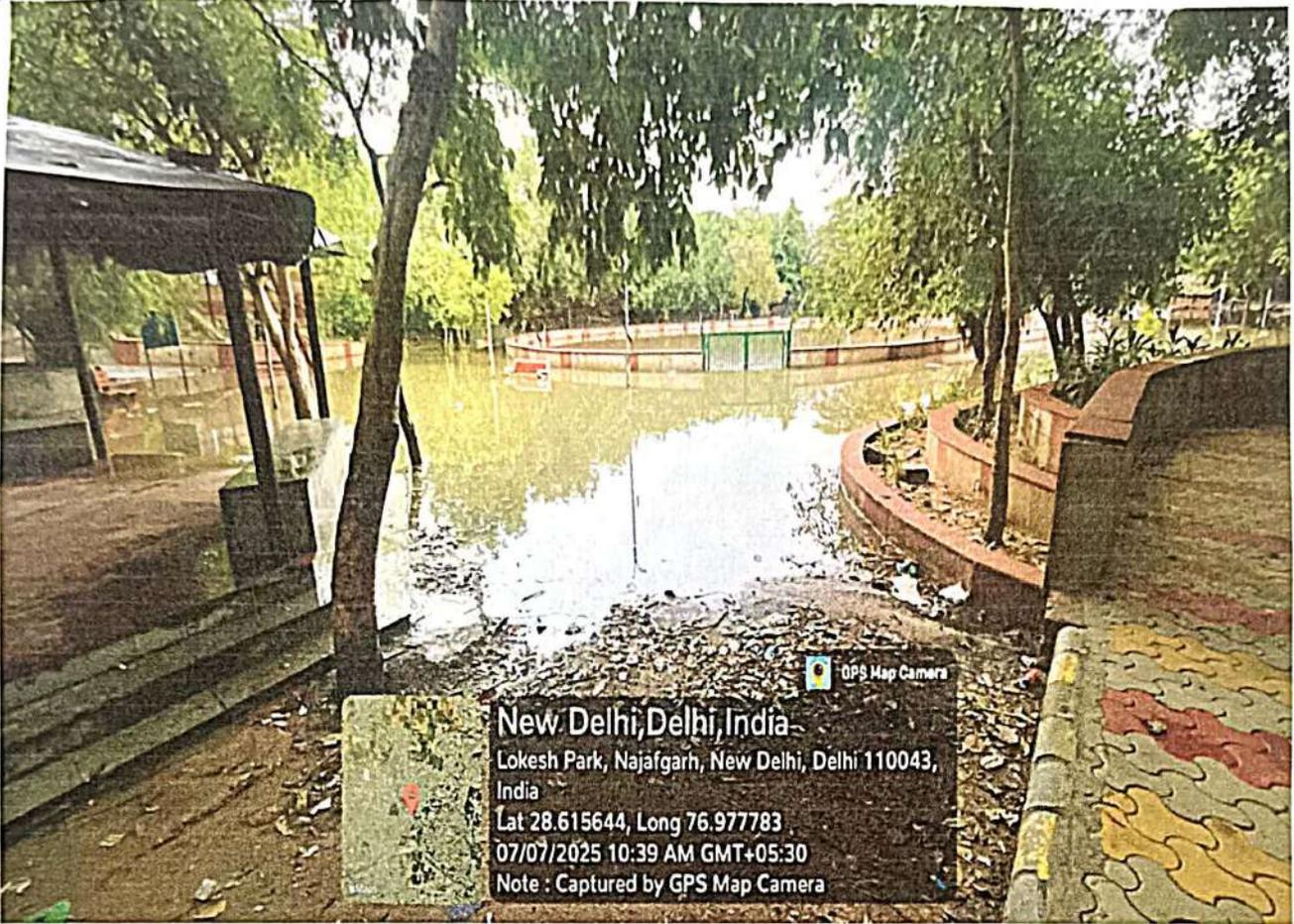
- 1 Location - water body N-27-3
- 2 area - 1.36 acres - 5517.91 m²
- 3 Periphery - 359 m
- 4 B/wall - exist or not - 2 Nos
- 5 Broken B/wall
- 6 Exist grill or not - 175 Nos
- 7 Required grill or not - 6 Nos
- 8 Pipeline exist or not - Nil
- 9 Required pipeline - 238 m
- 10 C/B exist or not - 3 Nos
- 11 Benches exist or not - 0 Nos
- 12 Tubewell exist or not - 1 No
- 13 Exist Plant - Tree - Nil
Shrub - Nil
- 14 Required Plant Tree - 59 Nos
Shrub - 359 Nos
- 15 Sign board - 2 Nos
- 16 area of grassing or not
- 17 Required good earth
- 18 Required manure
- 19 Exist dust bin - 4 Nos
- 20

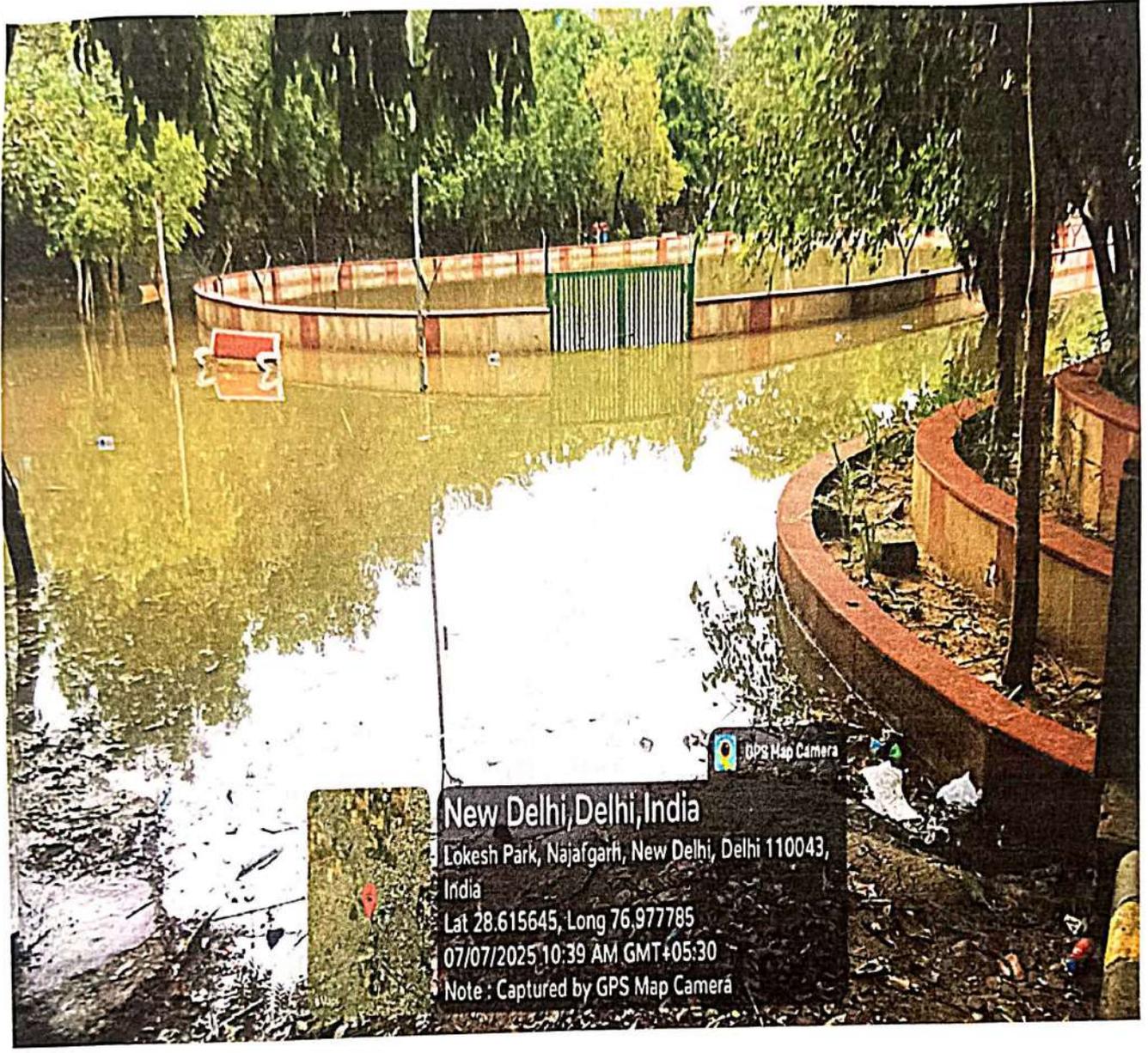
15/11/16
 Hand over by
 Omveer Singh
 S.O. (M) DDA

31/5/16
 Taken over by
 Omveer Singh
 S.O. (M) S.O.M.C.

Omveer Singh
 S.O. (M) S.O.M.C.
 Sanyal
 Sanyal
 Sanyal



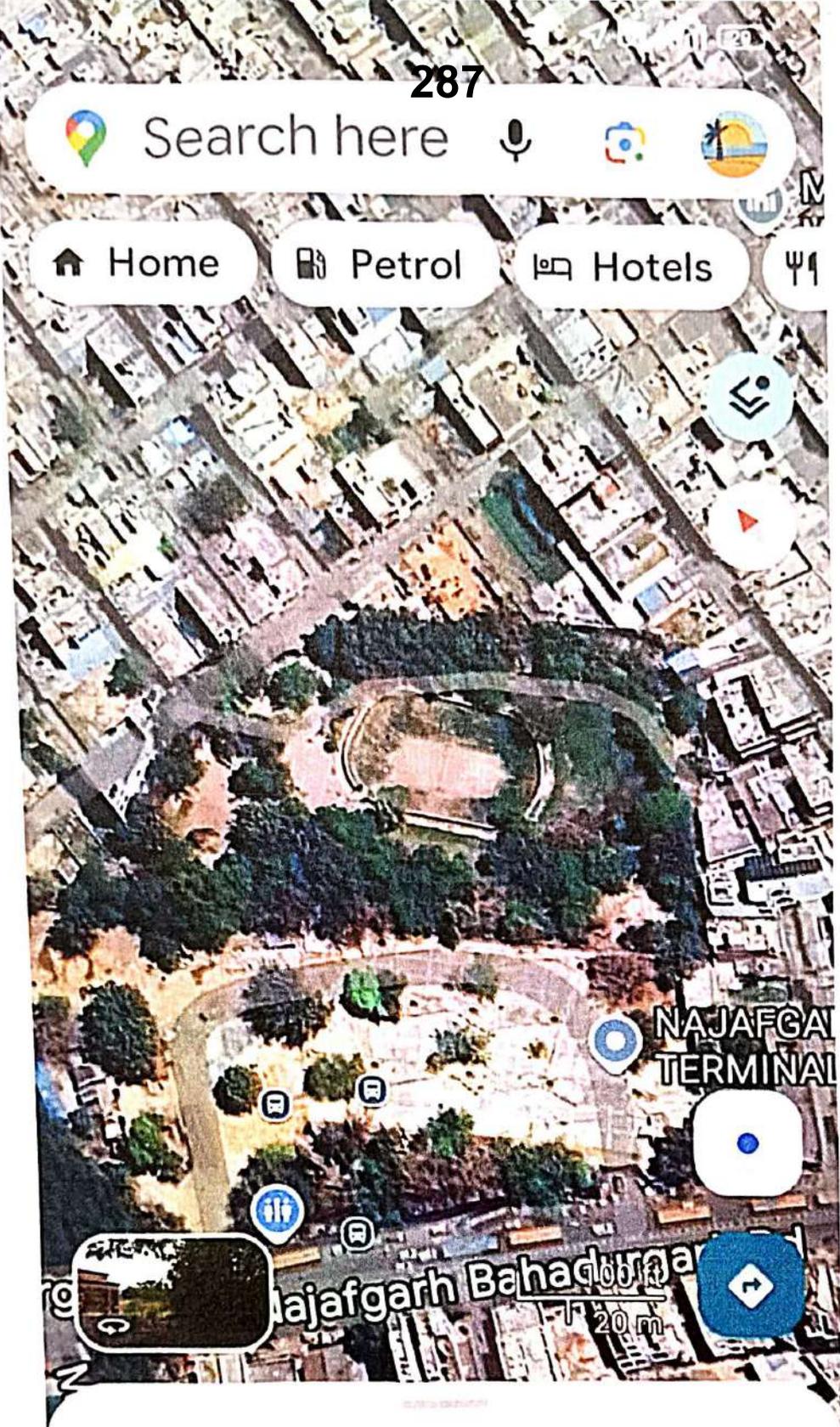




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