

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

IN THE MATTER OF:-

Naharpur Residents Welfare
Association (Regd.)

...Applicant

Versus

Deputy Conservator of Forest
and Tree officer (West) & Ors.

...Respondents

N.D.O.H:- 18.10.2024**INDEX**

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Dated: 15.10.2024

Place: New Delhi

Filed By:-

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REPLY ON BEHALF OF THE RESPONDENT NO.5

MOST RESPECTFULLY SHOWETH:-

PRELIMINARY OBJECTIONS:-

1. That the Respondent no. 5 is a bonafide purchaser of Plot bearing No. 114, Pocket E-4, Sector-7, Rohini, Delhi- 110085 from the Respondent No. 2 under Auction for residential purpose.
2. That the Applicant Association has not come with clean hands before this Hon'ble Tribunal. It is submitted that the Pocket-E, Sector-7, Rohini, Delhi is a Residential area. The Applicant Association has filed the present application before this Hon'ble Tribunal by stated as alleged that the said area declared as Green belt. It is submitted that there is no designated Green belt in the said area.

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3. That the Applicant Association is premeditatedly giving it the name of green belt which does not exist. Delhi Development Authority/ Central Govt. had proposed the a Master Plan -2021 under Section 11-A of DDA Act, 1957, which has been published for public information on the name of "Green Development Area Policy". The area claimed by the Applicant Association is not part of the green belt. The notification is annexed as **Annexure as R-5/1**. Likewise, Central Government/Delhi Development Authority has proposed to make Master Plan for Delhi keeping in view the perspective for the year 2041. Further, as per the Master Plan for Delhi-2041(MPD-2041) under Section 11-A of DD Act, 1957, the area in question is not part of enhancement of the green-blue infrastructure.
4. That the area Naharpur Village has undergone extensive and unauthorized construction to generate rental income, resulting into the formulation of a densely populated locality.
5. That it is necessary to state that the applicant lacks genuinity as far as community welfare issues are concerned. It may be noted that the biggest problem of the area is stray cattle owned by the residents of Village Naharpur which poses a threat of outbreak of disease at a given point of time and this apprehension becomes very high at the time of rain. Further, the applicant seems to ignore these existent concerns; instead, applicant is selectively targeting other issues for unnecessary litigation and stretches it for donkey's years by forum shopping.
6. That it is pertinent to mention here that the applicant renders full support and assistance to the property owners who are known villagers or who pay some Chanda or convenience charges to the applicant.

This itself clarifies that the applicant has premeditated bias in the present matter. The applicant is fully aware of the permission dated 27/04/23 taken from Department of Forests and Wildlife to cut one tree at the property Khasra No. 184, Naharpur Village, Vatsalya Mandir, Pocket-A-3, Sector-7, Rohini Delhi. The permission letter dated 27/04/2023 is annexed as **Annexure R-5/2**. This whole mechanism is successfully being run by the applicant and vested interest holders to develop a fear in the minds of the plot owners so that no one can buy or sell or build one's property sans involving the applicant greediness remains the source of their energy. Further, to maintain the jittery they have been publicizing these matters in such a way that strengthens the belief of the residents that the applicant is also among one of the Statutory Bodies having authority in tree cutting matters; which is purposive to its hidden agenda.

7. Further, the Respondent No.5 emphasize that all actions are taken in compliance to the relevant State regulations, including THE DELHI PRESERVATION OF TREES ACT, 1994. Any permission granted for tree cutting is in accordance with established legal provisions and regulatory frameworks. The Respondent No.5 reiterates its commitment to adhering to statutory requirements and ensuring responsible environmental practices.
8. In light of the above, the Respondent No.5 respectfully urges this Hon'ble Tribunal to consider the comprehensive perspective presented herein.
9. That the land in question has been acquired by the Respondent no. 2 for residential purposes. All the legal formalities and procedure has been adopted by the Respondent No.2 while making or declaring the area as residential area.



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10. That further it is stated that granting permission to 115 plots owners shall not cause irreparable damages to the right of life and health of 25 thousand residents of the village Naharpur as enshrined in Article 21 of the Constitution. Albeit, the villagers did not exercise due diligence for the construction of the buildings in Naharpur village. They have constructed unmethodical buildings without any layout plan and following legal regulations in lust of the rental income, consequently the area is overcrowded in the dint of it their fundamental requirements may make inroad in others rights.
11. This is a totally vague and baseless contention of the applicant that the rights of the Naharpur Village residents must be protected at the cost of others. Further, there must be some rights of the plot owners who have been allotted plots by Respondent no. 2 after complying the process. Hence, their right of enjoyment being the plot owners must be protected.
12. That the applicant contended that Covid -19 like pandemics can be stopped if the tree cutting or felling activities has been stopped. But according to World Health Origination, Corona is a vector, and the definition of vector according to WHO "living organisms that can transmit infectious pathogens between humans, or from animals to human". Hence, this contention does not fit in the present case.
13. That Respondent No. 2 i.e. DDA allotted the said residential plots for the purpose of developing the area as residential units. This fact has slipped out of focus or is deliberately ignored by the applicant.
14. That it is pertinent to mention here that the Respondent no. 2 allotted about 115 residential plots in Pocket-E, Sector-7, Rohini, Delhi. That allottes of

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said 115 plots have right to live peace fully and without any hindrances.

15. That Article 21 of the Constitution enshrined right to enjoyment that is being restrained by the applicant. The Applicant Association is taking advantage of legal apparatus by Forum shopping.

PRELIMINARY SUBMISSIONS:-

1. That the Applicant is a self-styled Residents Welfare Association in the name of a village named Naharpur, Sector - 7, Rohini, which is not recognized as a Residents' Welfare Association by the appropriate Authority.
2. That Applicant Association purported and started taking up the cause of environmental protection around its subject village with an hidden agenda and started approaching various authorities allegedly for stopping the felling of trees, both legally as well as illegally.
3. That the area which the Applicant Association is claiming to be a Green belt is actually a residential area developed by the Respondent No. 2 under approved Development plan after acquiring the lands from the landowners of the village Naharpur as well as other adjoining villages and the Applicant Association is now hindering the said development plan for residential purposes in a mala fide manner in order to dissuade the prospective buyers of the Residential Plots.
4. That it is relevant to mention here that when the Respondent No. 2 is entrusted a duty to develop a



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Residential area on vacant lands compulsorily acquired for the said purpose, then entire plan for such development is made after undertaking all relevant studies. The involvement of agencies like Respondent No. 2 in the process of development assures the prospective purchasers shall get the plots free from all hinderance.

5. That however, it appears that after acquisition of the land for the subjected Residential project around the village Naharpur, the Respondent No. 2 has been facing hurdles in development of the Residential colony in the name of environmental protection by the Applicant/ Residents of the village, who are all beneficiaries of the acquisition and have received compensation from Respondent No.2 under **the scheme of compensation** is annexed herewith as **Annexure No. R-5/3**. It is evident from the perusal of various proceedings initiated by the Applicant Association that they not only want the respondent No. 2 to develop facilities for them, but are also affirmative actions to ensure that the allottees/ purchasers of the residential plots from the Respondent No. 2 are not able to utilize the plots for the purpose of constructing their residence, which will definitely involve felling of trees standing over the plots.
6. That it is submitted that the felling of trees in Delhi are governed under the Delhi Preservation of Trees Act, 1994, which provides for the procedure to be undertaken by a person desiring to remove or fell trees standing on a

private property. The relevant provisions of the aforesaid Act are as under:-

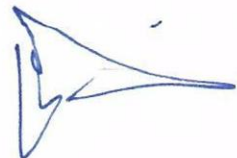
“8. Restrictions on felling and removal of trees.

Notwithstanding anything contained in any other law for the time being in force or in any custom or usage or contract and except as provided in this Act or the rules made thereunder, no person shall fell or remove or dispose of any tree or forest produce in any land, whether in his ownership or occupancy or otherwise, except with the previous permission of the Tree Officer:

Provided that if the tree is not immediately felled, there would be grave danger to life or property or traffic, the owner of the land may take immediate action to fell such tree and report the fact to the Tree Officer within twenty-four hours of such felling.

9. Procedure for obtaining permission to fell, cut, remove or dispose of a tree.

(1) Any person desiring to fell or remove or otherwise dispose of, by any means, a tree, shall make an application to the concerned Tree Officer for permission and such application shall be accompanied by attested copies of such documents as may be prescribed in support of ownership over the land, (he number and kind of trees to be cut, their girth measure at a height of 1.85 metres from ground level and the reasons therefore, copy of sajra showing clearly the site and khasra numbers of the property.





(2) On receipt of the application, the Tree Officer may, after inspecting the tree and holding such enquiry as he may deem necessary, either grant permission in whole or in part or for reasons to be recorded in writing, refuse permission: Provided that such permission may not be refused if the tree-

(i) is dead, diseased or wind fallen; or

(ii) is silviculturally mature, provided it does not occur on a steep slop; or

(iii) constitutes a danger to life or property; or (iv) constitutes obstruction to traffic; or

(v) is substantially damaged or destroyed by fire, lightening, rain or other natural causes; or

(vi) is required in rural areas to be cut with a view to appropriating the wood or leaves thereof, or any part thereof for bona fide use for fuel, fodder, agricultural implements or other domestic use."

(3) The Tree Officer shall give his decision within sixty days from the date of receipt of the application: Provided that no permission shall be granted to any person from the same area on more than two occasions during the same year subject to a maximum area of one hectare at a time.

(4) If the Tree Officer fails to communicate his permission on request within the period specified under sub-section (3), the permission referred to in section 8, shall be deemed to have been granted.



(5) Every permission granted under this Act shall be in such form and subject to such conditions, including taking of security for ensuring regeneration of the area and replanting of trees or otherwise, as may be prescribed.

10. Obligation to plant trees.

Every person, who is granted permission under this Act to fell or dispose of any tree, shall be bound to plant such number and kind of trees in the area from which the tree is felled or disposed of by him under such permission as may be directed by the Tree Officer:

Provided that the Tree Officer may, for reasons to be recorded in writing, permit lesser number of trees to be planted or trees to be planted in any different area or exempt any person from the obligation to plant or tend any tree.

11. Preservation of trees.

(1) Subject to the provisions of section 13, it shall be the duty of the owner of the land to comply with an order made under section 9, or a direction issued under section 10 and to plant trees in accordance with such an order or direction and to ensure that they grow well and are well preserved.

(2) All the owners shall effectively protect all lands or trees growing in the lands or the areas under their control and where the Tree Officer is of the opinion that adequate measures have not been taken to protect the trees from any damage, he may direct the owner to take



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such measures as are considered necessary to protect trees from damage. In case of default, the Tree Officer may himself arrange such measures and recover the expenditure thereon from the owner in the prescribed manner.

7. That in the online auction of residential properties of Sector – 7, Rohini, Delhi, in year 2018-2019 held in year 2019, Smt. Hemlata Gupta W/o Sh. Sanjay Kumar Gupta, R/o House No. 22, New Gupta Colony, Delhi 110009 was the successful bidder for allotment of the Plot bearing No. 114, Pocket E-4, Sector-7, Rohini, Delhi- 110085 and the aforesaid plot was allotted to her.
8. That Smt. Hemlata Gupta attempted to cut 04 trees standing over the aforesaid plot No. 114 on the basis of the allegedly forged permission from the office of the Respondent No. 1 and criminal proceeding in respect of the same was reportedly initiated against her in year 2021.
9. That for some reason known to her the aforesaid Smt. Hemlata Gupta wanted to sell the aforesaid plot No. 114 and after negotiations with her, the Respondent no. 5 herein entered into an agreement to sell in respect of the aforesaid plot No. 114, Pocket E-4, Sector – 7, Rohini, Delhi – 110085.
10. That thus the Respondent No. 5 has acquired interest in the aforesaid plot No. 114, Pocket E-4, Sector – 7, Rohini, Delhi – 110 085, which is subject matter of the present

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matter and the decision of present matter will have the bearing on the aforesaid plot No. 114, Pocket E-4, Sector – 7, Rohini, Delhi-110085, thereby affecting the Respondent No. 5.

11. That the Applicant Association is an organization formed by some local villagers, who are disturbing the bona fide purchasers of the plots in the developed residential colonies by the Respondent No. 2 in the name of environment protection, while they have all received compensation for the acquisition of their land.
12. That the Applicant society is targeting individual allottees of plots by raising the cause of environmental protection with an intention of devalue their property and enable the local property dealers to purchase those plots at cheap prices.
13. That subject property is acquired by the government for any public purpose, then every aspect of the land, such as construction, trees, etc. are taken into consideration and the records of acquisition would reveal that the land acquired for developing these plots were not bearing trees and the trees standing thereon today have been later on planted and grown by the locals in order to misuse the laws on environmental protection as well as the process of Court after receiving compensation for acquisition of their lands.
14. That it is submitted that the present case initiated by the Applicant Association is having malafide intention in



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- nature and causing detriment to the rights of the Respondents and other allottees to enjoy the properties lawfully acquired by them.
15. That the Applicant is very well aware about the procedure to be adopted for removal/felling of trees standing over the plots to be used for some other purpose. The plot bearing No. 114, Pocket E-4, Sector - 7, Rohini, Delhi-110085 has been carved out by the Respondent No.2 herein for allotment to general public for residential purposes and the applicant wishes to utilize the aforesaid plot for the said purpose, which is being hindered by the 4 trees standing over there.
16. That the Respondent No. 5 is ready to abide by the statutory conditions for grant of permission for removal/felling of 4 trees over the aforesaid plot No.114, Pocket E-4, Sector-7, Rohini, Delhi-110085 including compensatory planation as required under the law and the rules.

PARAWISE REPLY:-

1. That the content of Para 1 of the Original Application are wrong and denied except those which are matter of record. It is wrong and denied that the Applicant is a society registered. It is wrong to state that the Applicant is duty bound to secure the welfare and wellbeing but the Applicant owed an obligation by its choice. It is submitted that are i.e. Sector-7, Rohini, Delhi-110085 has not come

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under Green belt zone, the said area was acquired by the Respondent No. 2/ DDA for residential purpose.

2. That the content of Para 2 (i) of the Original Application are wrong and denied except those which are matter of record. It is wrong and denied that the Applicant is a society registered. It is wrong to state that the Applicant is duty bound to secure the welfare and wellbeing but the Applicant owed an obligation by its choice.
3. That the content of Para 2 (ii) of the Original Application are wrong and denied except those which are matter of record. It is wrong and denied that there are about 500 old and big trees surrounding the periphery of the said village-Naharpur, which operate as a green belt and lung for about 25 Thousand Residents of the said Village-Naharpur. It is submitted that are i.e. Sector-7, Rohini, Delhi-110085 has not come under Green belt zone, the said area was acquired by the Respondent No. 2/ DDA for residential purpose.
4. That the content of Para 2 (iii) to (xi) of the Original Application are wrong and denied except those which are matter of record. The Respondent no. 5 is a bonafide purchaser of the said property under E-Auction by the Respondent no. 2. Hence, need no reply.
5. That the content of Para 2 (xii) to (xv) of the Original Application are wrong and denied except those which are matter of record. It is pertinent to mention here that the Pocket-E, Sector-7, Rohini, Delhi has not come under

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Green belt zone. The Applicant is making false submissions that the said area comes under Green belt zone. It is further submitted that development plan for Sector-7, Rohini was prepared during the year 1979 and Vacant land around village Naharpur was also planned in the year 1985 and the area was titled as Block- E in which Residential Plots of various sizes were carved out (100 sq.m. to 200 sq.m.). These plots were partly implemented and partly could not be auctioned/ disposed off as villagers have opened entry of their houses/ shops, business establishments towards these plotted areas. It is pertinent to mention here that the services like sewerage, manhole, water supply lines, and drains have also been laid out by MCD through funds provided by the elected representative of the areas. Copy of Layout Plan of Rohini, Sector-7, Delhi is annexed herewith as **ANNEXURE R-5/4**.

6. That the paragraph 3 and grounds 'A' to 'R' are wrong and denied, except those which are matter of Record. The contents of Parawise Reply may treat as part and parcel of the present para to avoid repetition and for the sake of brevity.

REPLY OF THE MAINTAINABILITY:-

7. That the contents of paragraph (i) and (ii) is a matter of statutory obligation hence, need no reply.



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8. That the contents of paragraph (iii) is regarding substantial question relating to environment which has been laid down in **Goa Foundation Vs. Union of India, (2013) 1 All India Reporter NGT 234** and **Kehar Singh Vs. State of Haryana, 2013 All (I) NGT reporter (Delhi) 556** but the applicant must approach the Hon'ble Tribunal while keeping the principal of equity and justice into focal. But in the present case the applicant is having a hidden agenda or premeditated bias which doesn't come under the preview of the principles laid down in the supra stated reportable authority, hence it is not maintainable.
9. That the contents of paragraph (iv) is regarding violation of NGT Act, 2010; The Forest Act, 1980; the Air (Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986 it is a matter of record hence need no answer.
10. That the people residing in Naharpur Village are mostly tenants or the local villagers those who are having ancestral property, the property owner haphazardly constructed rooms to enhance their income sources where no proper ventilation and basic amenities are of low grade hence the applicant owed the unwarranted duty to outsource good environment from the pockets of others.
11. That the Respondent no. 5 is a bonafide purchaser of the property bearing No. 114, Pocket E-4, Sector - 7, Rohini, Delhi - 110 085. The said property comes under residential area. The above stated plot is having 4trees

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hence the Respondent no. 5 applied for seeking permission to cut four trees to built a residential building at the property from the concerned department, but the said application was dismissed by the concerned department for the reason that the matter is pending before this Hon'ble Supreme Court. Therefore the Forest Department did not give permission to cut four trees from the residential property in the dint of it the Respdnent No.5 approached the Ho'ble Supreme Court consequently the Respondent No. 5 becomes a nessessary party to the present OA. Copy of Application and rejection order is annexed herewith as **ANNEXURE R-5/5**.

REPLY OF PARA 5 LIMITATION:-

That in the averment made in paragraph (i) to (iv) there is no cause of action arises in favour of the Applicant, hence the case is not maintainable and must be a fit case of exemplary cost.

That the para 6 and 7 are matter of record hence need no reply

REPLY TO THE PRAYERS OF PARA 8:-

1. That in the averment made in paragraph A that there is a green belt surrounding the village Naharpur which is incorrect as there is no declared green belt in that particular area hence not maintainable.
2. That all other prayers B to F are general are not having locus standai before this Hon'ble Tribunal.

17-A

PRAYER

In view of the facts and circumstances mentioned hereinabove it is most respectfully prayed that this Hon'ble Tribunal kindly take a serious notice against the applicant who has violated the doctrine of equity, "Ex injuria jus non oritur" and this original application shall be disposed off with heavy cost and :

- a) Direct the Respondent No. 1 to give permission for felling of trees as per rule. So that the Respondent No. 5 may exercise his right to enjoy property bearing No. 114, Pocket E-4, Sector - 7, Rohini, Delhi - 110 085.
- b) All the questions maybe resolved related to this subject matter of the same area.
- c) A mandatory injunction has to be issued against the Applicant.
- d) An exemplary cost after calculation the loss suffered by the Respondents.
- e) Pass any such or further orders as this Hon'ble Tribunal may deem fit and proper

Ashish
Respondent No.5

Dated: 15/10/2024
Place: New Delhi

Filed By:-

 D/319/09

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IN THE MATTER OF:-

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...Applicant

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**Deputy Conservator of Forest
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...Respondents

AFFIDAVIT

I, Ashish Mittal S/o Sh Shyam Lal Mittal R/o H. No. G-23/195-196, Sector-7, Rohini, North West, New Delhi - 110085 do hereby solemnly affirm and declare as under:-

1. That I am the Respondent No.5 in the captioned case and as such I am well conversant with the facts of the case and competent to swear this affidavit.
2. That the contents of my reply to the reply of the Original Application under have been drafted by my counsel under my instructions. I am well conversant with facts stated therein and found the same to be true and correct to the best of my knowledge and belief.
3. That the annexure annexed with the accompanying reply are true printout of the respective documents available on their original websites.

Ashish
DEPONENT

VERIFICATION:-

Verified at Delhi on this __ day of October, 2024 that the contents of my above affidavit are true and nothing is false and has been concealed therefrom.

Ashish
DEPONENT

CERTIFIED THAT THE DEPONENT
Sh./Smt./Km.
S/o W/o D/o.
Identified
has been
on.....
that the
been used
correct to his

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5 OCT 2024
The National Green Tribunal
Principal Bench, New Delhi

13/10/24
I identified the Deponent who
has signed in my presence

5 OCT 2024

**DELHI DEVELOPMENT AUTHORITY****(MASTER PLAN SECTION)****PUBLIC NOTICE**

Delhi Development Authority/Central Government has proposed '**Green Development Area Policy**'. The proposed Green Development Area Policy is hereby put up in public domain for inviting objections / suggestions. Any person having any objections / suggestions with respect to the proposed modifications, may send the same in writing to the Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi-110023 or via e-mail to mpd2021.public@dda.org.in within a period of **Forty Five (45) days** from the date of issue of this Notice. The person making the observations / views / suggestions should also give his/her Name, Address and Telephone/ Contact Number(s)/ Email IDs, which should be readable.

The text of draft policy shall also be available for reference at the Office of the Dy. Director, Master Plan Section, 6th Floor, Vikas Minar, IP Estate, New Delhi-110002, on all working days within the period referred above. The text indicating the proposed modifications is also available on the following link i.e. <https://119.226.139.196/ddaweb/MPD2021.aspx>.

sd/-

(Rajiv Gandhi)

File No: F.20(01)2021/MP

Dated: 24.02.2021

Place: New Delhi

Commissioner-cum-Secretary,
Delhi Development Authority**Please give your feedback on DDA Apps at** **Please Visit DDA's website: www.dda.org.in or Dial Toll free No. 1800110332**

**DELHI DEVELOPMENT AUTHORITY
(MASTER PLAN SECTION)**

PUBLIC NOTICE

The following modifications which the Delhi Development Authority/Central Government has proposed to make to the Master Plan-2021 under Section 11-A of DD Act 1957, are hereby published for public information. Any person having any objections/ suggestions with respect to the proposed modifications may send the objections/ suggestions in writing to the Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi-110023 within a period of **Forty Five (45) days** from the date of this Public Notice. The person making the objections or suggestions should also give his/her name, address, telephone / contact number and e-mail ID which should be legible.

Proposed Policy:

GREEN DEVELOPMENT AREA POLICY

1. BACKGROUND:

- 1.1. The Green Development Area Policy provides an integrated framework for development in the following areas of Delhi:
- 1.2. Green Belt –Agricultural land along the border of NCT of Delhi upto a depth of one peripheral revenue village boundary, wherever possible.
- 1.3 Low-Density Residential Area (LDRA) – Area under 23 identified villages falling in Urban Extension having concentration of farmhouses termed as Low-Density Residential Plots or LDRPs
- 1.4 The Policy will encourage 'green development', which shall be characterised by prescribed FAR, large wooded and landscaped areas, to:
 - 1.4.1 foster city-level hubs for green living and recreation, create green jobs and economies,
 - 1.4.2 encourage production of food and other natural produce to improve food security and meet horticultural needs.
 - 1.4.3 create a regional environmental buffer, reduce impacts of air and noise pollution, urban heating, improve predictability of rainfall and combat threat of desertification.

2 DEFINITION OF KEY TERMS

2.1 Green Development Area (GDA): area earmarked by DDA for green development

- 2.2 **Integrated GDA Plan (IGP):** A plan showing major transportation corridors, utilities and recreational areas required at city level covering the entire GDA, with no predefined land uses.
- 2.3 **Green Development Scheme:** Development Proposals/ schemes/ applications submitted by landowners for approval on their lands falling in Green Development Area.
- 2.4 **Mandatory Wooded Area:** Area covered with indigenous species of trees and forest shrubs requiring less water. A part of natural unlined water bodies to be maintained as part of Green Development Schemes.

3 GUIDING PRINCIPLES:

- 3.1 The extent boundary of GDA may vary based on actual delineation on ground.

- 3.2 All existing and future development shall be governed by the provisions of GDA, replacing any earlier provisions for Green Belt, LDRA including LDRP's.
- 3.3 Provide a comprehensive framework defining permissible uses, activities / mix of activities and FAR for proposed uses / activities / mix of activities for green development. Mixing of these uses/ activities shall be permitted.
- 3.4 Provide environmentally sustainable development options to enable the land owners to achieve the economic value of lands.
- 3.5 Provide connectivity and infrastructure for physical and functional integration of the areas within and around GDA.
- 3.6 The activities permitted within GDA, shall be with the prescribed FAR and Mandatory Wooded Area.
- 3.7 Three grades of green development shall be permitted in the GDA as per Clause 4.1
- 3.8 Development of land within the GDA shall take place through private initiative on individual plots or larger scheme areas pooled by constituent land owners.
- 3.9 Trunk Infrastructure shall be developed through the following:
- 3.9.1 DDA/ Service Providing Agencies (SPA) can develop infrastructure against payment of EDC by landowners.
- 3.9.2 Private entity can develop infrastructure on the basis of plan approved by DDA/Service Providing Agencies (SPA).

4 APPLICABLE NORMS

- 4.1 The following grades of development shall be permitted:

TABLE 1

	Grade - 1	Grade - 2	Grade - 3
A. Permissibility			
1. Minimum Land Area	min. 600 sq.mt.	4000 sq.mt.	10,000 sq.mt.
2. Minimum Access Road	6m ROW	Plot must be accessible from 12m RoW, of a continuous length equivalent to at least 25% of the perimeter of the plot	Plot must be accessible from minimum 30m RoW, of a continuous length equivalent to at least 25% of the perimeter of the plot
3. Green Rating*	Not required	Entire scheme shall meet minimum Green Ratings of GRIHA 3 star or equivalent	Entire scheme shall meet minimum Green Ratings of GRIHA 3 star or equivalent
4. Activities Permitted	<ul style="list-style-type: none"> • Agriculture, Horticulture, Floriculture, Forestry • Smriti vans, Burial Grounds, Cemeteries and Crematoriums • Composting facility • Natural wastewater treatment facility • Solar fields and 	<ul style="list-style-type: none"> • Farmhouses • Open air markets (e.g. farmers' market, handicraft or used goods markets) • Zoological parks and Aviaries • Sports facilities • Primary and secondary education facilities 	<ul style="list-style-type: none"> • Higher education campuses (including vocational training) • Non-polluting work centres like cyber and knowledge industry, Research & Development, • Agro processing and packaging,

	other renewable energy installations	<ul style="list-style-type: none"> Healthcare facilities (including veterinary facilities) Resorts and clubs Storage facilities, showrooms and repair workshops/ service centres to be permitted on 18m Row and above. Green Houses All Grade 1 uses permitted with FAR as prescribed under grade 1 	<ul style="list-style-type: none"> cold storage Green Houses Convention and exhibition centres Concert Spaces, stadiums, cultural performance spaces, museums, art galleries Amusement parks (except water parks that will not be permitted within GDA). All Grade 1 & 2 uses permitted with FAR as prescribed under grade 1
B. Development Control Norms			
1. Permissible FAR	FAR: 5 (with minimum 30 sq.mt. and maximum 200 sq.mt. of built up area on any size of land)	FAR: 20 (with additional purchasable FAR of 10)	FAR: 60 (with additional purchasable FAR of 20)
2. Maximum Ground Coverage	5%	10%	20%
3. Mandatory Wooded Area	No requirement	15% of plot area	45% of plot area
4. Setbacks**	3m setback on all sides	10m front setback and 5m setbacks on remaining sides. This may be relaxed as per Clause 5.1.4	10m setback on all sides.
5. Basements	Not permitted	Permitted only under built structures within permissible FAR	Permitted only under built structures within permissible FAR
6. Parking Provisions***	5% of plot area to be earmarked for surface parking (to be kept unpaved)	10% of plot area to be earmarked for surface parking (to be kept unpaved)	10% of plot area to be earmarked for surface parking (to be kept unpaved)
7. Paved Surfaces	<ul style="list-style-type: none"> Paved surfaces shall not exceed 5% of the plot area after utilising the ground coverage. Water absorbent paving material to be used in 50% paved area. 		

* Grades 2 and 3 developments shall also adhere to any other greening norms prescribed by DDA.

** All structures falling along National Highways to adhere NHAI norms.

*** Except in case of plots proposed for events/gatherings where minimum parking requirements shall be as per local body policy.

- 4.2 Compatible mix of activities are allowed provided permissible FAR and access conditions are met as per Clause 4.1.
- 4.3 Minimum Green Ratings shall have to be adhered, incentives and penalties for violating the prescribed norms shall be levied.
- 4.4 Incentives for achieving the Green Blue Factor as per the Green Blue Policy shall be given.
- 4.5 Greenhouses shall be permitted in Grade 2 & 3. Solar fields and other renewable energy installations fields shall be permitted under all grades, provided the total area under these installations is not more than 30% of the plot (after excluding the Mandatory Wooded Area as applicable).
- 4.6 Maximum 20% of the permissible FAR can be utilised for supporting facilities like small shops, restaurants, or office.
- 4.7 All schemes shall be designed as ecologically self-sustaining units as follows:
- 4.7.1 100% decentralized treatment and maximum reuse of wastewater.
 - 4.7.2 100% on site processing of all green waste and animal waste.
 - 4.7.3 30% of the on-site energy requirements are met through renewable energy.
 - 4.7.4 Optimum on-site trapping of storm water through mandatory rainwater harvesting, unlined storage ponds and reservoirs as part of landscaping and urban design.
 - 4.7.5 These facilities of composting and recycling can be developed as shared facilities.
- 4.8 The following shall be permitted/allowed:
- 4.8.1 levy any entry or access fees, rentals,
 - 4.8.2 opt for rental/lease models for implementation and management;
 - 4.8.3 sub-divide their land and sell/lease plots as part of farmhouse or theme farming clusters, etc.
 - 4.8.4 Use the agricultural, forestry or other produce from the land commercially.
- 4.9 Change of grade of development is permitted provided all conditions are met as per Clause 4.1. The Mandatory Wooded Area shall be increased as per the grade change. However, under no condition shall this area be reduced once approved under a certain grade.
- 4.10 DDA shall identify ecologically sensitive areas (e.g. low-lying areas, potential sites for ground water recharge, existing areas of high tree density, etc.), where only Grade 1 development shall be permitted.
- 4.11 Owners of such lands shall be compensated in the form of Transferable Development Rights (TDR) that can be utilised within identified receiving areas. In case a portion of a plot falls under ecologically sensitive area, it can be utilised to meet the Mandatory Wooded Area requirements. The remaining plot may be used for any Grade of activity. In such cases, the compensatory Transferable Development Rights (TDR) will only be awarded to the extent of land falling under ecologically sensitive area.
- 4.12 The norms for public gathering, events and functions shall be as per the policy of the concerned local body.

5 SPECIAL CONDITIONS FOR FARMHOUSES:

- 5.1** The following conditions shall be met for farmhouse developments:
- 5.1.1** New farmhouses shall be permitted in the form of standalone plots or farmhouse clusters. Standalone plots shall be permitted on minimum 12m RoW. In farmhouse clusters, the internal roads shall be 9m RoW, the cluster access should be from 12m RoW.
 - 5.1.2** Existing farmhouses constructed on private lands (till the date of notification of this Policy) with minimum access of 9m, shall be regularised under Grade 2.
 - 5.1.3** Where RoW is less than 9.0m, all landowners along the street shall provide land to fulfil the access conditions. In case this is not feasible, a minimum of 6m RoW shall be provided with appropriate road geometrics as given in UBBL/IRC to ensure smooth movement of emergency vehicles.
 - 5.1.4** Existing Farmhouses that do not meet the setback requirements for Grade 2 developments, shall provide at least 5m setback on front and any one side.
- 5.2** Other norms applicable for all farmhouse developments:
- 5.2.1** Maximum built up area for a farmhouse plot (whether standalone or part of a cluster) shall not exceed 3000 Sq.mt. irrespective of plot size.
 - 5.2.2** Height of the built structures shall not exceed 12m.
 - 5.2.3** Basements in existing farmhouses that exceed the permissible FAR shall be regularised upon payment of requisite regularization charges upto a maximum of permissible ground coverage.
 - 5.2.4** In addition to permissible FAR, 2 dwelling units of 30 Sq.mt. each for community service personnel shall be permitted per 4000 Sq.mt. of land area (up to a maximum of 5 such dwelling units).
 - 5.2.5** Watch & ward guard unit will be permitted adjacent to boundary or entrance gate up to a maximum of 24 Sq.mt. as per UBBL free from FAR and setback norms.
 - 5.2.6** Sub-division of plots shall be permitted not less than 4000 Sq.mt. with an independent access from minimum 9m RoW.

6 PROVISION OF INFRASTRUCTURE AND CONNECTIVITY IN THE GDA

- 6.1** DDA shall prepare a GIS-based Integrated GDA Plan (IGP) in coordination with SPAs. The IGP will be a structure plan (with no pre-identified land uses) indicating the following:
- 6.1.1** Excluded areas (as given in the Regulations to this Policy),
 - 6.1.2** Eco sensitive areas
 - 6.1.3** Major access roads that will provide connectivity to the GDA. This will include all Master Plan, zonal plan roads and any local or revenue roads.
- 6.2** The alignment of Master Plan and Zonal plan roads passing through Green Development area shall be adhered to without any compensation.
- 6.3** Landowners shall provide land for social infrastructure and utilities such as police stations, fire stations, fuel stations, sub-stations, telecom towers, etc., as per local needs. The norms including road access conditions, etc. laid down in the Master Plan or regulations specific to

the particular facility need to be adhered to. Public utilities can be developed on any land in the GDA as per Master plan and as per notified Regulations

- 6.4 Development of zonal roads shall be undertaken by concerned authorities to ensure connectivity to GDA. Land requirement for such roads shall be met through a pooling process as detailed in the Regulations to this Policy.
- 6.5 Provision of trunk infrastructure for water, power and telecommunications shall be as per the Regulations to this Policy.

7 IMPLEMENTATION FRAMEWORK:

DDA shall create a single window system for implementing the GDA Policy. A dedicated multi-disciplinary team for managing the Single Window System based implementation. This team shall be drawn from different divisions/departments within the organisation and shall manage documentation, coordination with other agencies and approval of schemes. The option of outsourcing certain parts of the operations such as documentation, laying of services as per the approved plan etc. (as required) may also be considered.

- 7.1 Landowners shall submit a Green Development Scheme through the online portal for all Grades and/or mix of activities. Groups of landowners may also come together to submit a scheme. Integrated developments of 40,000 sqm or more shall be encouraged by suitable incentivization.
 - 7.1.1 Green Development Schemes may be designed as a cluster-type development (e.g. group of farmhouses, theme farming plots, etc.).
 - 7.1.2 Existing Farmhouses on private lands, with minimum access of 9m, shall be regularised through the online portal.
 - 7.1.3 Grade change shall be processed through the online portal.

8 APPLICABLE CHARGES:

- 8.1 Landowners shall be required to pay External Development Charges (EDC) and any other applicable charges for development of zonal roads and trunk infrastructure and shall be suitably linked to grade of development.
- 8.2 The other charges shall be worked out to ensure that the schemes become self-financing.
- 8.3 Charges applicable in case of integrated developments of 40,000 sq.mt. or more to promote amalgamation of land for integrated planning, consolidation of green cover, management of decentralised services, traffic movement and parking, etc. shall be worked out.
- 8.4 The conversion charges from Grade 1 to other grades shall be worked out separately.
- 8.5 A grievance redressal mechanism shall be formulated to resolve all disputes and anomalies.

- 8.6 For better implementation and transparency in operationalization of the policy, detailed regulations shall be framed under Section 57 of DD Act and notified thereafter.
- 8.7 Necessary modification in MPD and ZDP shall be taken up during the formulation of regulations.
- 8.8 The provisions in the Policy and the regulations formed there under shall prevail over the current provisions in the MPD/ ZDP under 2021. These shall be suitably provisioned in MPD-2041.

The text indicating the proposed modifications shall be available for inspection at the office of Dy. Director (MP), Delhi Development Authority, 6th floor, Vikas Minar, I.P. Estate, New Delhi on all working days during the period referred above. The text indicating the proposed modifications is also available on the following link i.e. <https://119.226.139.196/ddaweb/MPD2021.aspx>.

File no. F.20 (1)2021/ MP

Date: 24.02.2021

Place :New Delhi

Sd/-
(Rajiv Gandhi)
COMMISSIONER-CUM-SECRETARY,
DELHI DEVELOPMENT AUTHORITY

26
219
FOR (see rule 6)
GOVT. OF NCT OF DELHI
DEPARTMENT OF FORESTS AND WILDLIFE
OFFICE OF THE DY. CONSERVATOR OF FORESTS (NORTH)
MGICCC, BAKTHIWARPUR ROAD, BAKOLI, ALIPUR, DELHI-110036

Annexure R-5/2

F.ID No.11163/TO(N)/TC-Transplant/Felling/2023-24/3231-35

Dated: 27/04/23

Permission under DPTA, 1994

Subject: - Permission to fell/transplant trees.

With reference to his/her application ID No-11163 for grant of permission to fell tree, Sh. Panchayat Mahajanana, Office Khasra No.184, Naharpur Village, Vatsalya Mandir, Pocket-A-3, Sector-07, Rohini, Delhi is hereby informed that he/she is granted permission to fell 01 nos. tree from the Pvt. Property situated at Office Khasra No.-184, Naharpur Village, Vatsalya Mandir, Pocket-A-3, Sector-07, Rohini, Delhi subject to the satisfaction of the terms and conditions hereinto specified:-

Details of Trees:-		
S.No.	Species of trees	No. of trees
1.	Neem-01 Nos.	01 (One) nos. permission to felled

DCF (N) TREE OFFICER
NORTH FOREST DIVISION
27/4/23

To,

Sh. Panchayat Mahajanana,
Office Khasra No.184, Naharpur Village
Vatsalya Mandir, Pocket-A-3, Sector-07,
Rohini, Delhi-110085

Terms & Condition:-

1. The Range Forest Officer shall mark the trees before cutting them.
 2. Permission to fell/remove/transplant the tree is granted at his/her own risk and without prejudice to the claim(s) of any other person/s who may be having any right(s) over the land or the trees.
 3. If any tree/branch is found to have nest of birds it should not be felled/transplanted till the same is abandoned by the birds.
 4. Felling/transplant of trees shall be completed within 90 days.
 5. Material produced from felled/transplant trees shall not be removed or disposed without permission of the Tree Officer.
 6. The compensatory plantations of ten times the no of trees permitted for felling/transplant i.e. 10(Indigenous Species like Peepal, Amaltas, Pilkhan, Jamun etc.) should be completed by the applicant at Block F-18, Inside MCD Park, H.No.62, Sector-08, Rohini, Delhi for which refundable component of the security amount i.e. Rs.50,000/-(Rupees Fifty Thousand only) will be refunded if the applicant carries out compensatory plantation in the stipulated period and successfully maintains the plantations for 07 (Seven) years.
 7. The compensatory plantations of nil times the no. of trees permitted for felling/transplant i.e. 00 will be done by the Department of Forests and Wildlife and only non-refundable component of the security deposit (Administration and Contingency) i.e. Rs.7,000/- (Rupees Seven Thousand only) will be utilized
 8. The user agency will auction the wood derived from felling/transplant of 01 Nos. of tree (if any) and the proceeds may be deposited as Govt. Revenue. Lops and Tops may be sent to nearest Public Cremation Ground Free of Cost and receipt may sent to this office.
 9. In the event of failure on the part of the permit holder to replant the trees as indicated at serial number 4 above, the Tree Officer shall himself arrange to replant the trees and recover the cost thereof from the permit holder by way of adjustment against the security deposit made by the permit holder or failing that, by recovery of as arrears of land revenue and take suitable action as per DPTA, 1994.
 10. In-charge of Tree Cell of this division is being deputed for the monitoring of the above work. You are requested to intimate this office at least 3 days in advance before commencing the cutting tree.
 11. Progress report of felling & transportation shall be submitted through Range Officer concerned along with complete details of Sr. No. of trees in the authenticated list.
- N.B. The required security deposit of Rs.57,000/-(Rupees Fifty Seven Thousand Only), through D.D No.355962, dated-24/04/2023, issued from Punjab National Bank, Sector-07, Rohini, Delhi-110085 has already been received.

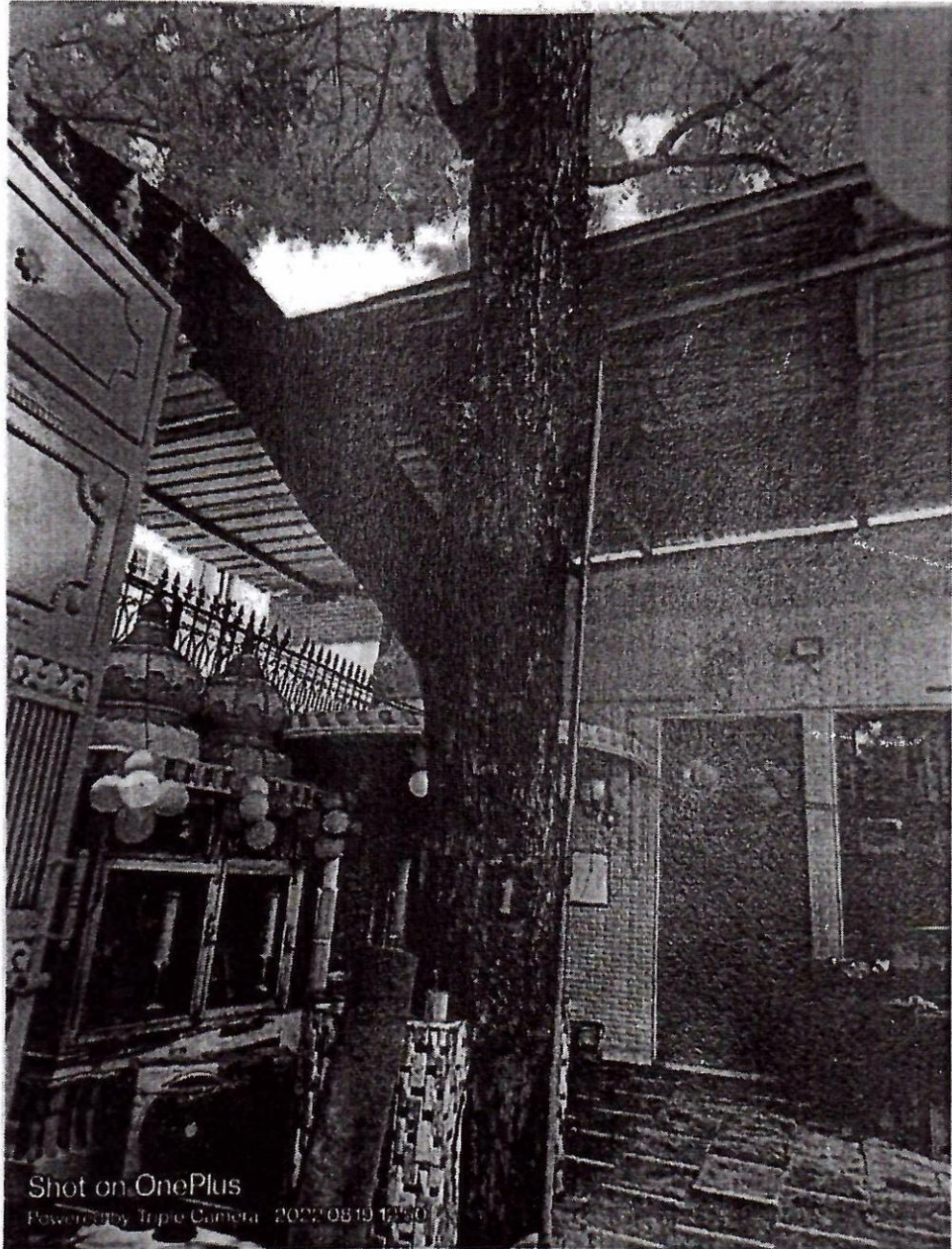
Copy to:-

1. The Dy. Range Officer, Nangloi, New Delhi for information & necessary action.
2. In-Charge Tree Cell for information and necessary action.
3. Account Section, North Forest Division, for information and necessary action.

Copy also to:-

1. The Conservator of Forests, Vikas Bhawan, A Block, 2nd Floor, I.P. Estate, New Delhi-110002.


DCF (N) TREE OFFICER
NORTH FOREST DIVISION



to 20-4-79

<u>Amund No</u>	<u>Village</u>	<u>Area</u>	<u>Scheme</u>	<u>Notification No</u>
35/78-79	Nakra Puc	1530 Bis. 10 Bis.	P. D. D.	VIS 4 F 15 (245)/60-254-244 dt 24/6/61 VIS 6 F 4 (57)/63 244 dt 2-12-66

Summary of the Amund

Announcement 10-1-79

 (Nataraj Singh)
 Land Acquisition Collector (M)
 Delhi

See - vide Rem 25

Land Revenue
 Rs. 612-85

- 1, Compensation for the messuags 1472 Bis, 15 Bis. of Block A @ 3000/- P.B. Rs. 44,8,250-00
- 2, Compensation for land messuags 32 Bis. 2 Bis. of Block B @ Rs 2800/- P.B. Rs. 89,880-00
- 3, Compensation for the land messuags 25 Bis. 13 Bis. G. M. Rastan etc. Nil.
- 4, Compensation for wells Rs. 12,900-00
- 5, Compensation for trees Rs. 624-00
- 6, 15% solution (Compulsory Acquisition) on items no 1, 2 and 4. Rs. 6,28,154-50

P.T.O.

- 3) 1) Interest @ Rs 6% p.A. for the a/c. amount 103 Bis. 03 Bis. w.e. 25-10-64 to 29-6-78
 excluding stay period w.e. 12-12-67 to 10-4-70 (i.e. 2 years 119 days) i.e. interest
 calculated for the period - 11 years 129 days. Rs, 2, 10, 799-04 ✓
 (Appendix I)
- (ii) Interest @ Rs 6% p.A. for the a/c. amount 636 Bis. 14 Bis. w.e. 25-10-64 to
 29-6-78 excluding stay period w.e. 14-9-67 to 10-4-70 i.e. 2 years 208 days.
 i.e. interest calculated for the period 11 years 40 days. (Appendix ii) Rs. 12, 73, 225-56
- (iii) Interest @ Rs 6% p.A. for the a/c. amount 170 Bis. 11 Bis. w.e. 25-10-64
 to 29-6-78 excluding stay period w.e. 5-10-67 to 22-10-70 i.e. 2 years 109 days.
 i.e. interest calculated for the period 11 years 139 days (Appendix iii) Rs. 3, 48, 557-93
- iv) Interest @ Rs 6% p.A. for the a/c. amount 183 Bis. 14 Bis.
 w.e. 25-10-64 to 29-6-78 excluding stay period 22-12-67 to
 20-4-70 i.e. 2 years 121 days. i.e. interest calculated for the
 period 11 years 121 days (Appendix iv) Rs. 3, 65, 373-81
- v) Interest @ Rs 6% p.A. for the a/c. amount 65 Bis. 13 Bis. w.e. 25-10-64 to 29-6-78
 excluding stay period w.e. 4-1-68 to 20-4-70.
 i.e. 2 years 106 days. i.e. interest calculated for the period.
 11 years 106 days Rs. 1, 34, 584-30

w.e.b. 25-10-64 to 29-6-78. excludes ...
to 20-4-70 i.e. 246 218 days. i.e. interest calculated for Rs.
Principal 11400. 30 days (Articles 'ij)

vii) interest @ 12% p.a. for the amt. amount of Rs. 10000
w.e.b. 25-10-64 to 29-6-78 excludes stay period from 5¹⁰/₆₇ to Rs. 17025-70
10-4-70 i.e. 246. 187 days i.e. interest calculated for
Principal 11400

viii) interest @ 12% p.a. for the amt. amount 268 Rs. 11000 w.e.b.
25-10-64 to 29-6-78. interest calculated for the period of Rs. 6,61,257.00
134 days 248 days (Articles A)

ix) interest @ 12% p.a. for the amt. amount 1000 Rs. 7000 w.e.b.
25-10-64 to 29-6-78 excludes stay period of 14-9-67 to 10-4-70
i.e. 246. 208 days i.e. interest calculated for the period. 10443. 308 days. Rs. 2,457-52.

x) interest @ 12% p.a. for the amt. amount 3000 Rs. 15000 (Articles B)
for the period 25-10-64 to 29-6-78 i.e. 134 days. 248 days
Rs. 70,668-05

~~10/1/79~~
C. T. ...
L. A. (12)

Rs. 83,55,045-60

Année	Village	Area	Schem	Not. (date)
36/78-79	Dhar Pur	37 Bis. 1285	P.D.	454 P.15 (III) 159-284 at 13-11-59
<u>H.M. Mus de Villen. Ncher Pur</u>				

1, 2, 3, 4, 5, 6/2, 7/2, 8/1-3, 9, 10, 11/2, 16/2, 17/1-3, 18/2, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30/25, 31/1-3, 32, 33, 34,
 35, 36/1-3, 37/1-3, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63,
 64, 65, 66, 67, 68, 69/2, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 103, 104,
 105, 106, 106, 109, 110/2, 111, 112, 113/2, 114/2, 116/2-7, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134,
 135, 136, 137, 138, 139, 140, 141, 142/1-3, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153/2, 154, 160, 161, 162, 164,
 162/2, 170, 171/2, 172/2, 173, 175/2, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188/2, 189, 191, 192,
 193, 194, 195, 196, 197, 198, 199, 200, 201, 202/2, 203, 204, 205/2, 206/2, 207/2, 209/2, 218/2, 219, 220, 221, 222, 223, 224,
 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 257/239, 258/239, 240/2, 241/2, 246/2,
 249/2, 250/2, 251/2.

Total 1530-10

Item No. (...12.3.2013)

Screening Committee No. (...315...)

Title of the Agenda:

Revised Layout Plan of Block-E-1 to E-5, Sector-7 around Village Naharpur, Rohini.

File No. DIR. (Plg.) R/E-1 TO E-5/SEC-7/2012**Synopsis**

The Revised Layout Plan of Naharpur Pocket- E1 to E5 Sector-7, Rohini is placed before Screening Committee for consideration and approval.

1. BACKGROUND

- The development plan for Sector-7, Rohini was prepared during the year 1979. Vacant land around village Naharpur was also planned in the year 1985 and the area was titled as Block-E in which residential plots of various sizes were carved out (100 sq.m. to 200 sq.m.). These plots were partly implemented and partly could not be auctioned/ disposed off as villagers have opened entry of their houses/ shops, business establishments towards these plotted areas. Services like sewerage, manhole, water supply lines, drains have also been laid out by MCD through funds provided by the elected representative of the areas.

- The development plan of Naharpur Pocket- E1 to E5 Sector-7, Rohini was modified by Planning Department time to time as per site conditions, inputs and observations of sub-committee formed as per decision of 256th Screening Committee held on 12/04/2007 vide item No. 57:2007 under the chairmanship of Chief Engineer (Rohini) and Hon'ble Delhi High Court Decisions.

- In order to save the balance available land from further encroachments, development plan of Naharpur Pocket- E1 to E5 Sector-7, Rohini is revised for approval and implementation on priority.

2. EXAMINATION

- The Landuse of Pocket-E, Naharpur as per MPD-2021 and as per ZDP Zone- H is 'Residential'.

- The base plan has been traced from the original approved lop of Pkt E-1 to E-5, Sector-7 (around village Naharpur)

- VC, DDA agreed for this revision vide his note dated 06/05/2008 and advised for putting up the case in next Screening Committee meeting.


- The large difference in the PT Survey conducted on 28/06/2005 and approved plan was brought to the notice of A.C (Plg.) - III on 14/11/2005 followed by to Commissioner (Plg.). As desire by Commissioner (Plg.) on 24/02/2006, pocket plan was integrated with existing development of the village.

- EE- RPD-2 has put up a proposal for redevelopment of plots in Pocket E1 to E5 with VC's endorsement. Engineering wing provided comments on the PT Survey that the trees existing on the site u/r can be removed after taking permission from the Forest Department by Horticulture Department DDA. L&Q Survey has also supplied the satellite data drawing on 19/09/2006.

- The matter was put in 256th Screening Committee held on 12/04/2007 vide item No. 57:2007 and it was decided that: A Sub- committee be formed under the Chairmanship of Chief Engineer (Rohini) comprising of Sr. Architect (R&N) and the concerned Dy Dir (LM) & Dir (Plg.) Rohini and the removal of encroachments may be taken up immediately.

Rg. 1/4

Sof/c
- 514/c -

- The subcommittee gave its report vide No. CE(R)/3(6)/81/Vol.7/178 dated: 17th January 2008 stating that the plan needs to be revised w.r.t existing encroachments, Hon'ble Court order to relocate community facilities and modify affected residential plots, cutting of existing 287 trees and replantation of 2870 trees in new location. It was also submitted in the report that the modified plan needs to be placed before screening Committee again for approval. Thereafter there have been several requests from Engineering Wing, DDA to Forest Department GNCTD for permitting cutting of trees with the help of Department of Horticulture, DDA. Engineering Wing, DDA must now ensure cutting of these trees and replanting at appropriate location on priority for allotment.
 - Accordingly, the plan prepared was sent to CE (Rohini) for Feasibility vide letter No. F.50 (75) AE (P) RPD-2/DDA/166 dated: 09/05/2008. Feasibility & dimensions were obtained from EE/RPD-2 on 19/05/2008 and the plan was corrected on 28/05/2008.
 - Clarification on the court orders issued by HIMA Kohli, J dated 09/01/2009 was sought vide letter no. Nil. Dated: 07/12/2009. The order asked for a fresh site plan to be prepared indicating accessibility and peripheral road with the internal village road and the same was incorporated in the Pocket Plan of E-1 to E-5.
 - Dir (Plg) Rohini requested Geeta Mehrotra vide Letter No. F 50 (75) AE(P)/RPD-2/DDA/268 dated 27/07/2009 with a copy to EE/RPD-2 for clarifying that there is no stay over the site u/r in-writing.
 - As per Court case order dt.21/10/2009 "DDA is directed not to auction any plots from out of the land which was acquired by DDA for the residential purpose under the Rohini Scheme.
 - The subsequent date of court hearing came out to be 11/11/10 for which Dir (Plg.) Rohini appraised the penal lawyer Ms. Geeta Mehrotra on 225/10/10 that in the revised Layout Plan, 100 sq.m. to 200sq.m. (in different sizes) residential plots are proposed and to be disposed off by DDA which was not covered under Rohini Residential Plotted Scheme 1981.
 - In view of the observation of SLO (Plg), Dir (Plg) Rohini spoke to Commissioner (LD) DDA on 11/05/2011 and it was informed that since it is a revision in the layout plan in the already developed Sector-7 Rohini, DDA can proceed for placing the matter before Screening Committee for its consideration and approval. The matter about Rohini Residential Scheme (backlog of registrations) is mainly concerning Sector-20 Rohini onwards.
 - Thereafter, site survey was carried out by Rohini Survey Team on 16/06/11 and the plan was accordingly modified on 30/06/2011.
 - To process the matter further, a planning file was opened with File No. Dir(Plg) R/E-1 to 5/Sec-7/2012 on 17/4/2012 and all the original documents (Noting side and Correspondence side) were placed in Planning file and photocopy of the same were placed in Engineering file. Engineering file was sent back on 20/06/2012.
 - A meeting of the subcommittee was called upon for deliberating on the revised plan on 23/11/12 and 22/04/13 and after incorporating observation of the subcommittee the matter was finalised and decided for preparation of Screening Committee agenda on 15/05/2013.
 - Some plots and pieces of land are lying vacant in all the pockets as per feasibility sent by E.E. RPD-2. It is shown in the drawing as "V". The occupied plots are shown in .
 - The following facilities are provided as per the direction of High Court Delhi dt 03-04-1999 in the previous LOP, which were affected due to encroachment/ path and services, laid by villagers/ MCD, now have been relocated as per land available, are as follows:

• AA	COMMUNITY HALL
• BB	PARK
• CC	URINAL & LAVATORY BLOCK
• DD	MULTIPURPOSE TRAINING CUM WORK CENTRE
• EE	DUST BIN
• FF	FOR LANDLESS HARIJANS
- (Refer Annexure-I to the agenda for block wise modifications incorporated in the current revised plan)

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Pg. 24

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-11-

3. PROPOSAL

Proposal for Revised Layout Plan of Block-E-1 to E-5, Sector-7 around Village Naharpur, Rohini with modifications as stated in Para 4. (Area Statement) is placed before Screening Committee for consideration and approval

4. AREA STATEMENT

The Area Statement of the layout plan of Block-E-1 to E-5, Sector-7 around Village Naharpur, Rohini will be as below:

PLOTS POSITION AS PER REVISED PLAN						
PKT	PLOT RETAINED AS PER PREVIOUS APPROVED PLAN (w.r.t Layout Plan of year 1979)		PLOT DELETED (w.r.t Layout Plan of year 1979)		MODIFIED PLOTS (w.r.t Layout Plan of year 1979)	
E-1	1-64 = 64 NOS 71-82 = 12 NOS	TOTAL 76 NOS	65-70 = 6 NOS 83 = 1 NO	TOTAL 7 NOS	84-115 = 32 NO	
E-2	1-07 = 7 NOS ALREADY DELETED 8-28 = 21 NOS		29 = 1 NO 41-43 = 3 NO 56-61 = 6 NOS	TOTAL 10 NOS	30-40 & 44-55 = 23 NO	
E-3	1-47 = 47 NOS		64 = 1 NO 67-73 = 7 NOS	TOTAL 8 NOS	48 A, 48 B - 63 = 17 NOS 65 - 66 = 02 NOS	
E-4	1-41 = 41 NOS 54-77 = 24 NOS 82-97 = 16 NOS 105-108 = 04 NOS 115-150 = 36 NOS	TOTAL 121 NOS	100 = 1 NO 109-113 = 5 NO 151-152 = 2 NO		42-53 = 12 NOS 78-81 = 04 NOS 98-99 = 02 NOS 101-104 = 04 NOS 114 = 01 NOS 153-157 = 05 NOS	
E-5	1-12 = 12 NOS				13-15 = 03 NOS	
DETAILS OF MODIFIED PLOTS						
	PLOT NO	DIMENSION (IN M)		AREA (IN SQM)		
E-1	84 - 86	7.50 X 16.00		120.00		
	90 - 91	7.50 X 16.00		120.00		
	92-93	7.50 X 20.00		150.00		
	100-104	10.00 X 20.00		200.00		
	107-114	10.00 X 20.00		200.00		
	105 & 106	10.50 X 20.00		210.00		
	87-89	ODD PLOTS				
	94-99	ODD PLOTS				
	115	10.30 X 20.00		206.00		
E-2	39	8.60 X 20.00		172.00		
	44-45	9.00 X 20.00		180.00		
	47.50	9.00 X 20.00		180.00		
	46	9.50 X 20.00		190.00		
	30-38	ODD PLOTS				
	40	ODD PLOT				

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-12-

	51-55	ODD PLOTS	
E-3	63	8.50 X 19.60	166.60
	48 A, 48 B - 62	ODD PLOTS	
	65 - 66	ODD PLOTS	
E-4	104	7.00 X 16.00	112.00
	114	6.30 X 16.00	100.80
	42 - 53	ODD PLOTS	
	78 - 81	ODD PLOTS	
	98 - 99	ODD PLOTS	
	101 - 104	ODD PLOTS	
	153 - 157	ODD PLOTS	
E-5	13-14	16.50 X 11.25	185.625
	15	ODD PLOTS	

- For all the odd plots, the dimensions must be checked before handing over possession/ disposal and this revised drawing is to be read with the conjunction of already approved LOP of E-1 to E-5 Sector-7, Rohini.
- All the dimensions and area given in the plan are subjected to confirmation on by Engineering Wing. Refer Annexure-I to the agenda for block wise modifications incorporated in the current revised plan.

5. FINANCIAL LIABILITY AND SOCIAL GAIN

With the current proposal there will be social gain in terms of meeting community facility demand for the village abadi area of Naharpur and Financial Gain as per allotment rates for various category plots of the Scheme. Moreover, the scheme saves remaining DDA vacant land from further encroachment by adjacent abadi area.

6. FOLLOW UP ACTION

After the approval, the plan will be sent to:

- Land Management Wing - For appropriate action
- Engineering Wing - For Demarcation on site and cutting of existing Trees + replanting at appropriate location on Priority
- Land Disposal Wing - For allotment as per report submitted by Engineering Wing, DDA on cutting of existing trees and as per rules for early disposal of plots.
- Landscape Wing - For appropriate action

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Vinod Sakle
(Vinod Sakle) 18/06/13.
Director (Plg), Rohini
Zone M & N

(P C Soni)
18/6/2013
(P C Soni)
Deputy Director (Plg)
Rohini.

(Alka Arya)
18/06/13
(Alka Arya)
Assistant Director (Plg)
Rohini

DELHI DEVELOPMENT AUTHORITY
HUPW-CO.ORDINATION UNIT
Approved in 315 Screening
Committee Meeting Dt. 7.8.2013
vide *315: 123: 2013*
Dy. Director (Arch.) Coord.

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Application Id

11684

Mobile No.

9540687909

Visual Code

+011 2337 0679

treecelhq.dfawl@delhi.gov.in

VIKAS BHAWAN, 2nd Floor, A Block, IP Estate, New Delhi, Delhi 110002

<https://dpta.eforest.delhi.gov.in/status.aspx>

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3/9/24, 4:08 AM

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No. of Applications: 1

S.No.	Application ID	Division	District	Applicant Name	Applicant Mobile	Applicant Address	Application Type	Ap Dat
1	11684	North	North West	Bhishm Dutt	9540687909	Plot No [dot]114, Pkt E-4, Sector-7 Rohini, New Delhi 110085	Felling	09/



+011 2337 0679

treecelhq.dfawl@delhi.gov.in

VIKAS BHAWAN, 2nd Floor, A Block, IP Estate, New Delhi, Delhi 110002

<https://dpta.eforest.delhi.gov.in/status.aspx>



This is most important principle for decision making whenever there is ambiguity in interpretation of sections in the Act.

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3/9/24, 4:08 AM

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BEFORE THE NATIONAL GREEN TRIBUNAL

ORIGINAL APPLICATION NO. 175 OF 2021

IN RE:

Naharpur Residents Welfare Association (Regd.)

...Applicant

Versus

Deputy Conservator of Forest and Tree officer (West) & Ors

...Respondents

KNOW ALL to whom these present shall come that I/We. Ashish Mittal.....the above named.....Respondent No. 5.....do hereby appoint: (hereinafter called the advocate/s) to be my/our Advocate in the above noted case authorize him:-

BHISHM DUTT
BHISHM DUTT
ADVOCATE
Enroll No.D/319/09
Mob - 9540687909



ISHA ARORA
D12911/20/10

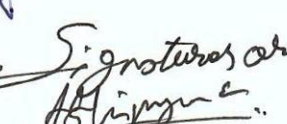
1. To act, appear and plead in the above noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us.
2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.
3. To file and take back documents, to admit and/or deny the documents of opposite party.
4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
7. To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.
8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.
9. And I/We undertake that I/We or my/our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.
10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.
11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.
12. And I/We the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/we hereby agree that once fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 4th day of April, 2024. Accepted subject to the terms of the fees.


BHISHM DUTT
ADVOCATE
Enroll No.D/319/09
Mob - 9540687909
Email - adv.bhishm@gmail.com


Client
Ashish
9811150614


Client

Signatures are identified by


Reply in OA/175/2021 Naharpur Residents Welfare Association vs Deputy Conservator of Forests and Tree Officer (West) and Ors

1 message

advocate abhimanyu sharma <advabhimanyusharma89@gmail.com>

Thu, Oct 17, 2024 at 12:08 PM

To: Alakh Alok <advocate.alakh@gmail.com>

Sir,

please find the attached pdf of Reply with documents on behalf of the Respondent no. 5 in the captioned matter.

From

Abhimanyu Sharma
Advocate



Naharpur Residents Welfare Association Vs Deputy Conservator of Forests and Tree Officer (West) and Ors Reply on behal of the Respondent no 5.pdf
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