

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
AT NEW DELHI

O.A.355/2022

IN THE MATTER OF:

HARI

...PETITIONER

VERSUS

GNCTD AND ORS.

...RESPONDENTS

NDOH: 21-07-2023

INDEX

S.No.	Particulars	Page No.
1.	Status Report of Respondent/DDA	1-5
2.	Annexure R1: True Copy of Site Inspection dated 24-04-2023	6
3.	Annexure R2: True Copy photographs taken during site inspection	7-10
4	Annexure R3: True Copy of notification No. F9/22)/78/L&B dated 22-02-1979	11-12
5.	Annexure R4: True Copy of possession proceedings dated 13-08-1987	13-22

New Delhi

Dated: 20-07-2023

FILED BY:

**LATIKA MALHOTRA | KRITIKA GUPTA**

Counsel for DDA

D2356/2018

317,S Block,Delhi High Court

Shershah Suri Marg, New Delhi-110003

9811895162 | Latika.malhotra10@gmail.com

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
AT NEW DELHI

1

O.A.-355/2022

IN THE MATTER OF:-

HARI

...PETITIONER

VERSUS

GNCTD AND ORS.

...RESPONDENTS

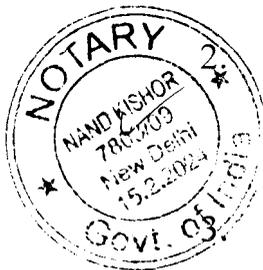
**SHORT STATUS REPORT ON BEHALF OF
RESPONDENT/DDA**

Affidavit of Mr. Rakesh Kumar, s/o Sh. Ram Charan aged
about 51 years, presently posted as Deputy Director, Survey
and Settlement-II, DDA, do hereby solemnly affirm and declare
as under:-

1. That I am working with the Respondent/DDA, as such
competent and authorized to sign the present affidavit.

That I am well conversant with the facts and circumstances
of the present case in my official capacity.

That brief facts of the matter are Mr. Dharam Singh alias
Doctor and 10 other persons have encroached upon land
behind graveyard near Max Hospital Saket, New Delhi and

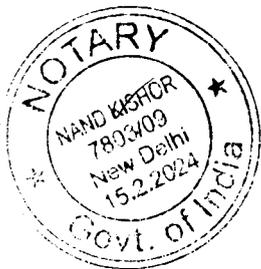


the above said persons have cut Neem, Babool, Peepal and other trees from the green-belt and have stored scrap material and they are also burning plastic, polythene bags and electricity wires which results in emission of poisonous gases causing air pollution.

4. Further, vide order dated 20.05.2022 the Hon'ble NGT constituted a Joint Committee comprising of the DPCC, Commissioner, MCD and DFO, New Delhi and directed them to submit factual and action taken report within 2 months.

That a fresh inspection was carried out on 22.06.2022 by officials of Joint Committee and following are the observations of Joint Committee:

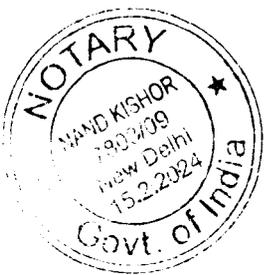
- (i) Ownership of the land mentioned in the said complaint could not be identified.
- (ii) On the land, some jhuggies were present behind the Kadeem Zari Muslim Eidgah, Hauz Rani Village.
- (iii) Some Scrap Material Shops were observed which were being operated by the people living in jhuggies.



- (iv) Plastic, polythene bags and other dump material were found dumped in the said land.
- (v) Some fallen trees were also found naturally.
- (vi) No burning of plastic, polythene bags or electric wires was observed.
- (vii) No paper/documents were shown by the jhuggi dwellers/ scrap shops when asked. Therefore, it seems to be that they have encroached on the said land.

5. In order to assess the extant encroachment, a letter dated 31.03.2023 was sent to SHO (Malviya Nagar) to provide necessary police protection to field/revenue staff of DDA for carrying site inspection of subject land on 24.04.2023 is attached herewith as Annexure R-1.

6. It is submitted that revenue officials of S&S-II/LM Branch along with AE/SMD-5/DDA & local Police visited the land in question site, adjoining to Max Hospital, Saket on 26.04.2023 wherein, it was observed that there is Kabristan, Hauz Rani which is situated at right side and



adjacent to Max Hospital, Saket. There are also 200 jhuggies (approx.), 15-20 Kabadi Shops and Car workshop for Denting Painting with tin boundary walls. Peoples were residing there alongwith dogs, cows & goats over the said land. Plastic, Polythene bags and other dump materials were found on said land and some naturally fallen trees were found on said land. At the time of said site inspection, no burning of plastic, polythene bags or electric wires was observed. Joint site inspection report dated 26.04.2023 and photographs taken during said site inspection are attached herewith as **Annexure R-2(Colly)**.

7. Furthermore, as evident from the record available with Respondent/DDA, land in question falls in Khasra No. 197 (5-11) and Khasra No. 198 (2-10) of village Hauz Rani which were transferred to DDA from Ministry of Rehabilitation (MOR) vide Package Deal dated 02.09.1982 and was placed at the disposal of DDA vide notification No.F9/22)/78/L&B dated 22.02.1979 annexed herewith as **Annexure R-3**.



5

8. The physical possession of the same was handed over to DDA on 13.08.1987 which is annexed herewith as Annexure R-4.

9. That the present short status report is submitted accordingly.

*Scientific
Dr. A. K. S.
D/2750/15*

R Kumar

DEPONENT

Deputy Director (Survey & Valuation)
District Engineer (District Engineer)
DDA, New Delhi
New Delhi, India

VERIFICATION
I Identify the Executant/Deponent
Verified at New Delhi on this ___ day of July, 2023

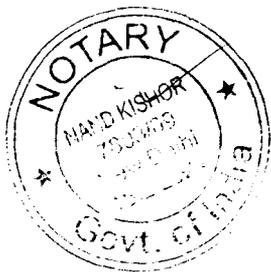
20 JUL 2023

certified at New Delhi on this ___ day of July, 2023 that the contents of the above Affidavit are true and correct to the best of my knowledge and based on the official records of the Respondent. No part of it is false and nothing material has been concealed therefrom.

R Kumar

DEPONENT

Deputy Director (Survey & Valuation)
District Engineer (District Engineer)
DDA, New Delhi
New Delhi, India



CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT/EXECUTANT WHO IS SEEMED PERFECTLY TO UNDERSTAND AFFIRMED & DEPOSED BEFORE ME AT NEW DELHI

Kishor
IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE
NOTARY PUBLIC IN & A.D. OF INDIA
NAI J. R. AGARWAL (Scale)

90

20 JUL 2023

ANNEXURE R1

6

श्री श्री 26-04-2023 को Police staff P.S. Saket के
सहित एक मकान देखा गया. मकान पर लगभग 200

Residential Muggo / Appar Temporary व लगभग

15 Kabara बंद हैं। मकान पर कोई पैड कटा नहीं मिला।

Pl. No. 198, 197 व अन्य खरारे माला हाउसिंग

को DDA को मिला है। इस मकान पर दो court case

Jitendra Begun vs DDA and Kabirani v/s DDA in

pending in court.

Attendants

1. Vishal Saini Patwari / B.S.S-II / DDA

Wineel
26/04/23

2. Sh. Shiva Kumar N-Techinidar (Const.) / DDA

Sh. Shiva Kumar
26/04/23

3. Rahul Meena AE / S.O.D-5 / DDA

Rahul Meena
26.04.2023

7

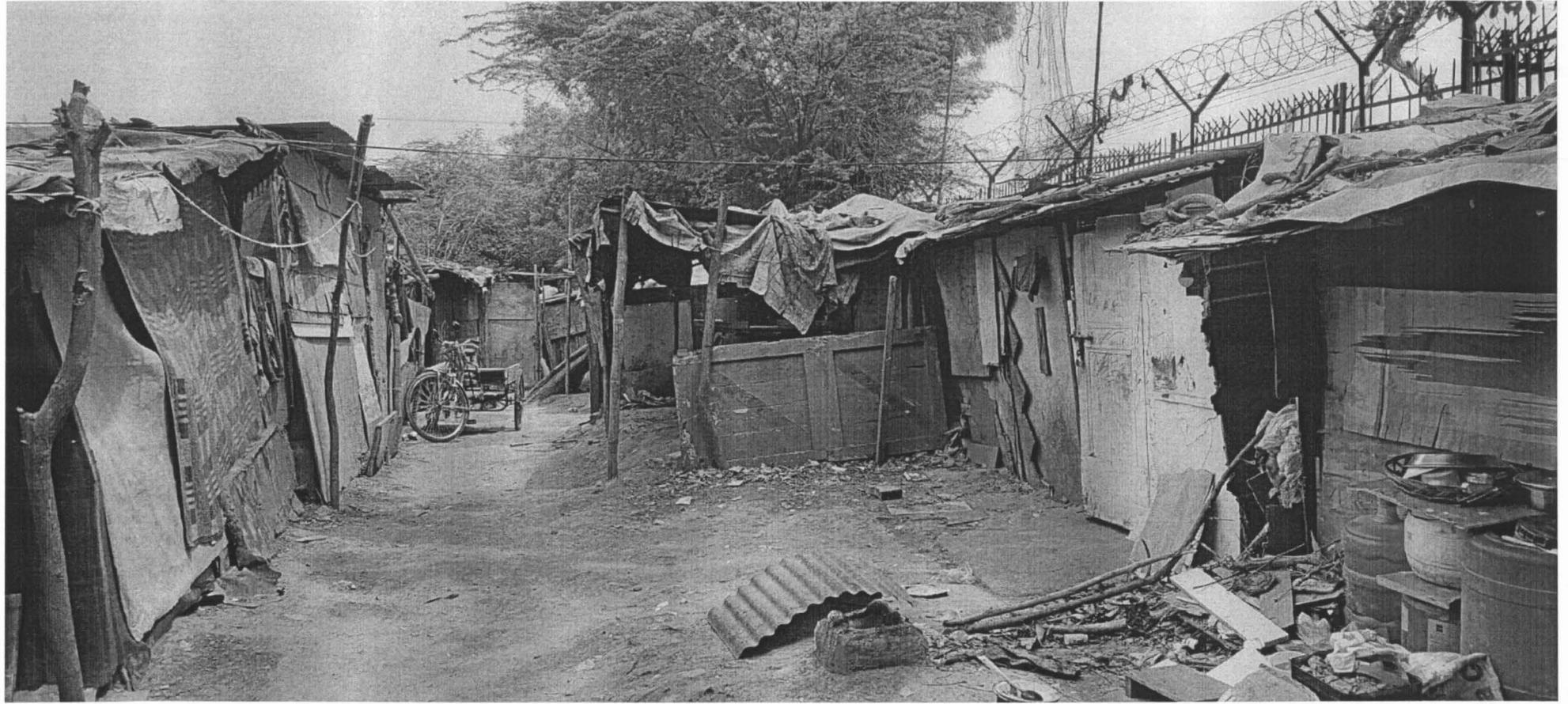


80

7

ANNEXURE R2

8



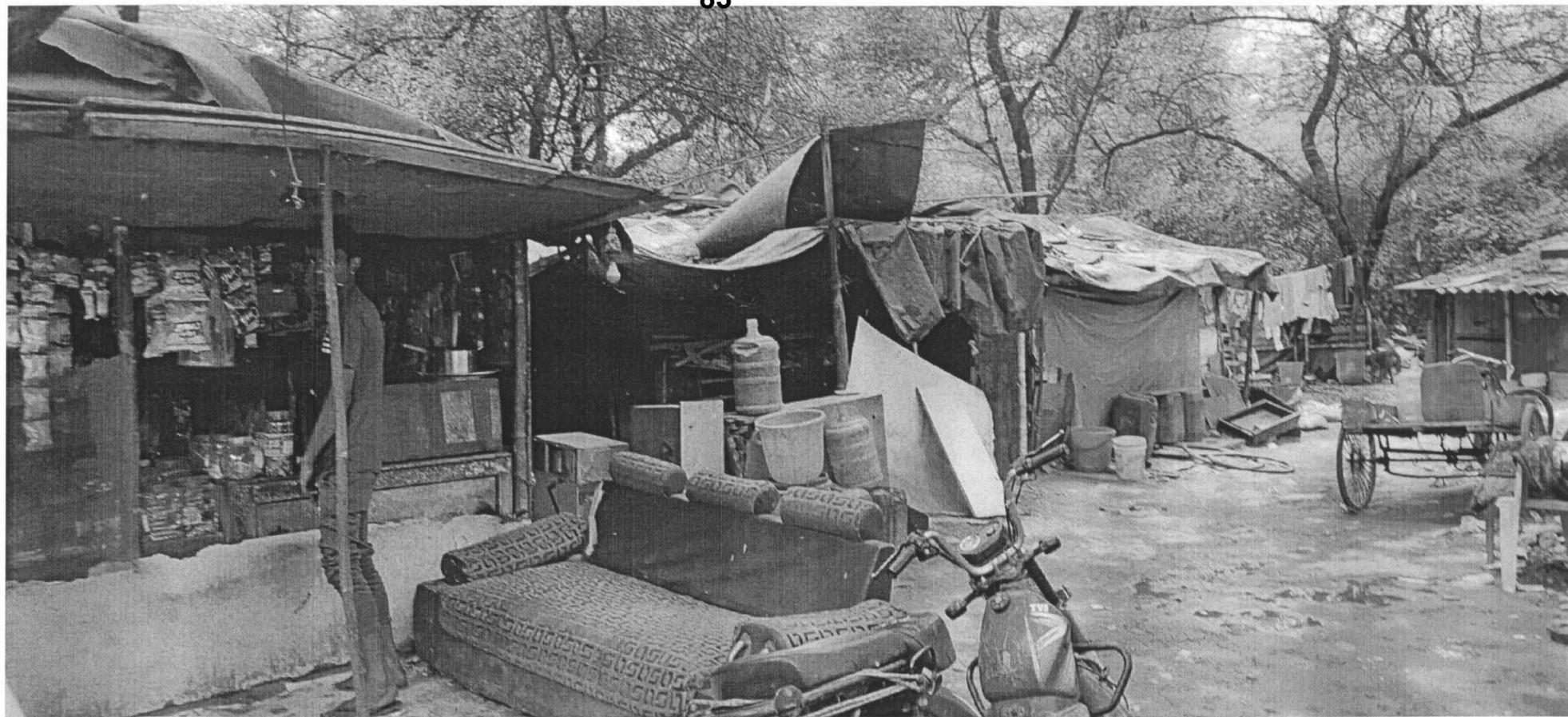
9



82

9

10



84
ANNEXURE R3

No.1(41)/Survey/CSC/87/Malviya Nagar/
Government of India
Ministry of Home Affairs
Department of Internal Security
Rehabilitation Division(Settlement)

Jaisalmer House, New Delhi.
Dated the August, 1987.

To

The Director,
Land & Management,
Delhi Development Authority,
Vikas Sadan,
New Delhi.

Sub:- Physical possession of land in Village Hauz Rani
and Khirki of Malviya Nagar Area.

Sir,

I am directed to refer to the Dy. Secretary, DOR's
d.o. letter No.4(34)/83-SS.II dated 28th September, 1983.
The lands in village Hauz Rani measuring 334 Bighas 19
Biswas and in Village Khirki measuring 136 Bighas 10 Biswas
(total 471 Bighas 9 biswas i.e. 98.186 acres) has been
handed over to the representative of DDA Shri Mahmoodul-
Hasan, Tahsildar (Lands) on 10.8.87. The statements
showing Khasra Nos. etc. and also Aks Shajra plan are
sent herewith in duplicate.

Yours faithfully,

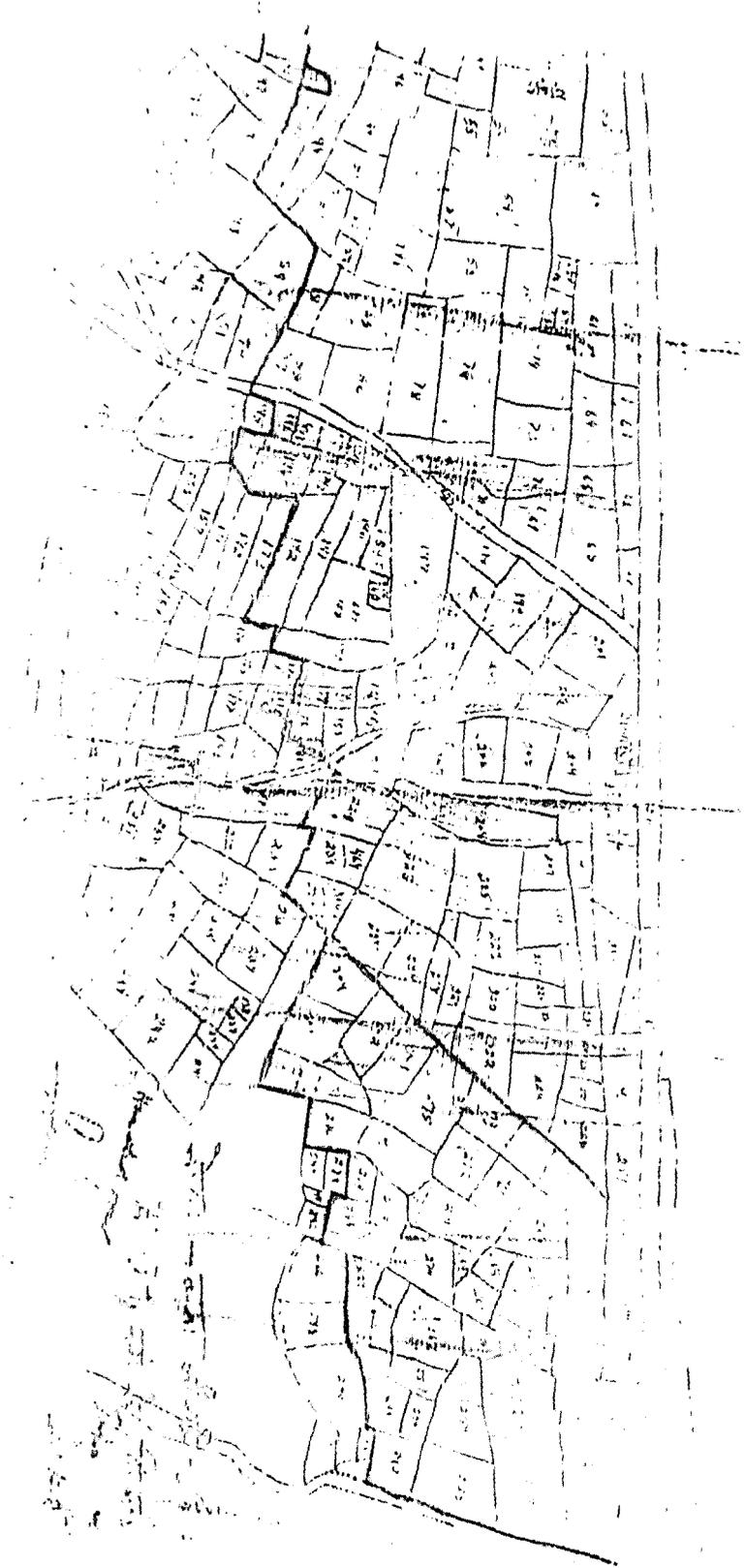
Encl:-As above.
(8)

(A.S. Mal) 2/8/87
Asstt. Engineer (V)

1. Copy to the Land & Development Officer, Nirman
Bhawan, New Delhi alongwith the statements and plans
for their information and record..
2. Copy to the Section Officer, SS.II Section for
information.

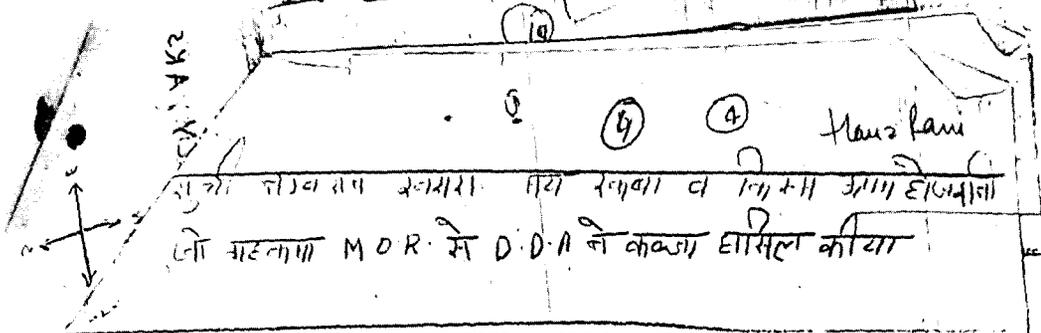
Asstt. Engineer (V)

12



ANNEXURE R4

13



वैशाली

वीदी - नम्बर

45	7-15	सोनात कालोनी
46	3-6	"
48	3-5	"
49	5-9	"
50	2-5	"
51	2-18	"
52	1-6	"
53	3-1	"
54	2-16	"
55	2-06	"
56	0-9	"
57	1-1	"
58	5-6	"
59	8-3	"
60	3-17	"
61	0-18	"
597	3-18	"
697		
70	4-12	"
71	1-10	" 34-1



क्रमांक	संख्या वीथी - विन्धे	वैशेष्यता
72	2-10	सोकेत कारोनी
73	5-6	"
74 गिन	5-16	"
598/75-76	3-3	"
599/75-76	3-5	"
77	9-6	"
78	9-16	"
79	9-9	"
80	2-10	"
81	2-13	"
82	0-17	"
83	3-6	"
84	0-16	"
85	4-6	"
86	3-3	"
87	3-16	"
88	2-7	"
94	2-18	सोकेत कारोनी 2-18 सोकेत कारोनी
95	3-5	सोकेत कारोनी
1257 1111	2-2	"
181 1107	1-10	"
	82-00	"



सोकेत कारोनी
2-18
सोकेत कारोनी
11/11/11

मज २००१

7

क्र.सं.	दिनांक	विवरण
2077	5-0	संग्रहीत
2087	2-11	"
2097	5-1	"
2197	2-17	"
2207	4-2	गोदी हस्तागत
2217	2-11	"
2227	6-11	"
2237	3-8	"
2237	2-0	संग्रहीत
2242	4-15	हस्तागत
2247	2-0	संग्रहीत
225	5-14	"
2267	3-1	गोदी हस्तागत
2267	1-0	संग्रहीत
2277	1-0	गोदी हस्तागत
2277	3-3	संग्रहीत
228	6-19	"
229	7-7	"
230	1-10	"
234	3-10	"
235	2-16	"
<u>72-16</u>		

मज २००१

I 64-1

II 82-00

3 75-1

4 76-16

297-18

[Signature]
15/1/07

90
१५५००० १५५०००

माली नाली = 146-01

माली नाली = 25-8

~~माली नाली = 25-8~~

~~माली नाली = 25-8~~

माली नाली = 126-9

माली नाली

A.S. MAU/3/187

Assistant Engineer

Ministry of Home Affairs

Dept. of Technicality

Relief and Rehabilitation (Delhi)

Ministry of Home Affairs, Delhi.

29/11/87

118

Mohammad

Mohammad

13/10/87

Mohammad-Ul Hasan

Tehsildar

Delhi Development Authority

New Delhi,

17

नम्बराच रकमरा काग हाजारा आगदा मेच रोड सोकेट
मे जा आते हे 7 have less 8. 18

रकमरा	रकमरा	के मायत
213 मिन	0-5	रोड
214 मिन	0-3	"
221 मिन	2-13	"
52 मिन	1-9	"
53 मिन	2-9	"
60 मिन	3-7	"
61 मिन	4-8	"
64 मिन	2-11	"
65 मिन	1-7	"
74 मिन	0-1	"
200 मिन	1-1	"
201 मिन	0-17	"
✓ 202 मिन	1-0	"
125 मिन	0-4	"
69 मिन	1-6	"
68 मिन	1-0	"
70 मिन	0-3	"
204 मिन	1-5	"
205 मिन	0-11	"
207 मिन	0-18	"
208 मिन	0-14	"
209 मिन	2-15	"
219 मिन	2-14	"
220 मिन	4-0	"
Total.	37-1	

Handed over
A. S. MAL
Assistant Secretary
Ministry of Home Affairs
Dept. of Internal Security
Rehabilitation Division (settlement)
Jansalwar House New Delhi

Pakistan

13/8/52

Mahmood-ul-Hasan
Secretary
Delhi Development Authority
New Delhi.

कुर्छी (9) 1-9.
 निसाना खग्रा मध खकवा जाल सिडनी जिराना लकवा मरुना MOR
 मोर से D.D.A विभाग ने लिगा मुतलना फेरिगा सालत से सिडनी जागे
 मोर मोर के दखिल में है।

निसाना	खकवा	शर्तिगा
256 मील	9-11	
257	7-05	
258	4-15	
259	4-16	
260	6-2	
261	4-0	
262	5-10	
263	1-16	
264	0-14	
265	4-2	
266 मील	2-2	
267	2-17	
268	1-7	Note in Annex
269	0-9	
270	4-9	
271 मील	3-0	Road
272 मील	3-19	
272 मील	4-14	Hospital
272 मील	3-05	Road
273 मील	4-6	Hospital
274	2-17	"
275	5-3	"
276 मील	3-5	"
276 मील	5-17	"
276 मील	1-9	Road
85-10		

Handwritten signatures and dates: 13/10/20

Handwritten numbers: 10, 15, 20

क्रमांक	दिनांक	विवरण
277	0-16	Round
278	0-7	Round Pump
278	0-4-10	Round
283	1-12	दोस्त मुसला का दो महीने उगी है।
284	1-0	Round Pump
285	0-10	
286	0-11	पंप (15) महीने उगी
287	2-9	दोस्त मुसला महीने है।
288	3-3	
289	1-16	
290	1-13	
291	1-10	
292	3-5	
300	5-8	Hospital
301	2-8	"
302	2-16	"
303	4-6	"
304	4-10	"
	37-12	
	85-10	
	123-2	

तकसिल किस्म

I लिंकरोड = 6-15

II पैदाई पंप = 1-7

III होस्पिटल = 36-9

IV दरगाह व कावली = 10-8

V कुमगाया = 0-11

VI खाली रेका = 73-19

Handed Over

A. S. MAL
 Assistant Engineer
 Ministry of Home Affairs
 Dept. of Internal Security
 Rehabilitation Division (Settlement)
 Jaisalmer House, New Delhi.

कुल रकम = 123-2

Mahmood-Ul-Hasan
 Tehsil Officer
 Delhi Development Authority
 New Delhi

13/3/12

मन्मथराज रवसरा व रकना गाम विचडकी सिकतावाला
 फुट वाली सडक मे जो आये चुर्का

क्र. सं. रवसरा	रकना	कामियत
255 2	1-18	रोड
256 2	6-7	"
266 177	4-7	"
273 177	6-16	"
Total	13-8	

Handled by
 A. S. Mehta
 Assistant Engineer
 Ministry of Home Affairs
 Dept. of Internal Security
 Rehabilitation Division (Settlement)
 Jaisalmer Home New Delhi

Sakun...
 Mahmood-Ul Hasan
 13/8/82
 Mahmood-Ul Hasan
 Delhi Development Authority
 New Delhi

20
 21
 22
 23
 24

