

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

OA 439/2023

IN THE MATTER OF:

BIRENDER SANGWAN

... APPLICANT

VERSUS

PWD & ORS.

...RESPONDENTS

N.D.O.H.: 22-01-2024

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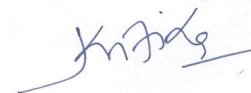
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NEW DELHI

DATED: 20-01-2024

RESPONDENT/DDA

THROUGH



KRITIKA GUPTA

Counsel for Respondent/DDA

Chamber No. 155, Lawyers' Chamber Block I,
High Court of Delhi, Sher Shah Suri Marg, Delhi

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OA 439/2023

PWD & ORS. ...RESPONDENTS

Most respectfully sheweth:

1. That the present Status Report is being filed under instructions of and with the approval of Director (Horticulture) NW, Deputy Director (HD-V) and AD II (Horticulture) of Respondent/DDA.
2. That the present report is about the Green Belt, Sector-14, Rohini along with Outer Ring Road (from Madhuban Chowk to Prashant Vihar), referred to as the DDA park in the Report of the Joint Committee dated 13-11-2023 filed before the Hon'ble Tribunal in this matter.
3. That this park is under the jurisdiction and maintenance of DDA. The park is regularly watered and due maintenance is undertaken of the park as well as the green area therein. Some photographs showing the maintenance of the park are annexed herewith as **Annexure R1**.
4. That due to ongoing construction by the DMRC in the neighbouring area, a part of the boundary wall of DDA Park (i.e. 105.5 meters out of 180 meters) was damaged by the DMRC. The

DDA has approached the DMRC to repair the damage made to the boundary wall of the DDA Park expeditiously. The DMRC has assured DDA that the damaged wall will be repaired upon completion of the construction work for the metro line. A reminder written to the DMRC on 18-12-2023 is annexed herewith as **Annexure R2**.

5. That in the meanwhile, the DMRC has put up barricades in places where the boundary wall is damaged. Photographs showing the barricading are annexed herewith as **Annexure R3**.
6. That another part of the wall (i.e. 30.6 meter out of 180 meter) was damaged to provide alternate approach road to the Forensic Science Laboratory, Rohini for emergency exit purposes. It is also of note that this 30.6 meter of boundary wall has been constructed by the DDA. Photograph showing repaired 30.6 meter boundary wall is annexed herewith as **Annexure R4**.
7. That a joint inspection was carried out in presence of AD (Horticulture) DDA, Forest Department (GNCTD), AE (C) DDA and JE (DPCC) on 20-12-2023 of the DDA Park and some of the following observations were recorded –
 - a. Regular sprinkling of water is undertaken in the park
 - b. No illegal parking was observed in DDA Park during the inspection
 - c. During the inspection, plantation and grassing work was observed
 - d. Regular plantation work is undertaken by DDA in the park
 - e. No evidence of cutting of trees/ branches was found at the time of inspection.

True Copy of the Inspection Report dated 20-12-2023 is annexed herewith as **Annexure R5**.

8. That during the joint inspection, damage was observed in the footpath (8.5 meter) surrounding the park, which now stands repaired. The photograph of the repaired footpath taken on 19-01-2024 is annexed herewith as **Annexure R6**.
9. That it reiterated that no trees have been cut in this park by the DDA. There have been 101 numbers of trees in the park since 2023.
10. That it is reiterated that the Respondent/DDA is committed to the cause of creating, protecting and maintaining green covers in the area under its jurisdiction, and is undertaking that all necessary steps and actions in pursuance thereof. The Respondent/ DDA tenders its unconditional apology for the inadvertent delay in filing of this Status Report on account of departmental exigencies.

NEW DELHI

DATED: 20-01-2024

THROUGH


20/01/24
RESPONDENT/DDA

(Indraj Meena)
Director (H&B) R/W

KRITIKA GUPTA

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High Court of Delhi, Sher Shah Suri Marg, Delhi

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**ANNEXURE R1:
PHOTOGRAPHS SHOWING THE MAINTENANCE OF
THE PARK**





ANNEXURE R2
REMINDER WRITTEN TO THE DMRC ON 18-12-2023

Reminder-2


DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE DEPUTY DIRECTOR
HORTICULTURE DIVISION NO-V
SECTOR-10 ROHINI DELHI-85
T.No. 011-27934070, Email Id:- Hortd613@gmail.com

No. FS (4)23/Hort.-V/DDA/2023-24 979

Dated. 18-12-23

To
The Office of CPM-2
First floor, Haiderpur, Shalimar place
Delhi-110088.

Sub: - Regarding restoration of broken boundary wall at Green belt sector-14, Rohini

Ref: - No. F (4)22/Hort.-V/DDA/2022-23/2290 dated 28.03.23

With reference to subject cited above it is to inform you that the boundary walls of the above mentioned green belt of sector-14 outer ring road from prashant vihar to Madhuban chowk is broken at various places during execution of DMRC work for metro line construction. People are misusing the site as vehicle parking, selling products inside the green belt which led to damage the green area of the park and the area is very much prone to the encroachment.

An early action will be highly appreciated.

(G.S Meena)
Dy. Director (Hort.) V
DDA, Rohini

Enclosure: - NHT Order

Copy to:-
1. Asst. Director-II (Hort.) V/DDA, Rohini to pursue the matter.
2. Office Copy

18.12.2023
Dy. Director (Hort.) V
DDA, Rohini

**ANNEXURE R3:
PHOTOGRAPHS SHOWING THE BARRICADING**





**ANNEXURE R4:
PHOTOGRAPH SHOWING REPAIRED 30.6 METER
BOUNDARY WALL**



- During inspection of DDA Park manual sprinkling of water was observed.
- No illegal parking was observed in DDA Park during inspection.
- During inspection plantation and greening work was observed. As informed by DDA official present during inspection regular plantation is being done for maintenance of Park.
- Footpath of the DDA Park found damaged during inspection. Length of damaged footpath = 8.5m.
- Total length of DDA park boundary wall is 180 m.
Damaged length = 136.1m

DDA wall damaged due to DMRC const work = 105.5m

DDA wall broken/damaged due to alternate approach road to Forensic Science Lab for emergency exit purpose = 30.6m

- During inspection of Forensic Science Lab, by Hon'ble Lt Governor following directions were issued: (inspection date 29 June 2022)

" PWD to pursue with DDA for provision of alternate approach road to the Forensic Science Lab premises from the Main Road for emergency exit purpose."

- During inspection of the entire DDA Park, there is no evidence of cutting of trees / cutting of branches of trees. However as informed by the officials of Forest department and DDA Horticulture only trimming of branches of trees for regular maintenance of park being done.

Blisfart
20.12.23
(ABHISHEK)
A.P.(HWS)/DDA

Vijay
20.12.23
(Vikas)
(FG) Forest Department.

Pring
20.12.23
KULPRIYA
AGC/DDA

Deepanshu Puri
20.12.23
DEEPANSHU PURI
SEC, DPCC



**TYPED COPY OF THE INSPECTION REPORT DATED
20-12-2023**

DDA Park

- During inspection of DDA Park, manual sprinkling of water was observed
- No illegal parking was observed in DDA park during inspection
- During inspection, plantation and grassing work was observed. As informed by DDA official present during inspection, regular presentation is being done for maintenance of park.
- Footpath of the DDA park was found damaged during inspection.
Length of damaged footpath= 8.5 m
Total length of DDA Park boundary wall is 180 m
Damaged length= 136.1 m
DDA wall damaged due to DMRC construction work = 105.5m
DDA wall broken/damaged due to alternate approach road to Forensic Science Lab for emergency exit purpose= 30.6 m
- During inspection of Forensic Science Lab by Hon'ble Lt. governor, following directions were issued : (inspection date 29 June 2022)
- "PWD to pursue with DDA for provision of alternate approach road to the Forensic Science Lab premises from the main road for emergency exit purpose"
- During inspection of the entire DDA Park, there is no evidence of cutting of trees/cutting of branches of trees. However, as informed by the officials of Forest department and DDA Horticulture only trimming of branches of trees for regular maintenance of being done.

Sd/- by AD (Horticulture) DDA, Forest Department (GNCTD),
AE (C) DDA and JE (DPCC) on 20-12-2023

**ANNEXURE R6:
PHOTOGRAPH OF THE REPAIRED FOOTPATH TAKEN
ON 19-01-2024**





POWER OF ATTORNEY

IN THIS COURT OF HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, DELHI
No. OA 339 of 2023

BIRENDER SANGWAN In re :- Plff/App./Petitioner/Complainant

VERSUS

PWD & OPS Defdt. of Resdt.

KNOW ALL to Whom these presents shall come that I/we DIRECTOR HORTICULTURE,
NORTH WEST DDA
Delhi Development Authority on behalf of Delhi Development Authority the above named RESPONDENT/
DDA
do hereby appoint KRITIKA GUPTA (D2750/15)

hereinafter called the Advocate(s) to be my/our Advocate(s)
in the above noted case and authorise him/them :-

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 Courts.

To sign, file, verify and present pleading, replications, appeals cross-objections, or petitions for executions, revision restoration, withdrawal, compromise or other petitions, replies, objections written statements, affidavits or other documents as may be deemed necessary or proper for the prosecution of the case in all its stages.

To file and take back documents and also withdraw unspent diet money or printing charges that may arise touching or in any manner relating to the said case.

To take out execution proceedings.

To deposit draw and receive : money cheques, and grant receipts therefor 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.

To appoint and instruct any other Legal Practitioner authorising him to exercise the Powers and authorities hereby conferred unto the Advocates whenever they think fit to do so and to sign the power of attorney on my/our behalf.

And I/we the undersigned do hereby agreed to ratify and confirm to acts done by the Advocates of their substitutes in the matter as my/our own acts, as if done me/us to all intents and purposes.

And I/we undertake that I/we or my duly authorised agent would appear in the court on all hearings and will inform the Advocates for appearance, when the case is called.

And I/we undersigned to hereby agree to hold the Advocate or their substitutes responsible for the result of the said case in consequence of their absence from the Court when the said case is called up for hearing, or for any negligence of the said Advocates or their substitutes.

And I/we the undersigned do hereby agree that in the event of the whole or any 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.

IN WITNESS WHEREOF I/we do here unto set my/our hand to these present the contents of which have been understood by me/us this day of 20.

Accepted,
Advocate(s)

DELHI DEVELOPMENT AUTHORITY
Vikas Sadan, New Delhi-23

KRITIKA GUPTA
for DELHI DEVELOPMENT AUTHORITY
D/2750/15

[Signature]
Director
North West
DDA, Vikas Sadan
New Delhi-110022

[Signature]
Dated
27/12/23