

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

ORIGINAL APPLICATION NO. 911/2022

**IN THE MATTER OF:**

NGT Bar Association (substituted for original  
applicants Prof. Dr. Sanjeev Bagai & Ors.)

... Applicant

Versus

Department of Environment GNCTD & Ors.

... Respondents

**I N D E X**

<b><u>Sl. No.</u></b>	<b><u>Particulars</u></b>	<b><u>Pg. No.</u></b>
1.	STATUS REPORT ON BEHALF OF DEPUTY CONSERVATOR OF FORESTS, WEST FOREST DIVISION, DEPARTMENT OF FOREST & WILDLIFE, GNCTD.	1-4
2.	<b>Annexure-A: (Colly)</b> Copy of final Disposal Order by the Tree Officer dated 31.10.2023	5-7
3.	<b>Annexure-B:</b> Copy of the Order dated 10.11.2023 of the Hon'ble High Court of Delhi in W.P.(C) 14810/2023	8-9

FILED BY:



NEW DELHI  
DATED: 22.07.2025

JYOTI MENDIRATTA  
Advocate for the Govt. of NCT of Delhi  
Ph: 9811136141  
jmalawoffices@gmail.com

IN THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH  
NEW DELHI

O.A. NO. 911/2022

IN THE MATTER OF:-

NGT BAR ASSOCIATION (SUBSTITUTED FOR ORIGINAL  
APPLICANTS PROF. DR. SANJEEV BAGAI & ORS.)

... APPLICANT

VERSUS

DEPARTMENT OF ENVIRONMENT GNCTD & ORS

... RESPONDENTS

STATUS REPORT ON BEHALF OF DEPUTY  
CONSERVATOR OF FORESTS, WEST FOREST  
DIVISION, DEPARTMENT OF FOREST & WILDLIFE,  
GNCTD.

MOST RESPECTFULLY SHOWETH:-

1. At the outset, it is most respectfully and humbly stated that the Department of Forests, GNCTD has the utmost regard and respect for the Majesty of the Hon'ble Tribunal and has in the past, as also the present instance done and will continue to do everything in its power to ensure compliance of the directions issued by this Hon'ble Tribunal.
2. That it is submitted that the Hon'ble Tribunal vide order dated 26.03.2025 directed the answering respondent to file Action Taken Report regarding grievances of the applicants in the original application.

3. It is submitted that the Hon'ble NGT had directed the answering respondent to file response regarding complaints made to him and action taken by him in respect of illegal cutting / pruning of trees in Vasant Vihar area. This report is submitted in compliance with directives regarding the illegal pruning of trees in various blocks of Vasant Vihar, New Delhi - 110057.
4. It is submitted that the answering respondent i.e. Deputy Conservator of Forest (West Forest Division) as a Tree Officer under Delhi Preservation of Tree Act, 1994 is authorized to carry out the mandate of the Delhi Preservation of Tree Act, 1994. The Respondent, inter alia, as a Tree Officer is responsible to enquire, investigate and convict/ compound any offences/ any damage done to the trees under section 8,18,19,20 and 21 of the Delhi Preservation of Trees Act, 1994.
5. It is submitted that an offence was lodged against Vasant Vihar Welfare Association (VVWA) vide Offence ID- 133 for illegal felling and pruning of 123 nos. of trees. A hearing was convened on October 25, 2023, concerning a case registered under the Delhi Preservation of Trees Act, 1994, regarding this matter. After a thorough hearing of all relevant parties, it was determined that an offense had been committed by VVWA and Municipal Corporation of Delhi (MCD).
6. Furthermore, VVWA and MCD have been directed to promptly plant 2460 trees (1230 each) of native species,

with a minimum height of 6 feet, within the vicinity of Vasant Vihar. These trees must be protected with metal Tree Guards, and this planting exercise is to be completed within three months. VVWA and MCD are also obligated to provide a bi-monthly report to the office of the West Forest Division for two years, detailing the survival rate and health status of the planted trees. This case is hereby disposed of.

7. It is submitted VVWA was offered a final opportunity to compound the case concerning the illegal pruning of 123 trees but declined due to insufficient funds to pay the compounding fee. Consequently, the Tree Officer had directed the lodging of an FIR for the illegal pruning of 123 trees in various blocks of Vasant Vihar and the initiation of legal proceedings against VVWA in the respective police station within which the area lies. A copy of final Disposal Order by the Tree Officer dated 31.10.2023 is annexed herein as **Annexure-A**.
8. It is submitted that the VVWA had challenged the Order of the Tree Officer in the Hon'ble High Court of Delhi in appeal and the Hon'ble High Court vide its Order dated 10.11.2023 in W.P. (C) No. 14810/2023 & CM APPL. 58879/2023 had allowed stay on the lodging of the FIR and no composition fee be imposed upon the Petitioner in compliance of the impugned order and to approach the Appellate Authority under DPTA, 1994. The said order of the Hon'ble High Court was challenged in Review by the applicant/VVWA and the matter is sub-judice. The copy of

the order dated 10.11.2023 is annexed herein as **Annexure-B.**

9. It is humbly submitted that the deponent has the highest respect and regard for the orders of this Hon'ble Tribunal. The present status report / compliance report is being placed before this Hon'ble Tribunal for its consideration and further directions, if any.

  
**DEPUTY CONSERVATOR OF FOREST  
WEST FOREST DIVISION**

**Dy. Conservator of Forest (West)  
Department of Forest & Wildlife  
Govt. of NCT of Delhi  
Mandir Lane, New Delhi**

GOVT. OF N.C.T. OF DELHI  
DEPARTMENT OF FOREST & WILDLIFE  
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS (WEST)  
WEST FOREST DIVISION: MANDIR LANE: NEW DELHI-60  
Tel No- 011 23361879: E: Mail:- [dcfwest.gnctd@gov.in](mailto:dcfwest.gnctd@gov.in)

F. 2(304)/DCF (W)/Tree Offence/ID-133/2022-23/8536-38

Dated: 31/10/23

BEFORE THE DEPUTY CONSERVATOR OF FORESTS/ TREE OFFICER  
WEST FOREST DIVISION, NEW DELHI

IN THE MATTER OF:

ILLEGAL PRUNING OF TREES IN DIFFERENT BLOCKS OF VASANT VIHAR NEW DELHI  
- 110057

DISPOSAL ORDER

**PARTIES PRESENT**

**VVWA:**

Sh. G. S. Bindra, President VVWA

Smt. Mridula Murgai, Director Administration, VVWA

Smt. Ekta Mehta, Legal Counsel for VVWA

**Sanjeev Bagai:**

Sh. Paritosh, Legal Counsel for Sh. Sanjeev Bagai

Sh. Shobit, Legal Counsel for Sh. Sanjeev Bagai

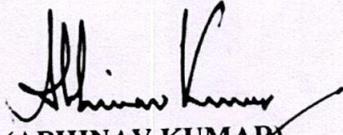
Ms. Anu Monga, Legal Counsel for Sh. Sanjeev Bagai

Sh. Rahul Goel, Legal Counsel for Sh. Sanjeev Bagai

1. On 25.10.2023, a hearing was convened, relating to a case duly registered under the Delhi Preservation of Trees Act, 1994, concerning the unlawful pruning of trees in various Blocks of Vasant Vihar, New Delhi – 110057.
2. No representative from the Municipal Corporation of Delhi (MCD) was in present at the hearing.
3. The legal representatives of Mr. Sanjeev Bagai brought to the court's attention that no order for a hearing, dated 31.05.2023 and other mentioned dates, were shared with them by the Tree Officer, as directed by the Hon'ble High Court of Delhi. In response, the Tree Officer stated that no such orders were issued for the hearing referred to in the emails from the legal representatives of Mr. Sanjeev Bagai.
4. It was also contended by the legal representatives of Mr. Sanjeev Bagai that VVWA had disseminated false information among the residents of Vasant Vihar, suggesting that they possessed government written permission for the pruning of trees.
5. Moreover, the legal representatives of Mr. Sanjeev Bagai emphasized that, as per Section 23 of the Delhi Preservation of Trees Act 1994, the Managing Committee of VVWA is liable for the offence relating to the illegal pruning of trees.
6. On the other hand, the legal counsel for VVWA contended that no formal complaint had been lodged with the Tree Officer regarding the unlawful pruning of trees in Vasant Vihar. Thus, it was asserted that the current proceedings lacked a basis.
7. According to the legal counsel for VVWA, the guidelines pertaining to the matter were considered "Non Est" in light of the order dated 29.05.2023 issued by the Hon'ble High Court of Delhi. Consequently, the argument was posited that if the guidelines no longer exist, the offense of pruning ceases to be applicable, and also there is no mention of pruning as an offense under the Delhi Preservation of Trees Act, 1994.
8. The legal counsel for VVWA also noted the copy of the Affidavit filed by the Municipal Corporation of Delhi (MCD) in the previous hearing was not shared with them.
9. Additionally, the legal counsel for VVWA contended that the pruning exercise was conducted in good faith for the benefit of VVWA residents, with no personal gain associated with the pruning of trees.
10. After affording all relevant parties a thorough hearing, this court is of the opinion that an offence has indeed been committed by VVWA. VVWA was provided with a final opportunity to compound the case concerning the illegal pruning of 123 trees, which they have declined due to insufficient funds to pay the compounding fee. Consequently, in light of the hearing, the Tree Officer hereby directs the lodging of an FIR for the illegal

pruning of 123 trees in various blocks of Vasant Vihar and the initiation of legal proceedings against VVWA for their involvement in the illegal pruning of these 123 trees in Vasant Vihar in the respective police station within which the area lies.

11. Further, VVWA and MCD are directed to promptly undertake the planting of 2460 trees (1230 each), which must belong to native species and have a minimum height of 6 feet. These trees are to be meticulously planted within the vicinity of Vasant Vihar, accompanied by the installation of metal Tree Guards for their protection. This tree planting exercise is to be executed within 03 months. The VVWA and MCD are further obligated to provide a bi-monthly report at intervals of every two months to the office of the West Forest Division. This report must comprehensively detail the survival rate and the health status of the planted trees, and this reporting obligation is to extend over duration of two year.
12. This case is hereby disposed off.

  
(ABHINAV KUMAR)  
DY. CONSERVATOR OF FOREST  
WEST FOREST DIVISION

To,

1. The President, Vasant Vihar Welfare Association, Kalyan Kendar, 9 Poorvi Marg, Vasant Vihar, New Delhi-110057.
2. The Deputy Director Horticulture, MCD, Green Park, New Delhi-110016 with directions to present before me on the above said date and time.



§~38

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 14810/2023**

**VASANT VIHAR WELFARE ASSOCIATION** ..... Petitioner

Through: Mr. Kailash Vasdev, Sr. Advocate  
with Ms. Ekta Mehta, Ms. Zainab  
Khan and Ms. Shagun Sabarwal,  
Advocates.

versus

**DEPUTY CONSERVATOR OF FOREST (WEST)/ TREE OFFICER  
& ANR.** ..... Respondents

Through: Mr. Avishkar Singhvi, Mr. Naved  
Ahmed and Mr. Vivek Kumar Singh,  
Advocates for R-1 and 2.

**CORAM:  
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

% **10.11.2023**  
**CM APPL. 58880/2023 (Exemption)**

Allowed, subject to all just exceptions.

**W.P.(C) 14810/2023 & CM APPL. 58879/2023**

1. Learned Counsel appearing for the Respondents states that an Appellate Authority has been constituted under the Delhi Preservation of Trees Act, 1994 and it is for the Petitioner to avail of the alternate remedy. The statement of learned Counsel for the Respondents is recorded.
2. Though, the learned Senior Counsel for the Petitioner states that the appeal might not be maintainable, however, in view of the statement made by the Counsel for the Respondents, an appeal would be filed before the



Appellate Authority with an abundance of caution.

3. In view of the above, the writ petition is disposed of, along with pending application(s), if any.
4. In case an appeal is filed within three weeks from today, the Appellate Authority is requested to hear the appeal and the interim relief application.
5. Till the Appellate Authority hears the application of interim relief, no FIR be lodged and no composition fee be imposed upon the Petitioner in compliance of the impugned order.
6. It is expected that the Appellate Authority will take up the application for interim relief within a period of four weeks from today.

**SUBRAMONIUM PRASAD, J**

**NOVEMBER 10, 2023**

*S. Zakir*