

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

Original Application No. 23/2023

In the matter of:

Sh. Somesh Agrawal

...Applicant

Versus

Municipal Corporation of Delhi & Ors

...Respondents

NDOH:- 29.11.2023

INDEX

S. No.	Contents	Page No.
1	Status Report on behalf of Delhi Pollution Control Committee (DPCC) in terms the order dated 09.02.2023	1-3
2	<u>Annexure-1</u> Copy the affidavit dated 13.03.2023 filed before Deputy Conservator of Forest/Tree Officer, West Division.	4-5
3	<u>Annexure-2</u> Copy of the order dated 17.03.2023 passed by the Deputy Conservator of Forest/ Tree Officer	6-7
4	<u>Annexure-3</u> Copy of the compliance letter dated 23.03.2023	8-14

Filed by:

New Delhi:

Dated: 21st. 12.2023

Delhi Pollution Control Committee

①

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Original Application No. 23/2023

In the matter of:

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**STATUS REPORT ON BEHALF OF DELHI POLLUTION
CONTROL COMMITTEE IN COMPLIANCE TO THE ORDER
DATED 09.02.2023.**

IT IS MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took up the above referred matter on 09.02.2023 and constituted a Joint Committee comprising of the Delhi Pollution Control Committee (DPCC) and the Deputy Conservator of Forest (DCF- West), and directed the same to undertake visits to the site and verify the factual position and submit its report regarding cutting and sale of a big green mango tree planted in front of Flat No. 25A in C-3A Block, Janakpuri, New Delhi.
2. That in compliance of the order passed by this Hon'ble Tribunal, an inspection was conducted on 16.05.2023, by the DPCC official. During the inspection, RWA representative provided the following documents:
 - (a) Copy of the affidavit dated 13.03.2023 filed before Deputy Conservator (Forest) West, , alongwith copy of Demand Draft of Rs 60.000/- dated 13.03.2023
 - (b) Order passed by the Deputy Conservator (Forest) West Delhi dated 17.03.2023,

(c) Compliance letter submitted in the office of Deputy Conservator (Forest) West dated 23.03.2023 alongwith photographs

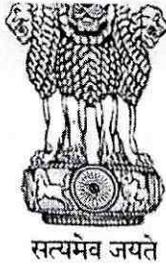
3. The Delhi Preservation of Trees Act (DPTA) of 1994 is legislation that provides legal protection to trees in Delhi, India. The Act aims to prevent any action that might harm the growth or regeneration of trees. As per the act, a tree is defined as any woody plant that has branches supported by a trunk or body of at least 5cm diameter and is at least one meter high from the ground level. The Act prohibits several activities that can cause the death of a tree, such as cutting, uprooting, bulldozing, girdling, and pollarding. Applying arboricides, burning, or damaging a tree in any other manner that can lead to its death is also considered illegal under the Act.
4. That, the answering respondent per se does not have jurisdiction under "THE DELHI PRESERVATION OF TREES ACT, 1994". The Forest Department, Government of NCT Delhi is the appropriate authority under this Act therefor is the appropriate department to look and take action in the matter or to recommend any action under the provision of the said Act.
5. That the affidavit dated 13.03.2023 filed before Deputy Conservator of Forest/Tree Officer, West Division, New Delhi. shows that Sh. Eish Malik, President and Sh. Ashish Bhasin, Secretary of RWA has accepted that they cut/ damage one tree without permission and requested for compounding the offence under The Delhi Preservation of Trees Act (DPTA),1994 and also submitted fine of Rs 60,000/- . Copy of the affidavit dated 13.03.2023 is annexed herewith as **Annexure- 1.**
6. That the order dated 17.03.2023 passed by the Deputy Conservator of Forest/ Tree Officer, West Division, New Delhi showed that offenders to plant 10 saplings of mango Trees of at least 6 feet height in the same locality. Offender was also directed to file compliance report within one week of issuance of this order. Copy of the order dated 17.03.2023 passed by the Deputy Conservator of Forest/ Tree Officer, is annexed herewith as **Annexure- 2.**



7. That in compliance to the order dated 17.03.2023, RWA has submitted a letter alongwith photographs on 23.03.2023 in the office of Deputy Conservator of Forest. Copy of the compliance letter dated 23.03.2023 is enclosed herewith as **ANNEXURE-3**.
8. In view of the above, the present status reports may kindly be taken on record.



(Dr. Anwar Ali Khan)
Sr. Environmental Engineer



सत्यमेव जयते

26

INDIA NON JUDICIAL

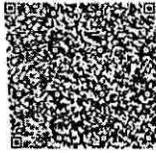
Annexure-1

4

Government of National Capital Territory of Delhi

e-Stamp

Certificate No.	: IN-DL74745720400026V
Certificate Issued Date	: 13-Mar-2023 01:33 PM
Account Reference	: IMPACC (IV)/ dl956203/ DELHI/ DL-DLH
Unique Doc. Reference	: SUBIN-DL95620321475170609450V
Purchased by	: ASHISH BHASIN
Description of Document	: Article 4 Affidavit
Property Description	: Not Applicable
Consideration Price (Rs.)	: 0 (Zero)
First Party	: ASHISH BHASIN
Second Party	: Not Applicable
Stamp Duty Paid By	: ASHISH BHASIN
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



Please write or type below this line



Handwritten signature

Statutory Alert:

GPS Ma
Camera Lite

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi
110058, India

Latitude
28.61160177°

Longitude
77.09257073°

Local 06:03:10 PM
GMT 12:33:10 PM

Altitude 220 meters
Tuesday, 16.05.2023

COMPOUNDING AFFIDAVIT

I, ASHISH BHASIN S/O LATE SH. K. L. BHASIN
JANAKPURI, NEW DELHI - 110058 do hereby swear
under:-

1. That the cutting/damage of 01 nos. of tree/trees without permission
OMKAR COMPOUND, C3A BLOCK, JANAKPURI, NEW DELHI
by us.
2. I say that I hereby agree to compound the said offence case and pay
fines as may be imposed under the Delhi Preservation Tree Act,
3. I say that sworn this affidavit is in order to order to produce the same before
authorities.

Verification :

Verified at New Delhi on this 13th day of March 2023 I say that the contents
and are true to the best of my knowledge and belief.



ATTESTED

13 MAR 2023

GPS Map

Camera Lite

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi 110058, India

Latitude

28.61160177°

Local 06:03:16 PM

GMT 12:33:16 PM

Longitude

77.09257073°

Altitude 220 meters

Tuesday 16.05.2023

Annexure-2

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
E-Mail: - dcfwest,unctd@gov.in

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

IN THE MATTER OF:

ILLEGAL CUTTING OF 01 TREE AT C 3A BLOCK, JANAKPURI, NEW DELHI - 110058
(NEAR GATE NO.1)

F.2 (304)/DCF (W)/Tree Offence/ID- 114/2022-23/ 12986 - 12990

Dated: 17/03/2023

ORDER

1. This order is in reference to the matter of illegal cutting of 01 tree at C 3A Block, Janakpuri, New Delhi - 110058 (Near Gate No.1).
2. Sh. Eish Malik, President, RWA, R/o C 3A/1A, Janakpuri, New Delhi - 110058 and Sh. Ashish Bhasin, Secretary, RWA, R/o C 3A/21C, Janakpuri, New Delhi - 110058 have accepted the fact that 01 tree at C 3A Block, Janakpuri, New Delhi - 110058 (Near Gate No.1) has been cut by them and is ready to compound the case.
3. Sh. Eish Malik, President, RWA, R/o C 3A/1A, Janakpuri, New Delhi - 110058 and Sh. Ashish Bhasin, Secretary, RWA, R/o C 3A/21C, Janakpuri, New Delhi - 110058 has submitted the compounding affidavit along with the fine of Rs. 60,000/- vide Demand Draft Number 003750 Dated:13.03.2023 in the office of the West Forest Division on 14.03.2023.
4. The undersigned direct the offenders to plant 10 saplings of Mango Trees of at least 6 feet height in the same locality where the tree was felled down illegally and submit the compliance report of the same in the office of West Forest Division within 01 week of issuance of this order.

GPS Ma
Camera Lite

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi
110058, India

Latitude

28.61160177°

Longitude

77.09257073°

Local 05:58:44 PM

GMT 12:28:44 PM

Altitude 220 meters

Tuesday, 16.05.2023

5. The undersigned also direct Sh. Eish Malik, President, RWA, R/o C 3A/1A, Janakpuri, New Delhi - 110058 and Sh. Ashish Bhasin, Secretary, RWA, R/o C 3A/21C, Janakpuri, New Delhi - 110058 that for cutting/pruning/transplantation of tree permission from Department of Forest & Wildlife, GNCTD has to be taken from E Forest Portal @ <http://treeremoval.delhigovt.nic.in/>
6. The case booked against Sh. Eish Malik, President, RWA, R/o C 3A/1A, Janakpuri, New Delhi - 110058 and Sh. Ashish Bhasin, Secretary, RWA, R/o C 3A/21C, Janakpuri, New Delhi - 110058 and is disposed off.

Hawryt

DEPUTY CONSERVATOR OF FOREST/TREE OFFICER
WEST FOREST DIVISION

To

1. Sh. Eish Malik, President, RWA, R/o C 3A/1A, Janakpuri, New Delhi - 110058.
2. Sh. Ashish Bhasin, Secretary, RWA, R/o C 3A/21C, Janakpuri, New Delhi - 110058.
3. Sh. Somesh Aggarwal, R/o C 3A/22B, Janakpuri, New Delhi - 110058.
4. The Deputy Director (Horticulture), MCD, 4th Floor, Dr. Sahib Singh Verma Bhawa, Near Shivaji College, Raja Garden, New Delhi - 110027.

Copy To

1. The Conservator of Forest, Department of Forests & Wildlife, GNCTD, A Block, 2nd Floor, Vikas Bhawan, I.P. Estate, New Delhi - 110002 for kind information.

Hawryt

DEPUTY CONSERVATOR OF FOREST/TREE OFFICER
WEST FOREST DIVISION

 GPS Ma
Camera Lite

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi
110058, India

Latitude
28.61160177°

Longitude
77.09257073°

Local 05:58:54 PM
GMT 12:28:54 PM

Altitude 220 meters
Tuesday, 16.05.2023

To,
The office of Deputy Conservator of Forests (West),
West Division, Mandir lane, New Delhi 110060

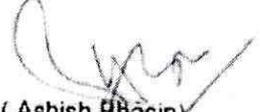
Ref Your Letter No F 2 (304) DCF (W) Tree Offence/ID-114/2022-23/12986-12990
DT17/03/2023

Subject: Illegal cutting of 01 tree at C3A Block, Janak Puri, ND-58. (Near Gate no 1)

Dear Sir,

As per your direction we have planted Ten (10) sapling of mango tree of more than 6 feet height in our locality. Colour photo of 10 sapling of mango tree (hard copy enclosed), video clip in pen drive & copy of the purchase bill of the same is also enclosed herewith. Kindly do the needful.


(Eish Malik)
President


(Ashish Bhāsin)
Secretary

Encl:

1. Photo of 10 sapling of mango tree.
2. Pen drive
3. Copy of purchase bill

22-3-27

GPS Ma
Camera Lite

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi
110058, India

Latitude
28.61160177°

Longitude
77.09257073°

Local 05:59:36 PM
GMT 12:29:36 PM

Altitude 220 meters
Tuesday, 16.05.2023

6

31

SESHAASAK(C)/CTS 2010



A/C PAYEE ONLY
NOT NEGOTIABLE

MANAGER'S CHECKUE
VALID FOR 3 MONTHS ONLY

DEPUTY CONSERVATOR OF FORESTS (WEST)

1 3 0 3 2 0 2 3

Pay
शुद्ध रूपा
Rupees

SIXTY THOUSAND ONLY.

₹ *60,000.00

Or Order

FISH KUMAR MALIK

JANAKPURI DISTRICT CENTER BRANCH

DELHI - 110058

REF. No. 907912003808

FOR VALUE RECEIVED

[Signature]
Authorised Signatories
Please sign above

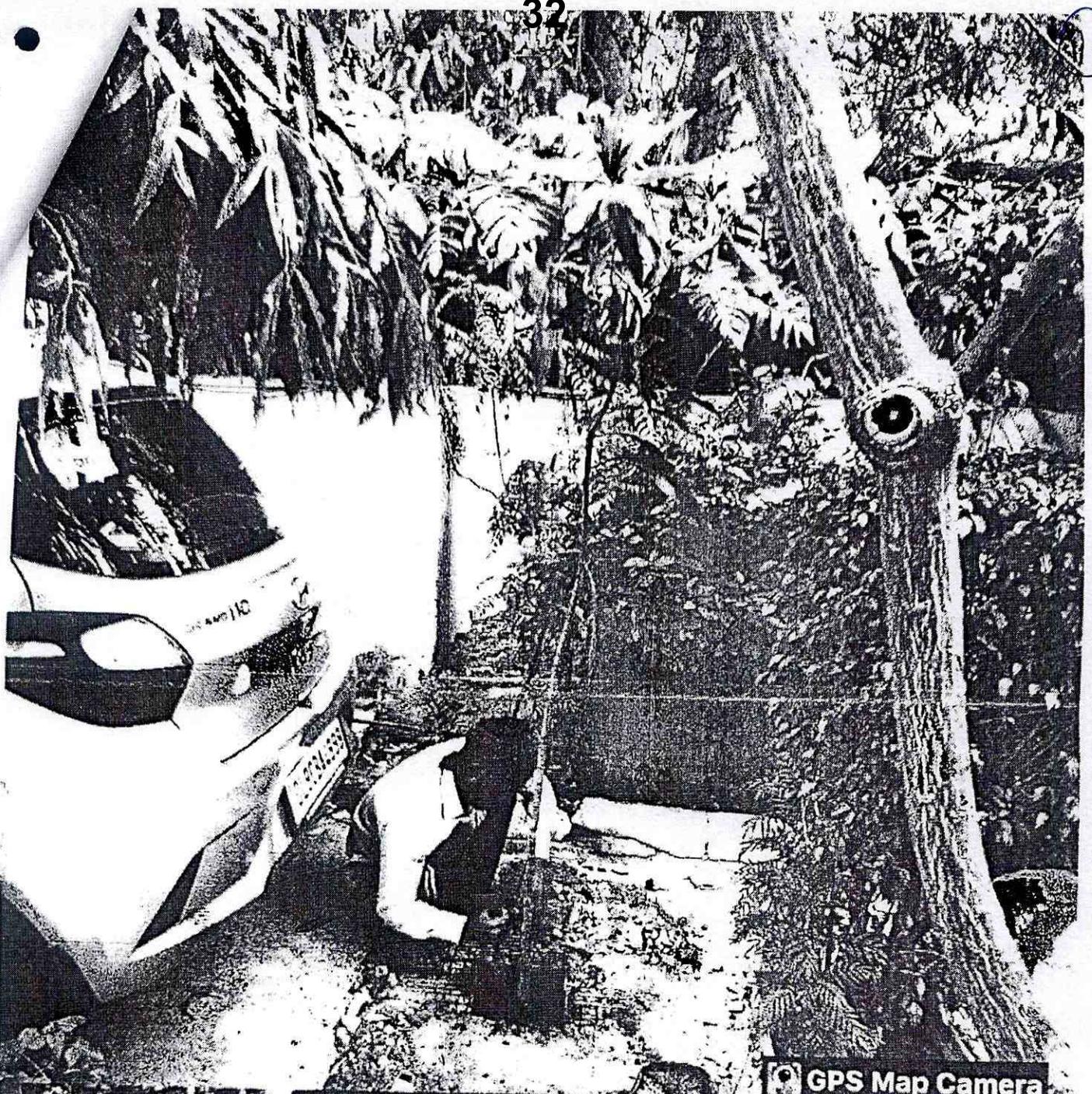
⑈003750⑈ ⑈110240484⑈ 999989⑈ 12



C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi 110058, India

Latitude 28.61160177°
Local Time 05:59:13 PM
GMT 12:29:13 PM

Longitude 77.09257073°
Altitude 220 meters
Tuesday, 16.05.2023



GPS Map Camera

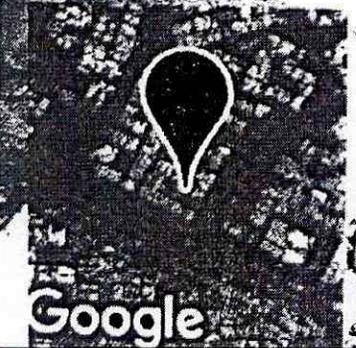
New Delhi, Delhi, India

C3A-26, Mall Rd, Block C3, Residential Complex,
Janakpuri, New Delhi, Delhi 110058, India

Lat 28.611694°

Long 77.092418°

21/03/23 05:30 PM GMT +05:30



GPS Ma
Camera Lite

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi
110058, India

Latitude

28.61160177°

Local 05:59:42 PM

GMT 12:29:42 PM

Longitude

77.09257073°

Altitude 220 meters

Tuesday, 16.05.2023



GPS Map Camera

New Delhi, Delhi, India

C3A-26, Mall Rd, Block C3, Residential Complex,
Janakpuri, New Delhi, Delhi 110058, India

Lat 28.611707°

Long 77.092513°

21/03/23 05:44 PM GMT +05:30



Google

GPS Ma
Camera Lite

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi
110058, India

Latitude
28.61160177°

Local 05:59:46 PM
GMT 12:29:46 PM

Longitude
77.09257073°

Altitude 220 meters
Tuesday, 16.05.2023



GPS Map Camera



New Delhi, Delhi, India

c3a/16C, Block C3A, RWA Colony, Janakpuri, New Delhi, Delhi 110058, India

Lat 28.611837°

Long 77.092316°

21/03/23 05:44 PM GMT +05:30

GPS Ma
Camera Lite

Google

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi 110058, India

Latitude
28.61160177°

Longitude
77.09257073°

Local 05:59:52 PM
GMT 12:29:52 PM

Altitude 220 meters
Tuesday, 16.05.2023

13

DEVBHOO MI ENTERPRISES

Near Nirmal Nursery, NH-72, Paonta Sahib Road, Dharmavala
Herbertpur Tq. Vikasnagar Distt. Dehradun-248 142 (UK) INDIA
E-mail:devbhoomihort@gmail.com; Mob: +91 9868647653; 7011534403

Latitude
28.61160177°
Local 06:00:11 PM
GMT 12:30:11 PM

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi

Compound
987371990

Date 21/03/2023

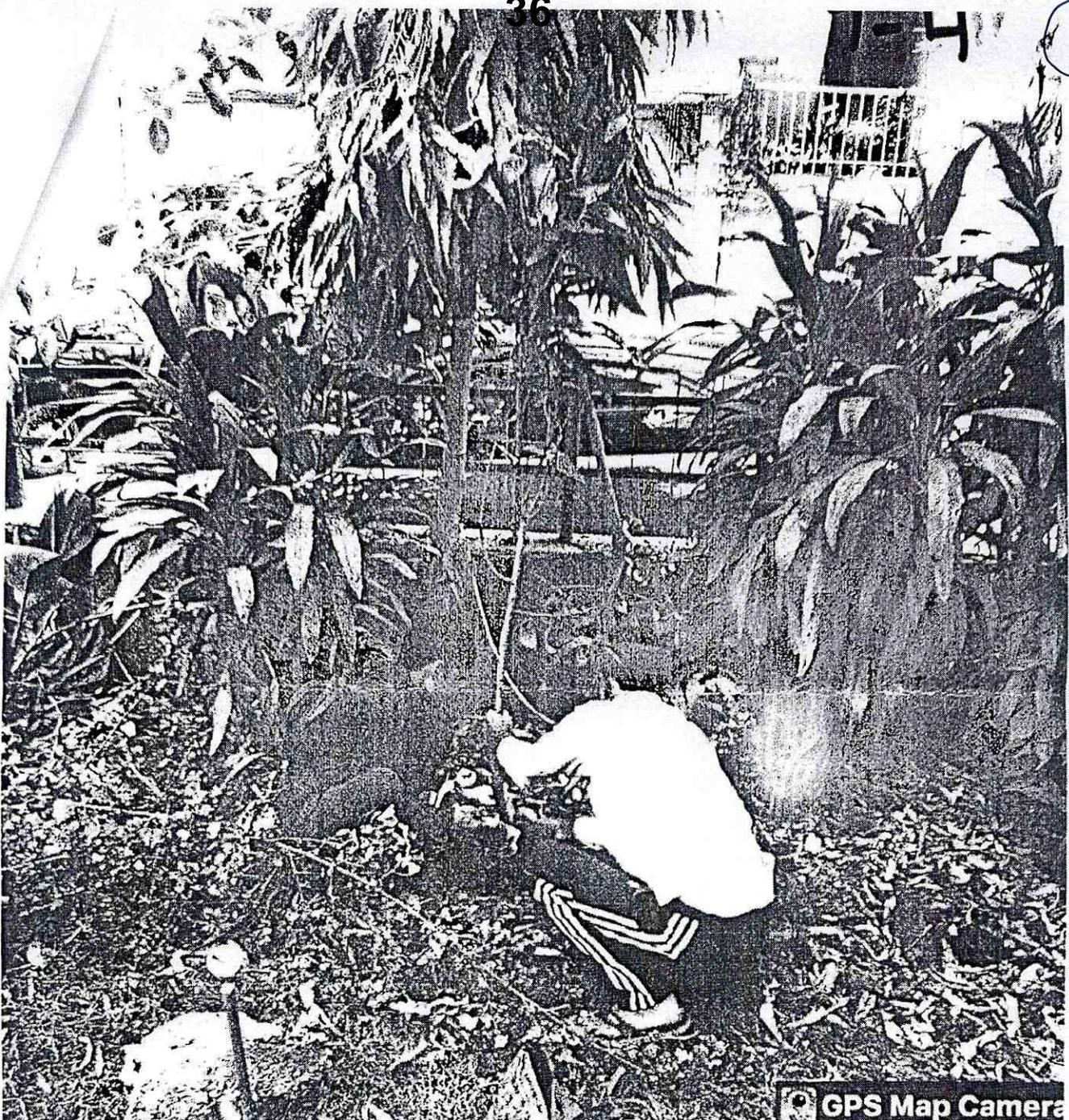
Bill No 151

ARTICULARS	UNIT	RATE	TOTAL (₹)
10 height	10	800	8000
Total			8000.00
For Devbhoomi Enterprises			

We warrant that this invoice shows the actual price of the goods described and that all are correct.

SUBJECT TO DEHRADUN JURISDICTION

Longitude
77.09257073°
Altitude 220 meters
Tuesday, 16.05.2023



GPS Map Camera



New Delhi, Delhi, India

C3A-12, Block C3, Residential Complex, Janakpuri,
New Delhi, Delhi 110058, India

Lat 28.611743°

Long 77.09219°

21/03/23 06:46 PM GMT +05:30

GPS Ma
Camera Lite

Google

C3A-25, Mall Rd, Block C3A, Residential Complex, Janakpuri, New Delhi, Delhi
110058, India

Latitude
28.61160177°

Local 06:00:01 PM
GMT 12:30:01 PM

Longitude
77.09257073°

Altitude 220 meters
Tuesday, 16.05.2023