

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
 PRINCIPAL BENCH, NEW DELHI
 EXECUTION APPLICATION NO. 39/2025
 IN
 ORIGINAL APPLICATION NO. 218/2024

IN THE MATTER OF:

RAJAN

...APPLICANT

VERSUS

GOVT. OF NCT OF DELHI & ORS.

...RESPONDENTS

NDOH : 27.07.2026

**LEGAL AID CASE AIDED BY DELHI STATE LEGAL
 SERVICE AUTHORITY**

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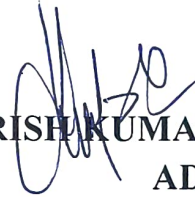
DATE: 25.04.2026

PLACE: NEW DELHI



APPLICANT

Through



HARISH KUMAR GUPTA
ADVOVATE

(COUNSELS FOR THE APPLICANT)
CHAMBER NO. 19, TEHSIL BUILDING,
TIS HAZARI COURTS, DELHI - 110054
Phone No.9810101-462/362

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NDOH : 27.07.2026

**REJOINDER ON BEHALF OF THE APPLICANT TO THE
STATUS REPORT FILED BY RESPONDENTS / DPCC**

MOST RESPECTFULLY SHOWETH:

- i. That the present rejoinder is being filed on behalf of the Applicant in response to the status report filed by the Respondent/Delhi Pollution Control Committee (DPCC). The contents of the said status report are incorrect, evasive, incomplete and are denied save and except what is specifically admitted herein.
- ii. That the present Execution Application has been necessitated due to non-compliance of the orders passed by this Hon'ble Tribunal in Original Application No. 218/2024 dated 04.03.2024 as no action has been taken by the respondents in compliance of the direction/order.



- iii. That due to non-compliance of the direction/order the present execution has been filed in which this Hon'ble Tribunal has again directed Respondent no. 3 and subsequent directions requiring effective remedial action.
- iv. That the Respondent has sought to shift responsibility upon other departments and agencies, however the fact remains that despite lapse of considerable time, no effective and meaningful compliance has been carried out by the DPCC/Respondents till the date, the order dated 04.03.2024 has been passed by this Hon'ble Tribunal.

PRELIMINARY OBJECTIONS

1. That the status report merely narrates inter-departmental correspondence, alleged hearings and procedural steps, but fails to demonstrate actual compliance of the directions passed by this Hon'ble Tribunal.
2. That mere holding of hearings, exchange of written submissions or shifting blame between private persons and departments cannot amount to compliance unless the environmental damage is remedied and directions of this Hon'ble Tribunal are implemented in letter and spirit, as no photograph with GPS location has been filed on record by the respondents to show their bonafide and compliance to the direction. Moreover, the applicant has visited the site as stated in the status report but no



tree of any nature as alleged to have been planted in compliance are found. Photographs of the site are annexed herewith as **ANNEXURE – PR-1**.

PARA-WISE REPLY

1. The contents of para 1 are matter of record to the extent they mention the designation of the deponent. However, the deponent has failed to disclose any personal knowledge of facts and appears to have filed the report merely on the basis of incomplete office records. The status report is therefore liable to be read cautiously. That it has been stated in the status report that directions were issued for registration of FIR under Section 8 of the Delhi Preservation of Trees Act, 1994 and for prosecution under Section 24 thereof. However, the Respondents have failed to place on record:

- i. FIR number;
- ii. Date of registration;
- iii. Present status of investigation;
- iv. Copy of charge-sheet/final report;
- v. Details of prosecution initiated against offenders.

Copy of the application submitted before SHO, PS. Mangolpuri, regarding information and supply of copy of FIR is attached herewith as **ANNEXURE – PR-2**.

2. The contents of para 2, to the extent they narrate the pendency of the Execution Application and grievance of the Applicant



regarding illegal cutting/uprooting of a fully grown tree, are matters of record. However, it is submitted that the grievance of the Applicant pertains to serious environmental damage and illegal destruction of a healthy tree in a public park, which required urgent and effective remedial action. The answering respondent has failed to demonstrate any timely or substantive action.

3. The contents of para 3 are matter of record. It is submitted that once this Hon'ble Tribunal directed filing of Action Taken Report, the answering respondent was duty bound to actively pursue the matter with concerned authorities and place a meaningful compliance report before this Hon'ble Tribunal. Instead, the respondent has attempted to shift responsibility without showing any independent follow-up or enforcement steps. That in absence of the above material particulars, the plea of compliance is vague and illusory.
4. The contents of para 4 reveal gross delay and administrative inaction. It is admitted that complaint dated 02.08.2023 was received by DPCC. However, merely forwarding the complaint on 24.08.2023 after delay, without ensuring further action, does not amount to compliance.

It is further submitted that after forwarding the complaint, no monitoring mechanism, reminder, inspection, or follow-up action has been disclosed by DPCC.



The said paragraph itself establishes that despite early knowledge of the offence, authorities failed to take prompt steps to preserve evidence and punish offenders.

5. The contents of para 5 are denied to the extent they seek to portray compliance. The alleged ATR of DCF only highlights prolonged proceedings and delayed action. Moreover the action was not taken on the order passed by the Hon'ble Tribunal on 04.03.2024, they started taking action after the filing of the Execution Application.
 - a) It is submitted that repeated hearings on 22.11.2023, 07.05.2025, 18.06.2025, 07.08.2025 and 24.09.2025 clearly show unexplained delay in concluding proceedings relating to a straightforward case of illegal tree damage. The offence pertains to violation under Section 8 of the Delhi Preservation of Trees Act, yet no prompt penal consequences were ensured.
 - b) It is submitted that the alleged written submission of Sh. Rahul Choudhary merely shifts blame upon MCD. The same cannot absolve any person unless determined through proper investigation supported by evidence. Bare statements made by interested parties cannot substitute statutory inquiry.
 - c) It is submitted that the written submission of MCD officer denying allegations and shifting blame upon land owner /



contractor further demonstrates contradictory stands of parties. Such contradictions warranted immediate spot inspection, evidence collection, CCTV verification, labour records, contractor details and accountability fixation, which appears not to have been timely undertaken.

- d) This paragraph is highly significant and supports the Applicant's case. It is admitted by the authorities themselves that detailed and thorough investigation was necessary. It is further admitted that FIR was directed to be registered by concerned Police Station, Mangolpuri for violation of Section 8 of the Delhi Preservation of Trees Act, 1994. However, no status of FIR number, registration date, investigation progress, or prosecution steps has been disclosed till date. This clearly reflects non-compliance and continuing inaction.
- e) That it has further been stated that Sh. Rahul Choudhary (alleged offender) and MCD (land owning agency) were directed to plant five (05) trees each of native species having height of not less than six feet within one month near DDA Market No. 3, Mangolpuri. The contents are inadequate and symbolic in nature. Plantation of five trees each, even if directed, cannot by itself compensate for destruction/illegal head-back of an established mature tree. Further, no compliance affidavit, plantation photographs, geo-tagging, survival report, species details, or maintenance plan has



been placed on record. Thus, the alleged compensatory direction remains unverified.

- That the said direction has not been complied with in its true sense. Only about two saplings were planted at site and even those were planted casually and without any protective arrangements with photograph showing GPS location in order to trace the same.
- That no tree guards/fencing/support structures were installed around the saplings.
- That no regular watering, maintenance, soil care or supervision was undertaken by the Respondents or concerned parties.
- That due to complete negligence and lack of maintenance, the said saplings got damaged, dried up, broken and fell down as clearly depicted in the photographs placed by the applicant.
- That as on date, no surviving planted tree exists at the site, thereby establishing total failure of compliance.
- That plantation cannot be treated as a ceremonial or paper exercise. Plantation necessarily includes survival, protection and sustained growth of the saplings.

Rajans

- That the Respondents have intentionally suppressed the present ground reality and have filed a misleading status report without current photographs or survival record of the alleged plantation.
 - That the plea taken by DPCC that it has no jurisdiction under the Delhi Preservation of Trees Act does not absolve it from compliance of directions passed by this Hon'ble Tribunal or from ensuring coordination amongst concerned departments.
 - That once directions were issued and execution proceedings are pending, all concerned Respondents are duty bound to ensure real and effective compliance rather than indulging in technical objections.
6. The contents of para 6 are general statements regarding the Delhi Preservation of Trees Act and need no reply. However, the respondent itself acknowledges that damaging, cutting, pollarding, burning or harming a tree is illegal. Therefore, once illegality stood reported, strict and time-bound action ought to have followed.
7. The contents of para 7 are misleading and denied. Even if DPCC is not the primary authority under the Delhi Preservation of Trees Act, the answering respondent cannot evade responsibility after being impleaded and after receiving



complaint regarding environmental harm. DPCC was expected to coordinate, monitor compliance, assist this Hon'ble Tribunal, and ensure that concerned departments acted promptly. Jurisdictional excuses cannot justify passive conduct.

8. The contents of para 8 need no reply. However, the Applicant submits that the present status report discloses delay, buck-passing and incomplete compliance rather than effective remedial action.

GROUND

- i. Because environmental compensation through plantation is meaningful only when trees survive;
- ii. because false or incomplete compliance defeats the authority of this Hon'ble Tribunal;
- iii. because non-maintenance of planted saplings is equivalent to non-compliance;
- iv. because continued inaction is causing recurring environmental loss to the locality.

PRAYER

In view of the above facts and circumstances, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- a) reject the misleading and incomplete status report filed by the Respondents;



- b) direct Respondents and concerned offenders to plant afresh ten (10) trees (five each) of native species having height not less than six feet;
- c) direct concerned SHO to place status of FIR registration pursuant to directions already issued;
- d) direct concerned authorities to file time-bound compliance report regarding prosecution and investigation;
- e) direct verification report regarding compensatory plantation and survival of trees;
- f) direct installation of proper tree guards around each sapling;
- g) direct regular watering and maintenance for minimum period of two years;
- h) direct filing of monthly compliance report with geo-tagged photographs;
- i) fix accountability of officers responsible for delay and inaction;
- j) direct production of FIR details and prosecution status before this Hon'ble Tribunal;
- k) impose costs/penalty for filing evasive and misleading compliance report;



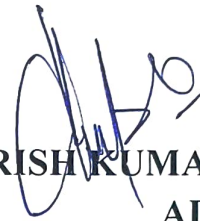
- 1) pass any further order(s) as this Hon'ble Tribunal may deem fit and proper in the interest of justice and environment.



APPLICANT

DATE: 25.04.2026
PLACE: NEW DELHI

Through



HARISH KUMAR GUPTA
ADVOVATE

(COUNSELS FOR THE APPLICANT)
CHAMBER NO. 19, TEHSIL BUILDING,
TIS HAZARI COURTS, DELHI – 110054
Phone No.9810101-462/362, 9971326834

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IN THE MATTER OF:

Rajan ...Applicant
 VERSUS
 Govt. of NCT of Delhi & Ors. ...Respondents

Legal Aid Case Aided By Delhi State Legal Service Authority
AFFIDAVIT

I, Rajan, S/o. Sh. Panna Lal, Aged about 44 Years, R/o. House No. I-588, Mangol Puri, New Delhi-110083, do hereby solemnly affirm and depose as under:

1. That I am the applicant in the present Execution Application and am well conversant with the fact of the case and therefore am competent to swear as to the instant affidavit.
1126. 2. That the accompanying rejoinder has been drafted by my counsel under my instructions.
3. That the facts mentioned in the rejoinder are correct to the best of my knowledge.

Rajan

DEPONENT

Rajan

Verification:-

I, the deponent above named do hereby verify that the contents of this rejoinder are true and correct to my knowledge, no part of it is false and nothing material has been concealed there from. Verified on this ___ day of ____, 2026.

Rajan

DEPONENT

CERTIFIED THAT THE DEPONENT
 Subscribed and sworn to before me
 on this 08th day of MAY 2026 at
 New Delhi
Rajan
Panna Lal
Zeel
Devi
1126

ANNEXURE-PR-1 (colly)

13







DD NO. 104A

To
The Station House Officer (SHO),
Mangol Puri Police Station,
Delhi.



Date: 23.04.2026

Subject: Application seeking information regarding compliance of Order dated 04.03.2024 passed by Hon'ble National Green Tribunal in the matter of Rajan Vs. Govt. of NCT of Delhi & Ors. pertaining to the Status Report filed by DPCC.

Dear Sir/Madam,

I respectfully submit that an order dated 04.03.2024 was passed by the Hon'ble National Green Tribunal, New Delhi, in the matter titled Rajan Vs. Govt. of NCT of Delhi & Ors., O.A. No. 218/2024 whereby Status Report has been filed by DPCC with the directions which were issued to the concerned SHO for registration of FIR and taking appropriate action in accordance with law.

In view of the above, I request your good office to kindly provide the following information:

1. Whether any FIR has been registered pursuant to the aforesaid order dated 04.03.2024? If the FIR has already been registered, kindly provide the FIR number, date, and a copy of the same.
2. If no FIR has been registered till date, kindly inform the reasons for non-registration despite the directions of the Hon'ble Tribunal.
3. If the matter is under process, kindly inform the present status and the expected time within which necessary action shall be taken.

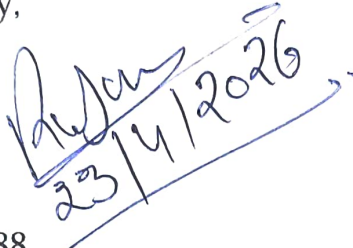
The information is required for record purposes and for placing the correct factual position before the appropriate forum, if required.

Rajen
23/4/2026

You are therefore requested to kindly furnish the above information at the earliest.

Thanking you,

Yours faithfully,


 Rajan
 The Applicant
 R/o H. No. I-588,
 Mangol Puri, Delhi-110083
 Mob No. - 9868993095, 8506931626

Copy to;

1. DPCC
2. Dy. Conservator of Forest (DCF, North)

Mangolpuri I Block SO (110083) Counter No. 1
 SF-D ED810781269TM IVR:6958810781170
 23-04-2026 14:45:42, 10gms (Delhi)
 To: D P C C, TSRT
 Delhi GPO, DELHI - 110006
 From:RAJAN RAJAN-110083
 (Base:19.00)



Track @ www.indiapost.gov.in Dial-18002666000

Mangolpuri I Block SO (110083) Counter No. 1

SF-D ED810781175IN IVR:6958810781170
 23-04-2026 14:45:42, 15gms (Delhi)
 To: TREE OFFICER, ALI PUR
 Alipur SO, DELHI - 110036
 From:RAJAN-110083
 (Base:19.00)



Track @ www.indiapost.gov.in Dial-18002666000

Booking Ref ID: 1565009723042674737
 GSTIN:07AACH0073R28P, Article Count: 2
 Total Base Tariff: 38
 Total CGST: 3 Total SGST: 3



Net Amount: 44, 23-04-2026
 Track @ www.indiapost.gov.in



Generated through Indiapost website on: 8/5/2026, 10:23:07 am

Consignment/MO Tracking Report

Consignment/MO Number: ED810781263IN

Article Number: ED810781263IN	Article Type: SP_INLAND_DOC
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Booked At: Mangolpuri I Block SO	Booked On: 23/04/2026, 14:45:42	Destination: Delhi GPO
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Event	Date	Time	Office	Remarks
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Item bagged	23/04/2026	15:05:20	Mangolpuri I Block SO	-
Item Dispatched	23/04/2026	15:06:46	Mangolpuri I Block SO	-
Item Received	23/04/2026	22:47:46	New Delhi NSH	-
Item bagged	24/04/2026	03:45:02	New Delhi NSH	-
Item Dispatched	24/04/2026	05:50:30	New Delhi NSH	-
Item received at Destination	24/04/2026	08:35:59	Delhi GPO IDC	-
Taken out for delivery	24/04/2026	11:02:45	Delhi GPO IDC	-
Item Delivered(Addressee)	24/04/2026	16:15:39	Delhi GPO IDC	Delivered



Generated through Indiapost website on: 8/5/2026, 10:32:01 am

Consignment/MO Tracking Report

Consignment/MO Number: ED810781175IN

Article Number: ED810781175IN	Article Type: SP_INLAND_DOC
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Booked At: Mangolpuri I Block SO	Booked On: 23/04/2026, 14:45:42	Destination: Alipur SO
Origin Pincode: 110083	Destination Pincode: 110036	

Event	Date	Time	Office	Remarks
Item Booked	23/04/2026	14:45:42	Mangolpuri I Block SO	-
Item bagged	23/04/2026	15:05:20	Mangolpuri I Block SO	-
Item Dispatched	23/04/2026	15:06:46	Mangolpuri I Block SO	-
Item Received	23/04/2026	22:47:46	New Delhi NSH	-
Item bagged	24/04/2026	04:55:24	New Delhi NSH	-
Item Dispatched	24/04/2026	05:45:41	New Delhi NSH	-
Item received at Destination	24/04/2026	08:16:22	Alipur SO	-
Item Invoiced to BO	24/04/2026	09:27:37	Alipur SO	-



**E.A NO.39/2025 "TITLED AS RAJAN V/S. GOVT OF NCT OF DELHI & ORS"
REJOINDER ON BEHALF OF THE APPLICANT TO THE STATUS REPORT FILED BY
REPOENDENTS/DPCC ALONGWITH ANNEXURE-PR-1&2**

1 message

HKG CourtDiary <hkgcourtdiary@gmail.com>

Fri, May 8, 2026 at 1:09 PM

To: "induslaw77@gmail.com" <induslaw77@gmail.com>, "jmalawoffices@gmail.com" <jmalawoffices@gmail.com>, secservices@nic.in, pccf-gnctd@delhi.gov.in, cpdelhi@delhipolice.gov.in, dcp-outer-dl@nic.in

Dear Sir/Ma'am,

Please find the attached copy of rejoinder along with Annexures on behalf of applicant.

--

**HARISH KUMAR GUPTA,
ADVOCATE**

19, LAWYERS CHAMBERS, TEHSIL BUILDING

TEES HAZARI COURTS, DELHI: 110056

Cell:- 9810101/362-462

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