

BEFORE NATIONAL GREEN TRIBUNAL, PRINCIPLE BENCH ,
NEW DELHI

O.A NO. 386/2024

IN THE MATTER OF:

VINAY PRAKASH

APPLICANT

VERSUS

NCT OF DELHI & ORS

RESPONDENTS

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Filed on:

Filed by

Rajendra
Respondents No. 6 and 7

Through

Tarkeshwar Nath
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**REPLY ON BEHALF OF THE RESPONDENT NO.6 AND 7
TO THE AFORESAID APPLICATION.**

1. Facts of the case is that the State Trading Corporation of India is Central Public Sector Undertaking. In order to facilitate its employees, it established a residential colony for its employees at Mehrauli Road New Delhi under the name of **STC Housing Colony**.
2. That in humble submission, employees who are **residing** in the said Colony after allotment as per their eligibility of their respective flats, formed an Association called as Resident Welfare Association, **STC Housing Colony** for the welfare of its members **/residents**. It has its elected officer bearers.

However, the association is not officially recognized by STC.

3. The general maintenance of the Housing Colony though, is the responsibility of STC, it has no role whatsoever in the activity of cutting/pruning of trees at STC Housing Colony.
4. The allegations as alleged in the petition 20/30 years old trees in the premises (20 in numbers) were cut and 15 trees were heavily pruned are not correct to the knowledge of the answering respondent. Even otherwise, answering respondent is not responsible for the cutting pruning of the trees as alleged.
5. After the information was received by the answering respondent about the alleged cutting and pruning of trees, they immediately, visited the premises for verification of the allegation of cutting and pruning of trees.
6. That STC, immediately, sought explanation from the President, RWA, STC Housing Colony after the

receipt of notice under DPTA 1994 latest by 15.03.2024.

7. STC having concern for the said allegation, intimated the Deputy Conservator of Forest vide its letter dated 11.03.2024 with regard to initiation of Enquiry with the positive assertion that STC does not have any role whatsoever with the said allegation as the flats within the said Housing Colony are occupied by the employees of STC.
8. STC received a letter from the STC Colony Resident Welfare Association on 14.03.2024 wherein, the President of RWA offered the explanation as sought by STC on 11.03.2024. Photographs were also attached therewith in support of the said explanation. According to the RWA, they had no intention to harm the trees and to gain anything from their cutting and pruning.
9. In furtherance to the aforesaid actions of seeking explanation from RWA and receipt thereof, STC prepared its internal report vide internal report

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dated 02.04.2024 after physical visits to the site of Housing Colony and onsite Inspection that interalia that most of the trees that were pruned/cut were very close to the flats of the Housing Colony who posed a threat to life and limbs of the occupants of the colony. As a instance, trees outside flat no. C-4 and C-5 were shown as threat to the life and limb. It was concluded saying that STC Housing Colony RWA did undertook, the activity of cutting/pruning of trees in the Housing Colony Complex in order to save the life and limb of the occupants, however, it was categorically stated therein that STC/Building Cell/STC Housing Colony Site office did not have any role whatsoever, in the said activity.

Copy of the report dated 02.04.2024 is being annexed herewith and marked as Annexure R-1.

10. That in furtherance to the aforesaid actions, the officials personally visited to the site and prepared a report dated 17.05.2024 with details of cutting and pruning of tress at STC Housing Colony as mentioned below:

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S. No.	Particulars	No. of Trees
1.	Only root available	7
2.	Highly prune	11
3.	Light Prune	2
4.	New Plantation	12

11. In humble submission, the allegations qua the answering response are denied as incorrect and concocted. However, the answering respondent is ready and willing to plant the trees in the Housing Colonies as many trees as possible in order to maintain ecological system.

In view of the same, the petition qua answering respondent may be dismissed.

Filed on:

Filed by


Respondents No. 6 and 7

Through


TARKESHWAR NATH/ANANT DEV

For Tarkeshwar Nath Law Offices
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AFFIDAVIT

I, Rajendra Rawat s/o Late Sh. Uttam Singh aged about 55 years State Trading Corporation of India Limited Jawhar Vypar Bhawan, Tolstoy Marg, New Delhi-110001 do hereby solemnly affirm and declare as under:-

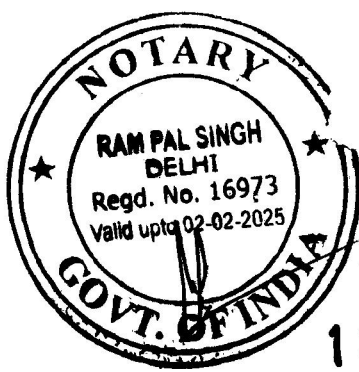
1. That I am the authorised representative of respondent no.6 and 7 in the present matter and working as Chief Manager in the State Trading Corporation, as such I am competent to swear to this affidavit being well conversant with the facts and circumstances of the case.
2. That I have read and understood the contents of the accompanying reply which has been drafted by my counsel under my instruction.

Rajendra
DEPONENT

T S
I Identify the Deponent who
has Signed in my Presence

VERIFICATION 13 JAN 2025

Verified at New Delhi on this ___ day of January, 2025 that the contents above affidavit are true and correct to the best of my knowledge. Nothing material has been concealed therefrom and no part thereof is false.



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km... *Rajendra Rawat*
S/o, W/o, D/o... *Sh. Uttam Singh*
R/o... *Tarakeshwar Nath,*
Identified By *Vinay Prakash*
has Solemnly affirmed at Delhi
on... *13*
that the contents of the affidavit which
have been read & explained to him are
true and Correct to his knowledge.

Rajendra
DEPONENT

13 JAN 2025 Notary Public, Delhi (INDIA)

PROOF OF SERVICE



kailash Kumar <kailashpranjal@gmail.com>

VINAY PRAKASH VS GNCT REPLY ADVANCE SERVICE

1 message

kailash Kumar <kailashpranjal@gmail.com>

Mon, Jan 13, 2025 at 2:25 PM

To: "adv.namansharma1@gmail.com" <adv.namansharma1@gmail.com>

Sir

Please find attached reply towards advance service .

Regards

KAILASH KUMAR
FOR TARKESHWAR NATH LAW OFFICE



NGT REPLY VINAY PRAKASH.pdf
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