

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1178/2024

IN THE MATTER OF:

KHYATI ANAND

...APPLICANT

VERSUS

DEPARTMENT OF ENVIRONMENT, GNCTD &
ORS

...RESPONDENT(S)

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Filed by:


JYOTI MENDIRATTA
Advocate for GNCTD

New Delhi

Dated: 13.01.2025

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**REPORT/ RESPONSE OF DEPUTY CONSERVATOR OF
FOREST/TREE OFFICER (NORTH), DEPARTMENT OF
FOREST AND WILDLIFE (GNCTD)**

MOST RESPECTFULLY SHOWETH:-

The present report is being filed in compliance of Hon'ble NGT (Principal Bench) order dated 23.09.2024 in O.A: 1178/2024 titled as "*Khyati Anand Vs. Department of Environment, Gnctd & Ors*" apropos to illegal pruning exercise carried out by officials of MCD at various blocks of Paschim Vihar of West Delhi in the month of Feburary/March 2024.

It is pertinent to mention that the undersigned of the present report had joined the office of North Forest Division, Department of Forest and Wildlife (GNCTD) at the post of Dy. Conservator of Forests (North) / Tree Officer (North) on 06.05.2024.

It is submitted that Notice under the Delhi Preservation of Trees Act, 1994 scheduling a tree hearing on 20.11.2024 at 12:10 P.M for offence of illegal pruning committed at MCD Land located at

various blocks of Paschim Vihar (i.e Block : BG - 3, BG – 6, BG –7 and Block: A-1, A-2, A-5) was served to the Dy. Director (Horti) MCD, Room No -206, Primary School Opposite, Keshavpuram Police Station, New Delhi -110036 and Smt. Khyati Anand (Complainant) on 21.10.2024.

However, due to administrative reasons the Tree Officer (North), GNCTD was unavailable on 20.11.2024 and thereby the abovementioned tree hearing scheduled for 20.11.2024 was rescheduled for 27.11.2024 at the same time.

COPY OF NOTICE UNDER DPTA, 1994 DATED 21.10.2024 ALONG WITH OFFICE ORDER FOR RESCHEDULING OF TREE HEARING IS ANNEXED AS ANNEXURE – ‘A’.

It is submitted that Sh. Karanvir Singh and Smt. Monika Section Officer (Horti) appeared on behalf of MCD Keshavpuram Zone and Smt. Khyati Anand appeared as complainant before the court of the Tree Officer (North Forest Division), GNCTD for tree hearing.

During the course of hearing it was found that trees located at Block A1, A2, A5, BG - 3, BG - 6, BG -7 and Block B-1 had been illegally pruned in violation of pruning permissions issued to MCD which is also a violation of the Delhi Preservation of Trees Act, 1994.

Consequently, the undersigned vide order dated 09.01.2025 issued vide No.F.207/DCF (N)/Tree Offence/2024-25/6576-77 had directed officials on behalf of MCD (Keshavpuram Zone) to plant 1,000 tree saplings of the species Amaltas, Arjun, Neem,

Jamun and Gular having a height of not less than 6 feet in the area of ward no. 58 and ward no. 59 during the next coming plantation season (February 2025 /June – July 2025).

COPY OF ORDER DATED 09.01.2025 ISSUED VIDE NO.F.207/DCF (N)/TREE OFFENCE/2024-25/6576-77 IS ANNEXED AS ANNEXURE – 'B'

It is most respectfully and humbly stated that the undersigned of the present report/response on behalf of North Forest Division (GNCTD) has the utmost regard and respect for the majesty of the Hon'ble Court and has in the past, as also in the present instance done and will continue to do everything in its power to ensure compliance of the directions issued by this Hon'ble Court.


Dy. Conservator of Forests/ Tree officer
North Forest Division (GNCTD)

DATED: 13.01.2025

DELHI

4.

ANNEXURE- 'A'



GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILD LIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR, NEW DELHI-110036

No.F.207 /DCF(N) /Tree Offence/2024-25/ 5221-22

Date: 21/10/2024

NOTICE UNDER DPTA, 1994

Whereas, it has been alleged that a tree offence has been committed by illegal Pruning/ head back of trees located on MCD Land, BG-3, BG-6 & BG-7 and Block A-1, A2, & A5, Paschim Vihar, Delhi, without permission, which is violation of Delhi Preservation of Tree Act, 1994.

And whereas, the statement/presence of the person (s) this notice addressed to are required to find out the factual position and to determine the extent of offence according to its merit.

Now, therefore, I, DY. CONSERVATOR OF FORESTS (NORTH), Tree Officer, as empowered u/s 31 of Delhi Preservation of Trees Act, 1994 call upon you to appear before me on 20.11.24 at 12:10 P.M. in the office of Dy. Conservator of Forests cum Tree Officer, North Forest Division, MGICCC, Alipur, Bakthawarpur Road, Bakoli, Delhi-110036, in event of failure to appear, legal action will be initiated against concerned and the matter would be proceeded ex-parte. *As per section 136, CrPC, non-compliance of this notice will attract penal provisions u/s 188 of IPC.*

To,

1. The Dy. Director (Horti.) MCD, Room no-206, Primary School Opposite, Keshavpuram Police Station, New Delhi-110036, with direction to appear before the undersigned.
2. Smt. Khyati Anand, (9811009210) A-4/546, Pachim Vihar, New Delhi-110063, with direction to appear before undersigned.

o/c


Tree Officer & DCF
(North Forest Division)



GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILD LIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR, NEW DELHI-110036

F.01/DCF (N)/Tree Offence/Misc./2024-25/ 5454-60

Date:

08/11/2024

OFFICE ORDER

It is to inform that due to administrative reasons, hearing of all the tree offence cases, scheduled to be held on 20.11.2024, in the Court of Tree Officer (North), has been postponed and will be rescheduled on 27.11.2024 at same time.

Tree Officer & DCF
(North Forest Division)

Copy To,

1. Sh. Arun Kumar (President of Dada Mai Wala Mandir Samiti, Bakner.) (Mob.no-9810575005) R/o Swatantra Nagar, Gali no-1, Phase-2, Near Under Pass, Narela, New Delhi- 110040, with direction to appear before undersigned.
2. Sh. Roop Khatri (Mb. No-9310907220).
3. The Dy. Director (Horti.) MCD, Room no-206, Primary School Opposite, Keshavpuram Police Station, New Delhi-110036, with direction to appear before the undersigned.
4. Smt. Khyati Anand, (9811009210) A-4/546, Pachim Vihar, New Delhi-110063, with direction to appear before undersigned.
5. The Dy. Director (Horti.) PWD, Horticulture Division North, Near Delhi Jal Board Water Treatment Plant, Outer Ring Road, Hiaderpur, New Delhi-110088, with direction to appear before the undersigned.
6. The Executive Engineer, Civil PWD, Vilcash Marg, ITO, Balmiki Basti, IP Estate, New Delhi-110002, with direction to appear before undersigned.
7. Sh. Vipin Kr, (Mob.No-9250438851), H.no-1814, K-block, Jhangirpuri, New Delhi-110033, with direction to appear before undersigned.

o/c

Tree Officer & DCF
(North Forest Division)

6.

GOVT. OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILD LIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
NORTH FOREST DIVISION, MGICCC, BAKOLI, ALIPUR, NEW DELHI-110036

ANNEXURE-'B'

No.F.207/DCF (N)/Tree offence/2024-25/ 6576-77

Date: 09/01/2025

IN THE COURT OF TREE OFFICER/DY. CONSERVATOR OF FOREST,
NORTH FOREST DIVISION, NEW DELHI

ORDER

1. Sh. Karanvir Singh, Ms. Monika, Section Officer (Hort.), MCD, Keshavpuram Zone and Ms. Khyati Anand appeared before this Court in the hearing.
2. Whereas, in this case, the inspection has been carried out by the I.O Sh. Ravi, it has been found that a tree offence has been committed by MCD, by illegally pruning of trees located at Block A1, A2, A5, BG-3, BG-6, BG-7 & Block B-1, Paschim Vihar, Delhi.
3. Whereas in the hearing held in this case before the Court of Tree Officer, North Forest Division on 27.11.2024, it has been found that the trees have been illegally pruned is violation of Delhi Preservation of Tree Act, 1994 and violation of permissions issued to MCD for above mentioned locations.
4. Whereas, after going through the facts of case, it has been found that the Concerned MCD authority/Dy. Director (Hort.), MCD, Keshavpuram Zone has failed to compliance with the terms & condition mentioned in the permissions given to MCD.
5. Whereas, Sh. Karanvir Singh and Ms. Monika, Section Officer (Hort.), MCD, Keshavpuram Zone were directed to plant 1000 nos. of tree saplings (Amaltas, Arjun, Neem, Jamun & Gular etc.) having height of not less than 6 feet in area of ward no. 58 & ward no. 59 during the next/coming plantation season (Febrauray 2025/ June-July 2025) and maintain them for at least seven (07) years & submit the compliance report of same.
6. Whereas, Dy. Director (Hort.), MCD, Keshavpuram Zone and Sh. Karanvir Singh and Ms. Monika, Section Officer (Hort.), MCD, Keshavpuram Zone are hereby once again directed to plant 1000 nos. of tree saplings as mentioned above and the submit the compliance report of planted sapling along with photographs in this office.

To,

1. The Dy. Director (Hort.), MCD, Keshavpuram Zone, Room No. 206 Primary School Opp. Keshavpuram Polic Station, New Delhi-110035.
2. Ms. Khyati Anand, A-4/546, Paschim Vihar, New Delhi-110063.

o/c

Tree Officer
(North Forest Division)