

IN THE COURT OF NATIONAL GREEN TRIBUNAL
DELHI

Execution Application No. 15/2024

In

Original Application No. 642/2023

In the matter of:

Residents Welfare Association,
F-Block (West), Vikas Puri

.....Applicant

Versus

Horticulture Department of MCD
(West Zone) & Anr.

.....Respondent(s)

D.O.H:-

I N D E X

| S.NO. | PARTICULARS | P. NOS. |
|-------|-----------------------------------------------------------------------------------------------------------------------------|---------|
| 1 | Status Report in the shape of affidavit on behalf of Respondent/ Municipal Corporation of Delhi. | 1-6 |
| 2. | Thereafter an FIR was lodged against the organizers by the department. Copy of the FIR is annexed herewith as Annexure-'A'. | 7 |
| 3 | The photographs taken at the time of inspection are annexed herewith as Annexure-'B' | 8-12 |

NEW DELHI

DATED: 24/5/2024

Puja Kalra

(PUJA KALRA.)
STANDING COUNSEL
MUNICIPAL CORPORATION OF DELHI
430, LAWYERS CHAMBERS,
HIGH COURT OF DELHI,
NEW DELHI

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**Status Report in the shape of affidavit on behalf of
Respondent / Municipal Corporation of Delhi**

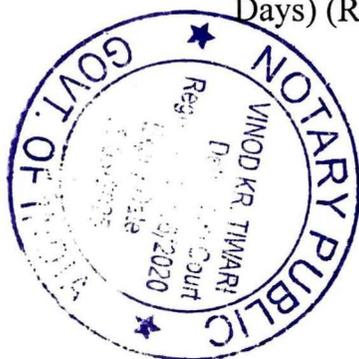
I, P.K. Banerjee S/o Sh. Sunil Kumar Banerjee, Age about 55 years, Deputy Director Horticulture, West Zone, Municipal Corporation of Delhi, on behalf of the Municipal Corporation of Delhi.

I, the above named deponent do hereby solemnly affirm and declare as under:-

1. That I am presently posted and Deputy Director Horticulture /West Zone, MCD, New Delhi and is conversant with the facts of the case based on the official records maintained by the department, am as such competent to depose thereto.



2. That the deponent being aware of the facts of the case on the basis of record available in the office and having read and understood the contents of the aforesaid Petition, is competent to depose by way of the present status report in my official capacity as state above.
3. That as per record maintained by the answering respondent No 1 i.e. Horticulture Department, West Zone/MCD, it is submitted that an application from Sh. Mool Chand, Trustee, Gyan Sarover Charitable Trust (Regd. Office: DG-3/145, Vikas Puri, New Delhi-110018 was received in the department for booking of 03 Nos. Lawns/Barren Ground/Non-Park Sites/Open Sites i.e. (i) Park Dushera Ground, F-Block, opp. Rajdhani Tent House, Lawn No. 1, Vikas Puri(Park ID No. FS/WZ/124/1), (ii) Park Dushera Ground, F-Block, opp. F1 & F2 Lawn No. 2, Vikas Puri (Park ID No. FS/WZ/124/2) and (iii) Park Dushera Ground, F-Block, opp. Janta Flats, Vikas Puri (Park ID No. FS/WZ/124/3) for organizing/holding the "Ganesh Chaturthi" w.e.f. 19/09/2023 to 28/09/2023 (10 Nos. Days) {Religious Programme}.for organizing/holding of the Ganesh Chaturthi w.e.f. 19/09/2023 to 28/09/2023 (10 Nos. Days){Religious Programme}. Further, another application was received in the department from Sat Narayan, Secretary, by Lok Jan Kalyan Sewa Sansthan (Regd.) Add- M-431, Shakurpur Aanandvas, New Delhi-110034 for booking of Lawns/Ground park Dusshera Ground, Vikas Puri (Park ID Nos. FS/WZ/124/1, FS/WZ/124/2 & FS/WZ/124/3) for organizing/holding of "Ganesh Chaturthi" w.e.f. 29.09.2023 to 02.10.2023 (04 Nos. Days) (Religious Program).



4. That in this regard, it is to pertinent to mention here that aforesaid parks is being booked/allowed by the department since long for holding religious functions to the Parties/Registered Associations on the following terms & conditions are as under:-

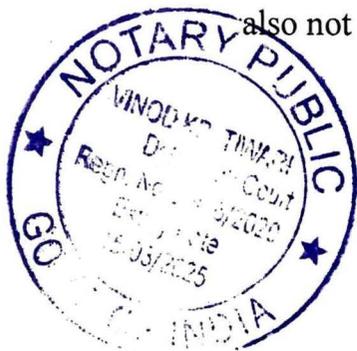
- i. The applicant shall keep the entire area neat and clean and free from traffic congestion including noise pollution.
- ii. The applicant shall make his own arrangement of potable water.
- iii. The applicant shall obtain the “**No Objection Certificate (NOC)**” from Police Department, Fire Department & Traffic Department and from the other respective Govt. Departments and “**NOC**” may be produced at the time of booking of the park or may also be produce them as and when demanded by the respective Govt. Departments.
- iv. The applicant will not use the park for commercial activities during the period under reference.
- v. The applicant shall maintain the adequate safety measures like Fire, Police during the **Religious Program**.
- vi. The applicant will be solely responsible for any untoward incident/accident/mis-happening took place in the event.
- vii. The applicant shall obtain electricity connection separately. The Security Deposit shall be forfeited in case of pilferage of electricity.
- viii. The MCD will not be responsible for any damage/loss due to natural calamities.
- ix. The applicant shall obtain the separate permission for the installation/fixation of any Jhule or temporary shop(s) is/are required at the site of Puja/Religious Function from the respective Department(s) under the approval of Dy. Commissioner/Zonal Authorities/MCD under the relevant existing rules.
- x. Any violation of the rule (s) /clause(s) of any kind brought/come to the notice of the authorities of MCD in



respect of park booking, the authorities/competent authorities/MCD has full rights to take the action as deemed fit against the booking party & booking party will be solely responsible for the lapse (s) for the period under reference and the booking party has to bear all the expenses/penalty.

xi. The applicant shall submit an affidavit in this regard.

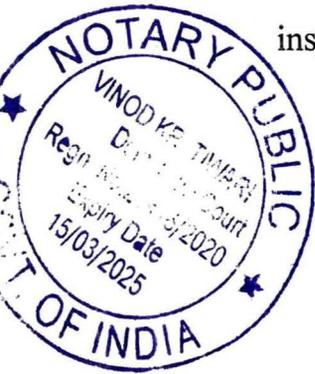
5. That it is further submitted that all these Lawns are known as Barren Grounds/Non-Park Sites/Open Lawns Sites and are also not being maintained as GREEN and can be booked for holding marriages and other like functions (Online Booking) and for holding religious functions as well (Manual Booking).
6. That it is submitted further that thereafter after taking permission from competent authority the aforesaid application received from Sh. Mool Chand, Trustee, Gyan Sarover Charitable Trust (Regd. Office: DG-3/145, Vikas Puri, New Delhi-110018 and from Sat Narayan, Secretary, by Lok Jan Kalyan Sewa Sansthan (Regd.) Add- M-431, Shakurpur Aanandvas, New Delhi-110034 was allowed for organizing/holding the "Ganesh Chaturthi" w.e.f. 19/09/2023 to 28/09/2023 (10 Nos. Days) {Religious Program and for organizing/holding of "Ganesh Chaturthi" w.e.f. 29.09.2023 to 02.10.2023} (04 Nos. Days) (Religious Program).
7. That after grant of the permission a complaint form Resident Welfare Association F- Block (West), Vikas Puri, New Delhi was received in the department that in the garb of holding religious function the organizers use the space for commercial nature and are blatantly violating the environment norms and also not follow any rules and regulation etc.



8. That it is further submitted that a complaint was received in the department from the supervisor of the aforesaid park that even after completion of the period for which the permission was granted the organizers have not vacated the park. Thereafter an FIR was lodged against the organizers by the department. Copy of the FIR is annexed herewith as **Annexure-‘A’**.
9. That subsequently, an OA No. 642/2023 was filed before the Hon'ble Tribunal and Hon'ble Tribunal vide its order dated 18.10.2023 directed *the Director, Horticulture Department of MCD (West Zone) i.e. Respondent No.1 to carry out the spot inspection of the park in question of allotment of the park and its use for different functions on the basis of the record as also the other material collected during the spot inspection and take appropriate remedial measures to ensure due compliance of the judgment of the Hon'ble Supreme Court and the applicable rules and regulations of the MCD. Let this exercise be complied within a period of three months from today.*
10. That in the compliance of the said direction an inspection was carried out by then Dy. Director, Horticulture/MCD(West Zone) at Bharpai Devi Jindal Park, F-Block, Vikas Puri on 25.10.2023 and it was found that the organizers have not vacated the park and materials like tent and jhule etc were not removed. Accordingly, the security money of Rs.30,000/- deposited by Sh. Mool Chand, Trustee, Gyan Sarover Charitable Trust and another Rs.30,000/- deposited by Sat Narayan, Secretary, by Lok Jan Kalyan Sewa Sansthan (Regd.) were forfeited from both



the booking parties. The photographs taken at the time of inspection are annexed herewith as Annexure-‘B’



Signature

I identified the Deponent who has signed this impression before me

PK Banerjee

RESPONDENT

PK. BANERJEE
Dy Director (Hort.)
West Zone, M.C.D.

24 MAY 2024

verified at Delhi on this day of May-2024 that the contents of the above affidavit are true and correct to the best of my knowledge and nothing material has been concealed there from.

CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT BY YOU AND HE IS SEEMED PERFECTLY TO UNDERSTAND AND AFFIRMED & SIGNED BEFORE ME AT NEW DELHI

Signature

IDENTIFY THE EXECUTANT/DEPONENT WHO HAS SIGNED IN MY PRESENCE
VINOD KUMAR TIWARI, Advocate, Reg. No 21413/2020
NOTARY PUBLIC (NEW DELHI)

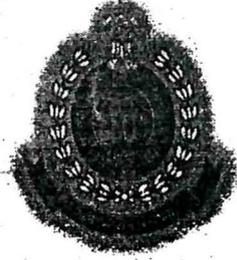
PK Banerjee

RESPONDENT

PK. BANERJEE
Dy Director (Hort.)
West Zone, M.C.D.

24 MAY 2024

ANNEXURE A-7



शांति सेवा न्याय

INFORMATION REPORT

In respect of Article / Document Lost in Delhi
SO No: 430 / 2014 Delhi Police

P.S: Crime Branch, Delhi

LR No:889186/2023

Date :15/09/2023

1. Complainant's Details

satish kumar choudhary ,S/D/W/O Hoshiyar singh , DG-III STORE VIKAS PURI IN WARD NO.107 WZ
DDHWESTZONE37@GMAIL.COM

2. Occurrence Details

| | | |
|-------------------------------------|-------------------------------|----------------|
| (a) Date And Time Of Report | Date: 15/09/2023 | Time:13:09Hrs |
| (b) Date And Time Of Loss, If Known | Date: 2023-09-14 | Time:18:18 Hrs |
| (c) Place of Loss | F BLOCK STORE DHAESHRA GROUND | |

3. Losts Article/s

| Sr. | Property Type | Property Description |
|-----|------------------------------|----------------------|
| 1. | ILLEGALLY WITHOUT PERMISSION | |

4. Any Other Details

Swings have been installed illegally in F Block Dahsra Ground Park without permission. When I reached Satyanarayan and asked for the permission letter, he said, no need. Sir, I request you to please take strict action and get the swings removed.

Station House Officer:
Crime Branch, Delhi



Note :

- This is a digitally signed document .
- For verification visit 'Lost Articles Report' module on www.delhipolice.nic.in .
- Authority issuing duplicate document / article may obtain proof of identity .

Disclaimer :

- This application is for lodging report of Article / Document lost in Delhi .
- Report lodged under this application is not a subject matter for enquiry / investigation .
- In case loss is due to theft or any other crime, contact nearest Police Station .
- False report to Police is a punishable offence .

Signature
CRIME
BRANC
H
DELHI
POLICE

Digitally signed by
BRANCH DELHI
Report:
Location: PS
Crime Branch
Delhi Police

T. G. G. V.

8-11 / 02/11



GPS Map Camera

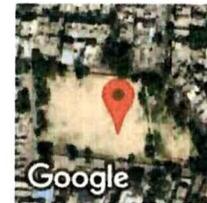


Google

Delhi, Delhi, India
22, Block F, Vikaspuri, Delhi, 110018, India
Lat 28.63973°
Long 77.070566°
25/10/23 10:28 AM GMT +05:30



GPS Map Camera



Google

Delhi, Delhi, India
Dussehra Ground Panchhi Tent House Wedding Venue, 34, Block F,
Vikaspuri, Delhi, 110018, India
Lat 28.63979°
Long 77.070452°
25/10/23 10:31 AM GMT +05:30



GPS Map Camera



Google

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Long 77.070575°
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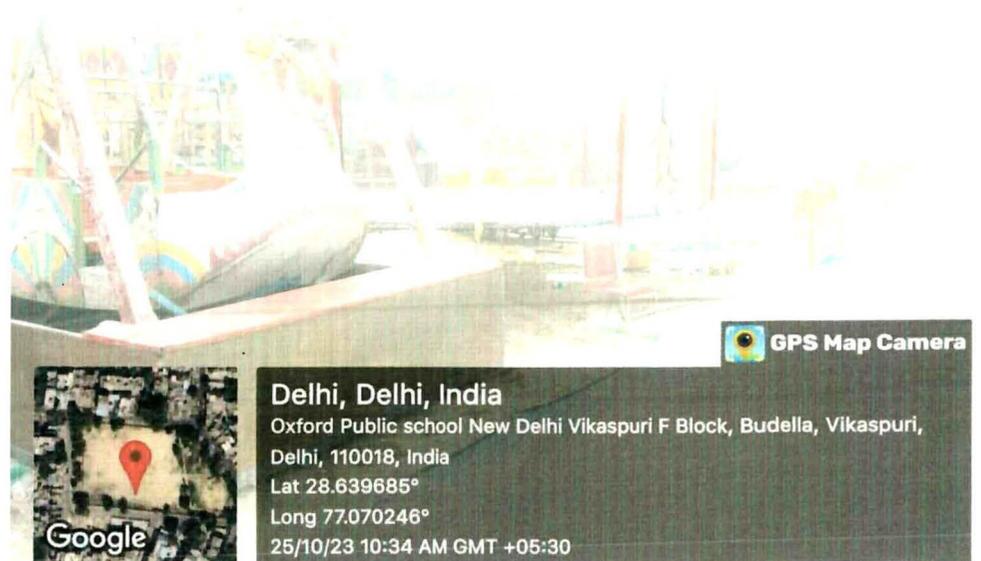
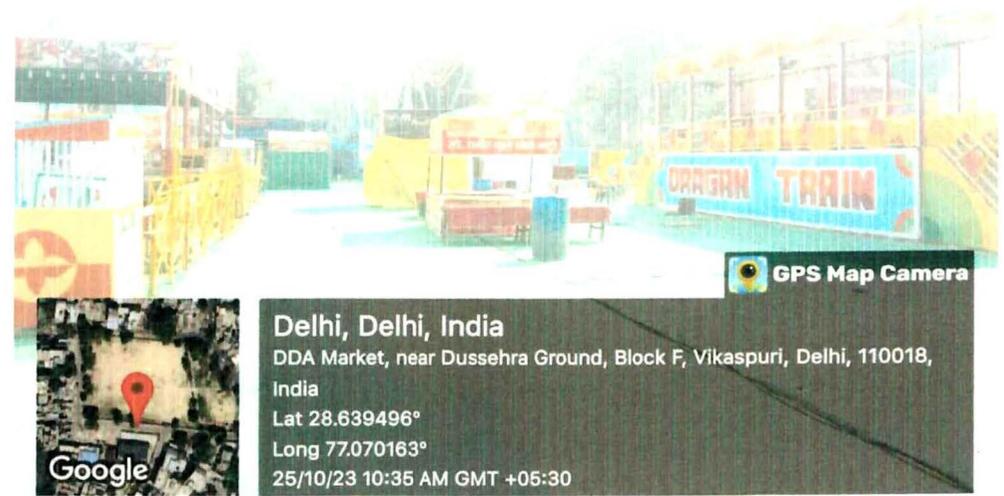


GPS Map Camera



Google

Delhi, Delhi, India
Dussehra Ground Panchhi Tent House Wedding Venue, 34, Block F,
Vikaspuri, Delhi, 110018, India
Lat 28.639842°
Long 77.0705°
25/10/23 10:31 AM GMT +05:30





GPS Map Camera



Delhi, Delhi, India
Oxford Public school New Delhi Vikaspuri F Block, Budella, Vikaspuri,
Delhi, 110018, India
Lat 28.639577°
Long 77.070054°
25/10/23 10:33 AM GMT +05:30



GPS Map Camera



Delhi, Delhi, India
Oxford Public school New Delhi Vikaspuri F Block, Budella, Vikaspuri,
Delhi, 110018, India
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Long 77.070235°
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GPS Map Camera



Delhi, Delhi, India
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Delhi, 110018, India
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GPS Map Camera



Delhi, Delhi, India
Oxford Public school New Delhi Vikaspuri F Block, Budella, Vikaspuri,
Delhi, 110018, India
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Long 77.070098°
25/10/23 10:33 AM GMT +05:30



Delhi, Delhi, India
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Delhi, Delhi, India
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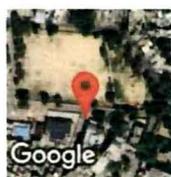
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Delhi, Delhi, India
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Delhi, Delhi, India
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