

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

IN THE MATTER OF:-

Khyati Anand

.....Applicant

Versus

Department of Environment, GNCTD and ORS.

.....Respondents

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Through



Khyati Anand
Applicant in Person
A-4/546 Paschim Vihar
New-Delhi-110063
Email- meeraanand223@gmail.com
Ph : 9711074743

Place - Delhi

Date - 30.08.2025

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**RESPONSE BY THE APPLICANT TO THE JOINT COMMITTEE REPORT
DATED 21.04.2025**

MOST RESPECTFULLY SHOWETH:

1. That by Order Dated 23.09.2024, this Hon'ble Tribunal directed to form a Joint Committee comprising of representative of the I.G. Forest, MoEF & CC; Member Secretary, Central Pollution Control Board(CPCB); Member Secretary, Delhi Pollution Control Committee(DPCC) and District Magistrate, North Delhi who will act as the nodal agency.
2. The Hon'ble Tribunal directed that the Joint Committee will visit the site, ascertain correctness of the allegations made in the original application and also trace out the persons responsible for cutting the branches of the trees in violation of the order of the Delhi High Court in the case of Prof. Dr Sanjeev Bagai &Ors. (Supra) and will find out the manner in which the timber cut from these trees has been used/utilised/sold. The Committee will duly take into account the photographs enclosed in the original application with the geo-coordinate at the time of inspection relating to the cutting of heavy branches of the trees, stacking of the wood logs and its transportation.

3. That the Applicant respectfully submits that District Magistrate, North Govt. of NCT of Delhi ,in its affidavit dated 28.04.2024,has clearly stated that the Joint Committee along with the representatives from the Department of Forest, GNCTD, and the Assistant Director(Horticulture),Municipal Corporation of Delhi visited the following blocks in Paschim Vihar, Delhi, on 13.02.2025 and a follow up inspection was conducted on 11.04.2025 to verify the allegations made by the Applicant:

i. Block A1 ii. Block A3

iii. Block A5 iv. Block B1

v.Block BG3 vi. Block BG5

vii. Block BG6, viii. Block BG7

4. That according to the Joint Committee report, eleven trees were given the "**Compliance status**" and three trees were found dead.

They are as follows:

S.No.(As in the O.A)	Name of the Trees	Girth cut(in cm)	Location
3.	Ficus Tree	45cm	A3 Block Park
7.	Ashoka Trees	15cm	B1 block
9.	Neem Tree	35cm	Adjacent to House no. B1/144
10.	Jamun Tree	35 and 40cm	Opp House No.B1/133
11.	Jamun Tree	35cm	Opp. House No. B1/266
13.	Patrunjia Tree	30cm	Opp. House no. B1/184
14.	Patrunjia Tree	42cm	Adjacent to House No.B1/155
15.	Patrunjia Tree	10cm,20cm,25cm,35cm	Adjacent to House No. B1/135
17.	Patrunjia Tree	15-20cm	Adjacent to House No. B1/92
20.	Peelkhan Tree	40-45cm	Adjacent to House No. B1/265

34.	Papri Tree	40cm	BG-3 Block Park
16.	Sheesham tree	Dead	B1 Block park Opp House no 265
27.	Ficus tree	(24cm,35cm) (dead)	A5 Block, District park
29.	Ficus tree	45cm(dead)	A5 Block, District park

5. That hereby the Applicant is making following submissions/objections to the inspection report filed by the District magistrate, North, Govt. of NCT of Delhi.

- i. Firstly, that the report gives its compliance status to those trees as well which were pollarded. The Delhi Preservation of Trees Act, 1994 under Section 2(h) states that "To fell a tree with its cognate expression, means severing the trunk from the roots, uprooting the tree and included bulldozing, cutting, girdling, lopping, **pollarding**, applying arboricides, burning or damaging a tree in any other manner. Pollarding is an offence under Section 8 r/w Section 24 of the Delhi Preservation of Trees Act, 1994.
- ii. Secondly, the permissions given for heavy pruning by the Deputy Conservator of Forests are in complete contravention of the High court Order in the Civil Writ Petition No. 2317 of 2023 of Mr Sanjeev baghai Vs Department of Environment, GNCTD & ORS.
 - a. *The Order states, "The Guidelines for Pruning of Trees are essentially an informal administrative handbook to assist the Officers of Department of Forests and Wildlife. They are not a part of any statute. They do not carry a statute flavour or character. The sole objective of the DPT Act, is preservation of trees. The granting of permission for cutting, girdling, lopping, pollarding, etc,*

of trees is to be strictly regulated and such permission is not to be granted for the asking. Yet the Guidelines permit cutting/pruning of branches of trees having a girth/circumference upto 15.7 cms. How did this figure come about? What is the scientific basis for reaching that figure? What is the justification for applying the same thickness of branches to all the species of trees in Delhi? Some trees may have slim trunk girth. For such specific species and otherwise too, the entire tree could well be wantonly pruned to reduce to a mere pole-like structure, as has been done to some trees in this case.

b. Had the tree Officer been accorded an occasion to inspect these trees before they were pruned, perhaps the hapless trees would not have suffered their current fate. Was it examined or ascertained by the Tree Officer or for that matter by any authority, whether the branches of the many trees which were pruned, were dead, diseased, dying, split, broken or constituted a threat to life or property or obstructed traffic? Was it ascertained whether the extensive and possibly indiscriminate, cutting of branches with 'live foliage' would not adversely affect the health of the trees? Was it examined, ascertained or estimated that the trees had been or could be over-pruned? If the answer to the last question is in the affirmative, then the sequiter dangers that would afflict the health and life of the fully-grown trees should have been minimized. Hence, by default, the report by the Joint committee which submits 'Compliance Status of eleven trees' comes under the Non-compliance status.

- iii. That further the Applicant submits that the Joint Committee's inspection has failed to take into account the photographs enclosed in the Original Application with their Geo-coordinates and has filed their report merely on the basis on the actual date of the status of the trees when the inspection was done but not considering the damage the trees had endured before and taking into account the pictures filed in the Original application with their Geo coordinates.
6. That the Applicant submits the details where the Joint committee was completely silent and has not filed their report in its true form.
- I. Here are the details of the submission/objection to the report by the applicant:
- a. **Ficus Tree No 3** –The Geo coordinate picture filed by the applicant on Page no.46 serves as a Prima facie evidence that the Ficus tree was heavily pruned under the contravention of the High Court order in the Civil Writ Petition No. 2317 of 2023 of Mr Sanjeev baghai Vs Department of Environment, GNCTD & ORS.
 - b. **Asoka Tree No. 7**- The Ashoka trees were **pollarded and pollarding comes** as an offence under Section 8 r/w Section 24 of the Delhi Preservation Of Trees Act,1994.
 - c. **Neem Tree No.9** - The Geo coordinate pictures filed by the applicant on Page no.52 serves as a Prima facie evidence that the Neem tree was heavily pruned under the contravention of the High Court order in the Civil Writ Petition No. 2317 of 2023 of Mr Sanjeev Baghai Vs Department of Environment, GNCTD & ORS.
 - d. **Jamun Tree No.10** –The Photograph of the tree in their Original Application along with the geo coordinates on page number 54

clearly indicates that **seven branches** were cut. Cutting of seven branches violates the letter of permission issued by the Deputy Conservator of Forests, North Forest Division. But the report mentions cutting of only two branches. This shows that the Joint committee did not adhere to the order passed by the Hon'ble Tribunal which stated to take into account the photographs of trees along with geo coordinates enclosed in the original application.

- e. **Jamun Tree No. 11** - The Photograph of the tree in their Original Application along with the geo coordinates on page number 55 clearly indicates that **seven branches** were cut but the Joint committee did not take into account the Photographs with their geo coordinates in the original application and mentions the cutting of only one branch.
- f. **Patrunjia Tree No.13** - The Photograph of the tree in their Original Application along with the geo coordinates on page number 56 clearly indicates that **sixteen branches** were cut but the Joint committee did not take into account the Photographs with their geo coordinates in the original application and mentions the cutting of only one branch.
- g. **Patrunjia Tree No.14** - The Photograph of the tree in their Original Application along with the geo coordinates on page number 57 clearly indicates that **eight branches** were cut but the Joint committee did not take into account the Photographs with their geo coordinates in the original application and mentions the cutting of only one branch.
- h. **Patrunjia Tree No.15** – i. That the photograph of the tree on Page 58 in its original application clearly indicates that the tree was lopped and all its branches were cut and was standing like a pole.

- ii. Section 2(i) of the Delhi Preservation of Trees Act,1994 states that **“tree means any woody plant whose branches spring from** and are supported upon a trunk or body and whose trunk or body is not less than five centimetres in diameter at a height of thirty centimetres from the ground level and is not less than one meter in height from the ground level.
- iii. The second photograph of the tree on page 58 indicates that the tree had received some foliage after it was lopped before. But as per the photograph of the tree with the geo coordinates dated 21/02/2025 on page no.264 filed by the Joint committee report, the tree was pollarded again.
- iii. This shows the apathy of Horticulture department of Municipal Corporation of Delhi that the trees which have come under offence already are being cut again by the residents and MCD has failed to report the same to the Deputy conservator of Forests, North Forests Division and here Joint Committee was also silent about the same as they had not taken into account the picture of the aforesaid tree filed in the Original application.
- i. **Patrunjia Tree No.17** – The Joint Committee report mentions that two branches were cut but the photograph of the tree in its original application on Page no.60 clearly indicates that **ten branches** were cut and of more than 45cm. But the report sidelined the photograph of the tree in its original application.
- j. **Peelkhan Tree No.20** - The Joint Committee report mentions that two branches were cut but the photograph of the tree in its original application on Page no.63 clearly indicates that **seven branches** were cut and of more than 45cm. But the report sidelined the photograph of the tree in its original application.

k. **Papri Tree No.34** - The Papri tree was **pollarded and lopped**.

The photograph of the tree on Page no.77 serves as prima facie evidence that the tree was pollarded and **pollarding comes** as an offence under Section 8 r/w Section 24 of the Delhi Preservation Of Trees Act, 1994.

II. That the Joint Committee report submits that three trees were found dead. However, the Joint Committee did not take into account the photographs of the trees filed in the original application with their geo coordinates. Here are the details of submission on the trees which were given status of "Dead trees".

a. **Sheesham/Neem Tree No.16** - The Photograph of the tree in their Original Application along with the geo coordinates on page no.59 clearly indicates that the branches were lopped as the bark colour is white. A dead tree can never have a cut with white colour. The photographs enclosed in the original application as prima facie evidence shows that the tree was lopped and heavily pollarded and as a result of that the tree died.

b. **Ficus Tree No.27** - The Photograph of Ficus tree in their Original Application along with the geo coordinates on page no.70 clearly indicates that the tree was head backed. And as a result of this,the tree later died. But the Joint Committee has failed to take into account the picture of the tree filed in the original application by the applicant.

c. **Ficus tree No.29** - The Photograph of Ficus tree in their Original Application along with the geo coordinates on page no.72 clearly indicates that the tree was lopped.As the second picture on the page no.72 shows a little foliage growing but it later died. This proves that the tree was not already dead but died due to lopping of its branches.

III. Additionally, the Joint Committee report mentions that the Neem tree (Serial No.18) was pruned two years ago. The Joint committee has failed to take into account the photographs of the aforesaid tree on Page no.61.

The Photograph of the Neem tree in their Original Application along with the geo coordinates on page no.61 clearly indicates that the tree was lopped a few days ago and not two years ago. A branch cut two years ago would not have white bark. And the second picture on page no.61 shows that the branches started receiving its foliage. If the tree was pruned two years ago, then why did not it receive foliage in the first picture on page 61. This shows that the Joint Committee did not adhere to the order passed by the Hon'ble Tribunal on 23.09.2024 to take into account the photographs of the trees enclosed in the original application and did not produce its report in its true form.

7. That the Applicant submits additionally twenty trees which were lopped and their girth was cut more than 45cm in the months of February and March, 2024 as well. **(A true copy of the photographs of the trees is annexed herewith and marked as Annexure A-1)**

S.No.	Name of the Trees	Girth cut in (cm)	Census No.	Location
1.	Ficus tree	More than 45cm	5962	In A3 Block park Opposite CA Apartments
2.	Ficus Tree	More than 45cm	5976	Opp House No. A3/49
3.	Ficus Tree	More than 45cm	5955	Nearby House No.A3/112
4.	Gulmohar Tree	More than 45cm	5963	Nearby House No. A3/180
5.	Ficus Tree	More than 45cm	5966	Nearby House No. A3/180
6.	Ficus tree	More than 45cm	5968	Nearby House No. A3/180
7.	Ficus Tree	More than 45cm	5970	Nearby House No. A3/48
8.	Ficus Tree	More than 45cm	5946	Nearby House no. A3/48
9.	Ficus Tree	More than	5955	Nearby House

		45cm		No. A3/112
10.	Ficus tree	More than 45cm	5956	Nearby House No. A3/116
11.	Lehsura Tree	More than 45cm	5989	Nearby House No. 296
12.	Peepal Tree	More than 45cm	5982	Nearby House No. 296
13.	Peepal Tree	More than 45cm	Not Mentioned	Nearby House No. A3/70
14.	Ficus tree	More than 45cm	5939	In Park Opp. A3/184
15.	Jamun tree	More than 45cm	5917	In Park nearby House No. A3/249
16.	Neem Tree	More than 45cm	Not clear	In park nearby House No. A3/185
17.	Ficus Tree	More than 45cm	5941	Opp House No. A3/250
18.	Ficus Tree	More than 45cm	5949	Nearby House No. A3/250
19.	Banyan Tree	More than 45cm	5940	Nearby House No. A3/250
20.	Ficus Tree	More than 45cm	Not mentioned	A2 Block In park Opp. Adarsh Apartments
21.	Ficus Tree	More than 45cm	Not mentioned	A2 Block In park Opp. Adarsh Apartments
22.	Ficus Tree	More than 45cm	Not mentioned	A2 Block In park Opp. Adarsh Apartments
23.	Peelkhan Tree	More than 45cm	Not mentioned	A2 Block In park Opp. Adarsh Apartments
24.	Peepal tree	More than 45cm	Not mentioned	A2 Block In park Opp. Adarsh Apartments
25.	Ficus tree	Completely cut	Not mentioned	A2 Block In park Opp. Adarsh Apartments

8. That the office of the Deputy Conservator of Forests, North Forest Division ordered on 09/01/2025 to Sh. Karanvir Singh and Ms. Monika, Section Officer (Hort.), Municipal Corporation of Delhi, Keshavpuram

Zone to plant one thousand tree saplings (Amaltas, Arjun, Neem, Jamun and Gular etc.) having height of not less than 6 feet in area of ward no.58 and 59 during the next/coming plantation season(February 2025/June-July 2025) and maintain them for at least seven (07) years and submit the compliance report of same. **(A true copy of the order is annexed herewith and marked as Annexure A-2)**

- i. That the saplings are being planted without any Tree guard. Tree guards are an essential part in the plantation process which ensure the protection of saplings from strong winds, stray cattles etc.
- ii. That the office of the Deputy Conservator of Forests, North Forest Divison sidelined the importance of tree guards in its order. This clearly indicates that Deputy Conservator of Forests, North Forest Divison was not serious about the plantation process and was merely passing the order. **(A true copy of the photographs of saplings is annexed herewith and marked as Annexure A-3)**

File By



Khyati Anand
Applicant in Person
A-4/546 Paschim Vihar
New-Delhi-110063
Email- meeraanand223@gmail.com
Ph : 9711074743

Place - Delhi

Date - 30.08.2025

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION NO. 1178 OF 2024

IN THE MATTER OF:-

KHYATI ANAND

... APPLICANT

VERSUS

DEPARTMENT OF ENVIRONMENT,
GNCTD & ORS.

... RESPONDENTS

AFFIDAVIT

I, Khyati Anand, aged about 36 years, D/o Umesh Chander Anand, R/o A-4/546 Paschim Vihar New Delhi -110063, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the above titled Application and I am conversant with that facts and circumstances of the case and competent to swear this affidavit.
2. That the contents of the accompanying Response are true and correct and nothing material has been concealed therefrom.

I, IDENTIFIED THE
DEPONENT WHO HAS
SIGNED IN MY PRESENCE

Khyati

DEPONENT

VERIFICATION

Verified on this 30th day of August, 2025 that the contents of the present Affidavit are true and correct to my knowledge and belief and nothing material is concealed therefrom.



ATTESTED
[Signature]
NOTARY PUBLIC

Khyati

DEPONENT

ANNEXURE- A-1

Tree No. 1



Tree No. 2



GPS Map Camera



Google

New Delhi, Delhi, India

48, Block A3, Paschim Puri, Paschim Vihar, New Delhi,
Delhi 110063, India

Lat 28.671162° Long 77.104767°

05/05/2025 02:00 PM GMT +05:30

Tree No. 3



GPS Map Camera



Google

New Delhi, Delhi, India

112, A 3 Block, Paschim Vihar, New Delhi, Delhi 110063, India

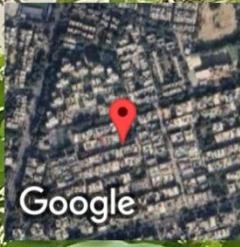
Lat 28.670917° Long 77.104727°

05/05/2025 02:15 PM GMT +05:30

Tree No. 4



GPS Map Camera



Delhi, Delhi, India

A3/180, A-3/135, West, A 3 Block, Paschim Vihar, Delhi,
Delhi 110063, India

Lat 28.671172° Long 77.104627°

05/05/2025 02:06 PM GMT +05:30

Tree No. 5



Tree No. 6



GPS Map Camera



Delhi, Delhi, India

A3/180, A-3/135, West, A 3 Block, Paschim Vihar, Delhi,
Delhi 110063, India

Lat 28.671279° Long 77.104647°

05/05/2025 02:02 PM GMT +05:30

Tree No. 7



GPS Map Camera



Delhi, Delhi, India

A-3/48, Police Colony, A 3 Block, Paschim Vihar, Delhi,
Delhi 110063, India

Lat 28.671276° Long 77.104702°

05/05/2025 02:01 PM GMT +05:30

Tree No. 8



Tree No. 9



Tree No. 10



Delhi, Delhi, India

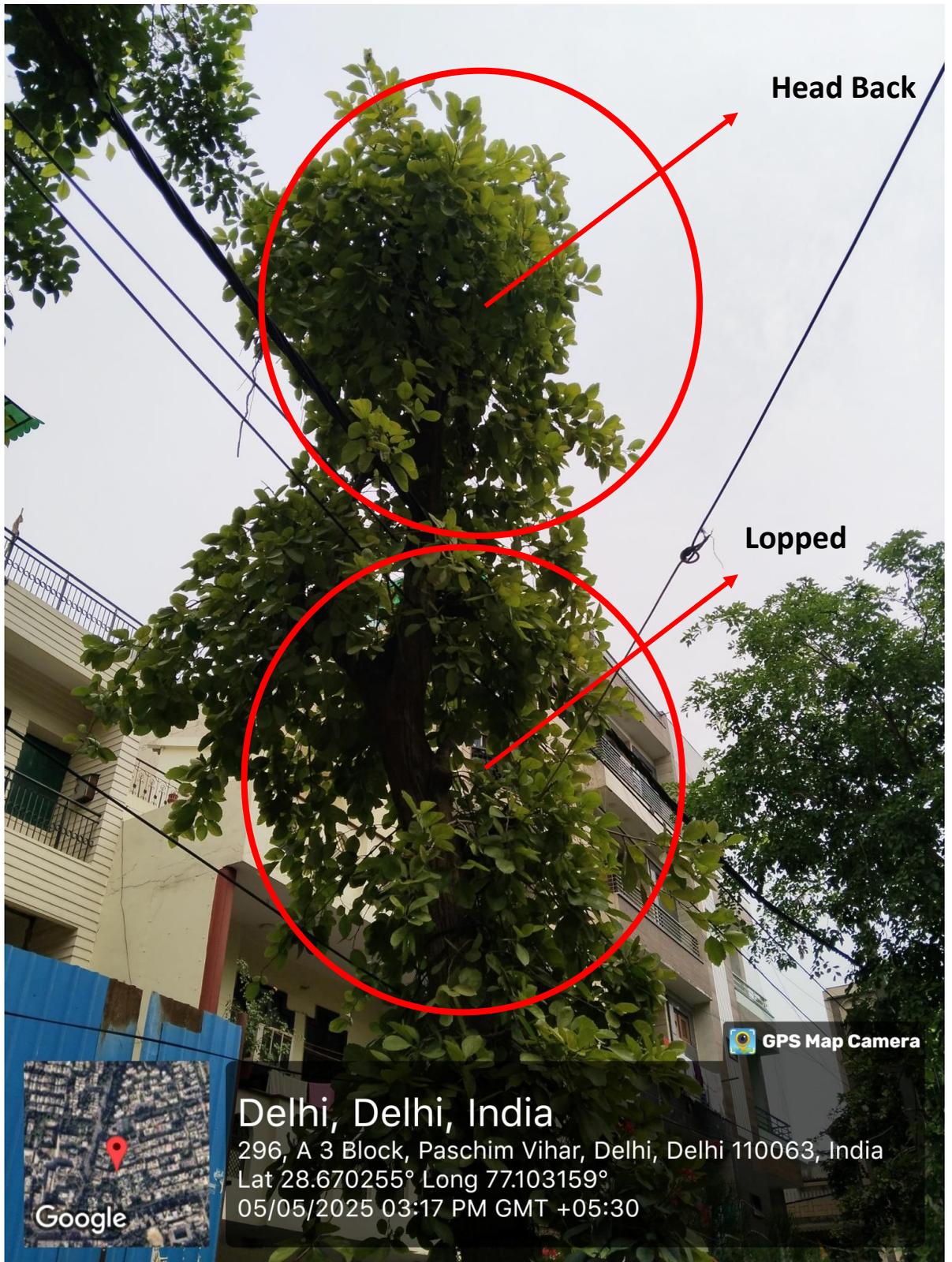
A 3 Block, Paschim Vihar 116, A 3 Block, Paschim Vihar,
Delhi, Delhi 110063, India

Lat 28.670916° Long 77.104679°

05/05/2025 02:16 PM GMT +05:30

GPS Map Camera

Tree No.11



Tree No. 12



Tree No. 13



Tree No. 14



GPS Map Camera



Google

Delhi, Delhi, India

Chaitanya Kuteer, A-3/184, Opp.jain Mandir, Paschim Vihar, Police Colony, A 3 Block, Paschim Vihar, Delhi, Delhi 110063, India
Lat 28.670043° Long 77.106564°
05/05/2025 03:34 PM GMT +05:30

Tree No. 15



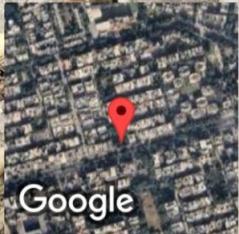
Tree No. 16



Tree No. 17



GPS Map Camera



Delhi, Delhi, India

A-3/250, Police Colony, A 3 Block, Paschim Vihar, Delhi, Delhi 110063, India

Lat 28.670202° Long 77.106654°

05/05/2025 03:28 PM GMT +05:30

Google

Tree No. 18



GPS Map Camera

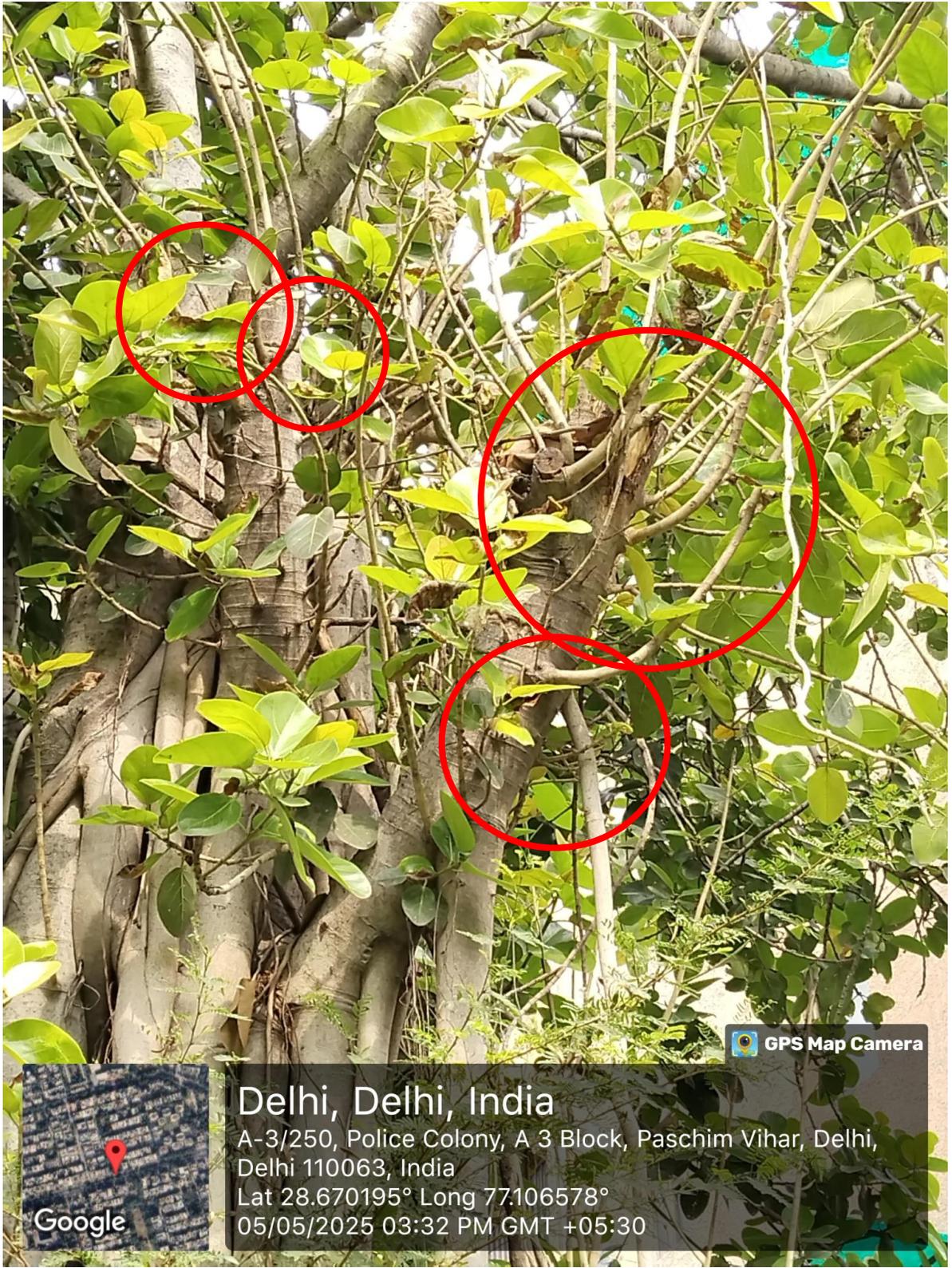


Delhi, Delhi, India

A-3/250, Police Colony, A 3 Block, Paschim Vihar, Delhi,
Delhi 110063, India

Lat 28.670133° Long 77.10659°

05/05/2025 03:33 PM GMT +05:30

Tree No. 19

Tree No. 20



GPS Map Camera



New Delhi, Delhi, India

A2, A 2 Block, Paschim Vihar, New Delhi, Delhi 110063, India

Lat 28.674638° Long 77.101538°

05/05/2025 02:45 PM GMT +05:30

Google

Tree No. 21



GPS Map Camera



New Delhi, Delhi, India

147a To 148c, Street Number 1, A5 Block, A 1 Block,
Block-a, Paschim Vihar, New Delhi, Delhi 110063, India

Lat 28.674577° Long 77.101632°

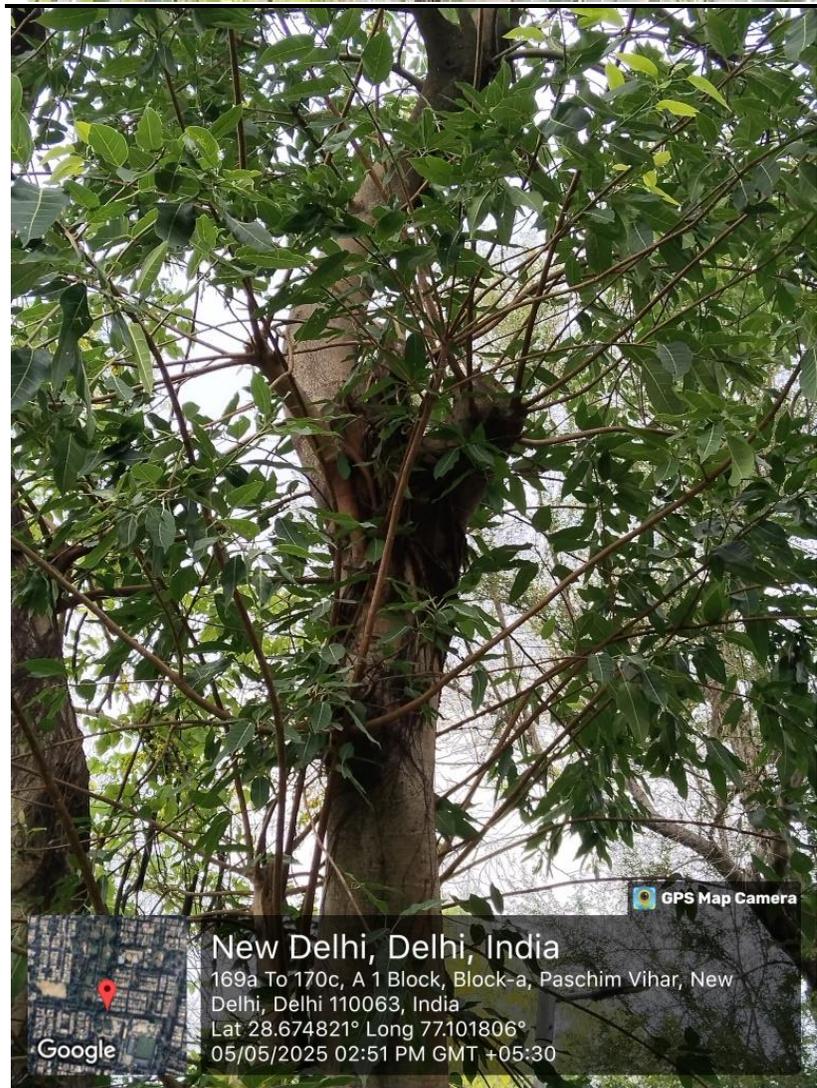
05/05/2025 02:46 PM GMT +05:30

Google

Tree No. 22



Tree No. 23



Tree No. 24



Tree No. 25



New Delhi, Delhi, India
207a-208c, A 1 Block, Block-a, Paschim Vihar, New Delhi,
Delhi 110063, India
Lat 28.675255° Long 77.101538°
14/04/2025 05:36 PM GMT +05:30

GPS Map Camera

ANNEXURE A-2

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/2024-25/6576-77

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 in 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 (February 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 Police Station, New Delhi-110035.
- ✓ Ms. Khyati Anand, A-4/546, Paschim Vihar, New Delhi-110063.

Tree Officer/Dy. Conservator of Forest
(North Forest Division)

ANNEXURE A-3

