

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 1171/2024****IN THE MATTER OF:****Vasant Kunj Residents Welfare Association****... Applicant****Versus****MoEF & CC & Ors.****... Respondent(s)****INDEX**

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Date: 30.01.2025**Filed by:****MADHUMITA SINGH
COURT COMMISSIONER**

BEFORE THE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 1171/2024

IN THE MATTER OF:

Vasant Kunj Residents Welfare Association

... Applicant

Versus

MoEF & CC & Ors.

... Respondent(s)

SITE VISIT REPORT OF THE COURT COMMISSIONER AT KHASRA NO. 1230/2 (NEW) TOWARDS COMPLIANCE OF THE ORDER DATED 10.01.2025 BY HON'BLE NATIONAL GREEN TRIBUNAL

MOST RESPECTFULLY SUBMITTED: -

1. That this Hon'ble Tribunal, in the present Original Application is dealing with the issue of raising illegal construction by Respondent No. 6 without obtaining the mandatory Environmental Clearance (EC) required under the Environmental Impact Assessment (EIA) Notification, 2006, issued under the Environment (Protection) Act, 1986 on the land in Khasra No. 1230/2 (New), measuring 6 Bighas and 7 Biswas by Respondent No. 6/ M/S R. R. TEXKNIT LLP.
2. That vide Order dated 10.01.2025, the Hon'ble Tribunal was pleased to appoint the undersigned to verify the facts related to status of the site, particularly, in terms of the provisions contained in Clause 6 of EIA, Notification 2006 as amended from time to time. The relevant

paragraph from the said order dated 10.01.2025 is reproduced as under:

3. In these facts and circumstances, we find it appropriate to obtain a factual report by appointing an Advocate Commissioner and accordingly, we appoint Ms. Madhumita Singh, Advocate (Enrolment No. D/4778/2016) (Contact No. 9971117818) as Advocate Commissioner who shall visit the site and find out the status of the site, particularly, in terms of the provisions contained in Clause 6 of EIA, Notification 2006 as amended from time to time and submit report within 15 days. She shall be paid professional remuneration/fee of Rs. 25,000/-.

3. It is submitted that undersigned visited the site to ascertain the true and correct conditions and position of the matter at hand on ground. It is also submitted that the following persons were present at the Site and accompanied the undersigned for inspection of the site in question on 17.01.2025 at about 3:45 pm.

On behalf of the Applicant:

1. Mrs. Manju Swaminathan, President RWA
2. Mr. Rajiv Ranjan, Resident
3. Mr. Aby Johnson, Resident
4. Adv. Shreshth Arya

On behalf of Respondent No. 6:

1. Mr. Rakesh Kumar, Director of Respondent No. 6
2. Mr. Rohit Sejwal
3. Adv. Govind Gupta

4. That, undersigned after inspection has summarised the following observations, along with photographs and videography to assist the Hon'ble Tribunal. The observations are as under:
 - a. That the site in question is situated besides Masonic Public School and is boundary-walled from all sides with a gate for entry and exit, with the gate under lock and key in possession of Respondent no. 6 and the entry is only restricted to Respondent No. 6 and its authorized personnel.
 - b. That, Respondent No. 6 further declared that the site has been left on "Status Quo" basis as was handed over to Respondent No. 6.
 - c. Respondent No. 6 stored metal racks and pipes, with the same in dismantled condition. Upon seeking clarity, Respondent No. 6 informed that these racks and metal pipes are for future use and have not been dismantled prior to visit of the undersigned.
 - d. That, Respondent No. 6 informed that old pumping set covered with blue tarping is an old pumping set which was existing at the site when the site was handed over to Respondent No. 6. However, the pumping set is not functional.
 - e. That, it was also noticed and documented the presence of an air-conditioned guard room with television, folding cot and a table with 2 washrooms with overhead water tank. Respondent No. 6 informed that this constructed Guard room were set up prior to the

directions of this Hon'ble Court. Further, Respondent No. 6 informed that the tin structure of the guard room is temporary in nature. The parties should place the date of construction of the said guard room before this Hon'ble Tribunal.

- f. That, it was observed that in a certain area of land parcel there were tyre mark of which indicated movement of heavy vehicle, and the grass/ shrubs were removed. Upon seeking clarity, Respondent No. 6 informed that the tyre marks were due to movement of JCB that was deployed in compliance to the order passed by Hon'ble High Court of Delhi for restoration of trees earlier removed by Respondent No. 6.
 - g. That, it was also noticed concrete, debri and malba has been dumped around trunk of a tree adjacent to guard room. Upon seeking clarity from Respondent No. 6, it was informed that these were due to compliance of order mentioned in the above paragraph.
 - h. That, Respondent No. 6 has not undertaken any land levelling and preparation of the land parcel in question and the land remains in its natural state.
5. The photographs and videos of the site in question are annexed herewith this report.
 6. The undersigned took serious and sincere note of the order dated 10.01.2025 passed by this Hon'ble Tribunal. The inspection of site in

question was conducted with transparency and factual position is being placed before this Hon'ble Tribunal without considering / giving credence the past materials on record.

7. That this report is submitted before this Hon'ble Tribunal for kind consideration and perusal.

Filed by:



MADHUMITA SINGH

COURT COMMISSIONER

A414-415, SOMDUTT CHAMBERS 1,

BHIKAJI CAMA PLACE,

NEW DELHI-110066

MO. NOS.: 9971117818

Dated: 30.01.2025

Place: New Delhi

Google drive link:

<https://drive.google.com/drive/folders/1Q8sRVqcUJmlv2fzfeolcYZjd mjGcgIg6?usp=sharing>





































