

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 1387/2024**

IN THE MATTER OF:

KISHORI LAL

... Applicant

Versus

GOVT. OF NCT OF DELHI & ORS

... Respondent(s)

I N D E X

<u>Sl. No.</u>	<u>Particulars</u>	<u>Pg. No.</u>
1.	Status Report on behalf of Respondent No. 3 Deputy Conservator of Forest, West Forest Division, Department of Forest & Wildlife, Govt. of NCT of Delhi.	1-8
2.	Annexure- A: Ground Inspection report	9-10
3.	Annexure- B: Photographs of Khasra 8//18.	11-17
4.	Annexure- C: Copy of Corrigendum is attached	18
5.	Annexure- D: Photographs of Khasra no. 19//2 along with other Khasra no. 19//9, 33//13, 16//16, 19//1, 6//6/1, 8//23, 35//17, 15//2, 21//15//1 and 20//10 replaced by other Khasra nos, 4//5, 12, 13, 14, 15, 17, 18, 19, 8//18, 21//14, 15//1, 35//17, 36//5, 37//1, 2 of Village Kharkhari Jatmal,	19-20
6.	Annexure- E: (Colly) Copy of letters dated 19.07.2022 and 09.04.2025 written to Sub-Divisional Magistrate, Kapeshera	21-30

FILED BY:

NEW DELHI
DATED: 20.04.2025


JYOTI MENDIRATTA
Advocate for the GNCT of Delhi
H-34, Jangpura Extension
(Lower Ground Floor)
Near INOX EROS Cinema,
New Delhi-110014
Ph: 9811136141
jmalawoffices@gmail.com

IN THE HON' BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

IN

O.A No. 1387/ 2024

IN THE MATTER OF:-

KISHORI LAL

...APPLICANT

VERSUS

GOVT. OF NCT OF DELHI & ORS

...RESPONDENTS

STATUS REPORT ON BEHALF OF RESPONDENT NO. 3
DEPUTY CONSERVATOR OF FOREST, WEST FOREST
DIVISION, DEPARTMENT OF FOREST & WILDLIFE, GOVT.
OF NCT OF DELHI

1. That the Status Report is true and correct, which are derived from the records of the case. That the present Status Report has been drafted under my instructions.
2. That it is submitted that the plea of the applicant is that in the year 2005, 125 Acre of Gram Sabha land in village Kharkhari Jatmal, Post Office Khera, Najafgarh, Delhi was allocated to the Forest Department for afforestation and this allocation was approved by the Hon'ble Lieutenant Governor to mitigate pollution, enhance green cover and contribute to environmental protection. The applicant alleges that this land allotted for afforestation has been misused. It has been encroached upon by the land mafia and illegal construction and unauthorized agricultural activities are going on. There is a further allegation

that demarcation of the land still incomplete, and there is illegal extraction and sale of ground water from this area. That the allegations of Area/Khasras in question are as under:-

Details of encroached Khasra Numbers

Khasra No. 8//18:

- Half of this land is illegally cultivated by land mafias.
- An unauthorized tube well has been installed, drawing water for illegal irrigation and sale, violating water conservation laws.
- Despite repeated complaints, the Forest Department has failed to remove the encroachment.

Khasra No. 15//2 :

- Entirely under illegal cultivation.
- No trees have been planted, and the absence of a boundary wall has led to persistent encroachments.

Khasra Nos. 15//3 and 15//8:

- Unauthorized residential and commercial structures have been constructed on these plots.
- Encroachers have erected permanent dwellings, violating the Forest (Conservation) Act, 1980.

Khasra No. 19//2:

- Previously planted trees were uprooted by encroachers.
- The land is now used for illegal animal husbandry, with cattle rearing facilities established on the plot.

Khasra Nos. 4/5, 12, 13, 14, 15, 17, 18, and 19:

- Trees were planted on 08.02.2018 as part of an afforestation project.
 - None of the trees survive today, either due to uprooting by encroachers or neglect by the Forest Department.
3. That the Hon'ble National Green Tribunal vide its order dated 02.01.2025 had directed the respondent to file response/reply by way of affidavit, the relevant portion of which is reproduced herein under:

[...]2. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal. The applicant is directed to serve the respondents and file an affidavit of service at least one week before the next date of hearing.. [...]

4. That the concerned area as pointed out by the petitioner falls within the jurisdiction of West Forest Division, Department of Forest and Wildlife, GNCTD.
5. That it is submitted that the ground inspection was carried out by the concerned beat official of Department of Forest & Wildlife, GNCTD on 11.04.2025 and report was submitted in the office of

Deputy Conservator of Forest, West Forest Division and the current status of the above mentioned Khasras is provided in Tabular form as follows:-

Sl. No.	Tehsil	Village	Khasra No (Area)	Allotment Date	Handed Over or Not	Hand Over date	Current Status	Encroachment Yes/No	Remarks
1	Kapashera	Kharkhari Jatmal	8//18 (4-16)	20.04.2018	Yes	20.04.2018	Plantation done	No	Tube Well is not situated inside this khasra
2	Kapashera	Kharkhari Jatmal	15//2 (4-15)	02.08.2005	Yes	14.11.2006	Plantation done	No	
3	Kapashera	Kharkhari Jatmal	15//3 (4-12)*	02.08.2005	Yes	14.11.2006	Road, Toilet and Samadhi	No	Stated structures existed before the handing over of this Khasra, taken over by the Forest Department and the demarcation of this khasra is still pending the same is stated in the order of Public Grievance Commission (PGC) dated 23.11.2017 and are to be converted into beat office. The renovation of the same will be done.
4	Kapashera	Kharkhari Jatmal	15//8 (2-2)*	02.08.2005	Yes	14.11.2006	Road, Toilet and House	No	Stated structures existed before the handing over of this Khasra,

									planted on 16.04.2025 on the said khasras.
13	Kapashera	Kharkhari Jatmal	4//15 (4-12)	20.04.2018	Yes	20.04.2018	Plantation done	No	

***Note:-The demarcationis pending of khasra no. 15//3 (4-12) and 15//8 (2-02)**

The report of the same regarding all the Khasras in question in tabular format is annexed as **Annexure-A**.

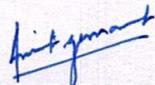
6. That it is submitted that “*Cattle tying*” activity was being conducted at Khasra 8//18. That it is submitted that the petitioner seeking commercial exploitation of water resources and water extracted from these wells is being sold for commercial grains that the tube well is not situated inside the khasra no 8//18. That it is further submitted that all cattle have been removed and tree plantation has been successfully completed. The coloured photographs of the site are annexed as **Annexure- B**.

7. That it is submitted that Khasra no. 19//2 along with other Khasra no. 19//9, 33//13, 16//16, 19//1, 6//6/1, 8//23, 35//17, 15//2, 21//15//1 and 20//10 of Village Kharkhari Jatmal were replaced by other Khasra nos, 4//5, 12, 13, 14, 15, 17, 18, 19, 8//18, 21//14, 15//1, 35//17, 36//5, 37//1, 2 of Village Kharkhari Jatmal, New Delhi vide Corrigendum dated 09.02.2018 by the Office of Sub Divisional Magistrate, Kapashera. Copy of Corrigendum is attached herein as **Annexure-C**. That it is further submitted that unauthorised “*Cattle tying*” activity was being conducted at Khasra No. 19//2. The cattle have been removed and tree plantation has been successfully completed at the site. The coloured photograph of the same is annexed as **Annexure-D**.

8. That it is submitted that status of Kharkhari Jatmal Khasra numbers 15//2, 3, 8 are as follows:-
- **15//2:-** As per the demarcation of the Revenue Department, GNCTD fencing and plantation was done in the year 2013 and there is no encroachment on this Khasra.
 - **15//3:-** This Khasra has a village peripheral road and a Samadhi on khasra no. 15/3. It is further submitted that previously there was a public rest room of Municipal Corporation Department (MCD), now the same was under the possession of Department of Forest and Wildlife, GNCTD. It is also to mention that the demarcation proceeding is pending of the said khasra.
 - **15//8:-** That it is submitted that this khasra has a village peripheral road and a permanent structure / house before the handing over of this Khasra to the Forest Department. It is further submitted that the demarcation proceeding is pending of the said khasra.
9. That it is further submitted the demarcation of Khasra no. 15//3 and 15//8 is pending and the same is stated in the order dated 23.11.2017 issued by the Public Grievance Commission (PGC) in this context that several letters has been forwarded to the District Magistrate, South West District, Govt of NCT of Delhi and Block Development Officer, South West District, Govt of NCT of Delhi for demarcation of the said Khasra. It is submitted that demarcation proceedings of khasra no. 15/3 and 15/8 are pending and a letter dated 19.07.2022 and 09.04.2025 has been written to

Sub-Divisional Magistrate, Kapeshera for the same. A copy of the said letter is annexed herein as **Annexure-E (Colly)**.

10. That it is submitted that Khasra No. 4//13, 14, 17, 18 remains vacant and is being used as playground by the local residents. It is submitted that above mentioned khasras were handed over to the Forest department for the purpose of plantation. It is submitted that a plantation exercise was conducted by the Department of Forests and Wildlife, GNCTD (West Forest Division) on 08.02.2018 as part of afforestation drive. None of the trees survive due to uprooting by trespassers. That the above-mentioned land is being used by the villagers as playground field. That it is further submitted that the Department Forest and Wildlife Office (West Forest Division) has planted 560 saplings on 16.04.2025 at Khasra no. 4//13, 14, 17, 18, 19 despite huge pressure and opposition of locals.
11. The Department of Forest & Wildlife, GNCTD, West Forest Division is keeping a watch and the said area is being regularly patrolled to ensure that no tree is cut or damaged.
12. It is most respectfully and humbly stated that the respondent has the utmost regard and respect for the majesty of the Hon'ble Tribunal 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 Tribunal.


**DEPUTY CONSERVATOR OF FOREST
WEST FOREST DIVISION**

Dy. Conservator of Forest
West Forests Division
Govt. of NCT of Delhi
Mandir Lane, New Delhi-60

REPORT OF KHARKHARI JATMAL

Sl. No.	Tehsil	Village	Khasra No (Area)	Allotment Date	Handed Over or Not	Hand Over date	Current Status	Encroachment Yes/No	Remarks
1	Kapashera	Kharkhari Jatmal	8//18 (4-16)	20.04.2018	Yes	20.04.2018	Plantation done	No	Tube Well does not situated inside this khasra
2	Kapashera	Kharkhari Jatmal	15//2 (4-15)	02.08.2005	Yes	14.11.2006	Plantation done	No	
3	Kapashera	Kharkhari Jatmal	15//3 (4-12)*	02.08.2005	Yes	14.11.2006	Road and Toilet Samadhi	No	Stated structures existed before the handing over of this Khasra, taken over by the Forest Department and the demarcation of this khasra is still pending the same is stated in the order of Public Grievance Commission (PGC) dated 23.11.2017 and are to be converted into beat office. The renovation of the same will be done.
4	Kapashera	Kharkhari Jatmal	15//8 (2-2)*	02.08.2005	Yes	14.11.2006	Road and Toilet House	No	Stated structures existed before the handing over of this Khasra, taken over by the Forest Department and the demarcation of this khasra is still pending the same is stated in the order of (Public Grievance Commission) PGC dated 23.11.2017 and are to be converted into beat office.

									The renovation of the same will be done.
5	Kapashera	Kharkhari Jatmal	19//2 (3-18)	This khasra is replaced by Revenue Deptt. with other khasras on 09.02.2018	N/A	N/A	Plantation done	No	
6	Kapashera	Kharkhari Jatmal	4//5 (3-0)	20.04.2018	Yes	20.04.2018	Plantation done	No	
7	Kapashera	Kharkhari Jatmal	4//12 (1-0)	20.04.2018	Yes	20.04.2018	Plantation	No	
8	Kapashera	Kharkhari Jatmal	4//13 (5-0)	20.04.2018	Yes	20.04.2018	Play ground field	No	Trespass as playground existed before handing over of these Khasras. Plantation exercise on 08.02.2018 was conducted but uprooted by trespassers. It is also to mention that 560 saplings has been planted on 16.04.2025 on the said khasras.
9	Kapashera	Kharkhari Jatmal	4//14 (4-16)	20.04.2018	Yes	20.04.2018	Play ground field	No	
10	Kapashera	Kharkhari Jatmal	4//17 (4-16)	20.04.2018	Yes	20.04.2018	Play ground field	No	
11	Kapashera	Kharkhari Jatmal	4//18 (4-16)	20.04.2018	Yes	20.04.2018	Play ground field	No	
12	Kapashera	Kharkhari Jatmal	4//19 (5-12)	20.04.2018	Yes	20.04.2018	Partial play ground	No	
13	Kapashera	Kharkhari Jatmal	4//15 (4-12)	20.04.2018	Yes	20.04.2018	Plantation done	No	

Note: - Sir, this is for your kind information that the demarcation is pending of khasra no. 15//3 (04-12) and 15//8 (02-02).

Mandeep
17/4/25
(MANDEEP KUMAR) (F.G.)
Forest Guard



Rohit Deka
17/4/25
Forester

N. C. S.
17/04/2025
Dy. Range Officer



 **GPS Map Camera**



Delhi, Delhi, India

Hwju+qh4, Kharkhari Jatmal, Delhi, Delhi 110073, India

Lat 28.582819° Long 76.944084°

17/04/2025 01:34 PM GMT +05:30



 GPS Map Camera



Google

Delhi, Delhi, India

Hwjv+qh4, Kharkhari Jatmal, Delhi, Delhi 110073, India

Lat 28.582883° Long 76.944156°

17/04/2025 01:34 PM GMT +05:30



 GPS Map Camera



Delhi, Delhi, India

Hwjv+qh4, Kharkhari Jatmal, Delhi, Delhi 110073, India

Lat 28.582084° Long 76.943517°

17/04/2025 01:46 PM GMT +05:30



 GPS Map Camera



Delhi, Delhi, India

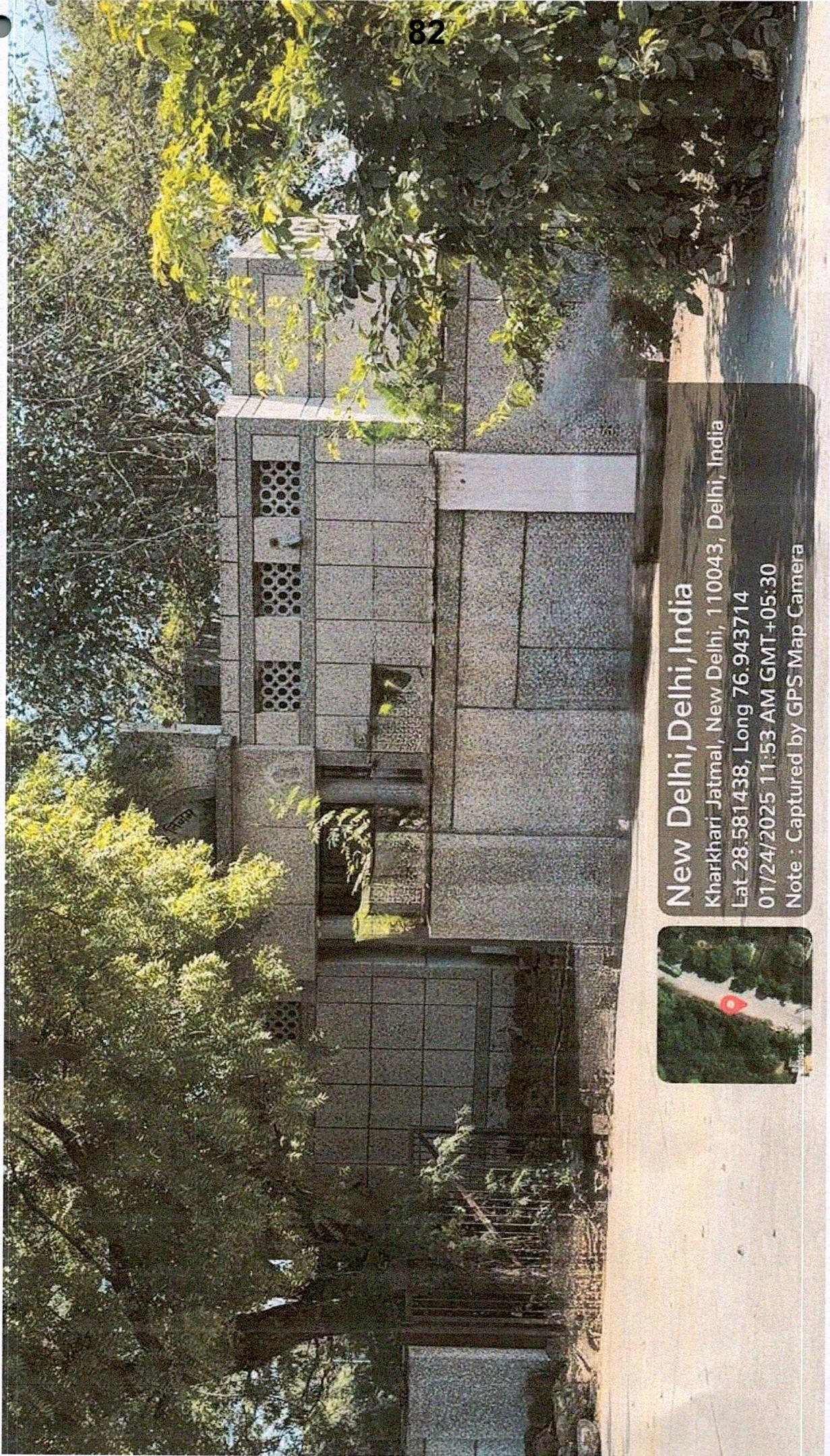
Hwjv+88, Kharkhari Jatmal, Delhi, Delhi 110073, India

Lat 28.581765° Long 76.942745°

17/04/2025 01:45 PM GMT +05:30

15/3,8

82



New Delhi, Delhi, India

Kharkhari Jatmal, New Delhi, 110043, Delhi, India

Lat 28:581438, Long 76.943714

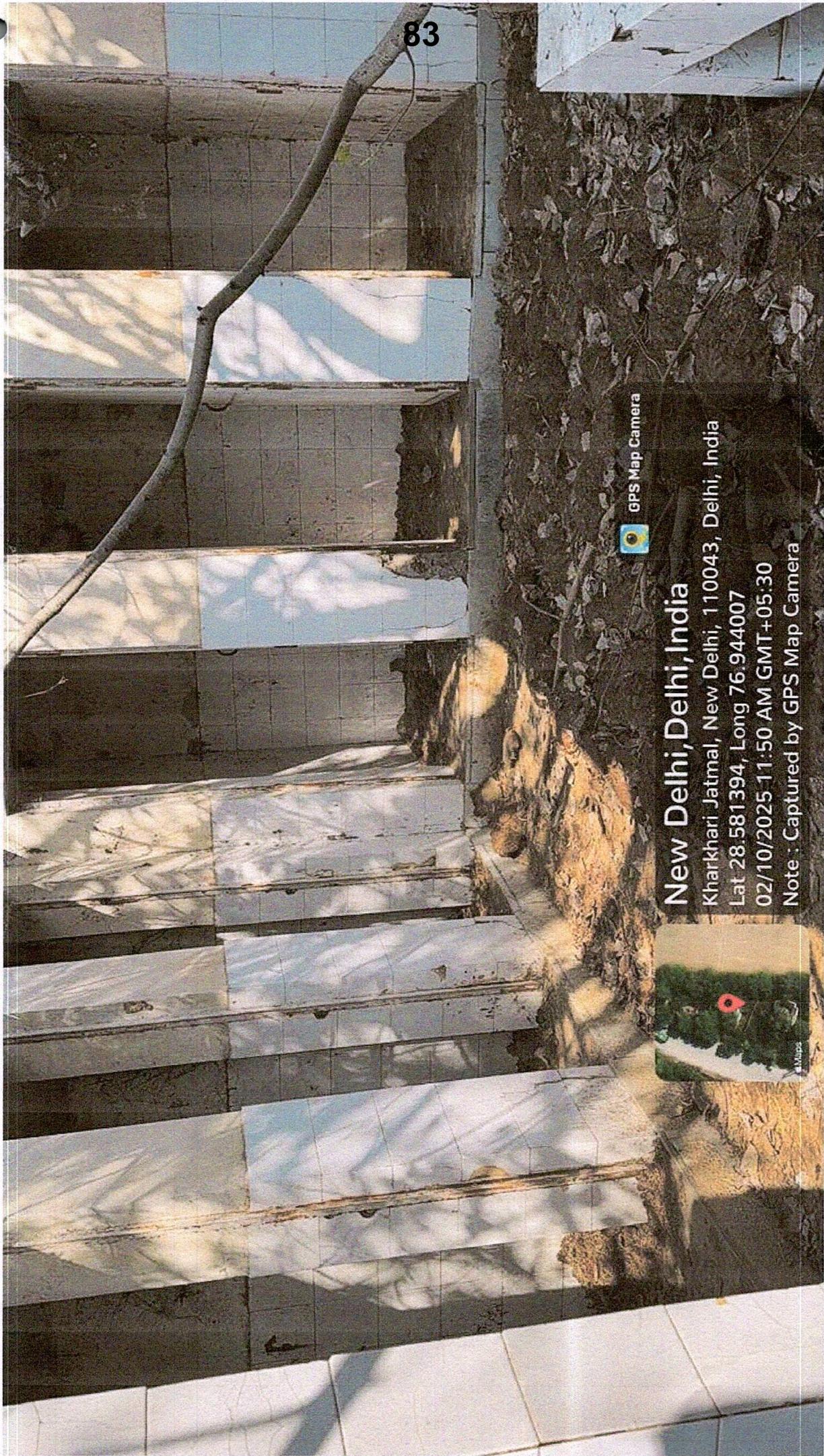
01/24/2025 11:53 AM GMT+05:30

Note : Captured by GPS Map Camera



15/13,0

83



GPS Map Camera

New Delhi, Delhi, India

Kharkhari Jatmal, New Delhi, 110043, Delhi, India

Lat 28.581394, Long 76.944007

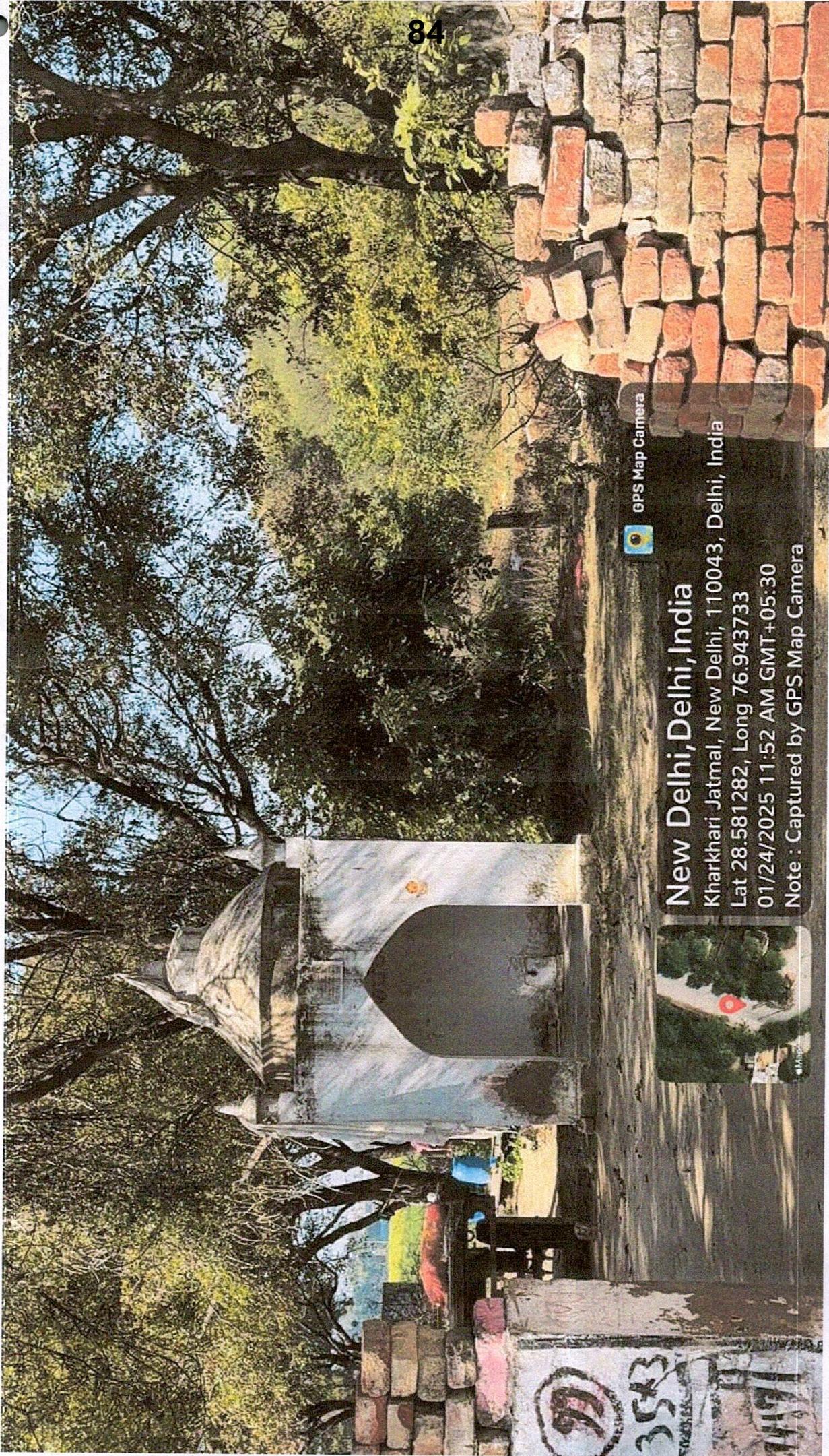
02/10/2025 11:50 AM GMT+05:30

Note : Captured by GPS Map Camera



15/3/20

84



GPS Map Camera

New Delhi, Delhi, India
 Kharkhari Jatmal, New Delhi, 110043, Delhi, India
 Lat 28.581282, Long 76.943733
 01/24/2025 11:52 AM GMT+05:30
 Note : Captured by GPS Map Camera





112

GOVT. OF NCT OF DELHI:
OFFICE OF THE SUB DIVISIONAL MAGISTRATE (KAPASHERA):
OFFICE OF COMPLEX OF THE DM (SOUTH WEST):
OLD TERMINAL TAX BUILDING: KAPASHERA: SOUTH WEST: NEW DELHI.

No.SDM/KH (SW)/2017-18/9021

Dated: 09/02/2018

CORRIGENDUM

To,

The Deputy Conservator of Forest (West),
Forest Department, GNCT of Delhi,
Mandir Lane, Behind Birla Mandir,
New Delhi-110060.

Sir,

In partial modification of this office earlier letter No.SDM/KH(SW)/2017-18/8146 dated 06/02/2018, issued under the signature of the SDM (KH), in connection with handover/ takingover possession of Gram Sabha Land at village Kharkhari Jatmal, it is informed that the Kh.Nos. 19//9, 33//13, 16//16, 19//1, 19//2, 6//6/1, 8//23, 35//17, 15//2, 21//15/1, & 20//10 of village Kharkhari Jatmal, New Delhi mentioned in the letter may be read as Kh. Nos.4//5, 12, 13, 14, 15, 17, 18, 19, 8//18, 21//14, 15/1, 35//17, 36//5, 37//1, 2 of village Kharkhari Jatmal, New Delhi. The rest of the matter of the earlier letter will remain same.

(MAHESH DUTT)

TEHSILDAR (KAPASHERA)

Tehsildar, Kapashera

Old Terminal Tax Building
Kapashera, New Delhi-

Copy to the following for information and necessary action to:

1. The DC/ DM (SW), Old Terminal Tax Building, Kapashera, New Delhi-110075.
2. The DCP (Distt. Dwarka), Sector-19, Dwarka, New Delhi-110075.
3. The ACP (Distt. Dwarka), Sector-17, Dwarka, New Delhi-110075.
4. The BDO (SW), Old Roshanpura, Najafgarh, New Delhi.
5. The Tehsildar (KH), O/o the DC/ DM (SW), Old Terminal Tax Building, Kapashera, New Delhi.
6. The SHO (P.S. Jaffarpur Kalan), Najafgarh, New Delhi.



19//2

86



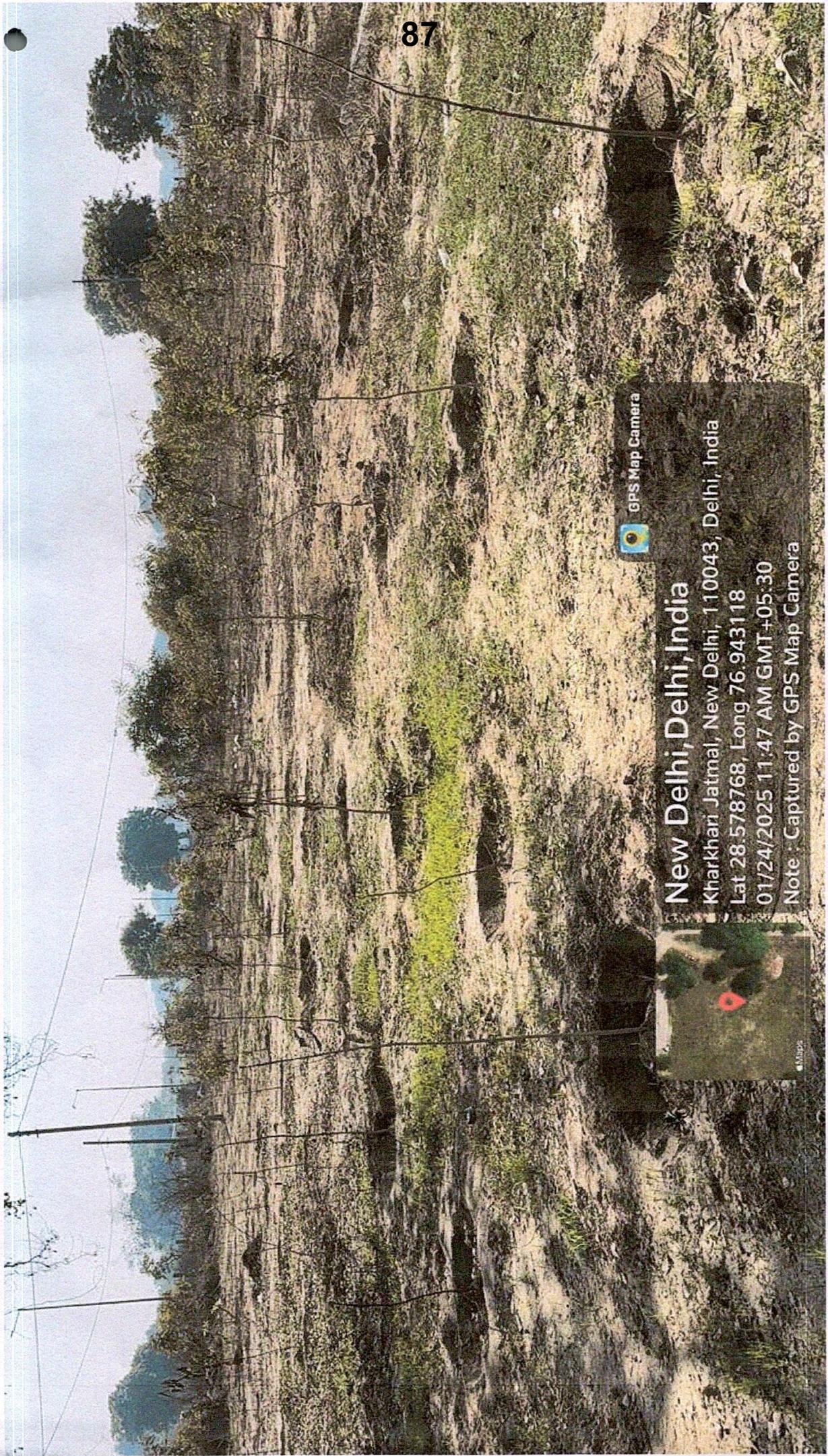
 GPS Map Camera

New Delhi, Delhi, India
Kharkhari Jatmal, New Delhi, 110043, Delhi, India
Lat 28.578815, Long 76.943193
01/24/2025 11:47 AM GMT+05:30
Note : Captured by GPS Map Camera



19/12

87



GPS Map Camera

New Delhi, Delhi, India

Kharkhari Jatmal, New Delhi, 110043, Delhi, India

Lat 28.578768, Long 76.943118

01/24/2025 11:47 AM GMT+05:30

Note : Captured by GPS Map Camera



GOVT. OF N.C.T. OF DELHI
DEPARTMENT OF FOREST & WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS (WEST)
WEST FOREST DIVISION: MANDIR LANE: NEW DELHI-60
Tel No- 011 23361879; E:Mail:- dcfwest.guctd@gov.in

F. 2 (449)/WFD/Kharkhari Jatmal C.F/ Land Record/11-12/Part -I 4362-65 Dated: 19/7/2022

To,
The District Magistrate (South West)
Old Delhi Road, Kapashera
Kapashera, New Delhi- 110037

Sub: Regarding Demarcation & Encroachment Removal of Khasra No. 15//2,3,8 and 8//18 of Village Kharkhari Jatmal

Sir/Ma'am,

This is reference to demarcation of Khasra No. 15//2,3,8 and 8//18 of Village Kharkhari Jatmal. The above mentioned Khasras were allotted to the Department of Forest & Wildlife, GNCTD on behalf of DMRC in the year 2005 and 2016 respectively.

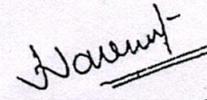
At the time of handing over of the land to the Department of Forest & Wildlife the said kharsas were already encroached. The officials of Forest Department had many times approached the officials of Revenue Department, but Patwari was unable to clarify the status of the Forest land, hence the encroachment could not be removed from the forest land.

In this regard it is requested to direct the concerned officials, to immediately demarcate the Khasra No. 15//2,3,8 and 8//18 of village Kharkhari Jatmal, as per direction of the PGC dated 23.11.2017 and to ascertain the actual status of forest land at the site within 7 Days of issuance of this letter otherwise it will be consider as the contempt of PGC order. It is also requested to kindly remove all the illegal encroachment on the said khasras.


DY. CONSERVATOR OF FOREST (WEST)
WEST FOREST DIVISION

Copy to:

1. The SDM (Kapashera), Old Delhi Road, Kapashera Kapashera, New Delhi- 110037
2. BDO (South West), Najafgarh Kapashera Road, Roashanpura, Najafgarh, Delhi - 110043
3. Kishori Lal, Village Kharkhari Jatmal Village, Delhi 110043


DY. CONSERVATOR OF FOREST (WEST)
WEST FOREST DIVISION

URGENT
COURT MATTER

GOVT. OF N.C.T. OF DELHI
DEPARTMENT OF FOREST & WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS (WEST)
WEST FOREST DIVISION: MANDIR LANE: NEW DELHI-60
Tel No-011 23361879; E: Mail: -dcfwest.gnctd@delhi.gov.in

No. F.2 (27)/DCF(W)/Legal/NGT Court/2024-25 | 472-76

Dated 09.04.2025

To,

The Sub-Divisional Magistrate (Kapeshera)
Old Delhi Road, Kapeshera
New Delhi-110037

Sub:- Regarding Tattima and Demarcation proceedings of Khasra no. 15/3 (4-12) and 15/8 (2-02) of Village Kharkhari Jatmal.

Sir,

This is in reference to Tattima and Demarcation of Khasra No. 15/3 (4-12) and 15/8 (2-02) of Village Kharkhari Jatmal. The abovementioned Khasras were allotted to the Department of Forests & Wildlife, GNCTD on behalf of DMRC in the year 2005 but Tattima proceedings have not been conducted till now.

An Original Application no. 1387/2024 titled Kishori Lal v Govt. of NCT of Delhi & Ors is pending in the National Green Tribunal, Delhi and the above mentioned Khasras are the subject matter of the said O.A.

It has come to the knowledge of the undersigned that there is encroachment on the said Khasras and to effectively remove the encroachment Tattima and Demarcation proceedings have to be done immediately.

This may be treated as **Most Urgent**.

This is with approval of the Dy. Conservator of Forests (West).

Encl: - As above.

Vicky
09/04/25
RANGE OFFICER
(WEST FOREST DIVISION)

No. F.2 (27)/DCF(W)/Legal/NGT Court/2024-25

Dated

Copy to:-

1. The Dy. Conservator of Forests, Department of Forest & Wildlife, 'Mandir Lane, Mandir Marg, New Delhi-60, for kind information.
2. BDO (South-West), Najafgarh Kapeshera Road, Roshanpura, Najafgarh, Delhi-43.
3. Sh. Naresh Gulia, DRO (Kapeshera Range) for necessary action.
4. Sh. Rohit Nehra, Forester (Kapeshera Range) for necessary action.

Vicky
9/4/25
RANGE OFFICER
(WEST FOREST DIVISION)

4/5



 GPS Map Camera

New Delhi, Delhi, India
Surhera Village, New Delhi, 110043, Delhi, India
Lat 28.586830, Long 76.948628
01/13/2025 12:50 PM GMT+05:30
Note : Captured by GPS Map Camera



Delhi, Delhi, India
, Surhera, Delhi, Delhi , India
Lat 28.586104° Long 76.947664°
17/04/2025 01:23 PM GMT +05:30

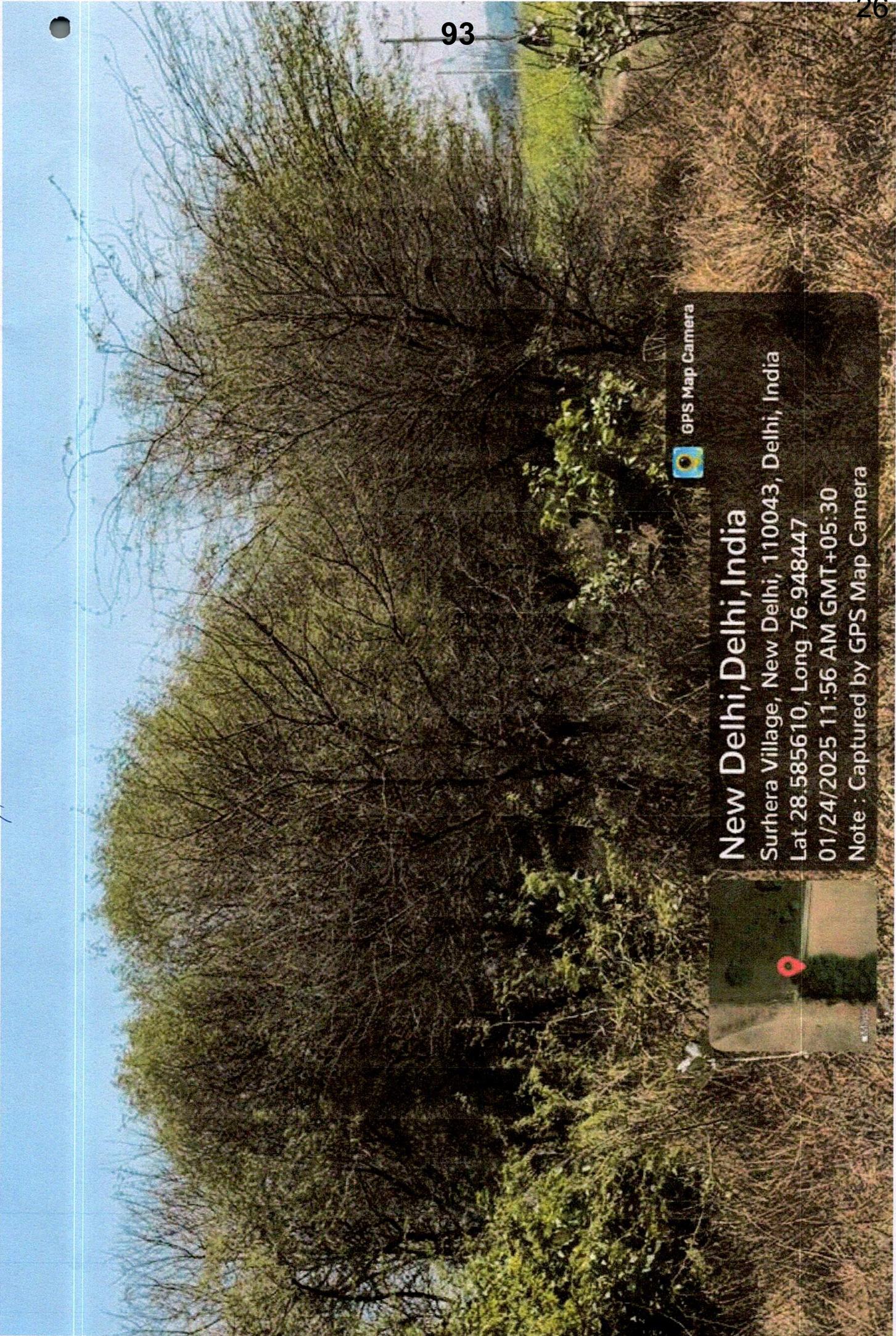


 GPS Map Camera



Delhi, Delhi, India
, Surhera, Delhi, Delhi 110043, India
Lat 28.586112° Long 76.94811°
17/04/2025 01:24 PM GMT +05:30

4/15



 GPS Map Camera

New Delhi, Delhi, India

Surhera Village, New Delhi, 110043, Delhi, India

Lat 28.585610, Long 76.948447

01/24/2025 11:56 AM GMT+05:30

Note : Captured by GPS Map Camera





 GPS Map Camera



Delhi, Delhi, India
 , Surhera, Delhi, Delhi , India
 Lat 28.58508° Long 76.947912°
 17/04/2025 01:18 PM GMT +05:30



 **GPS Map Camera**



Delhi, Delhi, India

, Surhera, Delhi, Delhi , India

Lat 28.58517° Long 76.94764°

17/04/2025 01:20 PM GMT +05:30

Google



 GPS Map Camera



Delhi, Delhi, India
, Surhera, Delhi, Delhi 110073, India
Lat 28.585407° Long 76.946909°
17/04/2025 01:22 PM GMT +05:30

Google

4/1/19

97

30



GPS Map Camera

New Delhi, Delhi, India
Surhera Village, New Delhi, 110043, Delhi, India
Lat 28.585197, Long 76.947030
04/16/2025 01:52 PM GMT+05:30
Note : Captured by GPS Map Camera

