

IN THE HON'BLE NATIONAL GREEN TRIBUNAL

(O.A. No. 26/2023)

IN THE MATTER OF:

Aqeel Ahmed & Anr.

...APPLICANT

Versus

Govt. of NCT of Delhi & Ors.

...RESPONDENTS

I N D E X

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FILED BY:

NEW DELHI

DATED: 26.02.2023



JYOTI MENDIRATTA
Standing Counsel, GNCTD

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**STATUS REPORT ON BEHALF OF THE TREE OFFICER/
DEPUTY CONSERVATOR OF FORESTS, SOUTH FOREST
DIVISION, DEPARTMENT OF FORESTS AND WILDLIFE,
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI.**

1. That afore-said application has been filed complaining about cutting/removing the trees standing on part of the land comprised in khasra no. 138, situated at Village Okhla, Jamia Nagar, New Delhi. The Applicant in his application further stated that respondents no. 5 to 8 have illegally, without obtaining prior permission, cut the trees standing on the land measuring about 300 sq. yds. with the object to raise the construction over the same. This Hon'ble Tribunal vide Order dated 17.01.2023 was pleased to constitute a Joint Committee comprising of the Deputy Conservator of Forest (South) and the District Magistrate, (South) Delhi, and directed the same to, *inter-alia*, undertake visits to the site, look into the grievances of the applicant and verify the factual position.

2. In compliance with the above directions of this Ld. Tribunal dated 17.01.2023, a letter dated 25.01.2023 was issued by Tree Officer (South) to DM (South-East) [as the area in question falls under the jurisdiction of DM (South-East)], with a request to depute one staff on 27.01.2023 at 10 am for the joint inspection on the ground at Khasra no. 138, situated at Village Okhla, Jamia Nagar, New Delhi. A copy of the said letter dated 25.01.2023 is annexed herewith as **Annexure 1**.
3. It is submitted that the joint inspection in the area was duly carried out on the above-mentioned time and date in presence of the Applicant Nos. 1 and 2, Tehsildar, Executive Magistrate (Defence Colony), O/o DM (South East), Kanungo, (Defence Colony), O/o DM (South East), and Tree inspector, O/o Tree Officer (South). During the course of the inspection, it was found that the tree offence had been committed. A copy of an inspection report dated 27.01.2023 is annexed herewith as **Annexure 2**.
4. It is submitted that Tree Officer (South) again directed the officials of the South Forest Division to inspect the area. The same was carried out on 22.02.2023, wherein it was observed that an offence of illegal cutting of 5 to 6 nos of trees had been done without permission at Plot No. 268, Jamia Nagar, Okhla, New Delhi. Copy of the said inspection report, photographs and Google Earth Images are annexed herewith as **Annexure 3 (Colly)**.

5. That thereafter, in exercise of powers conferred under the Delhi Preservation of Trees Act, 1994, a Show Cause notice dated 23.02.2023 was issued by the Tree Officer/ Deputy Conservator of Forests, South Forest Division to the property owner of Plot No. 268, Jamia Nagar, Okhla, New Delhi, South Extension Part II, New Delhi for an offence of illegal cutting of 5 to 6 nos of trees without permission, to appear in person before him for hearing on 01.03.2023 at 10: 00 AM in his office. Copy of a Show Cause notice is annexed herewith as **Annexure 4**.



**Tree Officer/Dy. Conservator of
Forest (South)**

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
SOUTH FOREST DIVISION
NEAR DR. KARNI SINGH SHOOTING RANGE
TUGHLAKABAD, NEW DELHI – 110044

F.No. 152/DCF(S)/Legal/22-23/ 17041

Date: 25.01.2023

To,

District Magistrate, South East Delhi,
Revenue Department, Govt. NCT of Delhi,
Old Gargi College Building, Lajpat Nagar,
New Delhi-4

Sub: Request to depute one staff on 27.01.2023 at 10 am for the joint inspection on ground at khasra no. 138, situated at Village Okhla, Jamia Nagar, New Delhi in terms of order passed by Hon'ble National Green Tribunal, in the matter of 'Aqeel Ahmed & Anr. Vs. Govt. of NCT of Delhi & Ors.', Original Application No. 26/2023.

Sir/Ma'am,

This is to inform that an application was filed before Hon'ble National Green Tribunal in the matter of 'Aqeel Ahmed & Anr. Vs. Govt. of NCT of Delhi & Ors.', Original Application No. 26/2023 by the applicant- Mr. Aqeel Ahmed under Section 18 (1) read with Sections 14, 15, 16 and 17 of the National Green Tribunal Act, 2010 complaining that recently the respondents no. 5 to 8 in collusion and connivance with the officials/field staff started cutting/removing the trees standing on part of land comprised in khasra no. 138, situated at Village Okhla, Jamia Nagar, New Delhi.

The applicant has mentioned that the said khasra (area measuring 5 bigah and 3 biswa) belongs to Zakir Hussain Trust and is a Green Belt area (also known as Naseem Bagh) which is densely covered with the trees and greenery since decades.

In view of the averments made in the application, on 17.01.2023, Hon'ble National Green Tribunal has directed the following:

"We consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of the Deputy Conservator of Forest (South) and the District Magistrate, (South) Delhi, and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and submit it report within

three weeks by e-mail at judicial- ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF. Office of the District Magistrate, (South) Delhi will be the nodal agency for coordination and compliance.” (Order copy is enclosed).

In compliance with the directions of the Hon'ble National Green Tribunal, It is requested to depute one staff on 27.01.2023 at 10 am for the joint inspection on ground at Khasra no. 138, situated at Village Okhla, Jamia Nagar, New Delhi.

May kindly coordinate the joint inspection by contacting the below-mentioned staff:

Chiddi Lal, Tree inspector (South), contact no. +91 9315284545.

Mandeep
25/1/23

Mandeep Mittal, IFS
**Dy. Conservator of Forest,
(South Forest Division)**

ग्राहक दिनांक 27-1-2023 को माहंगा पत्र संख्या
F Mo 152/DLF(S) legal/22-23/17041 H 25-1-23
से ग्राहक Case no OA No 26/2023 Aqeel Ahmed
& Anr. vs Grant of NCT of Delhi 2013 के कोष
से आदेशानुसार Hon'ble NCT ग्राहक गोजवला में
नखल खण्ड 138 का संयुक्त सर्वेक्षण करने
के लिये जोके पर तहसीलदार डिपेंड का लोकी
श्री Selvaraj P.N के नाम पर हुआ। जोके पर
वन विभाग दिल्ली सरकार की तरफ से श्री
सेवा राम (Forest guard) हाजिर मिले। जोके पर
उपरोक्त Case में Complainant श्री Aqeel Ahmed
व Mayhar Khan श्री हाजिर मिले। मुताबिक
सम्बन्धी वर्ष 1998-99 के खता नं 148 में
नखल खण्ड 138 (S-3) की प्रलम्बित गों मनीष पुत्र
श्री मुनीष शंभू जासिम नगर गोजवला गामिक खण्ड
है जो तब खता कायम से सम्बन्धी गामिक खण्ड
है ग्राहक गोजवला पर urbanized हो चुका है तब
माफिक नखल खण्ड Acquire व Heavily built up हो
चुका है जिसके कारण खेतों की मेंड व पुलाने
निष्ठागत सम्भव नष्ट हो चुके हैं। ग्राहक गोजवला
खण्डवली / किरानवा ग्राहक है। फिर श्री उपरोक्त
श्री हाजिर की गोंमुदारी से न. खण्ड 138 (S-3)
का गोंका तलाशा गाम। मुताबिक गोंका उपरोक्त
नखल खण्ड गाम दिनांक से मन्डल है जिसके
एक पुलानी सोठी है व एक तह विहिंडी नगर
जा रही है व बासी इसके पर बनना जंगल है
जोके पर कुछ पेड़ों की नई उगरी मिली व कुछ
पेड़ कटे हुए मिले। उपरोक्त पेड़ कब कटे है

PTOK &

69
 SE विषय में रिपोर्ट
 गैरल को-ऑर्डिनेट्स की मांग में
 लाइ में ही जायेगी। उपरोक्त सर्वेक्षण
 में माझे माइक्रोस्टेशन के विषय में रिपोर्ट LA
 Brand (SE) में ही जारी होगी।
 रिपोर्ट प्राप्त है

(Muzend) Kgo
 27-1-2023

Sewary
 P.M.

(Amit K. Redan)
 Kgo D.C

श्री. अशोक कुमार शर्मा
 9810858438
 1

MAZHAR Khan
 9911944822

27/1/23
 Salwaray P.N.
 Tehsildar (CE)

Full Hand
 8860069866

70
Inspection Report

ANNEXURE 3

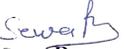
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An inspection has been carried out by the officials of South Forest Division on 22.02.2023 regarding tree offence at Plot No. 268, Jamia Nagar, Okhla, New Delhi.

Meanwhile, it was observed that an offence of illegal cutting of 5 to 6 nos trees have been done without permission. Inspection Photographs and Google Earth Images are attached herewith.

Now, tree offence has been occurred/found at Plot No. 268, Jamia Nagar, Okhla, New Delhi by Sh. Ayaz Khan, Plot No. 268, Jamia Nagar, Okhla, New Delhi under Delhi Tree Preservation Act, 1994 (DPTA-1994).

The above report is being submitted for kind perusal and take further necessary action please.


Sewa Ram
I.O. (TOC)

DCF (South)/T.O.

2/2023
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SEO Tutorial Point

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Zenith Education & Welfare Trust
Image © 2023 Maxar Technologies

Imagery Date: 9/28/2022

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Axis Bank ATM

Pizza bazaar

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72

The Impresario Maternity & Newborn Shop

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Axis Bank ATM

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Zenith Education & Welfare Trust

Image © 2023 Maxar Technologies

Honestea cafe

The Eden Cafe

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Deeba's Delhi Grill

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SEO Industrial Park

The Impressive Maternity & Newborn School

Big bucket

New Latest Car

Axis Bank ATM

Zenith Education & Welfare Trust

Image © 2023 Maxar Technologies

The Edna cafe

The Eden Cafe

Pizza bazaar

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The Impresario Waterfalls & Newborn School

Zenith Education & Welfare Trust

Image © 2023 Maxar Technologies

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Imagery Date: 2/10/2020

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The Impresario Maternity & Newborn School

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Image © 2023 Maxar Technologies

Big bucket

New Latest Cad

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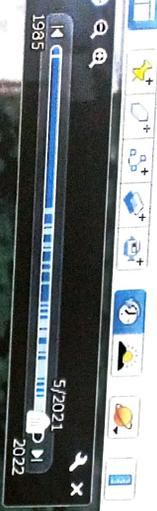
Image © 2023 Maxar Technologies

28° 33.711' N 77° 17.329' E elev 0 ft eye alt 208 ft

Google Earth

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77



Google Earth interface toolbar showing search, navigation, and history controls. The history dropdown menu is open, showing a timeline from 1985 to 2022, with a selected date of 5/2021.



Image © 2023 Maxar Technologies

Imagery Date: 5/24/2021

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Google Earth



78

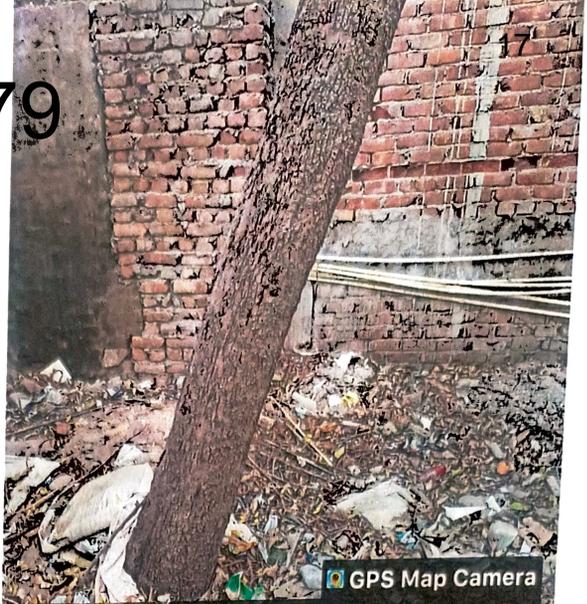


Image © 2023 Maxar Technologies



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GPS Map Camera



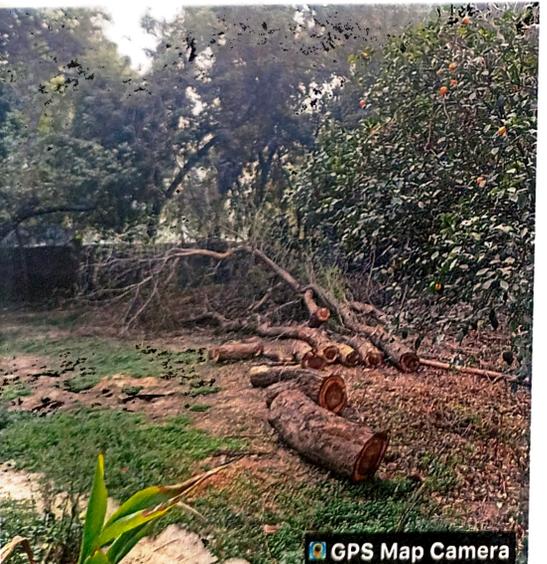
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 Long 77.28895°
 22/02/23 09:16 AM GMT +05:30

Google



New Delhi, Delhi, India
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Google



GPS Map Camera



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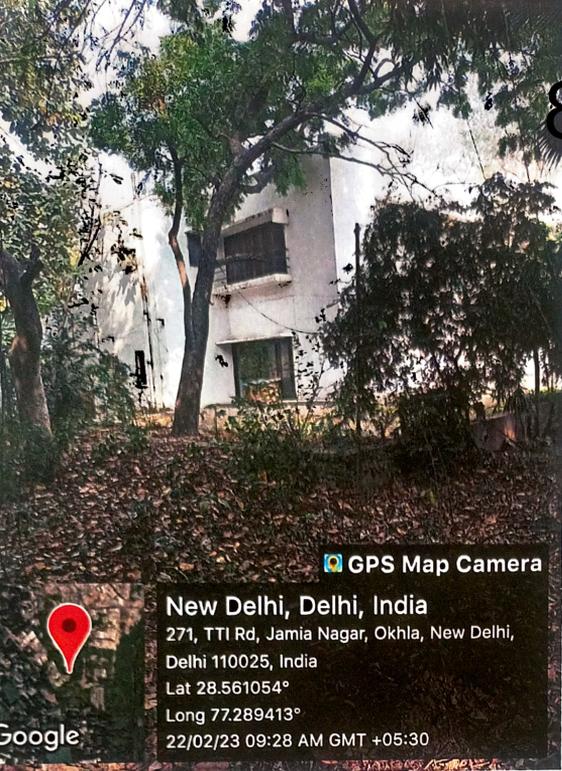
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Google



New Delhi, Delhi, India
 Tirikona park, near TTI College, Gulmohar Enclave, Jamia Nagar, Okhla, New Delhi, Delhi 110025, India
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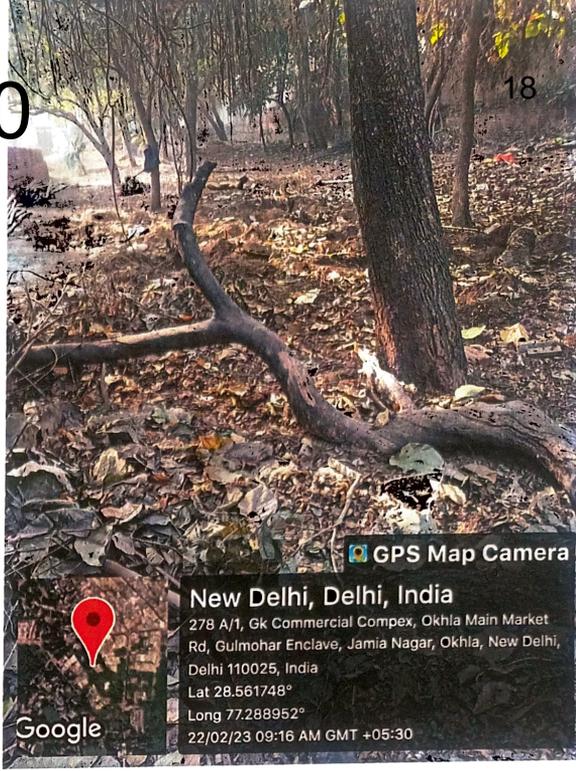
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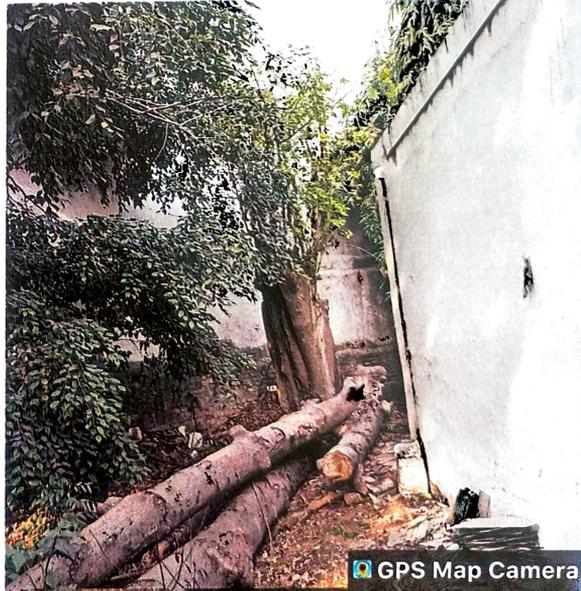


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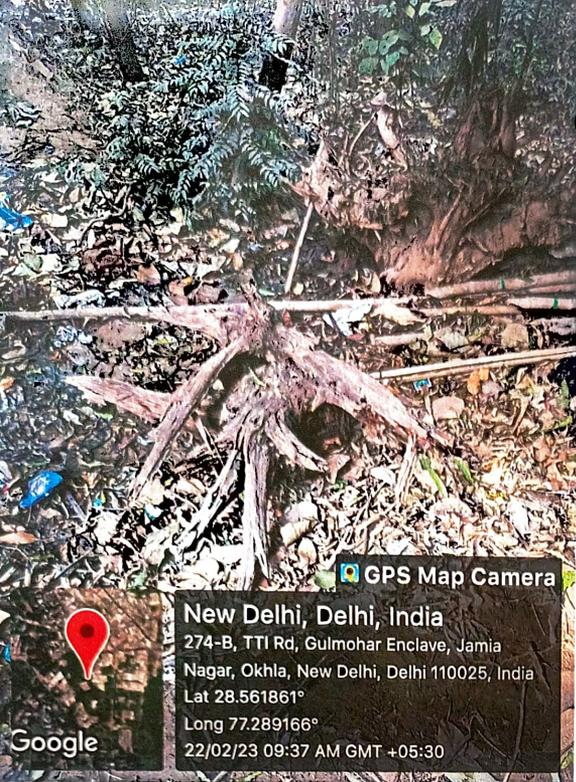


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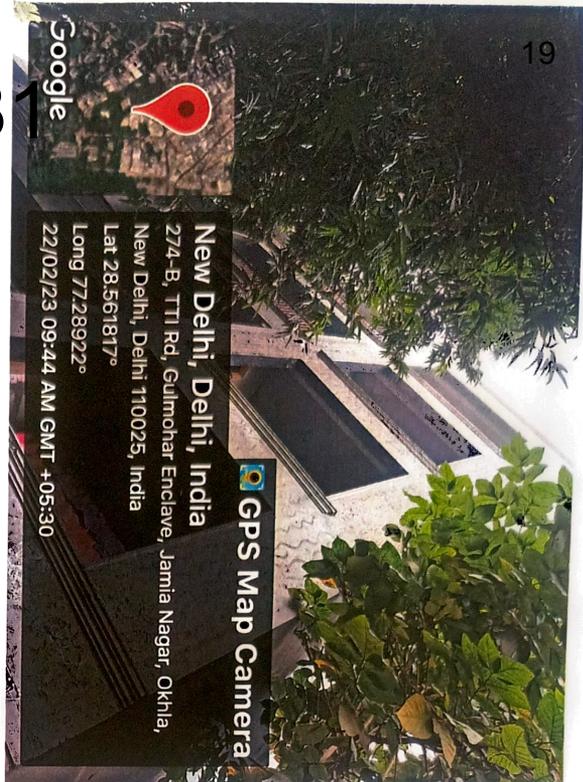


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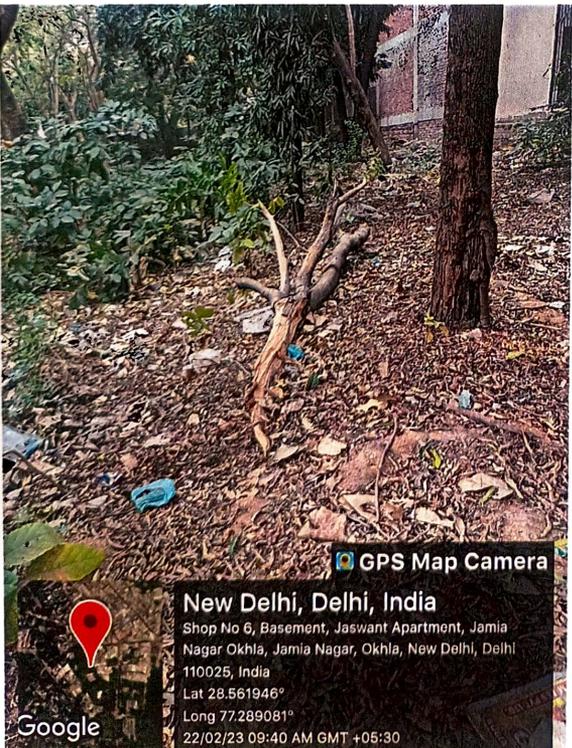


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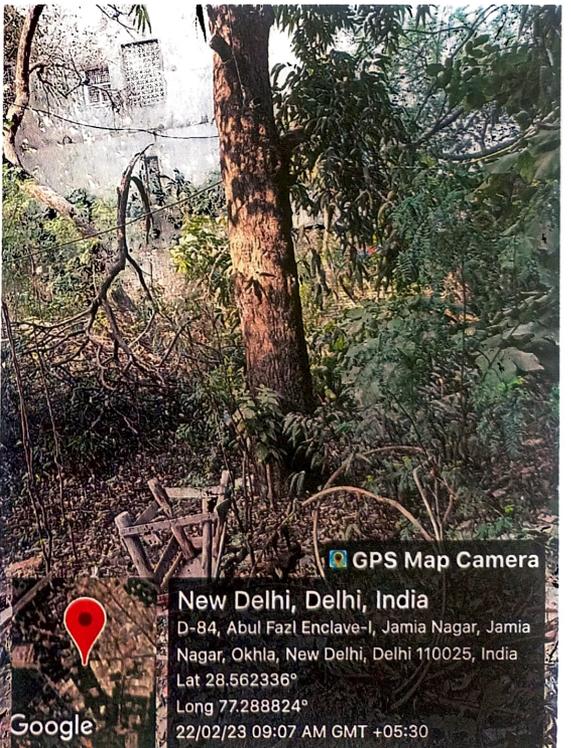
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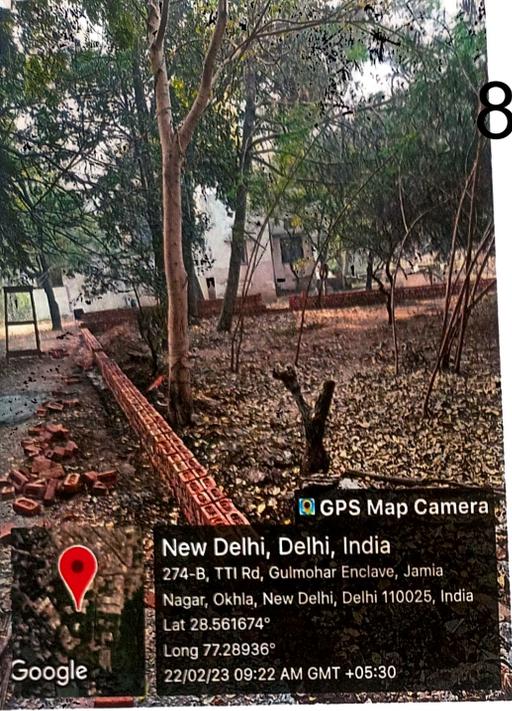
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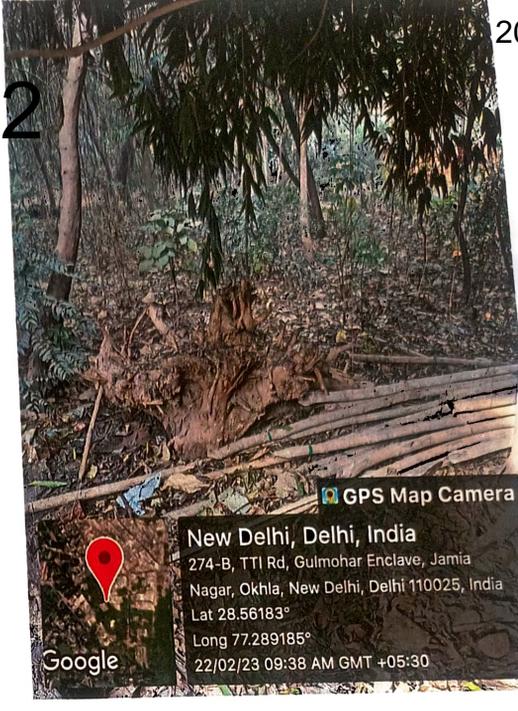
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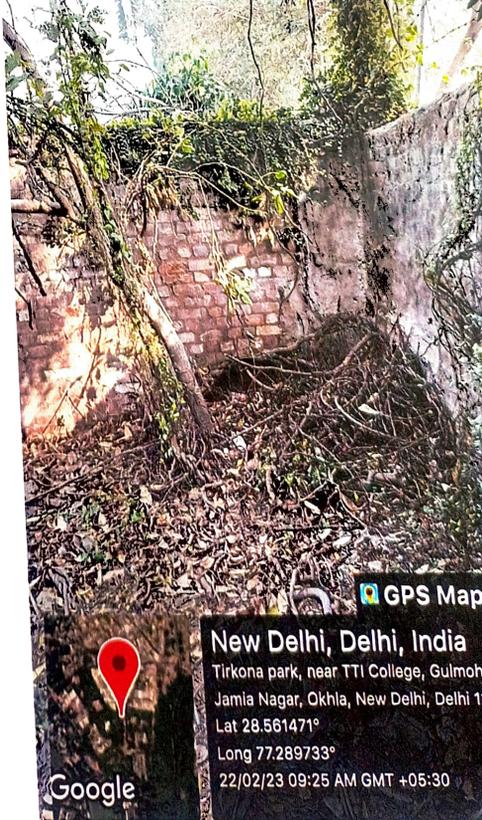
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New Delhi, Delhi, India
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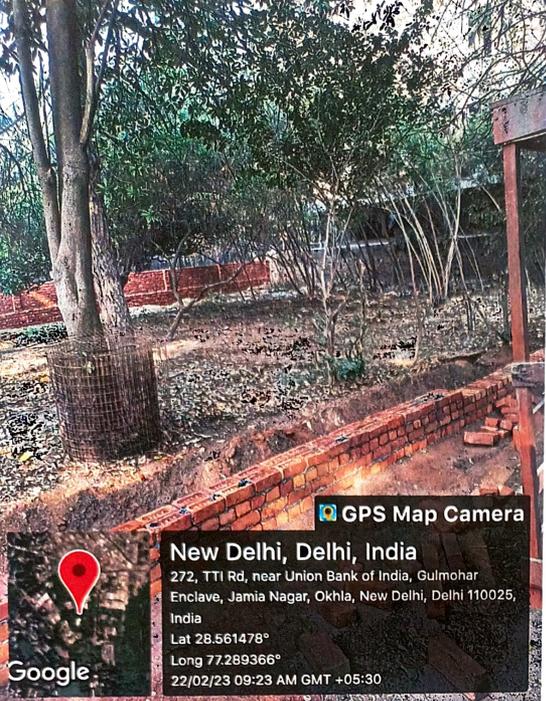


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New Delhi, Delhi, India
 Tirkona park, near TTI College, Gulmohar
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Google

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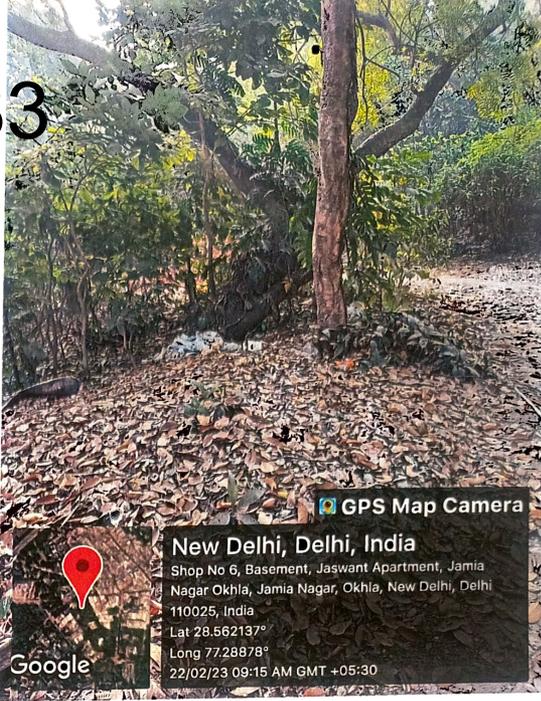


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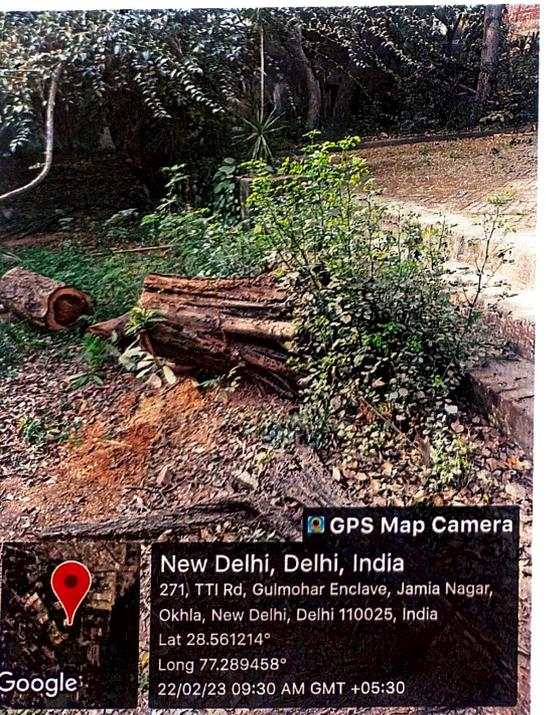


GPS Map Camera

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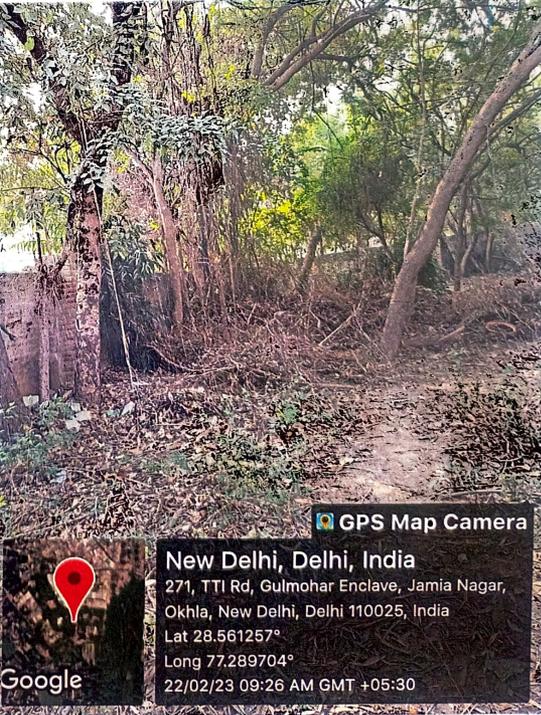


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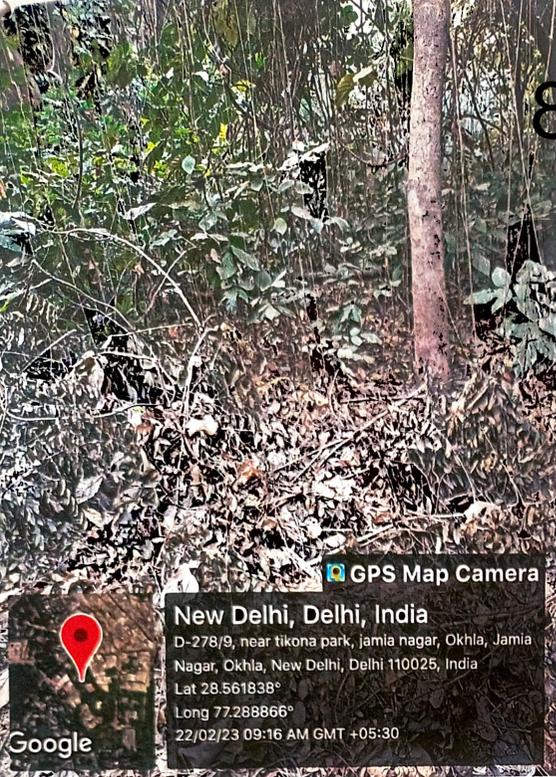


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 22/02/23 09:26 AM GMT +05:30



Google



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GPS Map Camera

New Delhi, Delhi, India

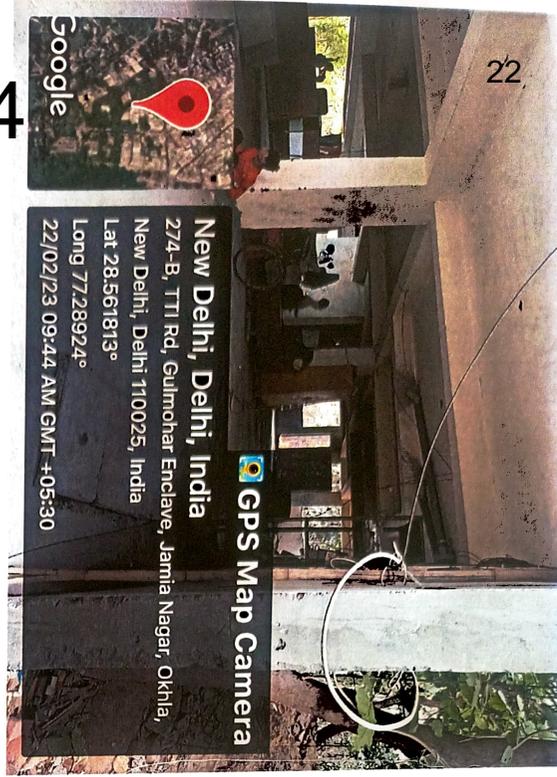
D-278/9, near tikona park, jamia nagar, Okhla, Jamia Nagar, Okhla, New Delhi, Delhi 110025, India

Lat 28.561838°

Long 77.288866°

22/02/23 09:16 AM GMT +05:30

Google



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Google

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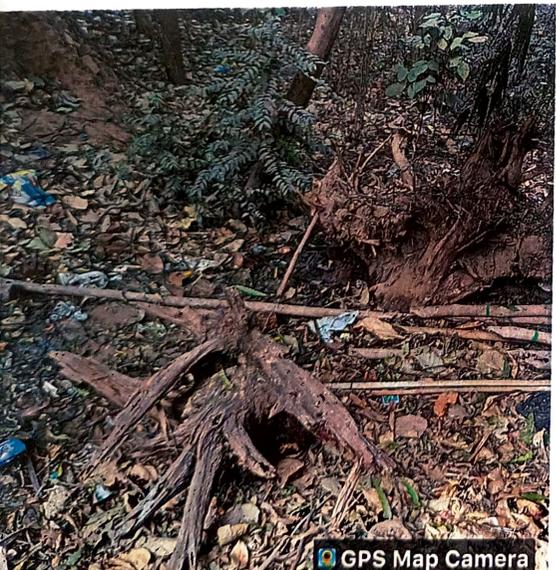
New Delhi, Delhi, India

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Lat 28.561813°

Long 77.28924°

22/02/23 09:44 AM GMT +05:30



GPS Map Camera

New Delhi, Delhi, India

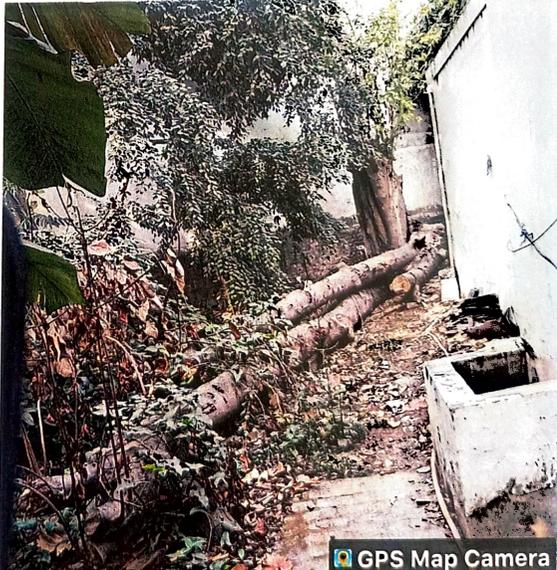
272, TTI Rd, near Union Bank of India, Gulmohar Enclave, Jamia Nagar, Okhla, New Delhi, Delhi 110025, India

Lat 28.561746°

Long 77.289488°

22/02/23 09:38 AM GMT +05:30

Google



GPS Map Camera

New Delhi, Delhi, India

271, TTI Rd, Jamia Nagar, Okhla, New Delhi, Delhi 110025, India

Lat 28.561128°

Long 77.289347°

22/02/23 09:29 AM GMT +05:30

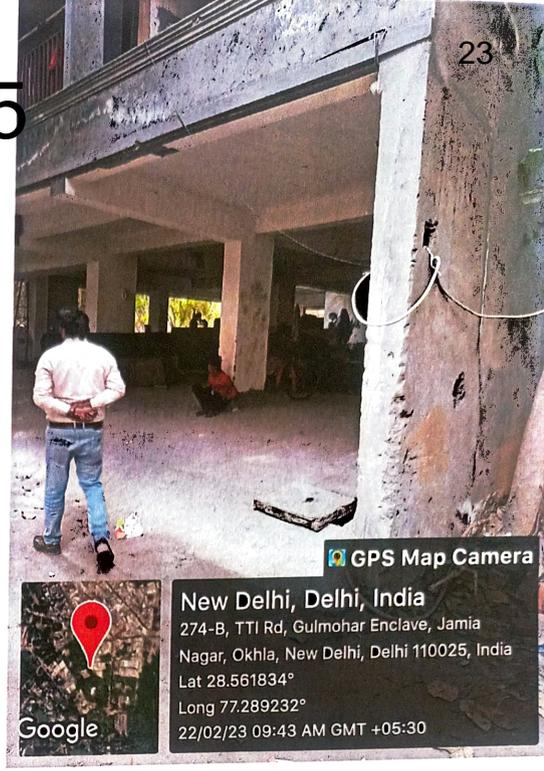
Google



GPS Map Camera

New Delhi, Delhi, India

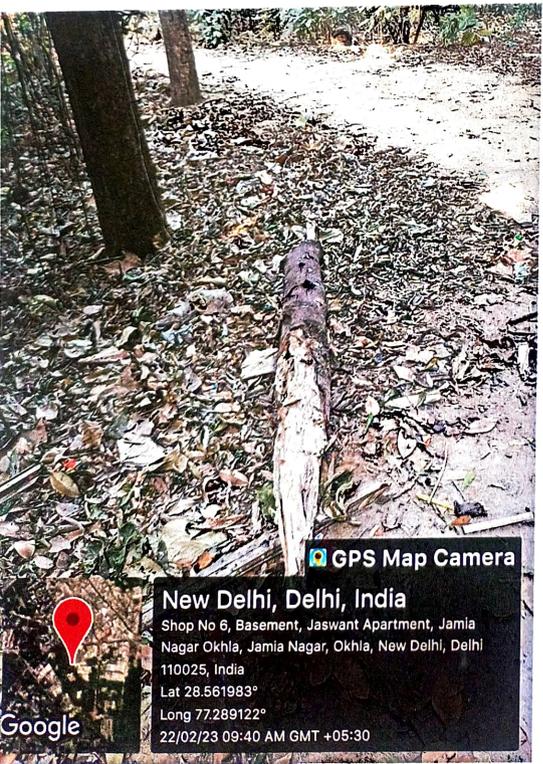
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Nagar Okhla, Jamia Nagar, Okhla, New Delhi, Delhi
110025, India
Lat 28.562063°
Long 77.288813°
22/02/23 09:15 AM GMT +05:30



GPS Map Camera

New Delhi, Delhi, India

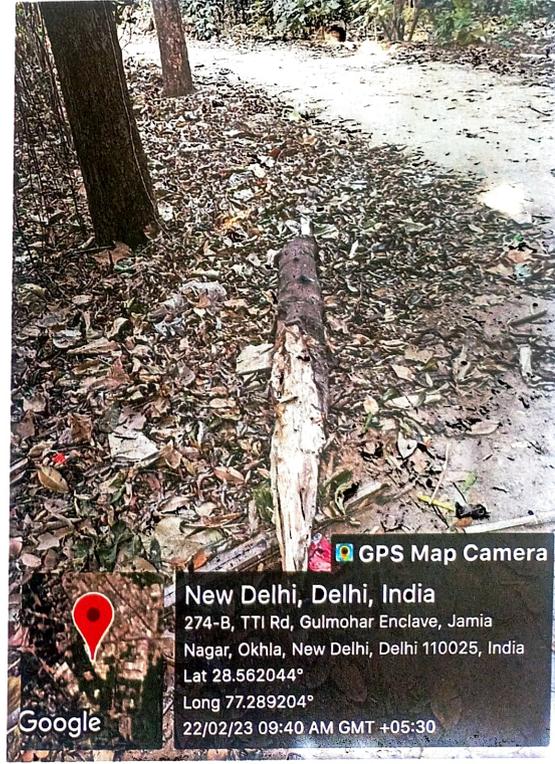
274-B, TTI Rd, Gulmohar Enclave, Jamia
Nagar, Okhla, New Delhi, Delhi 110025, India
Lat 28.561834°
Long 77.289232°
22/02/23 09:43 AM GMT +05:30



GPS Map Camera

New Delhi, Delhi, India

Shop No 6, Basement, Jaswant Apartment, Jamia
Nagar Okhla, Jamia Nagar, Okhla, New Delhi, Delhi
110025, India
Lat 28.561983°
Long 77.289122°
22/02/23 09:40 AM GMT +05:30

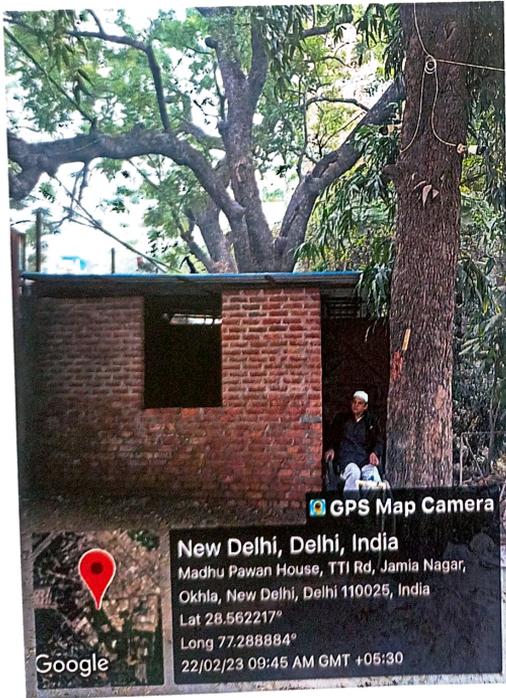
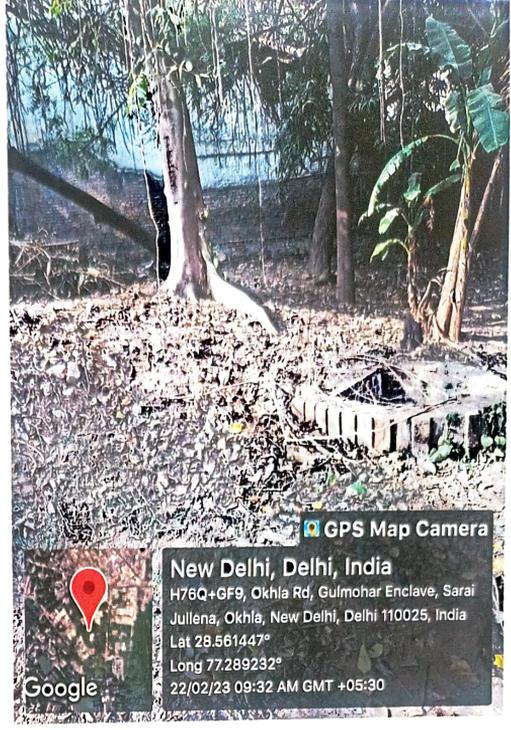
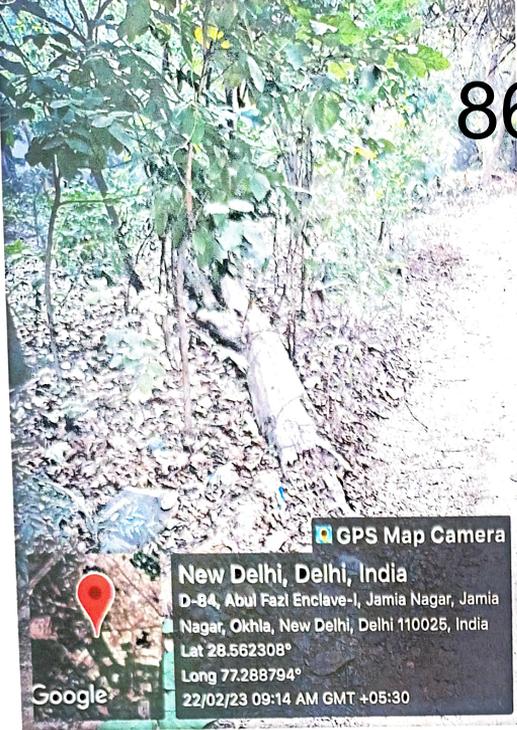


GPS Map Camera

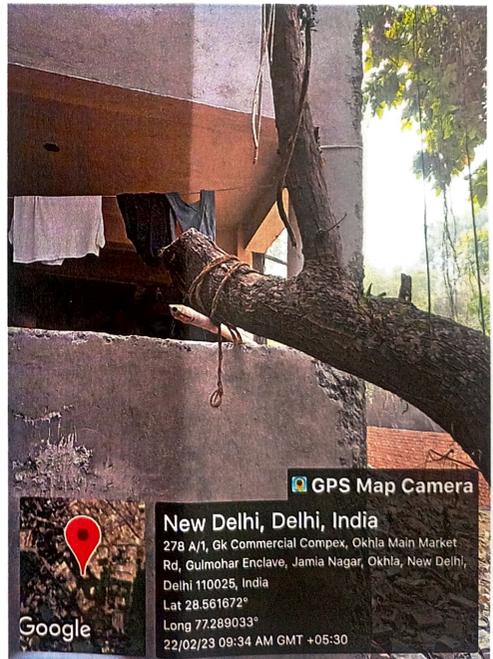
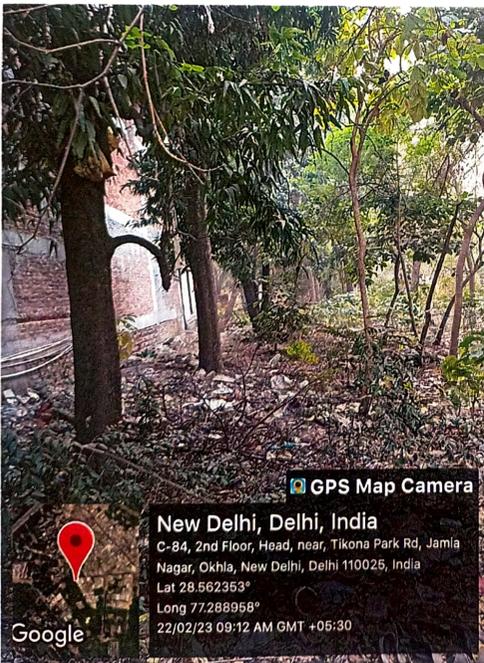
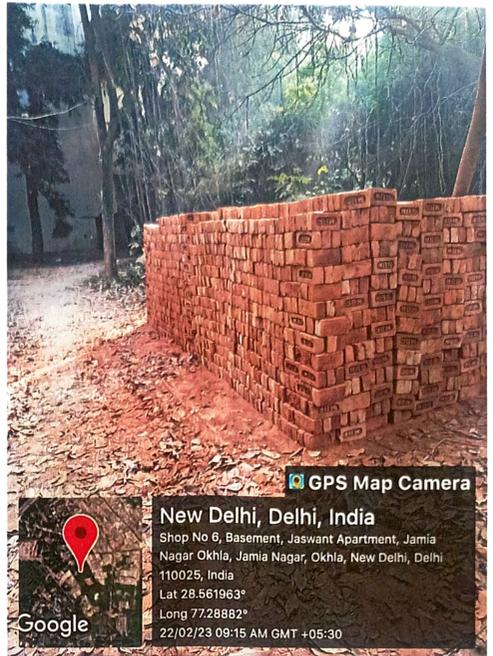
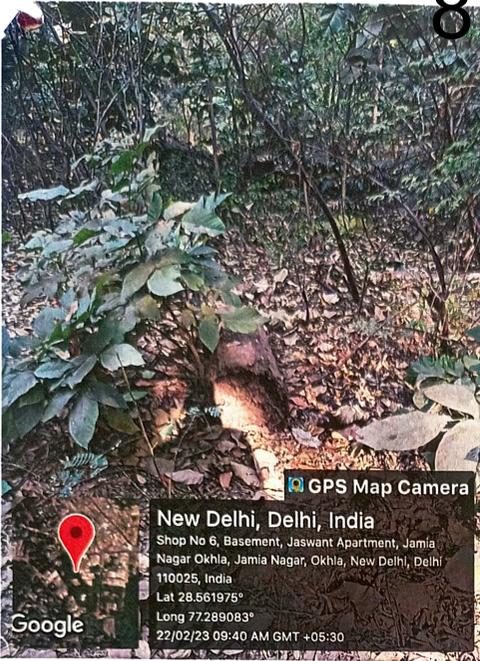
New Delhi, Delhi, India

274-B, TTI Rd, Gulmohar Enclave, Jamia
Nagar, Okhla, New Delhi, Delhi 110025, India
Lat 28.562044°
Long 77.289204°
22/02/23 09:40 AM GMT +05:30

86



87



GOVT. OF NCT OF DELHI
OFFICE OF THE DY. CONSERVATOR OF FORESTS (SOUTH)
NEAR DR. KARNI SINGH SHOOTING RANGE
TUGHLAKABAD NEW DELHI -110044
Email Id- dcfsouth.delhi@gov.in

Annexure 4

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F - 358/TO(S)/TOC/2022-23/ 18279

Dated 23/2/23

Show Cause Notice

Whereas, a complaint was received regarding tree offence at Plot No. 268, Jamia Nagar, Okhla, New Delhi in this office.

During inspection it was found that an offence of illegal cutting of trees at Plot No. 268, Jamia Nagar, Okhla, New Delhi has occurred.

Whereas, damaging a tree in any manner is an offence under Section-8 of Delhi Preservation of Trees Act, 1994.

So I, Deputy Conservator of Forests (South), in exercise of powers conferred under DPTA, 1994 call upon Sh. Ayaz Khan, Plot No. 268, Jamia Nagar, Okhla, New Delhi to appear in person before the undersigned for hearing on 01.03.2023 at 10: 00 AM in my office. If you fail to appear on the date of hearing, the case will be decided in your absence and you will be responsible for the consequences thereafter.

Ans
23/2/23
Tree Officer/ Dy. Conservator of Forest (South)
Tughlakabad, New Delhi

To,

Sh. Ayaz Khan,
Plot No. 268,
Jamia Nagar, Okhla,
New Delhi

O/C

Please Note:- 1. Carry a copy of valid ID proof while coming for the hearing.
2. Authorization letter is mandatory if the addressee of this notice is not attending the hearing himself/herself.