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BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

M.A. NO. 66/2023
IN
ORIGINAL APPLICATION NO. 168/2022

IN THE MATTER OF:

MUDIT KUMAR

...APPLICANT

VERSUS

GOVT. OF NCT OF DELHI & ORS.

... RESPONDENTS

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NEW DELHI

DATED: 06-07-2024

FILED BY:



KRITIKA GUPTA

Counsel for Respondent/DDA

Enrol. No.: D-2750/2015

**Chamber No. 155, Lawyers' Chamber Block I,
High Court of Delhi, Sher Shah Suri Marg, Delhi**

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**BEFORE THE NATIONAL GREEN TRIBUNAL
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**M.A. NO. 66/2023
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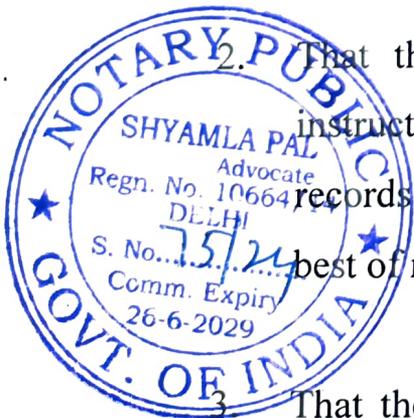
**COMPLIANCE AFFIDAVIT ON BEHALF OF
RESPONDENT/DDA**

I, Mr. Amit Singh, aged about 40 years, son of Mr. V.K. Singh, working as Deputy Director(Horticulture), Delhi Development Authority, Horticulture Division-IX, Vivek Vihar, do solemnly affirm and hereby declare as under:

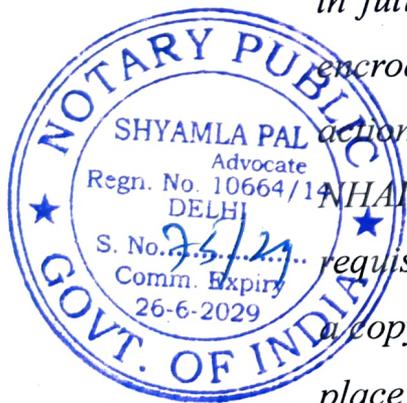
1. That I am duly authorised and competent to affirm the present Affidavit on behalf of the Respondent/DDA ("Answering Respondent").

2. That this Compliance Affidavit has been drafted under my instructions and I say that the facts stated therein are based upon records of the case which I believe to be true and correct to the best of my knowledge and belief.

3. That the present Affidavit is being filed pursuant to the Order dated 09-04-2024 passed by this Hon'ble Tribunal. The Hon'ble Tribunal was, inter-alia, pleased to direct as follows -



“20. In view of the above discussed facts and circumstances of the case the present MA is disposed of with the directions (i) that hence forth no illegal fish market be allowed to operate in the area in question. However, nothing in this order shall prohibit establishment and operation of any fish market in the area in question in accordance with law; (ii) that the Commissioner, Municipal Corporation of Delhi is directed to issue appropriate instructions and take requisite action within one month from the date of receipt of a copy of this order for ensuring proper management and disposal of solid waste and effluents from the area; (iii) the Vice Chairman, DDA is directed to issue appropriate instructions and take requisite action within one month from the date of receipt of a copy of this order for ensuring removal of unauthorized constructions, if any, and repair of boundary wall immediately so that no such encroachment takes place in future and requisite monitoring is done to prevent such encroachments and in case of any encroachment prompt action is taken against the violators; and (iii) Chairman, NHAI is directed to issue appropriate instructions and take requisite action within one month from the date of receipt of a copy of this order for ensuring that no encroachments take place on any part of the road/land handed over to it.”

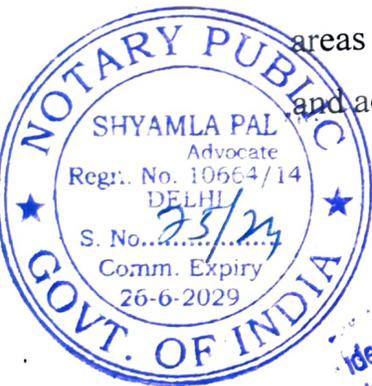


4. That as stated earlier, demolition of illegal encroachment was carried out in Yamuna River Flood Plain area on the DDA land from Shastri Park Zero Pushta to Pushta No. 3 Old Usmanpur (Ghari Mandu) on 06-02-2024 by the Office of Executive Engineer, HCD10/DDA with the help of Delhi Police.

5. That thereafter the officers ~~58~~ of the Respondent/DDA are maintaining constant vigil in the area and illegal gathering of fish sellers is not being permitted on site. The Respondent/ DDA has been written letters of MCD, NHAI and local Police Station in this regard to ensure that illegal gathering of fish sellers does not take place in the area. True Copy of the letter written to MCD, NHAI and local Police Station are annexed herewith as **Annexure R1 Colly.**

6. That the said site is earmarked for the entry of Gate Plaza in the redevelopment plan for Yamuna Flood plains. The said entry of Gate Plaza has been installed by the Office of Executive Engineer, HCD10/DDA. Photographs of gate plaza installation are annexed herewith as **Annexure R2.**

7. That the Answering Respondent is committed to the cause of environmental protection, preservation and development for the areas under its jurisdiction, and is undertaking all necessary steps and actions in pursuance thereof.



Identify the Deponent who has signed/put thumb impression in my presence

[Signature]
DEPONENT

VERIFICATION: Verified at New Delhi on 05 1111 day of 2024 that the contents of the above affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed therefrom.

ATTESTED
[Signature]
**NOTARY PUBLIC DELHI
GOVT. INDIA**
05 JUL 2024

[Signature]
DEPONENT

59
DELHI DEVELOPMENT AUTHORITY
OFFICE OF DY. DIRECTOR (HORT.) -IX,
VIVEK VIHAR, DELHI - 110095
EMAIL: dydirectorhd9@gmail.com

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No. F2[4]24/00/HD-IX/DDA/507
To,

Dated:- 28/5/24

The Ex. Engg.(Civil)
HCD-10/DDA, School Block,
Shakarpur, Delhi-110092

Subject:- Regarding Hon'ble NGT case matter of Mr. Mudit Kumar Vs. Govt. of NCT of Delhi & Others.

M.A. No.66/2023 IN Original Application No. 168/2022

With reference to the above cited subject in this context, worthy Vice Chairman DDA and PC(Hort.) DDA has placed their comments/direction for the compliance of the order. It is therefore you are intimated that Hon'ble NGT directed for removal of unauthorized construction, if any at illegal fish market on DDA land at Pahla Pushta, New Usmanpur and construct the boundary wall so that no such encroachment take place in future. Compliance reports by way of affidavits of the concerned officers be filled within three months as per the court orders in point no. 21.

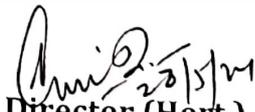
Hence in view of above you are requested that take necessary action for immediate compliance of Hon'ble NGT Order and direction issued by higher authority, so that compliance report can be provided from this office.

Encl.- As above

Dy. Director (Hort.)
Hort. Div.-IX/DDA

Copy to:

1. Director (Hort.) SE/DDA for kind information.
2. Director (LS)/DDA for kind information.
3. EE(P&HQ)/DDA, 16th floor, Vikas Minar for Kind information
- ✓ 4. Asst. Director (Hort.)-IV/ HD-IX /DDA, for pursue the matter.
5. Office copy.


Dy. Director (Hort.)
Hort. Div.-IX/DDA



DELHI DEVELOPMENT AUTHORITY
OFFICE OF DY. DIRECTOR (HORT.) -IX
VIVEK VIHAR, DELHI - 110095
EMAIL: dydirectorhd9@gmail.com

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No. F.2(4)24/02/HD-9/00A/559

Dated: 03/06/2024

The Project Director,
NHAI, Project Implementation Unit, Ghaziabad,
Under CWG, Flyover at KM 2+000 of NH-9,
Near Akshardham Temple,
New Delhi-110092.

Subject:- Regarding Hon'ble NGT case matter of Mr. Mudit Kumar Vs. Govt. of
NCT of Delhi & Others.
M.A. No.66/2023 IN Original Application No. 168/2022

With reference to the above cited subject in this context, please refer to the judgement of Hon'ble NGT para no.20 (copy attached), in this regard Hon'ble NGT directed to Chairman, NHAI to issue appropriate instructions and take requisite action for ensuring that no encroachment take place on any part of the road/land handed over to it, but on the NHAI road illegal hawkers, trespass is observed.

Hence in view of above you are requested that take necessary action as per Hon'ble NGT court order for immediate compliance of Hon'ble NGT Order.

Encl.- As above

Dy. Director (Hort.)
Hort. Div.-IX/DDA

Copy to:

1. Chairman, NHAI, 6th Floor NHAI, Building, G5&6, Sector 10, Dwarka, New Delhi -110075 for Kind information and necessary action please.
2. Director (Hort.) SE/DDA for kind information, w.r.t. letter no. F6(1)24/CE(Hort.)/ DDA/77 Dated 16.05.24.
3. Director (LS)/DDA for kind information.
4. EE(P&HQ)/DDA, 16th floor, Vikas Minar for Kind information
5. EE(Civil)/HCD-X for kind information and necessary action please.
6. Asst. Director (Hort.)-IV/ HD-IX /DDA, for pursue the matter.
7. Office copy


Dy. Director (Hort.)
Hort. Div.-IX/DDA



DELHI DEVELOPMENT AUTHORITY
OFFICE OF DY. DIRECTOR (HORT.) -IX
VIVEK VIHAR, DELHI - 110095
EMAIL: dydirectorhd9@gmail.com

No. F6(1)24/20/HD-9/DDA/556

Dated: 03/06/2024

To,

Dy. Commissioner (MCD)
East Zone, Udhyog Sadan,
Patparganj Industrial area,
New Delhi- 110092

Sub Divisional Magistrate
Seelampur,
New Delhi-110053
Email: sdmseelampur56@gmail.com

Subject:- Regarding Hon'ble NGT case matter of Mr. Mudit Kumar Vs. Govt. of NCT of Delhi & Others.

M.A. No.66/2023 IN Original Application No. 168/2022

With reference to the above cited subject in this context, please refer to the judgement of Hon'ble NGT para no. 18 & 20 (copy attached), in this regard the concerned department is directed to ensure that therein no illegal market operates at said location. In hon'ble NGT judgement MCD is also directed to issue appropriate instructions and take requisite action for ensuring proper management and disposal of solid waste and effluents from the area.

Hence in view of above you are requested that take necessary action as per Hon'ble NGT court order for immediate compliance of Hon'ble NGT Order.

Encl.- As above

Dy. Director (Hort.)
Hort. Div.-IX/DDA

Copy to:

1. Commissioner (MCD), Civic Center, JLN Marg, New Delhi-110092 for kind information and necessary action please.
2. Director (Hort.) SE/DDA for kind information, w.r.t. letter no. F6(1)24/CE(Hort.)/ DDA/77 Dated 16.05.24..
3. Director (LS)/DDA for kind information.
4. EE(P&HQ)/DDA, 16th floor, Vikas Minar for Kind information.
5. EE(Civil)/HCD-X for kind information and necessary action please.
6. Asst. Director (Hort.)-IV/ HD-IX /DDA, for pursue the matter.
7. Office copy

Dy. Director (Hort.)
Hort. Div.-IX/DDA



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DELHI DEVELOPMENT AUTHORITY
OFFICE OF DY. DIRECTOR (HORT.) -IX
VIVEK VIHAR, DELHI - 110095
EMAIL: dydirectorhd9@gmail.com

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No. F.2(4)24/00/HD-9/DDA/555

Dated: 03/06/2024

To,

Dy. Commissioner of Police,
North-East Distt., New Seelampur,
Shahdara, Delhi-110032

**Subject:- Regarding Hon'ble NGT case matter of Mr. Mudit Kumar Vs. Govt. of
NCT of Delhi & Others.
M.A. No.66/2023 IN Original Application No. 168/2022**

With reference to the above cited subject in this context, please refer to the judgement of Hon'ble NGT para no. 18 & 20 (copy attached), in this regard the concerned department is directed to ensure that therein no illegal market operates at said location & prohibit establishment and operation of any fish market in the area in question in accordance with law, but at evening time illegal fish market is observe in running condition.

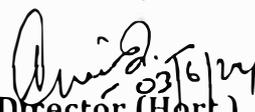
Hence in view of above you are requested that take necessary action as per Hon'ble NGT court order for immediate compliance of Hon'ble NGT Order.

Encl.- As above

|
Dy. Director (Hort.)
Hort. Div.-IX/DDA

Copy to:

1. Director (Hort.) SE/DDA for kind information, w.r.t. letter no. F6(1)24/CE(Hort.)/DDA/77 Dated 16.05.24.
2. Director (LS)/DDA for kind information.
3. S.H.O. Delhi Police, Police Station Usmanpur, New Delhi-110053 for necessary action please.
4. EE(P&HQ)/DDA, 16th floor, Vikas Minar for Kind information.
5. EE(Civil)/HCD-X for kind information and necessary action please.
6. Asst. Director (Hort.)-IV/ HD-IX /DDA, for pursue the matter.
7. Office copy


Dy. Director (Hort.)
Hort. Div.-IX/DDA



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DELHI DEVELOPMENT AUTHORITY
OFFICE OF DY. DIRECTOR (HORT.) -IX
VIVEK VIHAR, DELHI - 110095
EMAIL: dydirectorhd9@gmail.com

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No. F2(4)24/DD/HD-9/DDA/628

Dated: 24/6/24

To,

S.H.O, Delhi Police,
Police Station Shastri Park,
Delhi-110053.

Subject:- Regarding Hon'ble NGT case matter of Mr. Mudit Kumar Vs. Govt. of NCT of Delhi & Others.

M.A. No.66/2023 IN Original Application No. 168/2022

With reference to the above cited subject in this context, please refer to the judgement of Hon'ble NGT para no. 18 & 20 (copy attached) in this regard the concerned department is directed to ensure that therein no illegal market operates at DDA land & prohibit establishment and operation of any fish market in the area in question in accordance with law, but at evening time illegal fish market is observe in running condition.

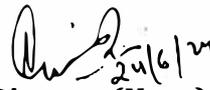
Hence in view of above you are requested that take necessary action as per Hon'ble NGT court order for immediate compliance of Hon'ble NGT Order.

Encl.- As above

**Dy. Director (Hort.)
Hort. Div.-IX/DDA**

Copy to:

1. Director (Hort.) SE/DDA for kind information, w.r.t. letter no. F6(1)24/CE(Hort.)/DDA/77 Dated 16.05.24.
2. Director (LS)/DDA for kind information.
3. DCP/North-East Distt./ New Seelampur, Shahdara, for kind information and necessary action please.
4. ACP/ New Seelampur, Shahdara, for kind information and necessary action please.
5. EE (Civil)/HCD-X for kind information and necessary action please.
6. Asst. Director (Hort.)-IV/ HD-IX /DDA, for pursue the matter.
7. Office copy


**Dy. Director (Hort.)
Hort. Div.-IX/DDA**

OFFICE OF THE EXECUTIVE ENGINEER
HORTICULTURE CIVIL DIVISION-X
D.D.A., SEED BED PARK, SCHOOL BLOCK
SHAKARPUR, DELHI- 110092

No. F9(03)Misc./EE/HCD-X/DDA/2024-25/665

Dated: 18/05/24

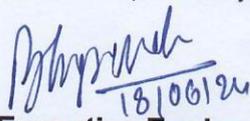
To

The EE (P & HQ)
Delhi Development Authority
16th Floor, Vikas Minar, ITO
New Delhi-110002

Subject: - Regarding court case matter of Mr. Mudit Kumar Vs Govt. of NCT of Delhi & Others.

Reference:- F6(1)24/CE(Hort.)/DDA/77 dated 16-05-2024.

With reference to the above mentioned court case matter, it is intimated that this office has already removed the illegal Fish Market from the site as per the direction of Hon'ble Court. Further, Entrance Plaza with entry & exit gate has been installed at site to stop such type of illegal activities in the Yamuna Flood Plain area.


18/05/24
Executive Engineer
HCD-X/DDA

Copy to:-

1. PS to PC(Hort. & LS)/DDA for kind information *(Through E-mail)*.
2. CE(Hort.) for kind information please *(Through E-mail)*.
3. SE/HCC-III/DDA for kind information please *(Through E-mail)*.
4. Director (Hort.)/SEZ/DDA for kind information please *(Through E-mail)*.
5. DD/HD-IX/DDA for information & request to direct the Security Guard for proper watch & ward of this area *(Through E-mail)*.
6. AE-I/HCD-X/DDA for information w.r.t. his report.

1
Executive Engineer
HCD-X/DDA



 **GPS Map Camera**



Google

Delhi, Delhi, India
 M7M2+X5H, New Usmanpur, Shahdara, Delhi, 110094, India
 Lat 28.683779°
 Long 77.248869°
 28/06/24 02:31 PM GMT +05:30



 **GPS Map Camera**



Google

Delhi, Delhi, India
 M7J4+55H, New Usmanpur, Shahdara, Delhi, 110094, India
 Lat 28.680741°
 Long 77.25557°
 28/06/24 02:34 PM GMT +05:30