

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 1194/2024**

**IN THE MATTER OF:-**

**PRADEEP PAL & ANR.**

**....APPLICANT**

**VERSUS**

**MINISTRY OF ENVIRONMENT & FOREST & ORS.**

**.....RESPONDENTS**

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**Through**

*Puja Kalra*

**PUJA KALRA  
Chamber No. 430, Block-I  
Delhi High Court, New Delhi.  
Mobile No. 9312839323**

**NEW DELHI  
DATED 08/11/2024**

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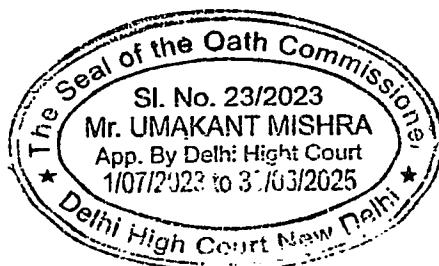
.....RESPONDENTS

**STATUS REPORT BY WAY OF AFFIDAVIT ON BEHALF OF THE  
RESPONDENT MUNICIPAL CORPORATION OF DELHI (MCD)**

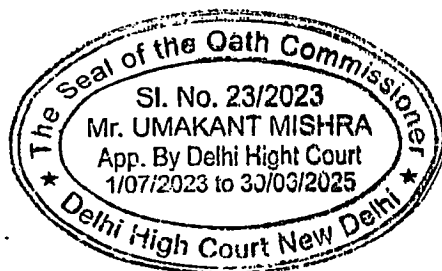
Affidavit of Sh. Pijush Kumar Banerjee s/o Sh. Sunil Kumar Banerjee aged about 55 years, Deputy Director(Horticulture), South Zone, Municipal Corporation of Delhi, on behalf of MCD.

I, the above named deponent, do hereby solemnly affirm and declare here as under:-

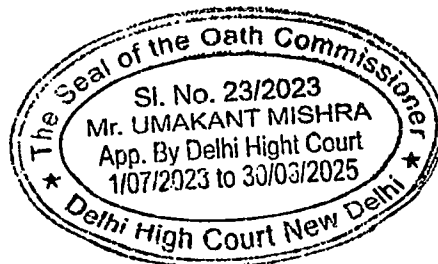
- A. That I am presently working as a Deputy Director (Horticulture), South Zone, MCD and am fully conversant with the facts of the case on the basis of the record maintained and made available in this regard and as such am competent to depose and swear the present affidavit on behalf of respondent Municipal Corporation of Delhi (MCD).
- B. That at the outset the answering respondent craves leave of this Hon'ble Court to file the instant status report with the liberty to file detailed affidavit / reply if need arises or the Hon'ble Court direct to do so.



- C. That the Gram Sabha Land, Khasra No.1575 Johad (21-00) land/site was handed over to the Horticulture Department of erstwhile South Delhi Municipal Corporation (now Municipal Corporation of Delhi) vide letter/order dated 19/02/2018 (F.No.BDO(South)/2017/504) for temporary use of this vacant land of Gram Sabha for development of park in Village Aya Nagar. The copy of the letter dated 19/02/2018 regarding temporary handing over of Gram Sabha Land is enclosed as **Annexure – R1**.
- D. The temporary handing over of Gram Sabha Land was subject to following conditions as mentioned in the letter dated 19/02/2018 issued by BDO(South):
1. The ownership fo Gaon Sabha Khasra No.1575 Johad (21-00) land/site shall change as park and continue to remain as Gaon Sabha land in records and department of Horticulture, South Delhi Municipal Corporation (now MCD) will only has the right to use.
  2. It will be responsibility of department of Horticulture SDMC to protect the Gaon Sabha land from any type of encroachment.
  3. Department of Horticulture, SDMC will use the land only for the purpose of development of park.
  4. No permanent construction will be made on the Gaon Sabha land as given to Horticulture Department of SDMC to use for development of park.
  5. Department of Horticulture, SDMC will bear all the expenses relating to development, management and maintenance of the park.
  6. Gaon Sabha / Revenue Department reserves the right to reclaim the land, if the same is required for any other important purpose by the government.



7. Any damage to the site would be rectified by the department of Horticulture, SDMC at the time of return of the land to Gaon Sabha.
  8. Park should be developed by the SDMC within four (4) months from the date of handing over of the Gaon Sabha Land. In exceptional circumstances, this period can be extended further by 2 months.
  9. The Gaon Sabha Land is being allotted to SDMC Horticulture wring for a period of 05 years, which can be extended further for another 5 year.
- E. That Chatt Ghat and Chabutra (Concrete Structure) were already built at the site at the time of handing over of the Gram Sabha Land.
- F. That MCD was handed over a parcel of land by gram sabha. Out of which an area of 4605.8 sqm of the land was developed as a park. Rest of the portion of the Gram Sabha land, which is 1457.42 sqm is a katcha area wherein Ramleela or Durga Pooja is being held for the last 7-8 years without any objection from villagers.
- G. This year also, the permission was granted for Ramleela w.e.f. 30/09/2024 to 12/10/2024 (13 days) only within the Katcha area (undeveloped area) of the Park. The copy of the Park booking G-8 dated 26/09/2024 (Receipt No.DIL01376) reflecting that booking of the MCD Park (within the Katcha area) is annexed as **Annexure-R2**.
- H. That there is no layout plan of the area, since it is a Gram Sabha Land. However, the rough sketch of the Park with dimensions is enclosed as **Annexure-R3**.



I. That since Ramleela or Durga Pooja, are held for 10 days at a stretch. It is a religious and cultural event for the promotion of religious and cultural values. That 02 day in a advance were given for installation of tents and 10 day for religious function thereafter on day for dismantling. However in future the Horticulture Department, MCD will ensure strict compliance with the order of Hon'ble Supreme Court of India that the use of Municipal Parks shall not be permitted more than 10 days in a month for marriage, social and religious functions.



PK/Banerjee  
DEPONENT

VERIFICATION: 08 NOV 2024

Verified at Delhi on this \_\_\_\_ day of November, 2024 that the contents of the above affidavit are true and correct to my knowledge derived from the official records maintained by the MCD and I believe the same to be true and correct.

*By Kalyan*  
I identify the deponent who has signed/put thumb impression in my presence.

PK/Banerjee  
DEPONENT

CERTIFIED THAT THE DEPONENT  
Shri/Smt./Km..... *PK/Banerjee*  
S/o W/o.D/o.Sh. ....  
k/o.....  
identified by Shri/Smt. ....  
Has solemnly affirmed before me at Delhi  
on.....  
that the contents of the affidavit which have  
been read over to him are true and  
correct to his knowledge  
Oath Commissioner Delhi High Court

08 NOV 2024



611 ANNEXURE-R-1 S

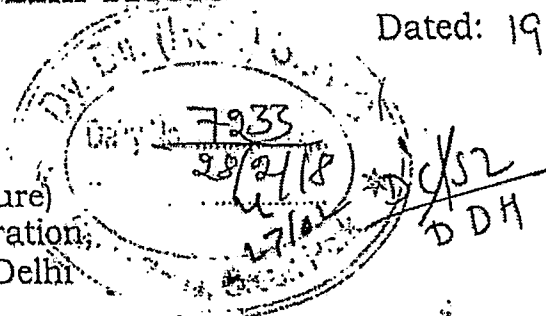
GOVERNMENT OF NCT OF DELHI  
OFFICE OF THE BLOCK DEVELOPMENT OFFICER (SOUTH)  
DISTRICT MAGISTRATE (SOUTH) OFFICE M.B. ROAD, SAKET,  
NEW DELHI-110068

F. No. BDO (South)/2017/504

Dated: 19/02/2018

To,

The Deputy Director (Horticulture)  
South Delhi Municipal Corporation,  
South Zoon, Green Park, New Delhi



**Sub: Handing over the Gram Sabha Land to the Horticulture Department of South Delhi Municipal Corporation for Development of Park on Temporary basis.**

Sir,

This is with reference to your office letter No. Dy. Dir./Hort./SDMC/17-18./1296 dated 07.08.2017 on the subject cited above. In this regard, it is to inform you that the Divisional Commissioner, Govt. of NCT of Delhi is pleased to accord the approval for grant of NOC for temporary use of vacant land of Gaon Sabha for development of park in village Aya Nagar in Khasra No. 1575 Johad (21-00).

Accordingly, the above said land is hereby handed over to Horticulture Department of South Delhi Municipal Corporation for development of park subject to the following terms and conditions: -

1. The ownership of Gaon Sabha Khasra No. 1575 Johad (21-00) land/site shall change as park and continue to remain as Gaon Sabha land in records and department of Horticulture, South Delhi Municipal Corporation will only has the right to use.
2. It will be responsibility of department of Horticulture SDMC to protect the Gaon Sabha land from any type of encroachment.
3. Department of Horticulture, SDMC will use the land only for the purpose of development of park.
4. No permanent construction will be made on the Gaon Sabha land as given to Horticulture Department of SDMC to use for development of park.
5. Department of Horticulture, SDMC will bear all the expenses relating to development, management and maintenance of the park.

6. Gaon Sabha/Revenue Department reserves the right to reclaim the land, if the same is required for any other important purpose by the government.
7. Any damage to the site would be rectified by the department of Horticulture, SDMC at the time of return of the land to Gaon Sabha.
8. Park should be developed by the SDMC within four (4) months from the date of handing over of the Gaon Sabha Land. In exceptional circumstances, this period can be extended further by 02 months.
9. The Gaon Sabha Land is being allotted to SDMC Horticulture wing for a period of 05 years, which can be extended further for another 05 year.

*Nidhi*  
(DR. NIDHI SAROHE)  
BDO (SOUTH)

F. No. BDO (South)/2018/504  
Copy for information to:

Dated: 19/02/18

1. The DM (South), M. B. Road, Saket, New Delhi.
2. Dy. Commissioner, SDMC, Green Park, New Delhi.
3. Dir. (P), 1<sup>st</sup> Kripa Narayan Marg, Delhi-110054.
4. Dir. (Horticulture), SDMC, Dr Shyama Prasad Mukherjee Civic Centre, Minto Road, Delhi - 110025.
5. PA to Divisional Commissioner, 5 Sham Nath Marg, Delhi-110054
6. PA to Commissioner, SDMC, Dr Shyama Prasad Mukherjee Civic Centre, Minto Road, Delhi - 110002.

*Nidhi*  
(DR. NIDHI SAROHE)  
BDO (SOUTH)

TRUE COPY

*[Signature]*

63 ANNEXURE R-2

7

MUNICIPAL CORPORATION OF DELHI  
DEPARTMENT OF HORTICULTURE

GB RECEIPT NO. - DILD1375		BUDGET HEAD - V-130-0263	
ZONE : SOUTH	DEPARTMENT : HORTICULTURE	TRANSACTION PURPOSE : INCOME	AMOUNT : RS. 2360
NAME : ANIL MISHRA	MOBILE : 9818123120	G8 - GENERATED ON : 2024-09-26 13:45:42	
ADDRESS : SHRI RAJARAM RAMLEELA COMMITTEE, H.NO. 7, BLOCK-H, PHASE-6, AYA NAGAR, NEW DELHI-110047.			
REMARKS : BOOKING OF MCD PARK WITHIN KATCHA AREA OF BABA MANGAL DAS PARK, AYA NAGAR (EXCEPT THE STAGE/CHABUTARA AREA) FOR RAMLEELA W.E.F. 30.09.2024 TO 12.10.2024 (SUBJECT TO NOC TO BE SUBMITTED FROM POLICE & FIRE DEPARTMENT TO HORTICULTURE DEPARTMENT, SOUTH ZONE).			

PAYMENT DESCRIPTION						
#	MODE	TYPE	DD/CHEQUE/IPO NO	ISSUER BANK/IPO	DD/CHEQUE/IPO DATE	AMOUNT
1	DD	CHALLAN	387391	UNION BANK OF INDIA	2024-09-19	2360

\*\*This is a computer generated receipt and does not require any signature.

\*\*The validation of receipt is subject to realization of actual amount.

*P.K. Banerjee*  
[PIJUSH KUMAR BANERJEE]

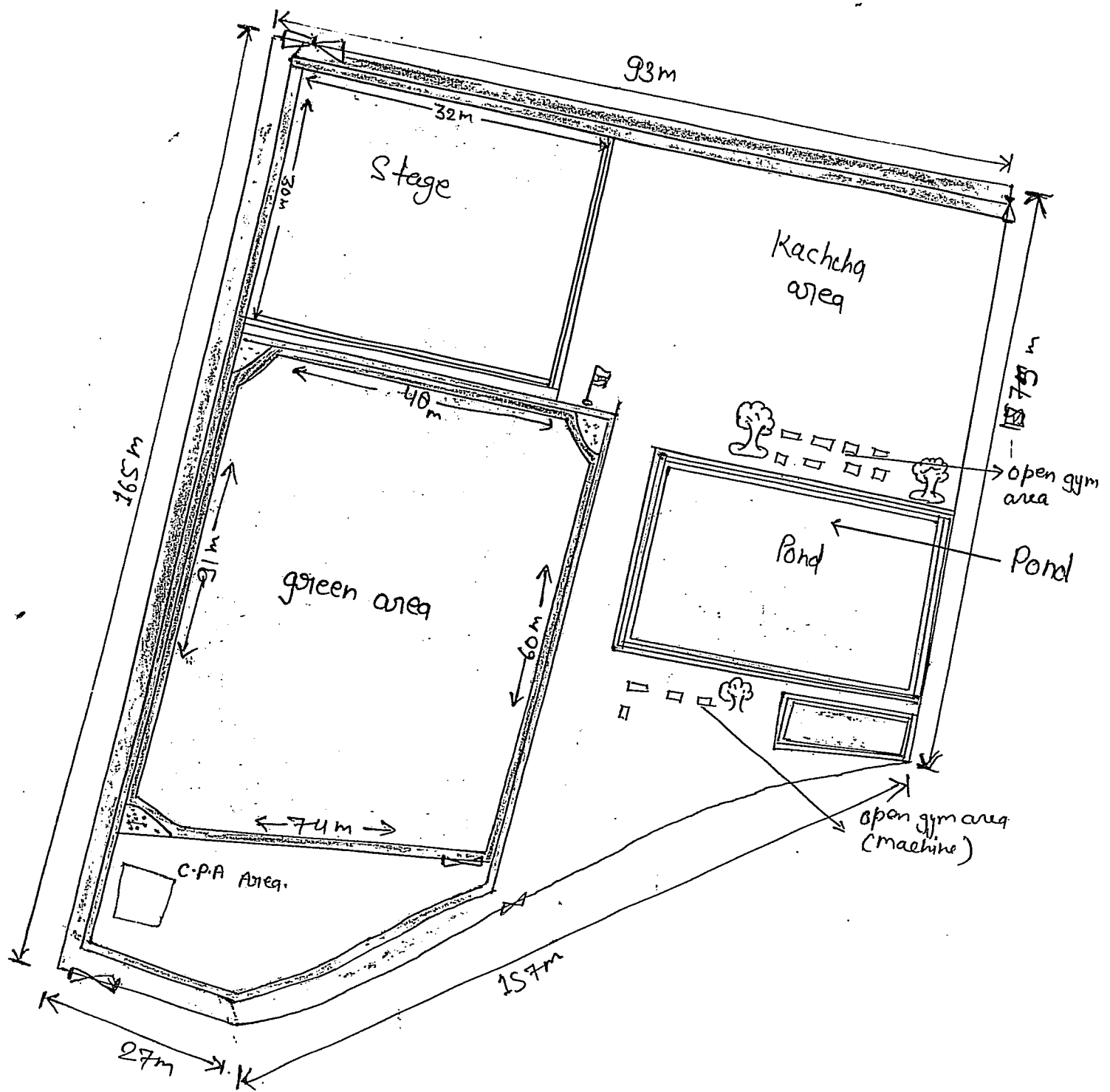
P. K. BANERJEE  
Deputy Director (Hort)  
South Zone, MCD

*Anil Mishra*

26/09/2024

TRUE COPY

*[Signature]*



TRUE COPY



Kachcha area = 1457.42 m<sup>2</sup>  
 Stage area = 960 m<sup>2</sup>  
 green area = 4605.5 m<sup>2</sup>