

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No. 922/2024

IN THE MATTER OF:

Residents Welfare Society Shyam Kunj . . . Applicant
 Versus
 Govt. of NCT of Delhi & Ors. . . Respondent

I N D E X

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FILED BY:

NEW DELHI
 DATED: 25.02.2025

(JYOTI MENDIRATTA)
 Advocate for the GNCT of Delhi
 H-34, Jangpura Extension,
 (Lower Ground Floor),
 New Delhi-110014
 MOBILE NO.+91 9811136141

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

IN

O.A No. 922/ 2024

IN THE MATTER OF:-

RESIDENTS WELFARE SOCIETY SHYAM KUNJ ... APPLICANT

VERSUS

GOVT OF NCT OF DELHI & ORS ... RESPONDENTS

STATUS REPORT ON BEHALF OF DEPUTY CONSERVATOR OF
FOREST, DEPARTMENT OF FOREST & WILDLIFE (WEST FOREST
DIVISION), GOVT. OF NCT OF DELHI

1. That I am duly authorized to file this Status Report and competent to depose the present affidavit on the basis of official records as maintained by Department of Forest & Wildlife, Govt. of NCT of Delhi.
2. 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.
3. That it is submitted that the allegation of the applicant is in respect of illegal encroachment and construction by the land mafias in collusion with the local authorities over the drain which is a tributary of najafgarh drain located on the Government land bearing khasra number 38-min in the revenue estate of village Goela Khurd, Tehsil Kapashera, District South West, New Delhi. That it is further submitted that the applicant is that this natural drain merges with Najafgarh drain (Sahibi river) and it was



acquired by the Government vide Award No. 1991 of 1964 and payment of compensation was also made to erstwhile owner. Therefore now the natural drain has vested in the Government for all particular purposes and total area of the drain in the concerned locality is approximately 450 meters in length and 15 meters in width. It is also alleged that full grown trees of Neem, Pipal, Khair Ber etc were existing on the north side the drain embankment which have been cut by the land grabbers.

4. That the Hon'ble National Green Tribunal vide its order dated 31.07.2024 had directed the respondent to file a reply, the relevant portion of which is reproduced herein under:

[...]6. O.A. raises substantial issue relating to compliance of the environmental norms.

7. Issue notice to the respondents. Applicant is directed to serve the respondents and file affidavit of service at least one week before the next date of hearing [...]

5. That the concerned area as pointed out by the petitioner falls within the jurisdiction of Department of Forest and Wildlife, GNCTD (West Forest Division):
6. That it is submitted ground inspection was carried out by the concerned official of Department of Forest & Wildlife, GNCTD on 21.02.2025 and it was observed that area in question i.e New Khasra no 38- Min (Old khasra number 45/1, 52/1, 53/1, 59/1, 60/1, 63/1, 64/1, 65/1, 66/1, 67/1, 68/1 and 82/1) are neither Forest land nor Deemed Forest. It is further submitted that violation of Delhi Preservation of Tree Act, 1994 has not been found at the site. The copy of the inspection report along with colored photograph are annexed as **Annexure-A**.



7. That it is submitted that 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 damage.
8. It is most respectfully and humbly stated that the DCF (West) 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 Court.
12. That the Deponent is ready and willing to abide by any further order(s)/direction(s) issued by this Hon'ble Tribunal considering the facts and circumstances of the present case and seeks liberty to file status report as and when directed by the Hon'ble Tribunal or as and when need so arises.

Identify the deponent
who signed before me

ATTESTED
NOTARY PUBLIC



25 FEB 2025


DEPUTY CONSERVATOR OF FOREST
WEST FOREST DIVISION

AMIT GEMAWAT, IFS
Dy. Conservator of Forest (West)
Department of Forest & Wildlife
Govt. of NCT of Delhi
Mandir Lane, New Delhi

सेवा में.

श्री मान उप वन संरक्षक (पश्चिम)
बिरला मन्दिर, मन्दिर मार्ग
नई दिल्ली - 110060

विषय : गांव गोयला खुर्द के खसरा नंबर 38 मीन कि वास्तुस्थिति के संबंध में ।

महोदय,

उपरोक्त विषय के संबंध में आपको अवगत कराना है कि आज दिनांक 21/02/2025 को गांव गोयला खुर्द का खसरा नंबर 38 मीन का मौके पर जाकर निरीक्षण किया गया निरीक्षण के दौरान देखा गया कि गांव गोयला खुर्द का खसरा नंबर 38 मीन वन विभाग कि भूमि नहीं है और न ही इस भूमि पर सघन फोरेस्ट मौजूद है और इस भूमि पर किसी प्रकार का वन अपराध नहीं मिला ।

रिपोर्ट सूचनार्थ एव अग्रिम कार्रवाई हेतु प्रस्तुत है ।

संलग्न:- फोटो।

भवदीय

Robert Vishwa
21/2/25
(Forester)

Munish Yadav (F.G.)
21/02/2025

21/02/2025

D.R.O (G)



To,

The Dy. Conservator of Forest
West Forest Division
Mandir Lane, New Delhi-60

Sub:- Regarding the case status of Khasra No. 38 (min.) village Goela Khurd.

Sir,

Regarding the above mentioned subject, you are hereby informed that today on 21.02.2025, khasra no. 38 (min.) of village Goela Khurd was inspected on the site. During the inspection, it was seen that khasra number 38 of village Goela Khurd is neither the land of Forest Department, nor deemed forest on this land was found and it is further submitted that no violation of Delhi Preservation of Tree Act, 1994 has been found at the above mentioned site.

The report is presented for information and further necessary action.

Yours faithfully,

S/d
Naresh Kumar
21.02.2025
D.R.O.

S/d
Rohit Nehra
21.02.2025
Forester

S/d
Manjeet Yadav
21.02.2025

Diary No. 7867/24.02.2025

चौ. जोगीराम, चौ. रिजक राम
सुपुत्र श्री रामजीलाल
सुसरी नं. 38 पि. खंवा 1 बीघा 16 बिस्वा
गांव जोयला सुदं, नई दिल्ली 71
9868631630, 9810940017



चौ० हरेकराम सांगवान, चौ० रिच्छपाल सिंह सांगवान
चौ० दुलीचन्ह सांगवान, चौ० बलबीर सिंह सांगवान
5% चौ० श्योराम सांगवान, ससरा न. 38.
गांव गोयला सुर्द नई दिल्ली-110071. (9250389050.
9911678042.)