

**IN THE HIGH COURT OF DELHI AT NEW DELHI
CIVIL CONTEMPT JURISDICTION
CONTEMPT CASE (CIVIL) NO. 934 OF 2023**

IN THE MATTER OF:

**ANJALI COLLEGE OF PHARMACY AND SCIENCE
THROUGH ITS FOUNDER -CUM-CHAIRMAN DEVENDRA
GUPTA**

...PETITIONER

Versus

**DR. MONTU M. PATEL PRESIDENT PHARMACY COUNCIL
OF INDIA & ANR.**

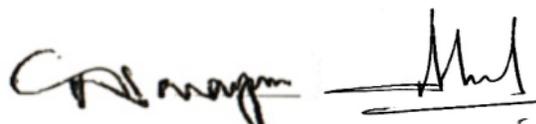
...RESPONDENTS

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Filed By:

New Delhi
28.11.2023



Gautam Narayan, Prabhshahay Kaur &
Aditya N Prasad, Advs.

Amicus Curiae

Chamber No. 204,

Patiala House Courts

New Delhi-110001

amicuscuriaedelhihighcourt@gmail.com

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...RESPONDENTS

NOTE OF THE *AMICUS CURIAE*

MOST RESPECTFULLY SHOWETH:

1. The present Note is being submitted in continuation of the Note dated 20.11.2023 to bring to the kind attention of this Hon'ble Court the ground situation with regard to implementation of the Orders of this Hon'ble Court with regard to the Central Ridge.

I. DIVERSION OF FOREST LAND - CENTRAL RIDGE.

2. It is submitted that during perusal and analysis of the Google Earth imagery of the Buddha Jayanti Park, to ascertain the extent of the road being built inside the Central Ridge (CONT. CAS (C) 934 OF 2023), the *Amici Curiae* discovered a large parcel of barren contiguous land

within the confines of the Central Ridge with vehicle tracks marked on the earth.

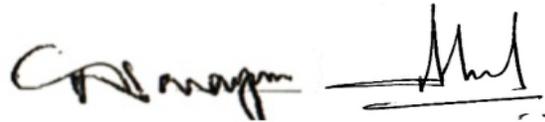
3. However, upon further analysis and retrieving satellite imagery of the said parcel of land for previous years, it was found that the said land, after February 2022, was deforested. The said land admeasures approximately 25 Acres as per the measurement tools available online.

Satellite Imagery of the said parcel of land showing the deforestation is annexed herewith for the kind perusal of this Hon'ble Court as **Annexure-P/1 (Colly)**.

4. It is unclear whether the said activity is being undertaken after taking requisite statutory clearances, as the same are not visible on the *Parivesh* portal of the MoEF&CC. The department may be called upon to inquire into the matter and explain as to how such a large area was diverted without its knowledge and that *status quo* is maintained.

Submitted please.

New Delhi
28.11.2023



Gautam Narayan, Prabhsahay Kaur &
Aditya N Prasad, Advs.

Amicus Curiae

Chamber No. 204,

Patiala House Courts

New Delhi-110001

amicuscuriaedelhihighcourt@gmail.com

1 Central Ridge

ARAINA नारायणा INDER PUR इन्दरपुरी

Legend

DOUBLE STOREY डबल सतहरी

CENTRAL RIDGE RESERVE FOREST केंद्र

TODAPUR तोडापुर

नारायणा गाँव

कुएर

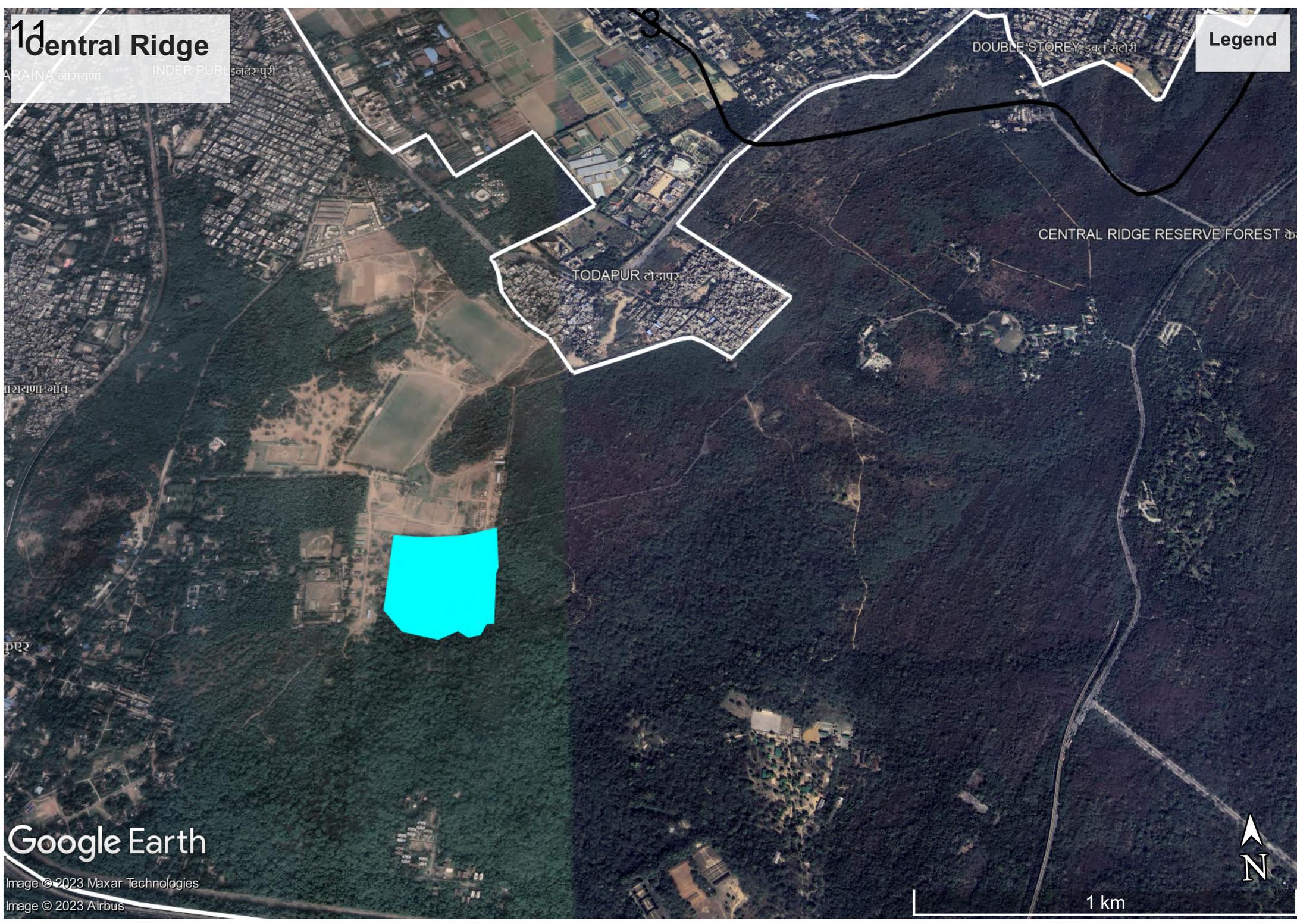
Google Earth

Image © 2023 Maxar Technologies

Image © 2023 Airbus



1 km



Central Ridge

11.02.2022

4

TODAPUR लेडापूर

DASGHARA दसघरा

Legend 12

Google Earth

Image © 2023 Maxar Technologies
Image © 2023 Airbus

600 m



13 Central Ridge

16.04.2023

Legend

5

TODAPUR तोडापुर

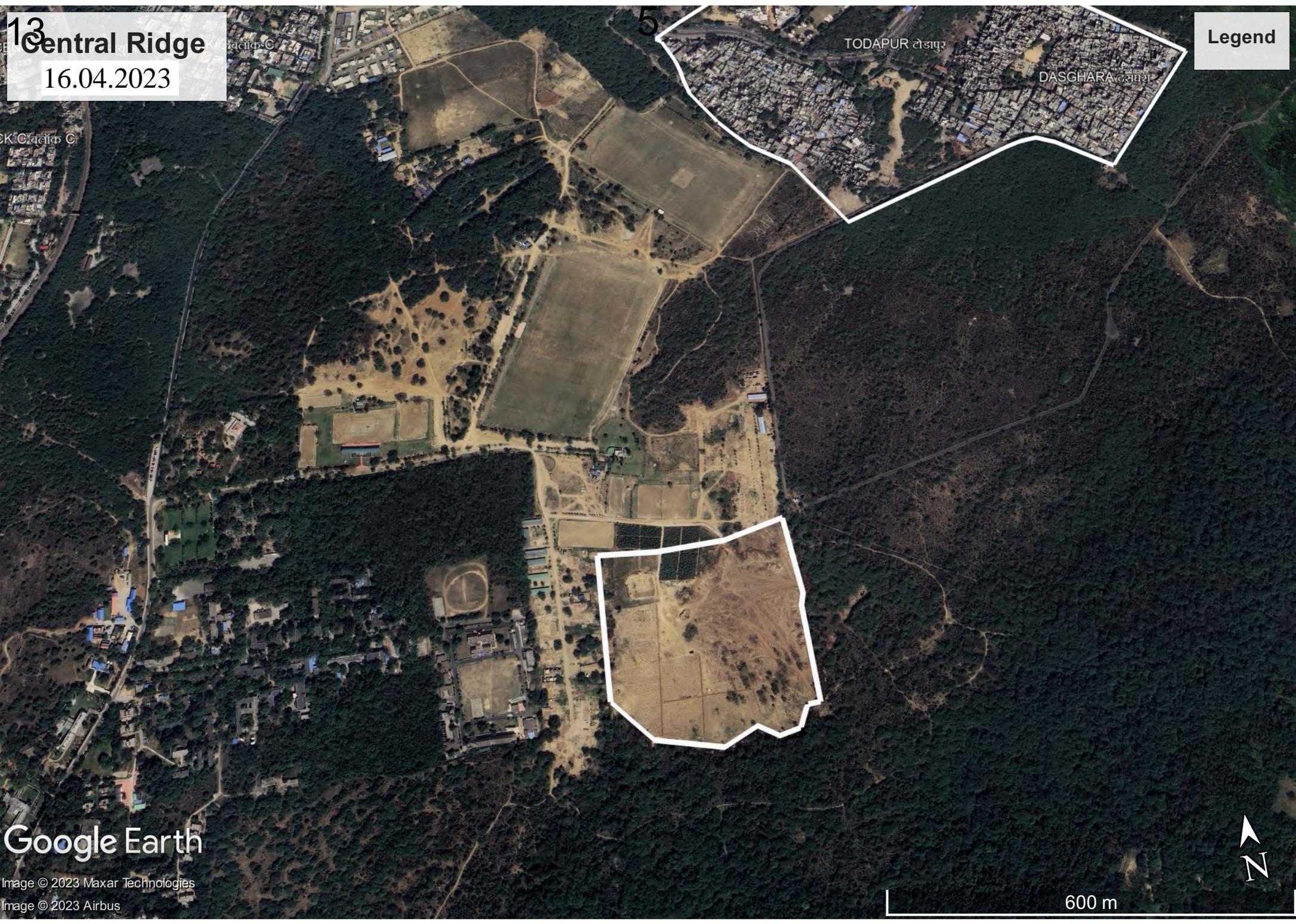
DASGHARA दसगडा

Google Earth

Image © 2023 Maxar Technologies
Image © 2023 Airbus



600 m







Amicus Curiae <amicuscuriaedelhihighcourt@gmail.com>

Advance service of Note dated 28.11.2023 in CCP 934 of 2023.

Amicus Curiae <amicuscuriaedelhihighcourt@gmail.com>

Tue, Nov 28, 2023 at 11:21 PM

To: sameervashisht.asc@gmail.com

Cc: Prabhsahay Kaur <sahayk@gmail.com>, g.narayanoffice@gmail.com, KIRTIMANSINGH.OFFICE@gmail.com, cf.gnctd@delhi.gov.in, pccf-gnctd@delhi.gov.in

Dear sir,

Please see attached copy of the Note dated 28.11.2023 being filed in CCP 934 of 2023.

Thanks & Regards

Pratyush Jain
Legal Assistant to Ld. Amicus Curiae,
Office of the Amicus Curiae
High Court of Delhi
+91-8750231333

 **Note by the Amici Curiae 28.11.2023 C.pdf**
1781K

GOVT. OF N.C.T. OF DELHI
DEPARTMENT OF FOREST AND WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS WEST
FOREST DIVISION MANDIR LANE, NEW DELHI-110060

No. F.2(364)/DCF(W)/Misc./Legal/2022-23|10272-74

Dated: 13/12/23

NOTICE

Sub:- Violation of Van Sanrakshan Adhiniyam 1980 by clearing of trees in the Central Ridge area – Regarding.

Whereas Central Ridge vide orders F.10(42)-I/PA/DCF/93/2012-17(I) dated 24.05.1994 has been declared as Reserve Forest under Section 4 of Indian Forest Act, 1927.

Whereas as per orders of Hon'ble Supreme Court any area which has been declared as Reserve Forest under Section 4 of Indian Forest Act, 1927 comes under the purview of Van Sanrakshan Adhiniyam 1980.

Whereas a report has been received regarding clearing of trees at Central Ridge, whereas it has been observed with periodical analysis of Google earth images that an area of approx 8.78 Ha. has been cleared (Annexure-A), the same is a violation of Van Sanrakshan Adhiniyam 1980 under section 2(ii), (iv).

Whereas, Section (9) clause 01 of Forest Conservation Rule 2003 provides for giving the person or Officer (s) or authority against whom the allegations of offence exist, an opportunity to explain his/her or their conduct and to show cause by issuing a notice in writing of not less than 60(sixty) days.

Now, therefore, the below mentioned person is directed to furnish the report, why a complaint should not be filed in the appropriate manner against him/her for the offence mentioned above.

To,

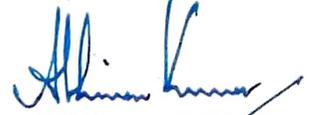
**The Quarter Master General
Amry Headquater,
Rajaji Marg, New Delhi 110011.**



**ABHINAV KUMAR
DY.CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)**

Copy to:-

1. The CCF, Department of Forest and Wildlife, 'A' Block, 2nd Floor, Vikas Bhawan, I.P.Estate, New Delhi-02.
2. The CF, Department of Forest and Wildlife, 'A' Block, 2nd Floor, Vikas Bhawan, I.P.Estate, New Delhi-02.



ABHINAV KUMAR
DY.CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)

CENTRAL RIDGE OFFENCE SITE
Area: 1.53 Ha (approx)
Image Date: April 2022



Google Earth

CENTRAL RIDGE OFFENCE SITE
Area: 8.78 Ha (approx)
Image Date: September 2022



Google Earth

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@gov.in

(304/DCF(W)/Tree Offence/ID-141/2023-24) 10275-78

Date: 13/12/2023

NOTICE UNDER DPTA, 1994
IN THE COURT OF TREE OFFICER

Whereas it has been alleged that a tree offence has been committed by Clearing on area off approximately 8.78 ha. in central ridge as per the Google earth images and subsequent visit of field staff.

Whereas on enquiry, it is found that the above tree (s) has/have been damaged/cut in violation of Delhi Preservation of Tree Act 1994 & Indian Forest Act 1927.

And whereas, the statement (s) of following persons is is/are required to determine the offence case. Therefore, **I, DY. CONSERVATOR OF FOREST (WEST)**, empowered under section 31 of Delhi Preservation of Tree Act, 1994, call upon the person (s) mentioned below to appear before me on 20/12/2023 and in the event of failure to appear, the matter would be proceeded ex-parte.



**DY. CONSERVATOR OF FOREST
WEST FOREST DIVISION**

To,

1. Quarter Master General, Army Headquarter, Rajaji Marg, New Delhi-110011.
2. Sh. Naveen Kumar (F.G), Central Ridge, WFD
3. Sh. Sanam Deshwal (F.G), Central Ridge, WFD

Copy to:

1. Conservator of Forests, Department of Forests & Wildlife, GNCTD, 2nd Floor, Vikas Bhawan, New Delhi – 110002 for kind information.



**DY. CONSERVATOR OF FOREST
WEST FOREST DIVISION**



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CONT.CAS(C) 934/2023
ANJALI COLLEGE OF PHARMACY AND SCIENCE THROUGH
ITS FOUNDER -CUM-CHAIRMAN DEVENDRA GUPTA

..... Petitioner

Through: Mr. Aditya N Prasad, Mr. Gautam
Narayan, Advs. (Amicus)

versus

DR. MONTU M. PATEL PRESIDENT PHARMACY COUNCIL OF
INDIA & ANR.

..... Respondent

Through: Mr. Sameer Vashisht, ASC with Mr.
Vedansh Vashisht, Ms. Harshita Nathrani, Advs.
Mr. Kirtiman Singh, CGSC with Mr. Waize Ali
Noor, Mr. Varun Rajawat, Ms. Vidhi Jain, Ms. SV
Mehra, Advs.

Mr. Abhinav Kumar, DCF, West Forest Division

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

22.12.2023

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1. Pursuant to the last order, Mr. Vashisht, learned ASC has placed a status report and handed over Minutes of Meeting of the Ridge Management Board ('RMB') dated 11.12.2023.
2. The RMB seems to be of the view that the construction of the *kaccha* trail passage is important for eco-restoration.
3. Let the Minutes of Meeting of the RMB be placed on record with an affidavit indicating the quorum of the meeting of the RMB held on 11.12.2023.
4. In addition, the file, as ordered on 29.01.2023, shall be brought on record.
5. Mr. Abhinav Kumar, DCF, West Forest Division has also joined the



proceedings through video conferencing mode.

6. On 29.11.2023, this Court observed as under:-

“10. Mr. Vashisht, learned ASC assures on instruction that in case the sanction for this trail/passage (which has been constructed without permission of the Central Ridge Board) is not obtained on or before 15.12.2023, the same shall be removed and shall be restored to the original position before the next date of hearing.

11. The learned Amici Curiae have also handed over a note wherein a satellite image dated 11.02.2022 shows dense forest in the central ridge at portion marked from A to B. The same in the subsequent photographs dated 16.04.2022 shows a bald patch clear of the trees. The note is taken on record.”

7. Mr. Vashisht, learned ASC states that a notice has been issued to the Army under Section 4 of the Forest Conservation Act, 1980 as well as the Delhi Preservation of Trees Act, 1994 seeking an explanation.
8. It is directed that till the next date of hearing, the Forest Department shall ensure that no construction/deforestation is taking place on that area pursuant to agendas Nos. 2, 3, 5 and 6 of the Minutes of the Meeting.
9. Mr. Kirtiman Singh, learned CGSC is present and has been apprised of the order passed today.
10. List on 08.01.2024.

JASMEET SINGH, J

DECEMBER 22, 2023 / (MS)

[Click here to check corrigendum, if any](#)



\$~138

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CONT.CAS(C) 934/2023

ANJALI COLLEGE OF PHARMACY AND SCIENCE THROUGH
ITS FOUNDER -CUM-CHAIRMAN DEVENDRA

GUPTA

..... Petitioner

Through: Mr. Gautam Narayan with
Ms. Prabhsahay Kaur and Mr. Aditya
N. Prasad, Amicus Curiae.
(M): 7217868306
Email: amicuscuriaedelhihighcourt@gmail.com

versus

DR. MONTU M. PATEL PRESIDENT PHARMACY COUNCIL OF
INDIA & ANR. Respondents

Through: Mr. Kirtiman Singh, CGSC with Mr.
Waize Ali Noor, Mr. Varun Rajawat,
Mr. Kartik Baijal, Ms. Vidhi Jain and
Ms. Shreya V Mehra, Advocates for
respondent/UOI.
(M): 8447785565
Email: kirtimansingh.cgsc@gmail.com
Mr. Sameer Vashisht, ASC, GNCTD.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
06.05.2024

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1. The present case has been put on office note, in view of the note dated 30th April, 2024, filed by the Amicus Curiae in the present matter.
2. As per the note, it is stated that this Court vide order dated 28th



August, 2023 had recorded the undertaking given by the Deputy Conservator of Forests (“DCF”) (West Division), that there will be adequate monitoring and appropriate deployment of staff to ensure that there is no dumping of material in the Central Ridge. Further, the DCF (West Division) had also assured the Court that there will be no further felling of trees, without intimation to the Court.

3. In the report, it is clearly stated that despite the aforesaid undertaking given before this Court, large scale felling of trees and clearing of forest land is taking place in the Central Ridge. Apart from the trees, the shrubs and other flora of the forest is also being cleared up. Photographs have been attached as *Annexure-A1 (Colly)*, along with the note, which shows not only felling of trees, but also show that large tracks of Central Ridge, have been made bereft of any trees or shrubs.

4. This Court is also perturbed in noticing that the photographs show that the soil has turned black, which clearly shows that burning of the area in Central Ridge, has taken place, due to which not only the trees, but also the shrubs in the Central Ridge have been destroyed, leaving only vacant land. The photographs also show large scale dumping of garbage in the Central Ridge. This is a very serious state of affairs.

5. The Central Ridge cannot be allowed to be degenerated in this manner by felling of trees and removal of the shrubs, when the city is already grappling with the pressing issue of rising pollution levels, which have attained dangerous proportions. Further, it is also appalling to note that the Central Ridge, which is our green heritage, is being used as a dumping ground of garbage and other waste materials.

6. This Court has taken a serious view of this matter, as the Central



Ridge provides not only the precious green cover in the City, but is also valuable for maintenance of the environment balance in the City, which is already facing serious concerns on account of severe pollution.

7. Considering the aforesaid grave lapses in maintaining the precious green cover in the Central Ridge, the Forest Department is directed to submit an explanation as to how and in what manner, the felling of trees and dumping of garbage and other waste materials, has been allowed to take place in the Central Ridge.

8. Further, the Forest Department and other local authorities are directed to ensure that no dumping of garbage or any other waste material is carried out in the Central Ridge. The concerned authorities are directed to forthwith take action and remove all the garbage and waste material from the Central Ridge.

9. It is further directed that no further felling of trees or removal of shrubs and other bushes shall take place in the Central Ridge, without the permission of the Court.

10. Mr. Sameer Vashisht, learned Additional Standing counsel appearing for the Delhi Government, submits that Geo Coordinates of the photographs, that have been attached with the present note, be shared with him, so that appropriate action can be taken.

11. Learned Amicus Curiae state that the GPS Location of the photographs, that have been attached along with the present note, have been shared with the learned counsel on his whatsapp, which fact is confirmed by learned Additional Standing counsel for the Delhi Government.

12. Let Action Taken Report be filed within a period of two weeks.

13. The DCF (West Division) is directed to appear before this Court



through Video Conferencing, on the next date of hearing.

14. List on 24th May, 2024.

MINI PUSHKARNA, J

MAY 6, 2024

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