

Item No. 10

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 38/2020

(With report dated 25.08.2020)

Satish Sharma

Applicant(s)

Versus

GNCT of Delhi & Ors.

Respondent(s)

Date of hearing: 03.09.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant(s): Mr. Rahul Khurana, Advocate

ORDER

1. A report was sought from PPCF, Delhi, with reference to the allegation that respondent no. 04, viz. Sajjan Singh Yadav, in connivance with the officers of Delhi Jal Board, felled 40-50 trees for making furniture.

2. Accordingly, a report has been filed by the PCCF, Delhi on 25.08.2020 *inter-alia* stating as follows:

"2. THAT complaint of Shri Satish Sharma, Managing Editor, Savera India Times dated 21.6.2019 regarding illegal felling of trees at Bungalow number 1, Hasanpur Tower (Near Nehru Park)

premises of Delhi Jal Board, Chanakyapuri, New Delhi was received by the Delhi Forest and Wildlife Department. (Copy of the complaint annexed as Annexure-I).

3. *THAT subsequently DCF (South) was directed to inspect the site. Staff of the Tree Offence Cell, South Division inspected the site and reported illegal felling of 3 trees and illegal pruning of 10 trees in the aforementioned property owned by Delhi Jal Board. The matter was processed as per the provisions of Delhi Preservation Of Tree Act 1994. Subsequently a Speaking Order dated 05.05.2020 was issued **compounding the offence conditional to the payment of Rs. 3,80,000 (Rs. 60,000 for each tree illegally felled and Rs. 20,000 for each tree illegally pruned) and plantation of 500 trees of native tree species such as Neem, Bargat, Peepal, Amaltas etc of 5 to 6 feet height by Delhi Jal Board by the end of June 2020.** (Copy of the Speaking Order dated 05.05.2020 annexed as Annexure – II).*

4. *THAT DCF(South) reported that in compliance to the conditions of compounding the case the amount of Rs. 3,80,000 was deposited by Delhi Jal Board but no compliance of the plantation of the 500 trees (copy of the letter dated 30.06.2020 is annexed as Annexure - III).*

5. *THAT Delhi Jal Board reported that the plantation of 500 trees of native species has been carried out at Delhi Jal Board staff quarter premises at Sewage Treatment Plant Kondli Delhi - 110091. (copy of the letter dated 4.08.2020 is annexed as Annexure -IV).*

6. *THAT DCF South reported that the plantation of 500 trees at Delhi Jal Board staff quarter premises at Sewage Treatment Plant Kondli Delhi - 110091 as reported by Delhi Jal Board was inspected*

and it was seen that the same site had already been proposed for compensatory afforestation (copy of the letter dated 11.08.2020 is annexed as Annexure- V).

7. THAT carrying out plantation of 500 trees of native species by the Delhi Jal Board by the end of June, 2020, is one of the conditions of the compounding offence which has not been carried out by the Delhi Jal Board till 11.08.2020.”

3. In view of the above, let further action be taken by the Delhi Jal Board (DJB) within one month which may be overseen by the PCCF, Delhi. If action is not taken, PCCF, Delhi may take coercive measures, following due process of law.

The application is disposed of.

A copy of this order be sent to the DJB and the PCCF, Delhi by e-mail for compliance.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

September 03, 2020
Original Application No. 38/2020
SN