

Item no. 1

(Court No. 2)

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.335/2023

Pramod Tyagi & Anr.

...Applicant

Versus

State of NCT of Delhi & Ors.

...Respondents

Date of order: 03.07.2023

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Rajendra Kr. Singh & Mr. Rajesh Kr. Singh, Advocates
for the applicant.

**Application under Sections 14, 15(1)(a), (c) and (4), 17(1) and (2) read
with Section 18 of the National Green Tribunal Act, 2010.**

ORDER

1. The applicant has filed present application under Section 14, 15(1)(a), (c) and (4), 17(1) and (2) read with Section 18 of the National Green Tribunal Act, 2010 complaining that about 3000 trees existed over land measuring 12 acres which was initially allotted by the Govt. of NCT of Delhi to Respondent no. 6-Society for Driver Training Institute. Subsequently, area measuring 4 acres was allotted out of the same to Respondent no. 5- Delhi Interagated Multi Model Transit System Limited. The applicant submitted application under the RTI Act 2005, seeking information regarding cutting of the trees and compensatory afforestation but the information sought has not been supplied to the applicant despite filing of an appeal against the order of the Public Information Officer. While complaining about the air pollution posing enormous health threat to local population, the applicant has sought directions to the respondents to stop unauthorized cutting of trees, to carry

out requisite plantation, initiate awareness campaigns and to file response with regard to steps taken towards implementation of the Air (Prevention and Control of Pollution) Act, 1981.

2. *Prima facie*, the averments made in the application raise substantial questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act, 2010.

3. In view of the above we consider it appropriate that the factual position be verified by seeking report from the Deputy Conservator of Forests-cum Tree Officer, Central Forest Division, Delhi who is accordingly directed to verify the factual position regarding all relevant aspects including cutting of trees unauthorizedly /without requisite permissions from the Tree Officer under the Delhi Preservation of Trees Act, 1994, number of trees felled, action taken regarding unauthorized felling of trees, permission, if any, granted for felling of trees, compensatory afforestation carried out in compliance with orders passed by the Tree Officer granting permission for cutting of the trees. Deputy Conservator of Forests-Cum Tree Officer, Central Forest Division, Delhi is also directed to ensure that in case of any illegal felling of trees action is taken against the persons responsible for the same in accordance with the provisions of Delhi Preservation of Trees Act, 1994.

4. Factual and Action taken Report be submitted **within one month** by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

5. List for further consideration on 08.09.2023.

6. A copy of this order, along with a copy of the application and documents attached with the same, be forwarded to the Deputy Conservator

O. A. No. 335/2023

Pramod Tyagi & Anr. Vs.
State of NCT of Delhi & Ors.

-3-

of Forests-cum- Tree Officer, Central Forest Division, Delhi by e-mail for
requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

July 03, 2023
N