

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

Original Application No.335/2023

Pramod Tyagi

Applicant

Versus

Transport Department

Respondent

Date of hearing: 19.09.2024

**CORAM: HON’BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON’BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant(s): Mr. Avdesh Kumar Singh, Advocate for Applicant.

Respondent(s): Ms. Jyoti Mendiratta and Ms. Anaya Basudha, Standing Counsel for respondent no. 1-GNCTD
Ms. Rashi Suri Advocate for Respondent no. 5 (through VC)
Ms. Anamika, DCF (Central) with Mr. Sarim Khan, Project Associate for Respondent No.2 and 8
Ms. Puja Kalra and Mr. Virendra Singh, Advocates for respondent No. 10 with Mr. Joginder Singh, Asst. Director, (Horticulture Department)
Ms. Kritika Gupta, Advocate for DDA
Mr. Amit Singh Chauhan, Ms.Shikha Chauhan and Ms. Shaima Masood, Advocates for CPCB (through VC)

ORDER

1. Today again request for adjournment has been made on behalf of respondent 2.

2. We find that permission of trees was granted by forest authorities without considering any relevant aspect and in a mechanical manner, just upon the request of Transport Department. This shows that the

order for cutting of trees has been passed without application of mind and in utter arbitrary manner.

3. Divisional Conservator of Forest, (Central) Ms. Anamika is present on virtual mode and stated that Transport Department has allotted land for aforestation, but identity of land is not known and that will take some time. This is again an unfortunate situation, we had, where without ensuring area where aforestation/plantation would have to be carried out, permission for cutting of trees was granted and for more than a year, when the matter is pending before Tribunal, still exercise of aforestation has not even commenced, and authorities are just looking for land and its identification.

4. We also take judicial notice of the fact that monsoon season is coming to end and the best season for plantation will not be available thereafter. Therefore, even exercise of aforestation if carried out afterwards, it will be less useful.

5. In these facts and circumstances, we find no option but to direct Principal Chief Conservator of Forest, Delhi and Principal Secretary, Transport Department to appear before Tribunal on the next date.

6. List for further consideration on 01.10.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

September 19, 2024
Original Application No. 335/2023
M