

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

Original Application No. 132/2014

Greater Kailash-II Welfare Association Vs. South Delhi Municipal Corporation

**CORAM: HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER
HON'BLE DR. G. K. PANDEY, EXPERT MEMBER
HON'BLE SHRI BIKRAM SINGH SAJWAN, EXPERT MEMBER**

Present: Applicant/Appellant(s) :

Date and Remarks	Orders of the Tribunal
Item No. 2 July 7, 2014	<p>Heard. Perused.</p> <p>The Applicant Greater Kailash-II Welfare Association has filed the present Application seeking restoration of the Environment in Uday Shankar Park and restraint on the Respondent South Delhi Municipal Corporation from making any constructions and cutting of trees in the park.</p> <p>Learned Counsel appearing on behalf of the Applicant submits that the land reserved for recreation purposes, now being converted and put to use for construction of MCD Staff workers and Commissioner's Bungalow, has been serving senior citizens as well as the children for such purposes since many years.</p> <p>Countering this submission, learned Counsel appearing for the Respondent No. 1 invited our attention to a bunch of documents, namely, copies of : tree permission dated 6.6.2014, letter from Deputy Conservator of Forest and Tree Officer dated 13.05.2013, letter dated 29.05.2014 from Executive Engineer, South to the Deputy Conservator of Forest, Cheque of Rs. 3,22,000/-, list of existing trees, goggle image of the site, photographs of the trees, letter dated 9.6.2014 from Executive Engineer to Deputy Director of Horticulture, letter dated 26.06.2014 from Executive Engineer to Deputy Director, Horticulture, Site Plan of the proposed construction lay out plan</p>

of the Greater Kailash – II Welfare Association and submitted that out of 62 trees shown in the list existing as existing at the site, 10 trees described in the permission dated 06.06.2014 and shown to be situated as per the site plan of the construction in question have already been cut following the said permission for the purposes of clearing the land for construction of 600 sq. mtrs. of the Community Hall.

She further submitted that compensatory afforestation with 100 trees could be done at nearby MCD nursery and the very site proposed in equal proportions-50 at MCD Nursery admeasuring 2000 sq. mtrs. approximately and 50 trees at the site proposed. This statement is made on instructions from Shri N.K. Jain, Assistant Engineer, South MCD, Project South, present before us.

She further submits that there shall be no more cutting of the trees at the site. She denies the contention of the Applicant that the construction undertaken is for MCD quarters and Commissioner's Bungalow.

This controversy needs to be brought on record with averments duly made before the interim Order is modified.

An advance copy of the reply along-with the annexures thereto shall be furnished to the Applicant. The Applicant shall file rejoinder thereto within a Week thereafter.

List the matter on 14th July, 2014.

....., JM
(U.D. Salvi)

....., EM
(Dr. G. K. Pandey)

....., EM
(B.S. Sajwan)