

**Full Title of the Project:** Construction of underground station at Krishna Park and elevated corridor between Keshopur to Mukarba Chowk for Janakpuri to RK Ashram Corridor of MRTS phase-IV in the state of NCT Delhi.

**Proposal No. :** FP/DL./RAIL./49562/2020

**Date of Proposal:** 28.10.2020

Check list serial number: 19

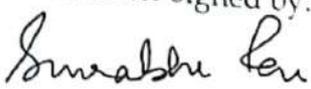
**DETAILED REPORT ON VIOLATION OF PROVISIONS OF FOREST ACTS**

a) The extent (in hectare) of forest land broken/encroached and the number of trees illicitly felled.	1.146 Ha.
b) The name & designations of the officials/persons who are prima-facie responsible for the contravention of the provisions of the Act, supported by requisite documents.	1. Sh. C.P. Singh, Chief Project Manager-2, DMRC Pvt. Ltd., Opposite Inderlok Metro Station, Shehzada Bagh, Delhi-110035. 2. Chief Engineer, North Maintenance Zone, PWD, 5 <sup>th</sup> Floor, MSO Building, I.P.Estate, New Delhi-110002
c) In case, it is not possible to fix the responsibility for commission/omission of any action leading to violation of the provision of the Act, full explanation with relevant supporting documents to be appended.	-
d) Details of action taken by the DFO against illicit felling/encroachment/illegal mining, etc., under the provisions of IFA-1927/PLPA-1900/other State Forest Acts, etc.	Violation of FCA, 1980 by DMRC has been reported by then DFO vide officer letter no. F.66 /WFD /COT /19-20 / 2609-13 dated 18/08/2020 (copy enclosed). In order to protect trees/forest area till approval, the DFO had restrained the DMRC from doing any digging work near trees and for ceasing construction activity vide restraintment order dated 28/02/2020 ( copy enclosed)

Place: - Delhi

Date: - 18/01/2022

  
Divisional Forests Officer  
North Forest Division  
North Forest Division  
Govt. of NCT of Delhi  
MOCC, Allpur, Bakthwarpur Road  
Bakoli, Delhi-110036  
Counter signed by:-



Dr. Surabhi Rai, IFS  
Conservator of Forests  
Department of Forests & Wildlife  
Govt. of NCT of Delhi  
A-Block, IInd Floor, Vikas Bhawan  
I.P. Estate New Delhi-110002

GOVT OF NCT OF DELHI  
DEPARTMENT OF FOREST & WILDLIFE,  
OFFICE OF THE DY. CONSERVATOR OF FOREST (WEST)  
WEST FOREST DIVISION, MANDIR LANE, NEW DELHI-110060  
F.66/WFD/COT/19-20/ 2609-13

DATED: 18-8-2020

To,  
The CCF/Nodal Officer  
Dept. of Forest and Wildlife  
2<sup>nd</sup> Floor Vikas Bhawan  
I.P. Estate, New Delhi-110002

**Sub: Information regarding Prima Facie violation of Forest Conservation Act, 1980, by DMRC in the proposal for construction of Metro Corridor from Janak Puri to Mukarba Chowk.**

Madam,

**Introduction:**

The proposed corridor construction area is along Outer Ring Road from Vikas Puri to Mukarba Chowk. The starting portion of Metro Corridor from Vikas Puri side which will be underground and after that the proposed corridor will go through DJB land, I&FCD land and PWD Road.

After receiving complaints from A.N. Prasad regarding damaging of Trees by DMRC, the site was inspected by field staff and it was reported that roots of some trees were damaged due to trenching near trees and a portion of Nagafgarh Drain was found filled with soil in order to do the piling work. This portion of Nagafgarh drain was shown as plantation area in GSDL Map.

In order to protect the trees till approval the undersigned had restrained the DMRC from doing any digging work near trees and for ceasing construction activity on Najagarh Drain till the necessary approval vide restraintment order dated 28/02/2020. (Annexure-1)

Another complaint was received from Sh. A.N. Prasad stating that the DMRC is violating the Forest Conservation Act, 1980, as they are working on Road No. 26, which is listed as Forest area and plantation areas along roads under P.W.D per the affidavit of the Conservator of Forests, Delhi dated 15.09.1997 before the Hon'ble Supreme Court of India, in the matter of T.N. Godavarman Thirumulpad v Union of India &Ors. W.P (C) No. 202 of 1995. This office has not received any information/document from DMRC about their working on Road No. 26.

After going through said affidavit, it was found that a section of this Road No. 26 (length 5.34 Km) is listed as Forest/Plantation area along Road managed by PWD. The staff of this division inspected the site on 31/07/2020 and taken a photo of road sign board written with Outer Ring Road No. 26, put by PWD near Meera Bagh on Outer Ring Road.

After receiving this information the undersigned had directed the field staff to immediately stop the construction work of DMRC going on Road No. 26. Sh. A.N. Prasad has again complaint that the DMRC is still working on Road No. 26 and Drain area on the night of 31/07/2020. The field staff was again directed to stop the work on 01/08/2020. (Annexure-2)

The undersigned has also clearly directed DMRC vide letter dated 10/08/2020 to stop and cease all the construction activity on Road No. 26 till the identification of the 5.34 Km. Plantation/Forest area and also reminded about the para 4.4 of the guidelines on application of

Forest (Conservation) Act, 1980 issued by Ministry of Environment, Forest and Climate Change. (Annexure-3)

The Chief Project Manager-2, DMRC, in response to this office letter dated 10/08/2020 has stated that *"we are going ahead with the work which is not at all affecting the trees in anticipation of amending direction issued vide letter dated under reference above and the stretch where trees are there will be taken up only after approval of forest department"*. (Annexure-4)

DMRC has clearly disobey the directions issued vide letter dated 10/08/2020 (Annexure-3) and refuse to stop work on the Road No. 26 till the identification of the 5.34 Km, Plantation/Forest area, as stated in their letter dated 11/08/2020. They also have never stopped the work on Najafgarh Drain Area despite the Restraintment Order dated 28/02/2020.

In the absence of any documentary proof and the PWD officials were also unable to identify the plantation area mentioned in the affidavit of Conservator of Forests, Delhi, the undersigned has directed the concerned staff to inspect the site and check from the satellite images on Google Earth of the Outer Ring Road. After going through the Google Earth's images of 2000-2001 and site inspection the staff has reported that the stretch of road from Vikas Puri to Peeragarhi is identical to the 5.34 Km. Plantation/Forest Area mentioned in the affidavit of Conservator of Forests, Delhi. (Annexure-5)

The undersigned has intimated to DMRC vide this office letter dated 11/08/2020 about the location of the 5.34 Km. Plantation/Forest Area on Road No. 26. Also DMRC was directed not to carry out any construction work on the portion of Road No. 26 and Najafgarh Drain. (Annexure-6)

The staff of this division have visited the site on 14/08/2020 to ascertain area affected on Road No. 26 and observed that the work of construction by DMRC is still continue on the Road No. 26. (Detailed report is placed at Annexure-7)

#### **Details of Violations:**

- 1. Total Deemed Forest area: Najafgarh Drain area and Plantation/Forest Area on Road No. 26 (5.34 Km)**
- 2. Affected area/violation area: 1300 Sq. Mtr. on Najafgarh Drain and 10160 Sq. Mtr. on Road No. 26. Total affected area is 11460 Sq. Mtr./1.146 Ha.**
- 3. Nature of violation/activity:**
  - A. The work of shifting of drain and multiple trenching has been observed in portions of area barricaded.**
  - B. Piling work has been observed on Road No. 26 in Meera Bagh area, near Pillar No. 71 of elevated road Corridor.**
  - C. Also a machine has been found breaking old drain on above mentioned sections near Pillar No. 69.**
  - D. Work of earth filling in Najafgarh Drain and work of Piling in the Najafgarh Drain is also observed.**
  - E. Office setup has also been observed in Najafgarh Drain's left embankment and area, near Radisson Blue Hotel.**
  - F. Barricading of area of Road No. 26, which is listed as the Plantation/Forest area of 5.34 Km. in Road No. 26 on Outer Ring Road, which was listed in the affidavit**

submitted by Conservator of Forests, Delhi, in Hon'ble Supreme Court of India, in the matter of T.N. Godavarman Thirumulpad v Union of India & Ors. W.P (C) No. 202 of 1995.

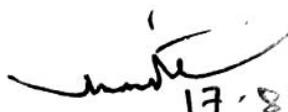
**Photos along with Geo-coordinates of the site are attached. (Annexure-8)**

**Submission:**

**The affected area/violations area is under the possession of PWD and working permission has been given to DMRC. After considering all the facts, it is prima facie found that offence under Forest Conservation Act, 1980, may be committed by DMRC in the area near Najafgarh Drain and on Road No. 26. This is also evident from the reply of CPM-II, DMRC (Annexure-4) when the work of identification of the Plantation/Forest Area on Road No. 26 was in progress.**

**The above said activity therefore attracts the provisions under Section-2 of Forest Conservation Act, 1980.**

Attached - As above

  
17.8.  
**S.K. MuanGuite**  
**Dy. Conservator of Forest**  
**(West Forest Division)**

GOVT OF NCT OF DELHI  
DEPARTMENT OF FOREST & WILDLIFE,  
OFFICE OF THE DY. CONSERVATOR OF FOREST (WEST)  
WEST FOREST DIVISION, MANDIR LANE, NEW DELHI-110060

F.66/WFD/COT/19-20/ 10401 — 10405

DATED: 28/02/2020

RESTRAINTMENT ORDER

This office is in receipt of a complaint from Sh. A.N. Prasad (Advocate) regarding illegal felling of trees on the outer ring road No-26 (Vikasपुरी to MeeraBagh Section) violation of National Green Tribunal order 29.01.2014 in the matter of Dr. P.C. Prasad &Ors. Vs. Govt. of NCT of Delhi &Ors. O.A. No. 149/2013.

In this regard, the site has been inspected by the officials of this Division and it has been reported that one tree has been completely felled due to excavation work in Keshopur District Park and roots of few other trees in the project area have been found damaged due to digging work. In addition, many trees have been covered by the barricading and area of Najafgarh Drain is being filled by the soil.

Therefore, you are hereby directed to cease all the digging work near trees and you are also directed to take necessary steps to save trees by putting the soil on the exposed roots by due to digging/excavation work, till the approval/decision regarding removal/transplantation of trees may be issued.

The portion of Najafgarh drain coming in the alignment of the project is a site of plantation done by the IFCD, GNCTD as per GSDL map available in this office, so you are also directed to cease all the construction activity in the Najafgarh Drain Area until necessary approval.

To,

Sh. C.P. Singh, Chief Project Manager-2  
Delhi Metro Rail Corporations Pvt. Ltd.  
Opposite Inderlok Metro Station,  
ShehzadaBagh, Inderlok, Delhi-35

Yours faithfully

  
DEPUTY CONSERVATOR OF FORESTS  
WEST FOREST DIVISION

Copy to:

1. The PCCF/HOD, Department of Forest & Wildlife, Govt. of NCT of Delhi, A-Block, IInd Floor, VikasBhawan, I.P. estate, New Delhi-02 for kind information.
2. The CCF(A), Department of Forest & Wildlife, Govt. of NCT of Delhi, A-Block, IInd Floor, VikasBhawan, I.P. estate, New Delhi-02 for kind information.
3. The C.F, Department of Forest & Wildlife, Govt. of NCT of Delhi, A-Block, IInd Floor, VikasBhawan, I.P. estate, New Delhi-02 for kind information.
4. Sh. A.N. Prasad, Law Office, Chamber No-505, Patiala House Court Complex, New Delhi-01 for information.

  
DEPUTY CONSERVATOR OF FORESTS  
WEST FOREST DIVISION