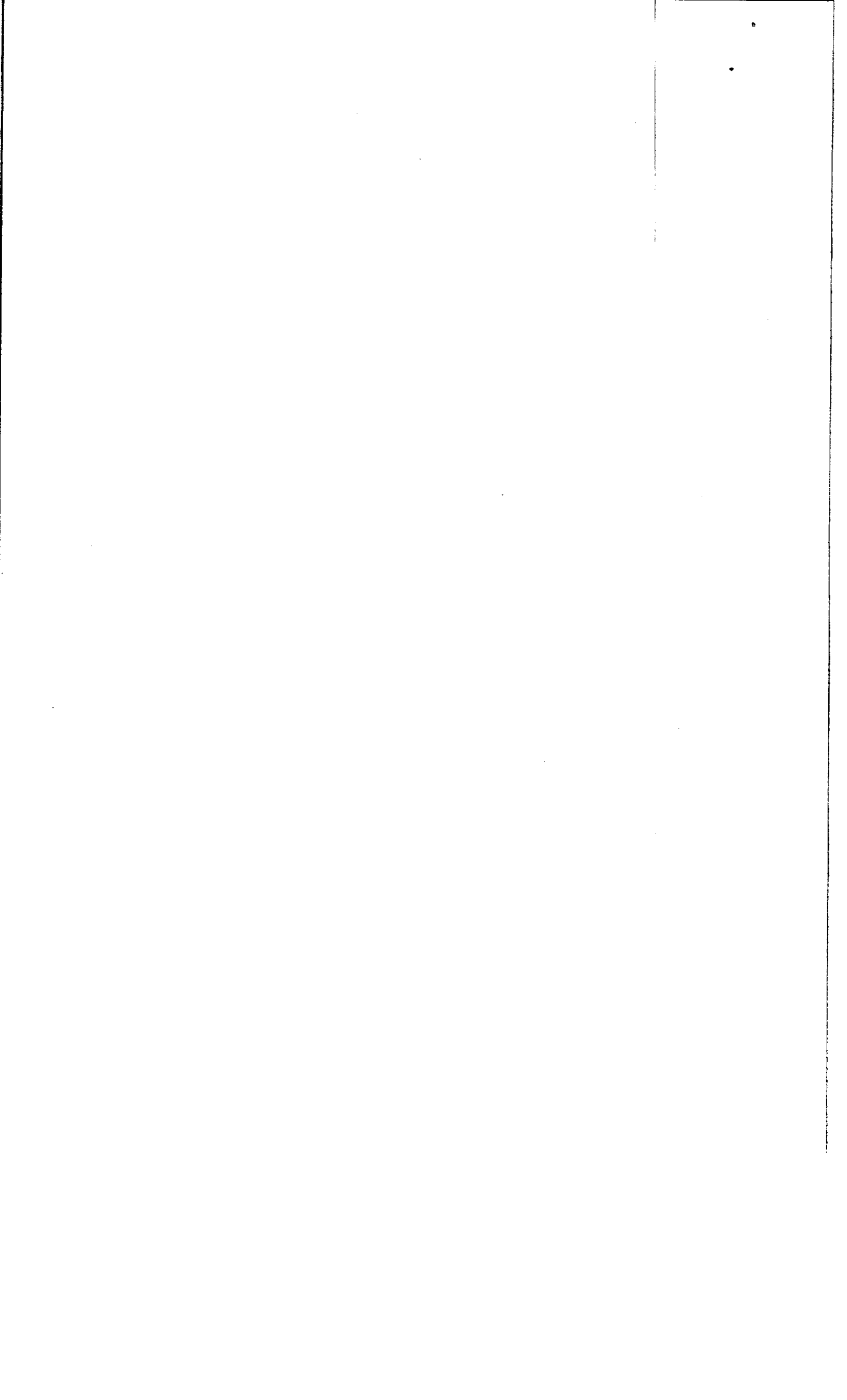


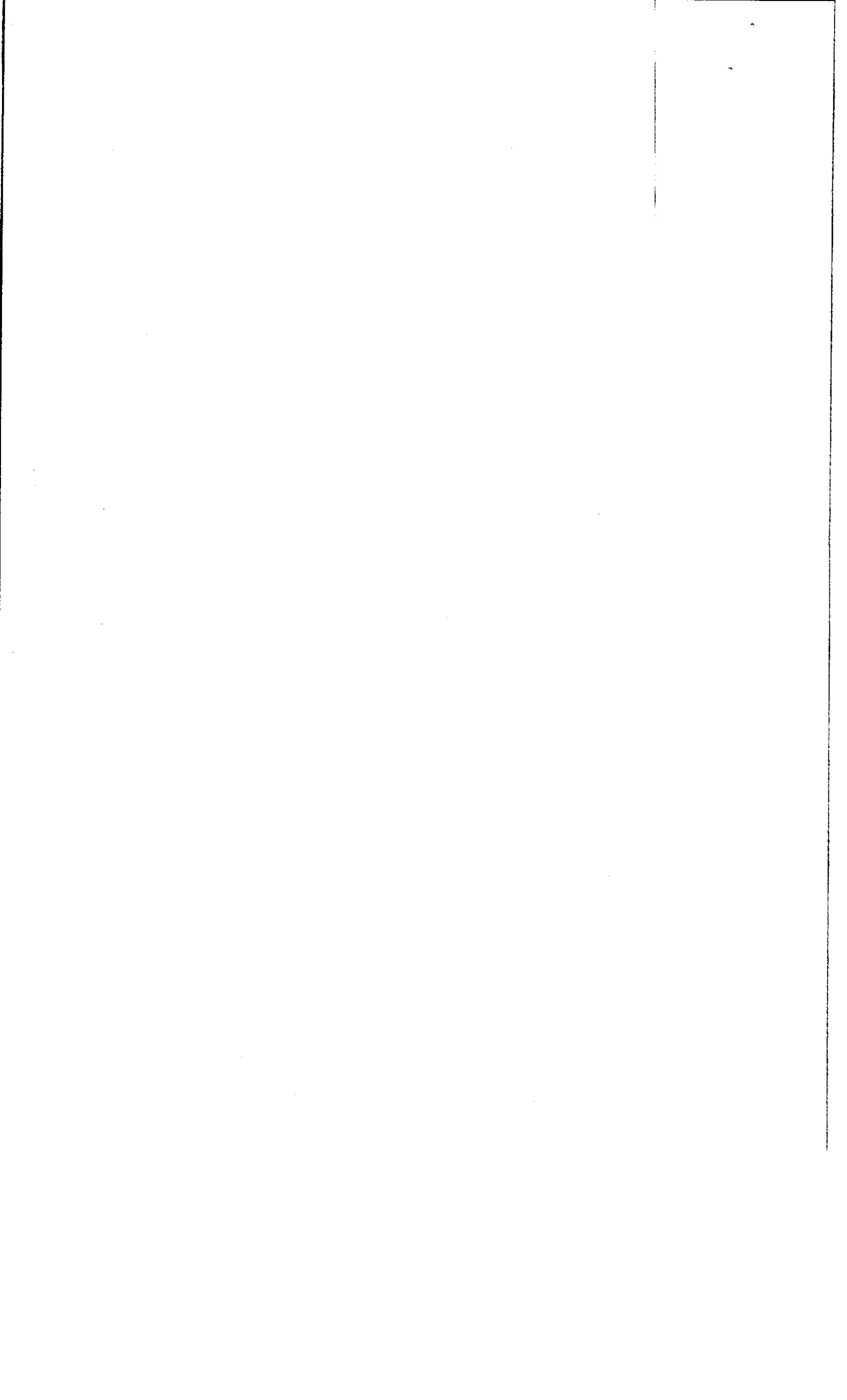
शहरी विकास विभाग
राष्ट्रीय राजधानी क्षेत्र: दिल्ली सरकार
9वां तल, सी-विंग, दिल्ली सचिवालय, इन्द्रप्रस्थ इस्टेट, नई दिल्ली

विधायक का नाम : श्री सुखबीर सिंह दलाल
दिनांक : 07.08.2018
विधान सभा तारांकित प्रश्न संख्या : 26
क्या शहरी विकास मंत्री यह बताने की कृपा करेंगे कि :-

क्र. सं.	प्रश्न	उत्तर
क	रामा विहार, उत्सव विहार पार्ट-1, बलदेव विहार, शिव विहार, उत्सव विहार पार्ट-2 की एन.ओ.सी. के संबंध में वर्तमान स्थिति क्या है;	<p>उत्तरी दिल्ली नगर निगम रामा विहार, उत्सव विहार पार्ट-1, बलदेव विहार, शिव विहार, उत्सव विहार पार्ट-2 की एन.ओ.सी. के संबंध में वर्तमान स्थिति की जानकारी इस विभाग के पास नहीं है। यह कॉलोनीयां उत्तरी दिल्ली नगर निगम को ट्रांसफर नहीं की गई हैं।</p> <p>वन एवं वन्यजीव विभाग वन एवं वन्यजीव विभाग, राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार ऐसी कोई NOC नहीं देता है। हालांकि इन कॉलोनीयों के संबंध में वर्तमान स्थिति इस विभाग द्वारा शहरी विकास विभाग को निम्नलिखित पत्रों द्वारा भेजी जा चुकी है:</p> <ol style="list-style-type: none"> 1. बलदेव विहार कॉलोनी, पंजीकृत संख्या 55, पत्र संख्या F.157/DCF(W)/Land/NOC/2017-18/1091-95 दिनांक 28.05.5018 (प्रतिलिपि अनुलग्न 'ए' पर संलग्नित है। 2. शिव विहार कॉलोनी, पंजीकृत संख्या 110, पत्र संख्या F.2(119)/DCF(W)/Land/NOC/Shiv Vihar/2017-18/1086-90 दिनांक 28.05.5018 (प्रतिलिपि अनुलग्न 'बी' पर संलग्नित है। 3. उत्सव विहार कॉलोनी, पंजीकृत संख्या 309, पत्र संख्या F.154/DCF(W)/Land/NOC/Utsav Vihar/2017-18/1127-31 दिनांक 28.05.5018 (प्रतिलिपि अनुलग्न 'सी' पर संलग्नित है। 4. रामा विहार कॉलोनी, पंजीकृत संख्या 297, पत्र संख्या F.2(79)/DCF(W)/Ram Vihar Colony Karala/2016-17/307-309 दिनांक 16.04.5018 (प्रतिलिपि अनुलग्न 'डी' पर संलग्नित है। <p>सिंचाई एवं बाढ़ नियंत्रण विभाग वर्णित कॉलोनीयां डीएसआईडीसी से सिंचाई एवं बाढ़ नियंत्रण विभाग को दिनांक 25.07.2018 में हस्तारित हुई है। अतः वर्तमान में इस प्रकार की कोई सूचना संज्ञान में नहीं है।</p>
ख	क्या यह सत्य है कि मुण्डका विधान सभा के रामा विहार खसरा नं0 23 के संबंध में कोई विवाद है जिसके कारण पूरी कॉलोनी को एन.ओ.सी. नहीं दिया गया है;	<p>उत्तरी दिल्ली नगर निगम उपरोक्तानुसार</p> <p>वन एवं वन्यजीव विभाग इस विभाग के पास रामा विहार खसरा संख्या-23 के संबंध में विवाद की कोई भी जानकारी उपलब्ध नहीं है। हालांकि विभाग के पास उपलब्ध अभिलेखों तथा GSDL द्वारा प्रदान किए गए नक्शों के अनुसार यह खसरा Unclassified Forests के अंतर्गत आता है।</p> <p>सिंचाई एवं बाढ़ नियंत्रण विभाग उपरोक्तानुसार।</p>
ग	यदि हां, तो इसके क्या कारण हैं;	<p>उत्तरी दिल्ली नगर निगम उपरोक्त 'क' के अनुसार</p> <p>सिंचाई एवं बाढ़ नियंत्रण विभाग उपरोक्त 'ख' के संदर्भ में लागू नहीं होता।</p>
घ	दिल्ली में दो अथवा अधिक कॉलोनीयों को जोड़ने वाली सड़कों के निर्माण के संबंध में क्या नीति है;	<p>उत्तरी दिल्ली नगर निगम उपरोक्त 'क' के अनुसार</p> <p>सिंचाई एवं बाढ़ नियंत्रण विभाग नीतिगत मामला होने के कारण इस विभाग के अधिकार क्षेत्र से संबंधित नहीं है।</p>
ड	क्या यह सत्य है कि डीएसआईआईडीसी अन्य विभागों जैसे सिंचाई एवं बाढ़ नियंत्रण इत्यादि	<p>उत्तरी दिल्ली नगर निगम उपरोक्त 'क' के अनुसार</p>



-	को उन कालोनियों में विकास कार्यों के कार्यान्वयन हेतु एन.ओ.सी. नहीं दे रहा है जिन्हें डीएसआईआईडीसी को सौंप दिया गया है;	<u>सिंचाई एवं बाढ़ नियंत्रण विभाग</u> उपरोक्त 'क' के अनुसार ।
च	यदि हां, तो इसके क्या कारण हैं;	<u>उत्तरी दिल्ली नगर निगम</u> उपरोक्त 'क' के अनुसार <u>सिंचाई एवं बाढ़ नियंत्रण विभाग</u> उपरोक्त 'ड' के अनुसार प्रश्न नहीं उठता।
छ	दिल्ली में विभिन्न कालोनियों, वन क्षेत्रों इत्यादि के जी.एस.डी.एल. नक्शे कौन सी एजेंसी बनाती है;	<u>उत्तरी दिल्ली नगर निगम</u> उपरोक्त 'क' के अनुसार
ज	दिल्ली में जी.एस.डी.एल. नक्शों की प्रमाणिकता कौन सी अथॉरिटी सत्यापित करती है;	<u>उत्तरी दिल्ली नगर निगम</u> उपरोक्त 'क' के अनुसार
झ	दिल्ली में जी.एस.डी.एल. के नक्शों को यूडी की वेबसाइट तथा अन्य संबंधित वेबसाइटों पर कौन सी अथॉरिटी अपलोड करती है;	<u>उत्तरी दिल्ली नगर निगम</u> उपरोक्त 'क' के अनुसार
ट	मुण्डका विधान सभा में रामा विहार कालोनी, उत्सव विहार, शिव विहार के जी.एस.डी.एल. नक्शों को किस अथॉरिटी ने बनाया, स्वीकृत किया एवं अपलोड किया; और	<u>उत्तरी दिल्ली नगर निगम</u> उपरोक्त 'क' के अनुसार
ठ	यदि किसी विशेष क्षेत्र में वन विभाग, वन भूमि के न होने के बारे में कहता है परन्तु जी.एस.डी.एल. वहां वन भूमि दिखाता है, ऐसी स्थिति में इस विरोधाभास के लिए कौन जिम्मेदार है?	<u>उत्तरी दिल्ली नगर निगम</u> उपरोक्तानुसार



3

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF FOREST & WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
WEST FOREST DIVISION: MANDIR LANE, NEW DELHI-60

F.157/DCF (W)/ Land/NOC/2017-18/ 1091 - 95

Dated - 28/05/2018

To,

The Dy. Secretary (U.C)
GNCTD, Deptt of Urban Development,
Unauthorized Colony Cell
9th Level, C-Wing, Delhi Sectt.
I.P. Estate, New Delhi-02

Sub: Status of forest areas in Baldev Vihar Unauthorized colony, Delhi, bearing Regn. No-55 Reg

Sir,

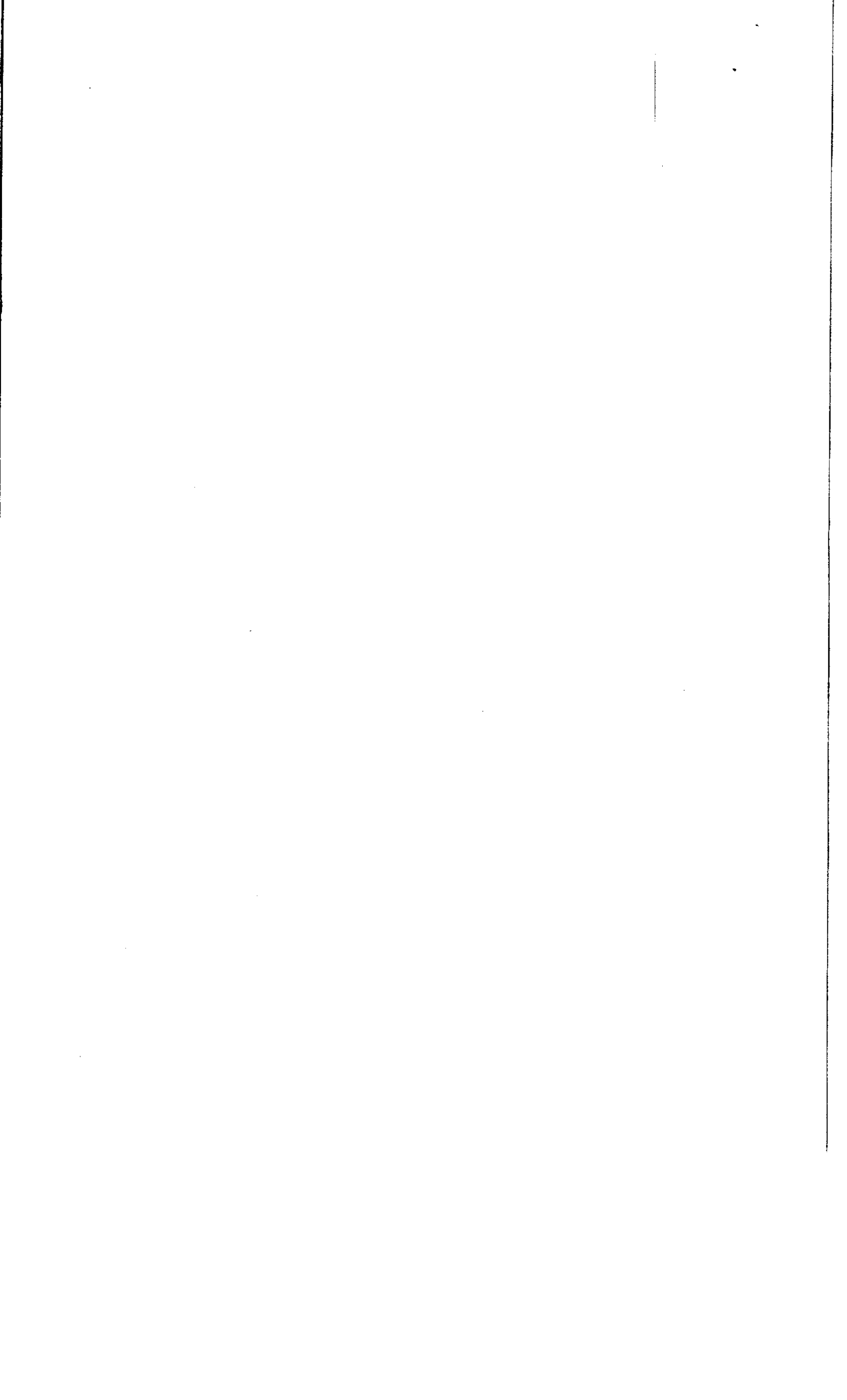
This office is in receipt of minutes of a meeting chaired by the Hon'ble Minister, Env. & Forest, wherein a clarification was asked for regarding the status of forest land in Baldev Vihar Unauthorized colony, bearing registration number 55 (Annexure I).

In this regard, it is brought to your notice that the Department had, vide Conservator of Forests letter dated 12/12/2014 conveyed a list of 159 colonies affected by forest areas along with copies of Notifications, and orders pertaining to Forest Department along with maps prepared by the Special Task Force consisting of Revenue and Forest Department officials. As per the report submitted by the Conservator of Forests, GNCTD, Baldev Vihar Unauthorised Colony having registration number 55 was one of the 159 colonies affected by Forest areas. The reason stated was that the said colony was falling in the morphological ridge (Annexure- II).

Before the above letter received in this office, a letter has been written to the Joint Secretary, Urban Development Department, GNCTD, on 12.12.2014, by the Conservator of Forest, Department of Forest & Wildlife, by enclosing the copies of Notification & Orders pertaining to Forest with maps with ready reference, which was prepared by STF, consisting of Revenue officials and Forest officials and validated by GSDL. As per the report submitted by the Conservator of Forest, GNCTD, it was stated that the number of colonies falling in Forest is now taken as 159 out of which Baldev Vihar, having registration number-55 was one among them(Annexure-II). The reason stated was that the certain portion of colony was falling on the morphological ridge. Further it was mentioned in the maps were the map of Morphological Ridge prepared by GSI in particular scale and its fine tuning on DSSDI platform and may be taken as tentative, subject to verification on the ground by the competent authority

To ascertain the actual status of the Baldev Vihar unauthorized colony, the DCF (West), has written a letter to the GSDL on 10/08/2016, regarding the detailed map of land at Baldev Vihar Unauthorized Colony registration number-55, Delhi. Meanwhile, when processing the cases of other unauthorized colonies which fall in the jurisdiction of this Division, some discrepancies were observed in the maps provided by GSDL and the data supplied by Revenue Department. Therefore, GSDL was asked to clarify the source of the data used and was also requested to provide another set of maps so that all relevant information can be placed on record. On perusing the current set of maps provided by GSDL to this office, it is observed that no part of Baldev Vihar Colony UC-55 falls under Notified Forest/Wildlife Sanctuary or Morphological Ridge. However, it is pertinent to mention that during meetings with GSDL personnel, GSDL was also requested to provide the original data

O/S



4

based on which these colonies were said to be affected by Forest Land, but GSDL has not been able to provide the same so far.

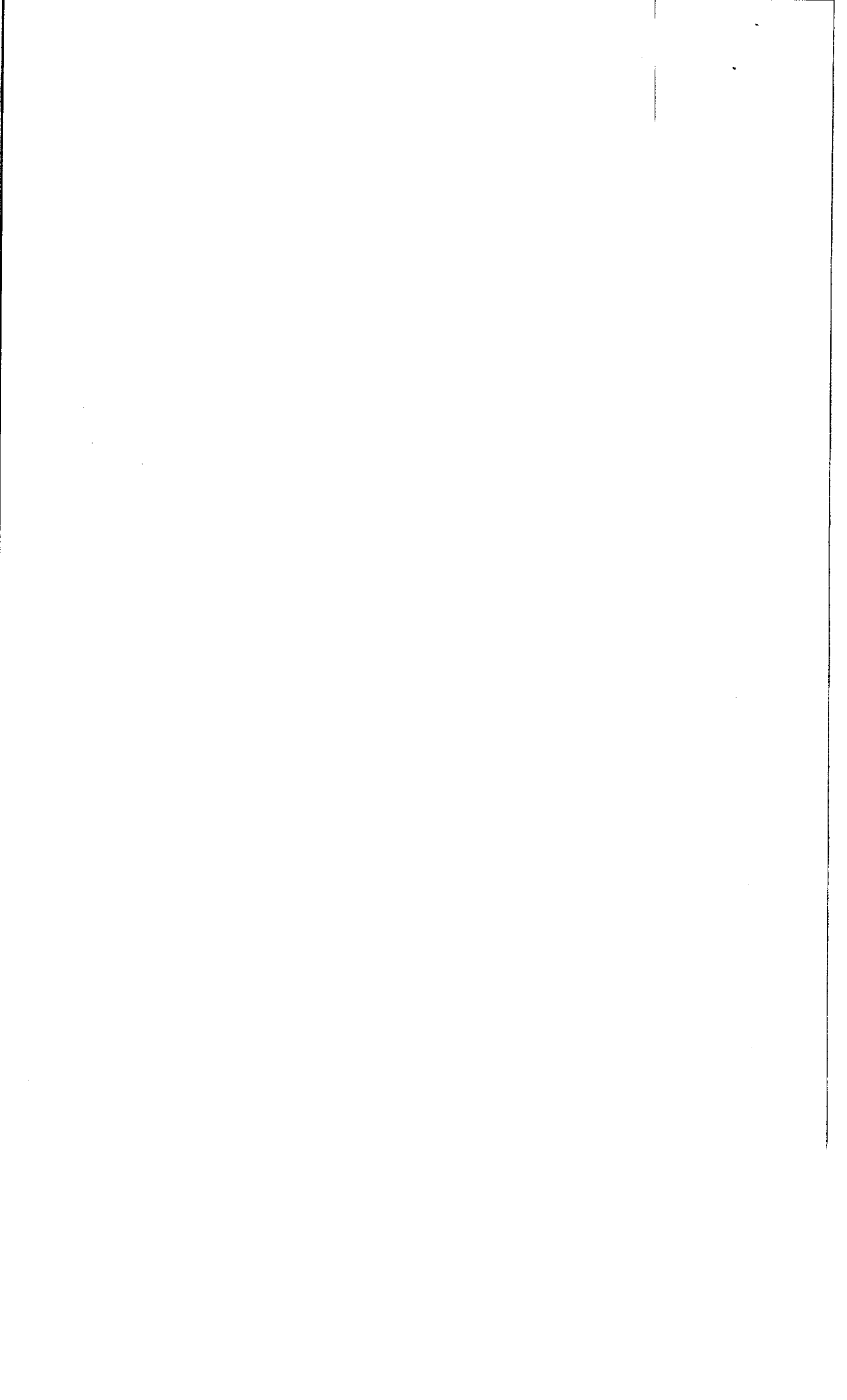
Further, to ascertain the status of Khasra of Forest Department in the said unauthorized colony, this office has written a letter to the SDM, Kanjhawala and Block Development Officer, Kanjhawala, New Delhi dated 17/11/17, regarding the clarification of forest land of Baldev Vihar, reg. No-55 (Annexure-III). In reply a letter has been received in this office from the SDM Kanjhawala vide letter no. F.SDM/K/Misc./2016-17/3930 dated 22/12/2017 stated that, "As per records, no Forest land is there in Baldev Vihar Colony" (copy of letter is attached as Annexure-IV). The BDO, Kanjhawala vide his letter no. 2442 dated 25/01/2018 and referring to 'forest land of Utsav Vihar, Karala, Shiv Vihar, Karala, and Shiv Vihar, Karala', states that, "As per report of Halka Patwari and duly signed by Tehsildar (Kanjhawala), as per record no land in the name of forest" (Annexure-V).

The Dy. Range Officer, Nangloi Range has carried out the actual survey of the area, and has checked the Range Records, and the list of khasras provided by the RWA and stated that none of the khasras are with the Forest Department. With respect to Gram Sabha land handed over to Forest Department in 1993 in Karala area, he states that a joint survey was carried out with the concerned Patwari and Kanungo on 16/7/2016 and that there no Gram Sabha land allotted to Forest Department in Baldev Vihar Colony (copy of report dated 27/7/2016 is attached as Annexure-VI).

However, it is seen from records that representatives of the unauthorized colony in a letter addressed to D.R.O Nangloi Range had asked for verification of Khasras 57/1/1, 57/9, 57/10, 57/11, 57/12, 57/3, 57/7/2, 57/8, 57/13, 57/14/1, 58/4, 58/5, 58/6, 58/7, 15/2 stating that these have been submitted to UD as per the map of Baldev Vihar (Annexure VIII). The DCF West had accordingly written a letter to GSDL asking for a map of areas coming under above said Khasras, and also stating that the Chairman, Baldev Vihar Colony was to provide geocoordinates for the exercise (Annexure IX). This map has not been received. *It may be noted that while the map provided by GSDL shows a part of khasra 15 as part of the unauthorized colony, Khasra 57 and 58 are missing entirely from the map provided to this Division.* It is requested that Department of Urban Development may please check the maps in its records before proceeding further, as there appears to be a discrepancy. The result of this exercise may please be communicated to this Department as well.

At this stage it is pertinent to point out that when GSDL was asked for clarifications regarding the data used for this exercise, GSDL has responded by saying that Revenue Department data has not been validated by the concerned Department (Annexure- IX). In particular, during discussions with staff of the Forest Department, GSDL staff has conveyed apprehensions regarding location of khasra boundaries. This is relevant because the maps and khasra boundaries contained therein are used by the Department to identify affected khasras. In this case validation of data becomes all the more important because of close proximity of patches of unclassified forest to the location of this UC as per maps supplied by GSDL. While the above exercise has been carried out in response to UD Department's Minutes of meeting dated 06/11/2017 keeping in mind representations received in the office of the APCCF and the undersigned, it is now for UD Department to assess the manner and desirability of proceeding further when the basic data itself has not been validated.

Furthermore, the considered opinion of the Department in such matters has already been communicated by the undersigned's controlling officer in a similar case, vide Conservator of Forests letter no. F. No.8 (118)/PA/CF/RUC/Part-VI/7916-22 dated 17/01/2018 (copy of letter is attached as Annexure-X) whereby clarifications have been sought from Department of Urban Development regarding its own guidelines and statements, and concerns of this Department regarding the applicability of Forest Conservation Act, 1980 have been conveyed. A copy of the letter is enclosed for your ready reference and it is requested that the same be perused carefully.



5

Lastly, it is emphasized that all guidelines laid down by the Hon'ble Supreme Court of India in various judgments, with special reference to the T.N. Godavarman vs. Union of India case, and the definition of forests therein, would be applicable to forested area of any type, and land with the status of forest irrespective of the ownership of land.

Yours faithfully,



**DY. CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)**

Encl: As above

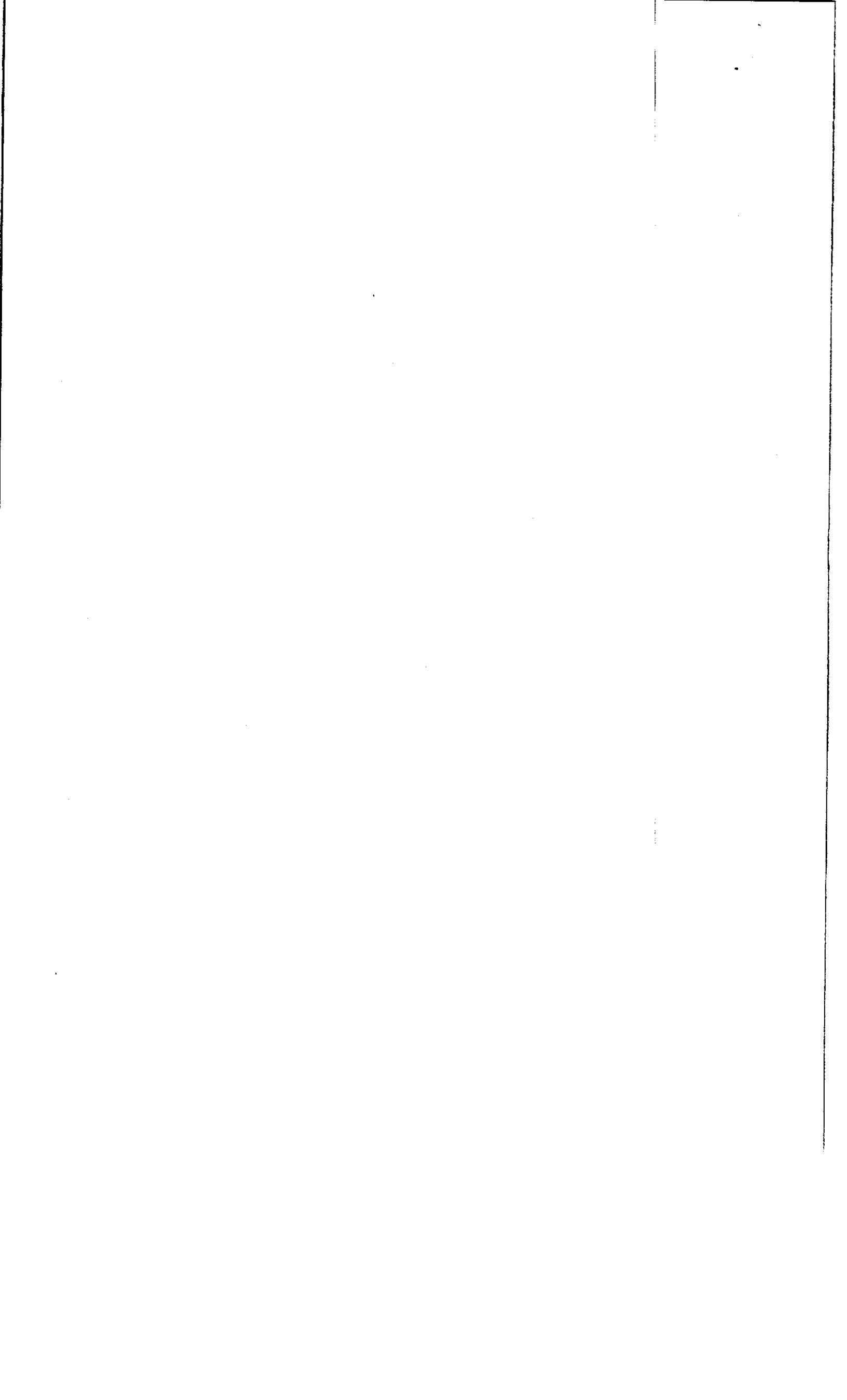


Copy To:

1. The Secretary to Hon'ble Minister, Env. & Forest, GNCTD, 8th Floor, Delhi Sachivalaya, I.P. Estate, New Delhi for kind information.
2. The PCCF/HOD, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
3. The APCCF/CWLW, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
4. The Conservator of Forest, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.



**DY. CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)**



6

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF FOREST & WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
WEST FOREST DIVISION: MANDIR LANE, NEW DELHI-60

F.2 (119)/DCF (W)/ Land/NOC/Shiv Vihar/2017-18/1086-90 Dated 28/05/2018

To,

The Dy. Secretary (U.C)
GNCTD, Deptt of Urban Development,
Unauthorized Colony Cell
9th Level, C-Wing, Delhi Sectt.
I.P. Estate, New Delhi-02

Sub: Status of forest areas in Shiv Vihar Unauthorized colony, Delhi, bearing Regn No-110-Reg

Sir,

This office is in receipt of minutes of a meeting chaired by the Hon'ble Minister, Env. & Forest, wherein a clarification was asked for regarding the status of forest land in Shiv Vihar Unauthorized colony, bearing registration number 110 (Annexure I).

In this regard, it is brought to your notice that the Department had, vide Conservator of Forests letter dated 12/12/2014 conveyed a list of 159 colonies affected by forest areas along with copies of Notifications, and orders pertaining to Forest Department along with maps prepared by the Special Task Force consisting of Revenue and Forest Department officials. As per the report submitted by the Conservator of Forests, GNCTD, Shiv Vihar Unauthorised Colony having registration number 110 was one of the 159 colonies affected by Forest areas. The reason stated was that the said colony was falling in the morphological ridge (Annexure II).

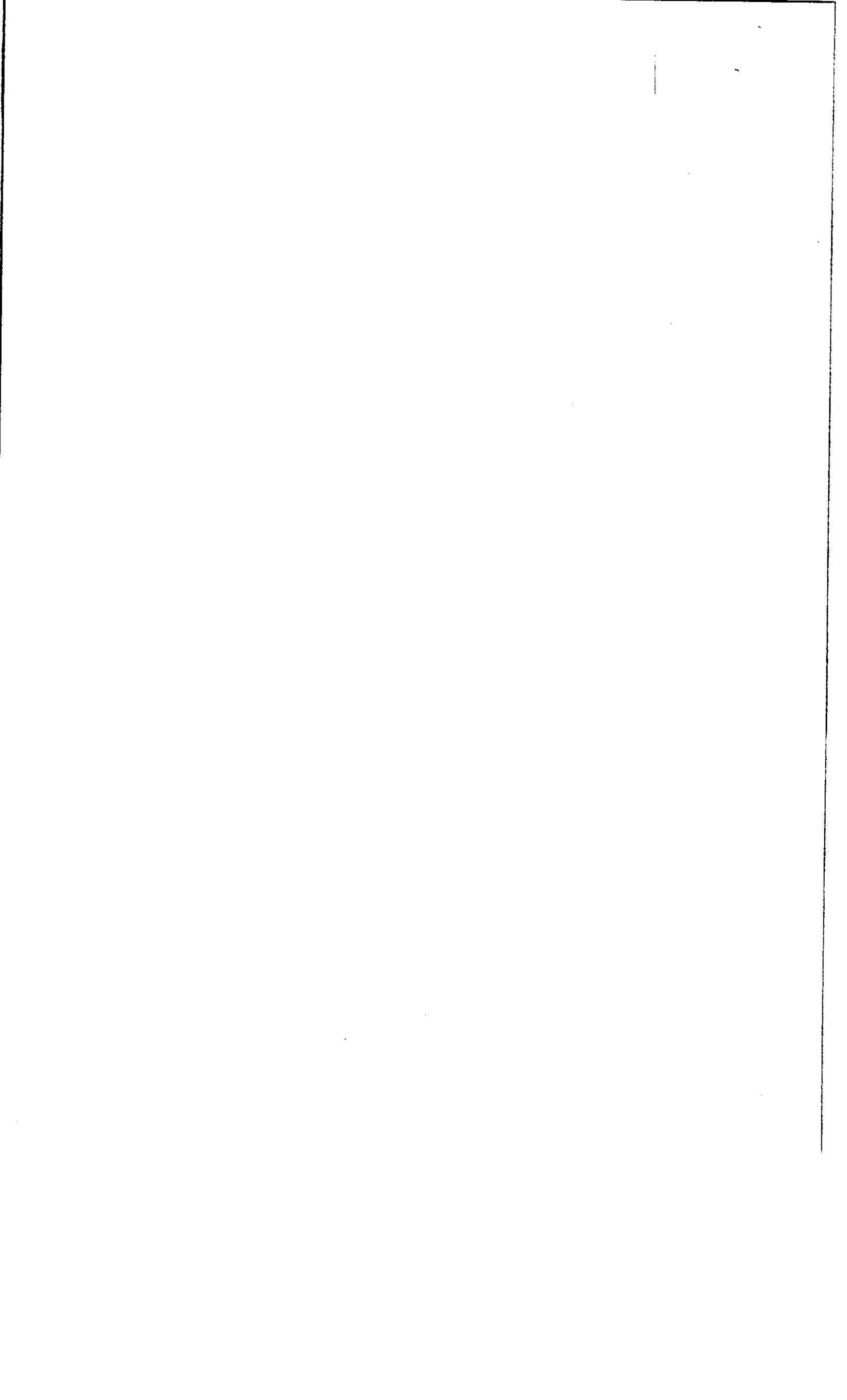
To ascertain the actual status of the Shiv Vihar unauthorized colony, the DCF (West), has written a letter to the GSDL regarding the detailed map of land at Shiv Vihar Unauthorized Colony registration number-110, Delhi. On going through the map of GSDL received in this office, it is observed that no part of the Shiv Vihar Unauthorized colony falls under Notified Forest/Wildlife Sanctuary, Morphological Ridge, *but some Khasras are falling under the category of unclassified Forest*. It is also pertinent to mention here that in meetings with GSDL, the original data based on which the objection had been made, was asked for, but has not been received yet.

Further to ascertain the status of Khasra of Forest Department in the said unauthorized colony, this office has written a letter to the SDM, Kanjhawala and Block Development Officer, Kanjhawala, New Delhi dated 11.12.17, regarding the clarification of forest land of Shiv Vihar, reg. No-110 (Annexure-III). In reply a letter has been received in this office from the SDM Kanjhawala no. F.SDM/K/Misc./2016-17/3929 dated 22/12/2017, stating that, "As per records, no forest land is there in Shiv Vihar Colony" (Annexure-IV). The BDO, Kanjhawala vide his letter no. 2442 dated 25/01/2018 and referring to 'forest land of Utsav Vihar, Karala, Shiv Vihar, Karala, and Shiv Vihar, Karala', states that, "As per report of Halka Patyari and duly signed by Tehsildar (Kanjhawala), as per record no land in the name of forest" (Annexure-V).

The Deputy Range Officer I/C Nangloi Range has, after carrying out a survey of the area, checking of Range Records and checking the list of khasras provided by the RWA, stated that there is no khasra with the Forest Department (copy of the report is attached as Annexure-VI).

Be that as it may, the fact remains that the Khasra number: 8,7,10,201,11,12 has been shown as unclassified forest in the GSDL map. Since not all forested land in Delhi is under the possession and ownership

0/4



7

of the Forest Department, the matter of a forest of any type existing or having existed in the area in question needs to be clarified from other greening agencies as well.

At this stage it is pertinent to point out that due to problems encountered while processing the cases of other unauthorized colonies, GSDL was asked for clarifications regarding the data used for this exercise. GSDL has responded by saying that Revenue Department data has not been validated by the concerned Department (Annexure VII). During discussions with staff of the Forest Department, GSDL staff has conveyed apprehensions regarding location of khasra boundaries. This is relevant because the maps and khasra boundaries contained therein are used by the Department to identify affected khasras. While the above exercise has been carried out in response to Minutes of meeting dated 06/11/2017 and keeping in mind representations received in the office of the APCCF and the undersigned, it is now for UD Department to assess the manner and desirability of proceeding further when the underlying data itself has not been validated.

Furthermore, the considered opinion of the Department in such matters has already been communicated by the undersigned's controlling officer in a similar case, vide Conservator of Forests letter no. F. No.8 (118)/PA/CF/RUC/Part-VI/7916-22 dated 17/01/2018 whereby clarifications are sought from Department of Urban Development regarding its own guidelines and statements, and the applicability of Forest Conservation Act, 1980. A copy of the letter is enclosed for your ready reference (Annexure XIII) and it is requested that the same be perused carefully.

Lastly, it is emphasized that all guidelines laid down by the Hon'ble Supreme Court of India in various judgments, with special reference to the T.N. Godavarman vs. Union of India case, and the definition of forests therein, would be applicable to forested area of any type, and land with the status of forest irrespective of the ownership of land.

Yours faithfully

Bmh

**DY. CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)**

Encl: As above.

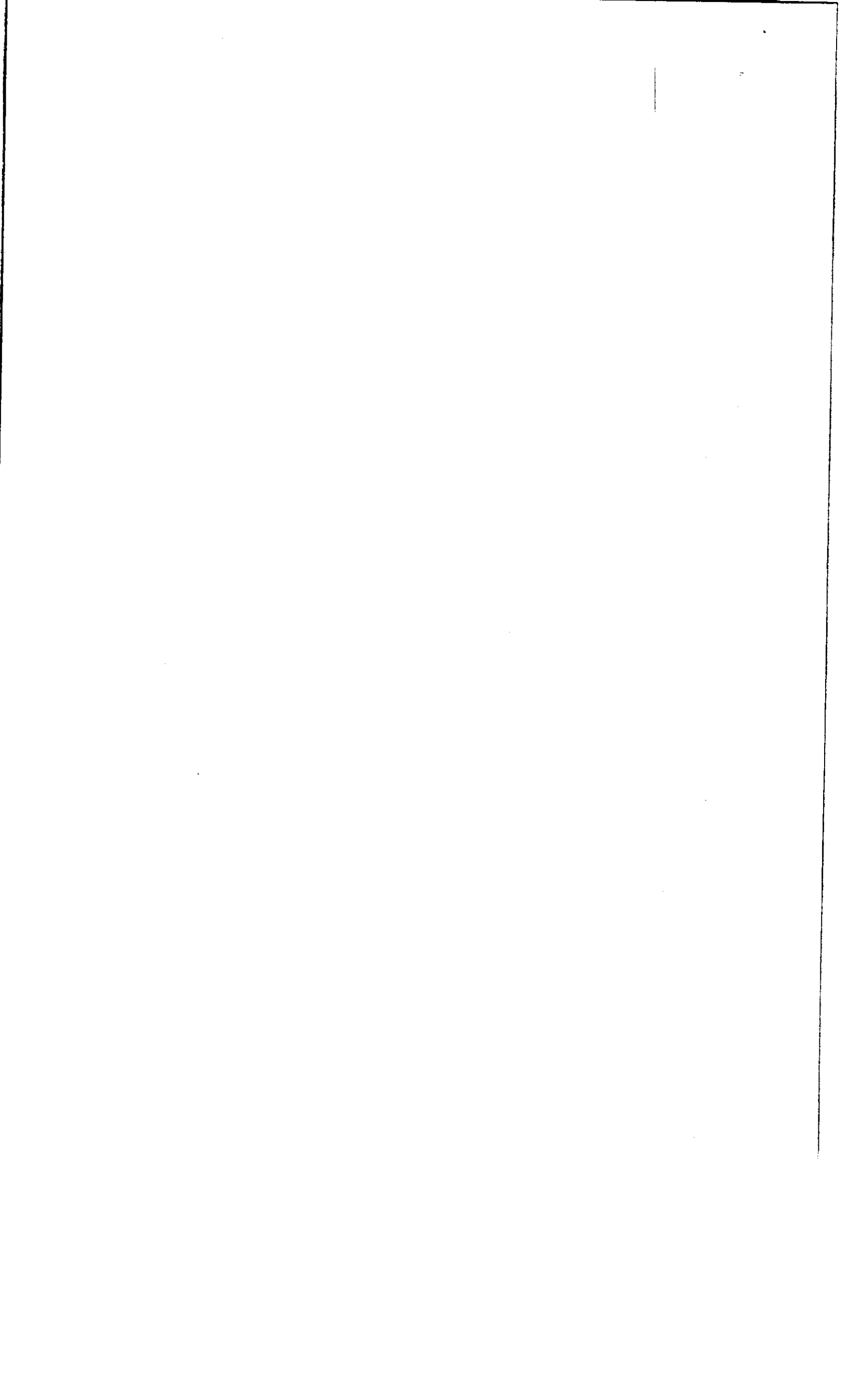
Copy To.

1. The Secretary to Hon'ble Minister, Env. & Forest, GNCTD, 8th Floor, Delhi Sachivalaya, I.P. Estate, New Delhi for kind information.
2. The PCCF/HOD, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
3. The APCCF/CWLW, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
4. The Conservator of Forest, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.

O/C

Bmh

**DY. CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)**



9

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF FOREST & WILDLIFE
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS
WEST FOREST DIVISION: MANDIR LANE, NEW DELHI-60

F.154/DCF (W)/Land/NOC/Utsav Vihar/2017-18/1127 - 31

Dated 28/5/18.

To,

The Dy. Secretary (U.C)
GNCTD, Deptt of Urban Development,
Unauthorized Colony Cell
9th Level, C-Wing, Delhi Sectt.
I.P. Estate, New Delhi-02

Sub: Status of forest areas in Utsav Vihar Unauthorized colony, Delhi, bearing Regn. No-309 and 902-Reg

Sir,

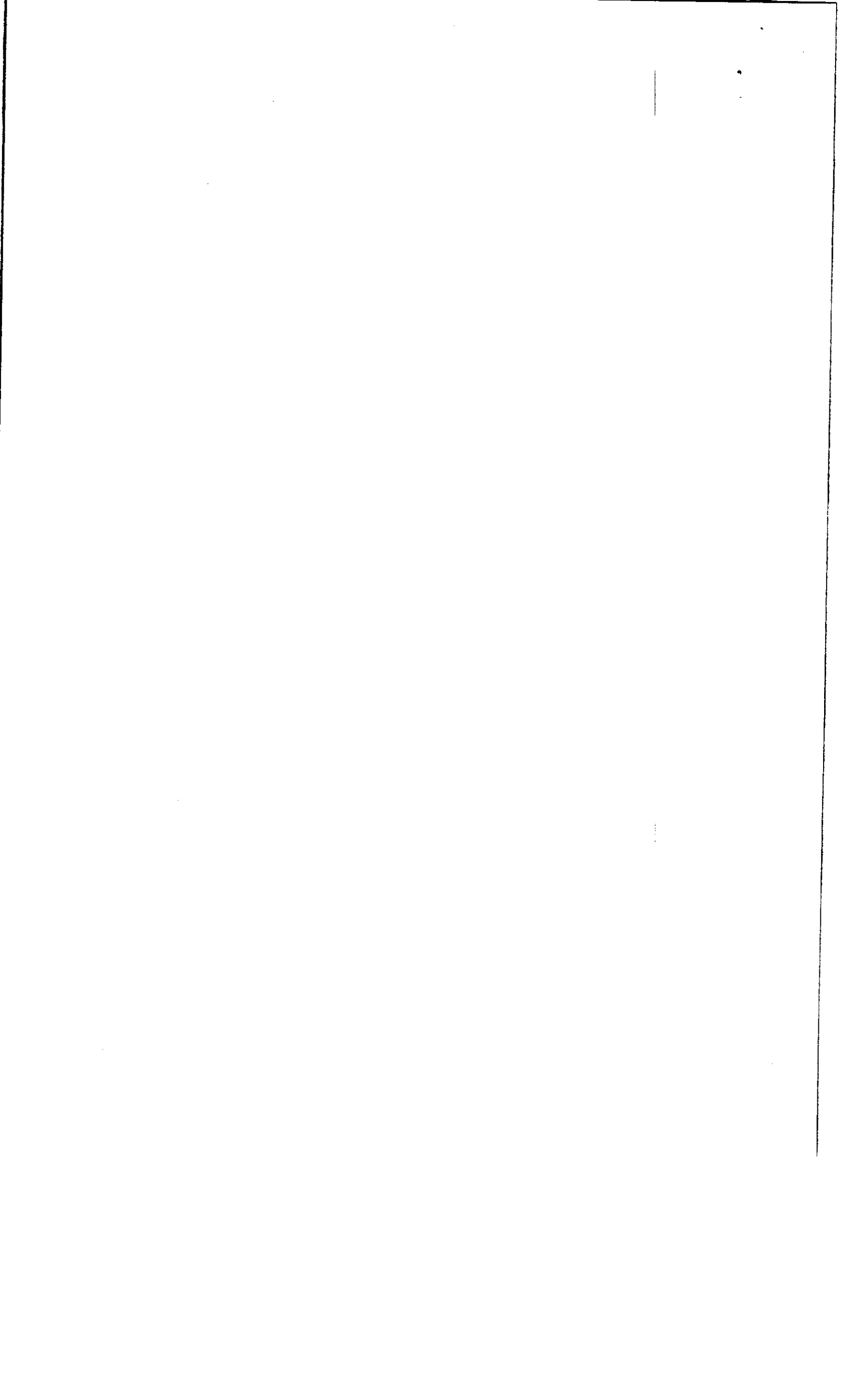
This office is in receipt of minutes of a meeting chaired by the Hon'ble Minister, Env. & Forest, wherein a clarification was asked for regarding the status of forest land in Utsav Vihar Unauthorized colonies, bearing registration number 309 and 902 (Annexure I).

In this regard, it is brought to your notice that the Department had, vide Conservator of Forests letter dated 12/12/2014 conveyed a list of 159 colonies affected by forest areas along with copies of Notifications, and orders pertaining to Forest Department along with maps prepared by the Special Task Force consisting of Revenue and Forest Department officials. As per the report submitted by the Conservator of Forests, GNCTD, Utsav Vihar Unauthorised Colonies having registration number 309 and 902 were in the list of 159 colonies affected by Forest areas. The reason stated was that the said colony was falling in the morphological ridge (Annexure II).

To ascertain the actual status of the Utsav Vihar unauthorized colony, the DCF (West), has written a letter to the GSDL on 19/08/2016, regarding the detailed map of land at Utsav Vihar Unauthorized Colony registration number-309 and 902, Delhi. Meanwhile when processing the cases of other unauthorized colonies which fall in the jurisdiction of this Division, some discrepancies were observed in the maps provided by GSDL and the data supplied by Revenue Department. Therefore, GSDL was asked to clarify the source of the data used and was also requested to provide another set of maps so that all relevant information can be placed on record. On perusing the maps provided by GSDL to this office, it is observed that no part of the Utsav Vihar unauthorized colonies 309 and 902 fall under Notified Forest/Wildlife Sanctuary or Morphological Ridge. However, from the map prepared using the georeferenced layout plan for Utsav Vihar colonies 309 and 902, it appears that three Khasras of UC-309, 1, 10 and 5, are partially in Unclassified Forests. Here it is pertinent to mention that during meetings with GSDL personnel, GSDL was also requested to provide the original data based on which these colonies were said to be affected by Forest Land, but GSDL has not been able to provide the same so far.

Further, to ascertain the status of Khasra of Forest Department in the said unauthorized colony, this office has written a letter to the SDM, Kanjhawala and Block Development Officer, Kanjhawala, New Delhi dated 17.11.17, regarding the clarification of forest land of Utsav Vihar reg. No-309 (Annex-IV). In reply, a

n/c.



letter dated 15/01/2018 has been received from SDM Kanjhawala, wherein it has been stated "As per records, no forest land is there in Utsav Vihar Colony" (Annexure-V). Similarly, for Utsav Vihar colony 902 the SDN vide letter no. F.SDM/K/Misc/2016-17/3982 dated 22/12/2017, has stated, "As per records, no forest land is there in Utsav Vihar Colony" (Annexure VI).

The BDO, Kanjhawala vide his letter no. 2442 dated 25/01/2018 and referring to 'forest land of Utsav Vihar, Karala, Shiv Vihar, Karala, and Shiv Vihar, Karala', states that, "As per report of Halka Patwari and duly signed by Tehsildar (Kanjhawala), as per record no land in the name of forest" (Annexure-VII).

The Dy. Range officer, Nangloi Range has carried out the actual survey of the area, after checking the Range Records and has submitted the report stating that there is no land belonging to the Forest Department in unauthorized colonies Reg. no-309 and 902 (Annexure -VIII&IX).

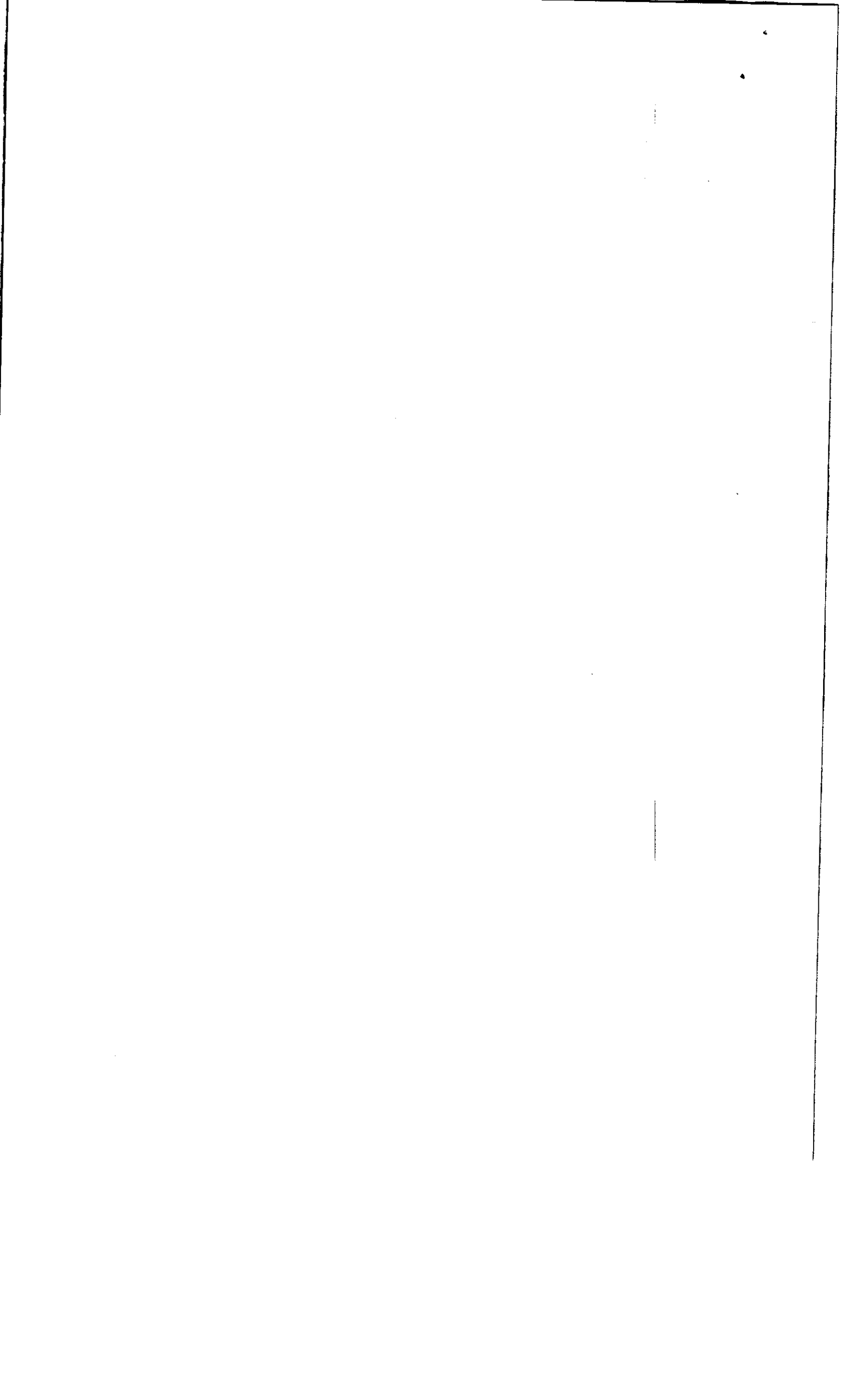
However, it is seen from records that the RWA for UC 309 in a letter addressed to D.R.O Nangloi Range had asked for verification of Khasras 71/15, 71/16, 72/7, 72/8, 72/13, 72/14, 72/15, 72/16, 72/17, 72/18, 72/19, 72/20, 72/21, 72/22, 72/23, 72/24, 73/16, 73/17, 73/19, 73/19, 73/20, 73/21, 73/22, 73/23, 83/2, 83/3, 83/4, 83/5, 83/9, 83/12, 83/13, 83/14, 83/15, 83/16, 83/17, 83/18, 83/20, 83/21, 83/22, 83/23, 83/25, 84/6, 84/14, 84/15, 84/16, 84/17, 84/24, 84/25, 84/9, 84/10, 84/12, 96/4, 96/5, 97/3, 97/4, 97/7, 97/8, 97/9, 97/10, 97/13, 97/14, 84/1, 84/2, 84/3, 72/25 (Annexure X). The DCF West had accordingly written a letter to GSDL asking for a map of areas coming under above said Khasras, and also stating that the Chairman, Utsav Vihar Colony was to provide geocoordinates for the exercise (Annexure XI). This map has not been received. *It may be noted that in the map provided by GSDL of the concerned UCs, Khasras 71, 72, 73, 83, 84, 96, and 97 are missing entirely from the map provided to this Division.*

Similarly, the RWA for UC 902 has asked for the verification of Khasras 72/16, 72/25, 72/12, 72/13, 72/14, 72/16, 72/17, 72/18, 72/19, 72/22, 72/23, 72/24, 72/25, 82/5, 83/1, 83/2, 83/3, 83/4, 83/5, 83/6, 83/7, 83/8, 83/9, 83/10, 83/11, 83/12, 83/19, 83/20, 84/5, 84/6, 84/15, 84/16, 84/25, 96/5, 97/1, 97/2, 97/3, 97/10 (Annexure XII). The DCF West had accordingly written a letter to GSDL asking for a map of areas coming under above said Khasras, and also stating that the Chairman, Utsav Vihar Colony was to provide geocoordinates for the exercise (Annexure XIII). This map has not been received. *It may be noted that in the map provided by GSDL of the concerned UCs, Khasras 72, 82, 83, 84, 96, and 97 are missing entirely from the map provided to this Division.*

It must be noted that in the above two instances it is the RWA itself which has mentioned these khasras. It is therefore requested that Department of Urban Development may please check the maps in its records before proceeding further, as there appears to be a discrepancy. The result of this exercise may please be communicated to this Department as well.

In the light of the above, it is to inform that three khasras of UC-309 are partially in unclassified forests as per the data available with GSDL. Since not all forested land in Delhi is under the ownership and possession of the Forest Department, the matter of a forest of any type existing or having existed in the area in question needs to be clarified from other greening agencies as well. It is also brought to your notice that the two UCs in question are more or less contiguous as per map provide and as per ocular observation from the satellite imagery.

At this stage it is pertinent to point that when GSDL was asked for clarifications regarding the data used for this exercise, GSDL responded by saying that Revenue Department data has not been validated by the concerned Department (copy of letter from GSDL is attached as annexure XIV). During discussions



10

with staff of the Forest Department, GSDL staff has conveyed apprehensions regarding location of khasra boundaries. This is relevant because the maps and khasra boundaries contained therein are used by the Department to identify affected khasras. While the above exercise has been carried out in response to Minutes of meeting dated 06/11/2017 and keeping in mind representations received in the office of the APCCF and the undersigned, it is now for UD Department to assess the manner and desirability of proceeding further when the basic data itself has not been validated.

Furthermore, the considered opinion of the Department in such matters has already been communicated by the undersigned's controlling officer in a similar case, vide Conservator of Forests letter no. F. No.8 (118)/PA/CF/RUC/Part-VI/7916-22 dated 17/01/2018 (copy of letter is attached as Annexure XV) whereby clarifications are sought from Department of Urban Development regarding its own guidelines and statements, and the applicability of Forest Conservation Act, 1980. A copy of the letter is enclosed for your ready reference and it is requested that the same be perused carefully.

Lastly, it is emphasized that all guidelines laid down by the Hon'ble Supreme Court of India in various judgments, with special reference to the T.N. Godavarman vs. Union of India case, and the definition of forests therein, would be applicable to forested area of any type, and land with the status of forest irrespective of the ownership of land.

Yours faithfully

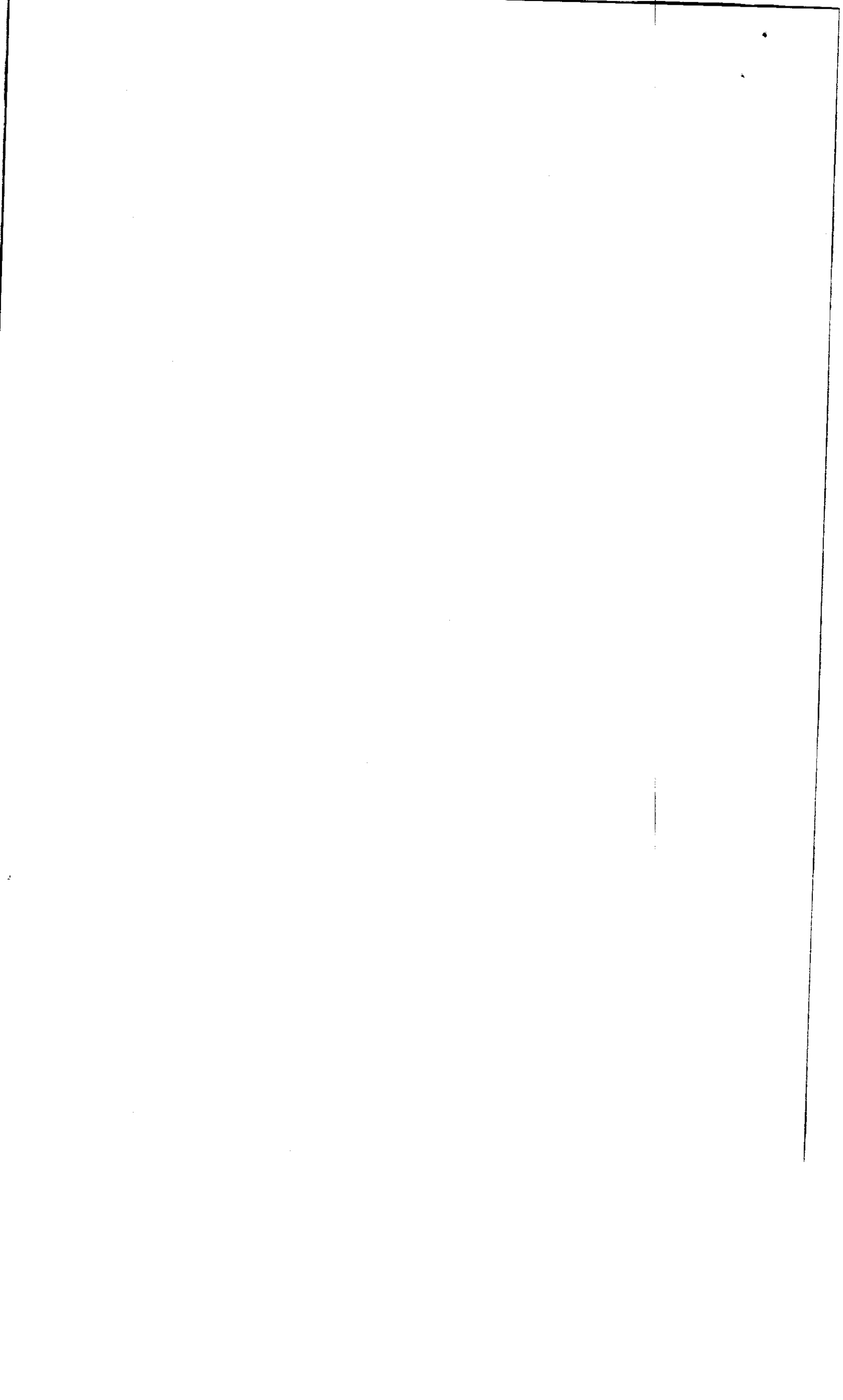
Encl: As above.


DY. CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)

Copy To.

1. The Secretary to Hon'ble Minister, Env. & Forest, GNCTD, 8th Floor, Delhi Sachivalaya, I.P. Estate, New Delhi for kind information.
2. The PCCF/HOD, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
3. The APCCF/CWLW, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
4. The Conservator of Forest, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.


DY. CONSERVATOR OF FORESTS
(WEST FOREST DIVISION)



11

**GOVT OF NCT OF DELHI
DEPARTMENT OF FOREST AND WILDLIFE
OFFICE OF THE DY. CONSERVATOR OF FOREST
WEST FOREST DIVISION, MANDIR LANE, NEW DELHI-60**

Dated-16/4/2018

F.2 (79)/DCF (W)/Rama Vihar Colony Karala/2016-17/307-309

To,
The Dy. Secretary (UC)
Urban Development Department
(Unauthorised Colonies Cell)
10th Level, C wing, Delhi Secretariat
I.P. Estate, New Delhi-110002

Sub: Report sent by this office regarding unauthorized colony Rama Vihar Reg. No-297- regarding

Ref: 1. F.2 (79)/DCF (W)/Rama Vihar Colony Karala/2016-17/4068-72 dated 02/11/2017
2. F.2 (79)/DCF (W)/Rama Vihar Colony Karala/2016-17/4292-96 dated 28/11/2017.
3. F.2 (79)/DCF (W)/Rama Vihar Colony Karala/2016-17/6555-56 dated 23/01/2018.

Sir,

1. This office has received representations from elected representatives, RWAs and their representatives regarding unauthorized colony Rama Vihar, reg No-297.
2. In this regard this is to inform that this office had already sent a detailed status report to your office vide letter no- F.2 (79)/DCF (W)/Rama Vihar colony Karala/2016-17/6555-56 dated 23/01/2018, informing you of its status. A portion of this letter is quoted below for your benefit:

".....that there is no Khasra, part of Khasra of Protected Forest/ Wildlife Sanctuary; Morphological Ridge falls in the unauthorized colony which is under the possession or ownership of Forest Department.

However, the fact remains that the Khasra number- 23 has been shown as unclassified forest in the GSDL map, although not under the ownership of Forest Department. Therefore, it may be possible that Khasra number - 23 might have been under the possession of some other greening agency/ Govt. department although kh no-23 has been stated to be private land as per the reply submitted by SDM Kanjhawala vide letter dated 20/11/2017. The issue may be got clarified and the Forest Department is unable to comment on it since Khasra No. -23 shown as unclassified forest in GSDL map is not allotted to this Department as per above."

The complete letter of DCF (West) is enclosed for your reference.

3. Your attention is also invited to the letter from the Conservator of Forest, Department of Forest & wildlife, GNCTD, vide letter no. F. No-8 (118)/PA/CF/RUC/Part-VI/7916-22 dated 17/01/2018, regarding a similar matter, which describes clearly the opinion of this department with respect to unauthorized colonies affected by Forest areas. This letter is also enclosed for your reference.

Yours faithfully

**DY. CONSERVATOR OF FOREST
(WEST FOREST DIVISION)**

Copy to:

1. The APCCF/HOD, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information.
2. The Conservator of Forest, Department of Forest & Wildlife, 2nd Floor, Vikas Bhawan, IP Estate, New Delhi for kind information

