

[illegible]

Date and Remarks	Orders of the Tribunal
<p>Item No. 8 August 8, 2013</p>	<p><b><u>M.A. No. 557 of 2013</u></b></p> <p>Liberty to the Respondents to file their Reply within two weeks from today with advance copy to the Learned counsel appearing for the Applicant, who may file Rejoinder, if any, within one week thereafter.</p> <p><b><u>Original Application No. 82 of 2013</u></b></p> <p>Having heard Learned counsel appearing for the parties and upon perusing Affidavits filed by the different Authorities in regard to the de-concretization of the trees in various parts of Delhi, we pass the following directions:-</p> <ol style="list-style-type: none"> <li>1. The Vice Chairman of DDA shall be Chairperson for execution of the orders already passed by this Tribunal as well as the directions made in the present Order.</li> <li>2. The Vice Chairman of DDA shall call the Commissioners of all Corporations and Chief</li> </ol>

	<p>Engineers of PWD, CPWD, NDMC, Delhi Cantonment Board, Conservator of Forest Department.</p> <p>3. They shall define each time 6 colonies of Delhi wherein the de-concretization of trees shall positively be done before the next date of hearing.</p> <p>This direction is necessitated in view of the Affidavit filed on behalf of the Authorities for example the DDA submits that in the colonies of R.K. Puram, Hauz Khas and Ashok Vihar, belonging to DDA, Giri Nagar (Central Zone), Rajouri Garden (West Zone) and Sadhna Enclave (South Zone), belonging to SDMC de-concretization has been carried while in other areas of the same colonies the same could not be done as those areas belonged to Corporations or PWD as the case may be.</p> <p>We would have expected the Authorities to act in cooperation and coordination with each other and pick up number of colonies where they can carry out de-concretization and ensure compliance of the Order of the Tribunal. Be that as it may.</p> <p>The Vice Chairman DDA at the first instance would pick up R.K. Puram, Hauz Khas and Ashok Vihar and direct completion of de-concretization in these colonies and thereafter pick up 6 set of colonies each time. We would appreciate if the entire work of de-concretization would be completed in all colonies of Delhi before the next date of hearing.</p> <p>NDMC shall ensure that all the work of de-concretization of the trees particularly in Northern Zone be completed before the next date of hearing and without fail.</p> <p>It has been brought to our Notice that when de-concretization of the trees is being done by machines like JCB, damage has been done by the machines to the trees as their roots are exposed and trunks are damaged.</p> <p>We direct the Authorities to ensure that damage done to the trees which was shown in the photographs, the same would be cured and damage would not occur forthwith in future. The person operating any machines for de-concretization shall ensure that no damage is caused to the trees and their roots are not left exposed.</p>
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We make it clear that if now in future it is shown before us that any damage is done to the stumps of trees or roots are exposed as a result of mechanical de-concretization of the trees, the person operating such machines and the Executive Engineer under whose jurisdiction that work is being carried out will personally be liable to pay compensation.

The Vice Chairman, DDA would call all the heads of Corporations and others and mark the areas in the set of 6 each to be complete at the first instance.

The meeting shall be conducted positively by the Chairperson of the Committee on Tuesday.

List on 19<sup>th</sup> September, 2013 for further directions.

.....,CP  
(Swatanter Kumar)

.....,JM  
(S.N. Hussain)

.....,EM  
(P.S. Rao)

.....,EM  
(Ranjan Chatterjee)