

DELHI

# Seek premission from Tree Officer for civil work within 2 metres of trees: HC

## STAFF REPORTER

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### Court also held two officers of PWD guilty of contempt of court

The Delhi High Court has said that the permission of a Tree Officer should be sought before initiating any civil work within 2 metres of any tree in the Capital.

“An order, in this regard, may well be passed by the Chief Secretary, GNCTD, with a copy to all Central Government agencies, Commissioners of the Municipal Corporations and CEO, Delhi Cantonment Board,” Justice Najmi Waziri said in his March 14 order.

The High Court also directed the Chief Secretary to look into the augmentation of the number of Forest Guards, to at least 200, to strengthen the much-needed forestry force and for the protection and preservation of the trees in the city.

“The imperative of protecting trees can never be overlooked, as the city has witnessed the worst period of air pollution in the past four-five years. The generation of fresh oxygen by trees and their acting as carbon sumps would always mitigate air-pollution,” Justice Waziri said.

“As and when a request for police assistance is made by the Tree Officer or a Forest Guard, the SHO concerned shall depute at least two police officers so that there is no threat to the life and limb of the said Tree Officer,” the High Court added.

The court also held two senior officers of the Public Works Department (PWD) guilty of contempt of court, for willfully disobeying and breaching its directions on chopping of trees in south Delhi’s Chittaranjan Park.

It also imposed a cost of Rs 40,000 and Rs 1 lakh on South Delhi Municipal Corporation (SDMC) and PWD, respectively, as it was found during an inspection that 13 trees had been damaged in an exercise carried out by SDMC and 10 trees were damaged by PWD. It was also found in the inspection that unlawful concretisation of the earth had been done around the trees.

The order was issued based on a plea by the New Delhi Nature Society, which stated that during a site visit on March 11, 2022, it was observed that, despite a status-quo order being issued by the High Court on February 25, 2022, construction work/laying of cables/pipes was still continuing at the site, unmindful of the aforesaid orders, and in total disregard to any care or concern for the living trees.

“The court is also informed that a stretch of a road is dug up by one agency and no sooner before the work ordinarily is completed by that agency, that another agency comes along and digs up the same road yet again. This cycle continues year-round, be it for the work of laying down internet cables, electricity lines, water pipes, telephone cables, etc.,” Justice Waziri said in his order.

The High Court’s order came while dealing with a plea seeking to initiate contempt action against the authorities for willful disobedience to the previous orders of the High Court and National Green Tribunal, which mandated leaving of one-meter kutcha space around trees while undertaking any construction activity.

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