GOVERNMENT OF NCT OF DELHI
DEPARTMENT OF FORESTS & WILDLIFE,
A-BLOCK, 2ND FLOOR, VIKAS BHAWAN,
IP ESTATE, NEW DELHI-110002

F.1(2856)/Legal/HQ/26-27/3441-73 **Date:** 11·06·2026

CIRCULAR

Subject: Compliance of Order dated 29.05.2026 passed by the Hon'ble High Court of Delhi in CONT.CAS (C) 1003/2026 titled *Lakshay Mangla & Anr. vs. Ankit Kumar & Ors.* regarding stay of the Notification dated 06.06.2025.

Kind attention is invited to the Gazette Notification dated 06.06.2025 titled *"Directions to Tree Officers under Section 33 of the Delhi Preservation of Trees Act, 1994 regarding Section 8 of the DPTA, 1994"* issued by the Department of Forests & Wildlife, GNCTD.

The Hon'ble High Court of Delhi, vide Order dated 29.05.2026 passed in Cont. Cas. (C) No. 1003/2026 titled *Lakshay Mangla & Anr. vs. Ankit Kumar & Ors.*, has stayed the operation of the Notification dated 06.06.2025 titled *"Directions to Tree Officers under Section 33 of the Delhi Preservation of Trees Act, 1994 regarding Section 8 of the DPTA, 1994"* till the next date of hearing, i.e., 07.07.2026. The relevant extract of the Order is reproduced below: :

> *"9. Meanwhile, the Orders of this Court must be complied with in letter, spirit and intent and till the next date of hearing the effect and operation of notification dated 06.06.2025 shall remain stayed."*

In view of the aforesaid directions of the Hon'ble High Court of Delhi, the contents of the order dated 29.05.2026 are hereby brought to the notice of all concerned for information, necessary action and strict compliance. It is requested that no action be taken in terms of the Notification dated 06.06.2025 until further orders of the Hon'ble Court.

This issues with the approval of the competent authority.

Encl:

1. Notification dated 06.06.2025 titled Directions to Tree Officers under Section 33 of the Delhi Preservation of Trees Act, 1994 regarding Section 8 of the DPTA, 1994.
2. Order dated 29.05.2026 passed by the Hon'ble High Court of Delhi in CONT.CAS (C) 1003/2026 titled Lakshay Mangla & Anr. vs. Ankit Kumar & Ors.

Deputy Conservator of Forests (P&M)

To,

1. The Commissioner of Police, Delhi Police, Jai Singh Road, New Delhi-110001.
2. The Vice Chairman, Delhi Development Authority (DDA), Vikas Sadan, INA, New Delhi-110023.
3. The Commissioner, Municipal Corporation of Delhi (MCD), Dr. S.P. Mukherjee Civic Centre, J.L.N. Marg, New Delhi-110002.
4. The Chairperson, New Delhi Municipal Council (NDMC), Palika Kendra, Parliament Street, New Delhi-110001.
5. The Principal Secretary, Public Works Department (PWD), GNCTD, MSO Building, I.P. Estate, New Delhi-110002.
6. The Chief Executive Officer, Delhi Parks and Garden Society, Delhi Secretariat, New Delhi.
7. The Chairman, National Highways Authority of India (NHAI), Sector-10, Dwarka, New Delhi-110075.
8. The Director General (Works), Central Public Works Department (CPWD), Nirman Bhawan, New Delhi-110011.
9. The Chief Executive Officer, Delhi Jal Board (DJB), Varunalaya, Jhandewalan, New Delhi.
10. The Director (Horticulture), Environment Department, GNCTD, I.P. Estate, New Delhi.
11. The Chairman-cum-Managing Director, NTPC Limited, NTPC Bhawan, Lodhi Road, New Delhi-110003.
12. The Chief Executive Officer, Delhi Cantonment Board, Delhi-110010.
13. The Managing Director, Delhi Metro Rail Corporation (DMRC), Metro Bhawan, Barakhamba Road, New Delhi-110001.
14. The Chairman-cum-Managing Director, Delhi Transport Corporation (DTC), I.P. Estate, New Delhi-110002.
15. The Chairman-cum-Managing Director, Delhi State Industrial and Infrastructure Development Corporation (DSIIDC), Wazirpur Industrial Area, Delhi-110052.
16. The Managing Director, BSES Rajdhani Power Limited (BRPL), BSES Bhawan, Nehru Place, New Delhi-110019.
17. The Secretary, Directorate of Higher Education, GNCTD, Pitampura, Delhi-110034.

18. The Director, Directorate of Education, GNCTD, Delhi-110054.
19. The Chief Executive Officer, Delhi Urban Shelter Improvement Board (DUSIB), ITO, New Delhi.
20. The General Manager, Northern Railway / Divisional Engineer (Horticulture), Northern Railway, Baroda House, New Delhi.
21. The Chief Engineer, Irrigation & Flood Control Department, GNCTD.
22. The Chief Executive Officer / Managing Director, Tata Power Delhi Distribution Limited (TPDDL), Delhi.
23. All District Magistrates of Delhi.
24. All Deputy Commissioners of Police (Districts), Delhi.
25. The Land and Development Officer, Ministry of Housing & Urban Affairs, Nirman Bhawan, New Delhi-110001.
26. All Principal Secretaries/Secretaries/Heads of Departments, Government of NCT of Delhi.
27. IT Cell, Department of Forests & Wildlife, GNCTD, with the request to upload the Circular on the Departmental website.

Copy for information to:

1. Secretary to Principal Secretary (Environment & Forests), GNCTD.
2. PCCF & HoD, Department of Forests & Wildlife, GNCTD.
3. CCF (A), Department of Forests & Wildlife, GNCTD.
4. CCF, Department of Forests & Wildlife, GNCTD.
5. All DCFs/Tree Officers, Department of Forests & Wildlife, GNCTD.
6. Guard File.

Deputy Conservator of Forests (P&M)

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ CONT.CAS(C) 1003/2026 & CM APPL. 37663/2026

LAKSHAY MANGLA AND ANR .....Petitioners

Through: Mr. Aditya N Prasad and Mr Pratyush Jain along with Petitioners

versus

ANKIT KUMAR AND ORS. .....Respondents

Through: Ms. Urvi Mohan, Adv., Panel Counsel for GNCTD/Forest

Mr Govil Upadhyaya, GP, for R5, Delhi Police, UOI, Mr. Chiranjiv Kumar, Mr Mukesh Sachdeva, Advs. for R5 SHO PS Shalimar Bagh

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **29.05.2026**

CM APPL. 37662/2026

Exemption allowed, subject to all just exceptions.

The application is disposed of.

CONT.CAS(C) 1003/2026

1. This is a writ petition filed under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India for wilfully disobeying the order dated 23.02.2024 passed in W.P. (C) 4355/2020.

2. The petition shows clear apathy and shocking state of affairs that despite repeated orders, the respondents have continued to flout and have paid no regards whatsoever to the directions issued by this Court time and again.

3. The photographs at P4 show trees having been cut from the grade level.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 10/06/2026 at 12:19:14

4. Ms. Mohan, learned counsel for the respondents, states that she is yet to receive instructions in this regard. Further, she has handed over a notice of hearing dated 22.05.2026 which shows mere paper formality being done by the respondent.

5. The respondents in terms of the Order as well as Delhi Preservation of Trees Act, 2023 are required to see the well being of each and every tree and the petition/citizens cannot be required to inform or do policing for the respondents.

6. The notification dated 06.06.2025 also seems to suggest that the respondents are permitted to cut the trees which come in the way of developmental work and shows that there are no safeguards available and/or requirement to apply mind to seek alternatives before cutting of trees.

7. The same is an over reach of Orders dated 14.03.2022 and 29.01.2024 passed by this Court in CCP 220/2022. The respondents cannot be permitted to overreach the Orders of the Court by issuing notifications.

8. Thus, *prima facie* the respondents seem to be in contempt. However, before proceeding further, I am of the view, that a reply be called for and the reply shall be filed within 4 weeks from today.

9. Meanwhile, the Orders of this Court must be complied with in letter, spirit and intent and till the next date of hearing the effect and operation of notification dated 06.06.2025 shall remain stayed.

10. All the respondents shall join through Video Conferencing Mode on the next date of hearing.

11. List on 07.07.2026.

JASMEET SINGH, J

MAY 29, 2026/AS

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 10/06/2026 at 12:19:14

रजिस्ट्री सं. डी.एल.- 33002/99 REGD. No. D. L.-33002/99

भारत सरकार
GOVERNMENT OF INDIA

दिल्ली राजपत्र
Delhi Gazette

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No. 187]	DELHI, TUESDAY, JUNE 24, 2025/ASHADHA 3, 1947	[N. C. T. D. No. 105

भाग IV
PART IV

राष्ट्रीय राजधानी राज्य क्षेत्र दिल्ली सरकार
GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI

वन एवं वन्यजीव विभाग

अधिसूचना

दिल्ली, 6 जून 2025

दिल्ली वृक्ष परिरक्षण अधिनियम (डीपीटीए), 1994 की धारा 33 के अंतर्गत 'डीपीटीए, 1994' की धारा 8 के संबंध में वृक्ष अधिकारियों को निर्देश

फा सं.8 (277)/वन/टीसी/धारा–8(डीपीटीए)/2025–26/3177:– दिल्ली वृक्ष परिरक्षण अधिनियम (डीपीटीए), 1994 की धारा 33 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार, जनहित में एतद् द्वारा डीपीटीए, 1994 की धारा 8 के संबंध में वृक्ष अधिकारियों को निम्नलिखित निर्देश देती है।

दिल्ली वृक्ष परिरक्षण अधिनियम (डीपीटीए), 1994 की धारा 8 में निम्नलिखित बताया गया है : –

"8. वृक्षों की कटाई और निष्कासन पर प्रतिबन्ध – इस अधिनियम अथवा इसके तहत बनाए गए नियमों में की गई व्यवस्था के अलावाए इस समय लागू किसी अन्य कानून अथवा किसी परंपरा अथवा दस्तूर या सविंदा में किसी बात के होते हुए, कोई भी व्यक्ति वृक्ष अधिकारी की पूर्वानुमति के बिना किसी भी भूमि में से चाहे वह उसके स्वामित्व में हो या उसके अधिकार में अथवा अन्यथा हो, किसी वृक्ष अथवा वनोपज को नहीं काटेगाए उसका निष्कासन नहीं करेगा या उसको नहीं बेचेगा;

बशर्ते यदि वृक्ष को तत्काल नहीं काटा गया और उससे जान माल या यातायात के लिए गंभीर खतरा पैदा होने की सम्भावना होए तो भू-स्वामी ऐसे वृक्ष को काटने के लिए तत्काल कार्रवाई कर सकता है और उसकी सूचना 24 घंटे के अंदर संबधित वृक्ष अधिकारी को देगा।"

दिल्ली वृक्ष परिरक्षण अधिनियम, 1994 की धारा 8 के उपर्युक्त परन्तुक को ध्यान में रखते हुए, सामान्य परिस्थितियों की एक सांकेतिक सूची, जिसमें डीपीटीए, 1994 की धारा 8 का परन्तुक स्पष्ट रूप से लागू होता है, वृक्ष अधिकारियों के मार्गदर्शन के लिए नीचे दी गई है:

1.1. यदि किसी सड़क, पुल, अंडरपास, ओवर ब्रिज, फुट ओवर ब्रिज आदि के मार्गाधिकार में वृक्ष खड़े हैं या उग रहे हैं, जिससे जीवन और संपत्ति को खतरा हो, निर्बाध यातायात में बाधा उत्पन्न हो, संरचनात्मक सुरक्षा प्रभावित हो और/या लोगों की सुरक्षा के लिए हानिकारक हो, तो ऐसी भूमि का मालिक या अधिभोगी ऐसे वृक्षों को तुरंत हटाएगा/छंटाई करेगा और वृक्ष अधिकारी को सूचना देगा।

1.2. यदि कोई वृक्ष किसी नाले के मार्गाधिकार पर इस प्रकार खड़ा है या बढ़ रहा है कि पानी का बहाव बाधित हो रहा है, नाले की सफाई में बाधा उत्पन्न हो रही है तथा रखरखाव/सफाई कर्मियों की सुरक्षा के लिए हानिकारक है, तो नाला स्वामित्व वाली एजेंसी को ऐसे वृक्षों को तुरंत हटाना/छंटाई करनी होगी तथा वृक्ष अधिकारी को सूचित करना होगा।

1.3. यदि कोई वृक्ष सीवर लाइन के मार्गाधिकार में या सीवर लाइन पर इस प्रकार खड़ा है या बढ़ रहा है, जिससे सीवर का प्रवाह बाधित हो रहा है, सीवर लाइन की सफाई में बाधा उत्पन्न हो रही है, सीवर लाइन को क्षति हो रही है और/या रखरखाव/सफाई कर्मियों की सुरक्षा के लिए हानिकारक है, तो सीवर स्वामित्व वाली एजेंसी को ऐसे वृक्षों को तुरंत हटाना/छंटाई करनी होगी और वृक्ष अधिकारी को सूचित करना होगा।

1.4. यदि कोई वृक्ष किसी विरासत भवन/संरचना के परिसर में आता है या इस प्रकार बढ़ता है कि इससे उसकी संरचनात्मक सुरक्षा को खतरा हो और उसके पुनरूद्धार में बाधा उत्पन्न हो और/या अनुरक्षण/पुनरूद्धार कर्मियों की सुरक्षा के लिए हानिकारक हो, तो स्वामी/एजेंसी ऐसे वृक्षों को तत्काल हटा/छंटाई कर सकेगा और वृक्ष अधिकारी को सूचित कर सकेगा।

1.5. यदि किसी आवासीय/कार्यालयीन/वाणिज्यिक आदि भवन के परिसर में कोई वृक्ष आता है या बढ़ता है, या भवन के बालकोनी/छाजों/दीवारों आदि में इस प्रकार से फैल जाता है, जिससे भवन/दीवार की संरचनात्मक सुरक्षा खतरे में पड़ जाती है और/या उसके निवासियों की सुरक्षा को खतरा हो जाता है, तो भूमि स्वामित्व एजेंसी/व्यक्ति/आवासीय सोसायटियों के मामले में आरडब्लूए, स्वामित्व के संबंध में स्व–प्रमाणन के पश्चात ऐसे वृक्षों को तत्काल हटा/छंटाई कर सकेंगे और वृक्ष अधिकारी को सूचित कर सकेंगे।

1.6. यदि रेलवे ट्रैक/मेट्रो स्थापना के मार्गाधिकार में वृक्ष इस प्रकार आते हैं, जिससे सुरक्षा में बाधा उत्पन्न होती है, निर्बाध यातायात बाधित होता है, संरचनात्मक सुरक्षा प्रभावित होती है और/या लोगों की सुरक्षा के लिए हानिकारक है, तो भूमि –स्वामित्व वाली एजेंसी ऐसे पेड़ों को तुरंत हटा/छंटाई कर सकेगी और वृक्ष अधिकारी को सूचित कर सकेगी।

1.7. सूखे या मृत वृक्षों, अस्थिर ढंग से झुके हुए वृक्षों, तूफान या अन्य किसी स्थिति में गिरने की आशंका वाले वृक्षों के मामले में, भूमि–स्वामित्व एजेंसी/व्यक्ति ऐसे वृक्षों को तुरंत हटाने/छंटाई करने में सक्षम होंगे तथा वृक्ष अधिकारी को सूचित करेंगे।

दिल्ली वृक्ष परिरक्षण अधिनियम, 1994 की धारा 8 के अनुसार, ऐसे वृक्षों की कटाई के 24 घंटे के भीतर भूमि–स्वामित्व वाली एजेंसी, व्यक्ति, आरडब्ल्यूए आदि द्वारा अपेक्षित सूचना संबंधित वृक्ष अधिकारी को दी जानी चाहिए। यह डीपीटीए ई–फॉरेस्ट पोर्टलः https://dpta.eforest.delhi.gov.in पर भू–निर्देशांक सहित वृक्ष की कम से कम तीन तरफ की अलग–अलग एक तस्वीर तथा कटाई के औचित्य के साथ, निष्पादन के पश्चात् एक अन्य तस्वीर अपलोड करने के माध्यम से किया जा सकता है। वृक्ष अधिकारी इसे अधिनियम की धारा 8 के परन्तुक के अनुसार अनुपालन के रूप में स्वीकार करेंगे। वृक्ष अधिकारी स्वतः भी भूमि–स्वामित्व वाली एजेंसी को निर्देश जारी कर सकते हैं और यदि वे निरीक्षण क्षेत्र के नियमित दौरे के दौरान किसी भी ऐसे खतरनाक वृक्ष को देखते हैं, तो वे स्वयं आवश्यक कार्रवाई करेंगे।

इन मानक संचालन प्रक्रिया का उद्देश्य केवल ऊपर बताई गई परिस्थितियों में सद्भावपूर्ण कार्रवाई को सुगम बनाना है। यद्यपि, अगर बाद में यह देखा जाता है कि किसी ने इस प्रावधान का दुरुपयोग किया है, तो उस पर संबंधित वन कानूनों के अन्तर्गत कार्रवाई की जाएगी।

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल
के आदेश से तथा उनके नाम पर,

बिपुल पाठक, अपर मुख्य सचिव (पर्यावरण एवं वन)

DEPARTMENT OF FORESTS & WILDLIFE
NOTIFICATION

Delhi, the 6th June, 2025

DIRECTIONS TO TREE OFFICERS UNDER SECTION 33 OF THE DELHI PRESERVATION OF TREES ACT (DPTA), 1994 REGARDING SECTION 8 OF THE 'DPTA, 1994'

No.F.8(277)/Forest/TC/Sec-8(DPTA)/2025-26/3177:- In exercise of the powers conferred by Section 33 of the Delhi Preservation of Trees Act (DPTA), 1994, the Government of National Capital Territory of Delhi, in public interest, hereby, gives the following directions to Tree Officers, regarding Section 8 of the 'DPTA, 1994'.

Section 8 of the Delhi Preservation of Trees Act (DPTA), 1994 states the following: -

"8. ***Restrictions on felling and removal of trees.*** -Notwithstanding anything contained in any other law for the time being in force or in any custom or usage or contract and except as provided in this Act or the rules made thereunder, no person shall fell or remove or dispose of any tree or forest produce in any land, whether in his ownership or occupancy or otherwise, except with the previous permission of the Tree Officer:

Provided that if the tree is not immediately felled, there would be grave danger to life or property or traffic, the owner of the land may take immediate action to fell such tree and report the fact to the Tree Officer within twenty-four hours of such felling."

In view of the above-mentioned proviso of Section 8 of the DPTA, 1994, an indicative list of general situations wherein the proviso of Section 8 of the DPTA, 1994 is unambiguously applicable, is given below for the guidance of Tree Officers:

1.1. If trees stand on or grow in the right of way of a road, bridge, underpass, over bridge, foot over bridge etc. in a manner that poses danger to life and property, obstructs free flow of traffic, affects structural safety and / or is detrimental to the safety of people, the owner or occupier of such land shall be able to remove / prune such trees immediately and inform the Tree Officer.

1.2. If tree stands on or grows on the right of way of a drain in a manner that hampers the flow of water, obstructs desilting of the drain and is detrimental to the safety of maintenance / cleaning personnel, the drain owning agency shall be able to remove / prune such trees immediately and inform the Tree Officer.

1.3. If trees stands on or grows in the right of way of a sewer line or on the sewer line itself, in a manner, that hampers the flow of sewer, obstructs desilting of the sewer line, damages the sewers line and / or is detrimental to the safety of maintenance / cleaning personnel, the sewer owning agency shall be able to remove / prune such trees immediately and inform the Tree Officer.

1.4. If tree falls within the precinct of a heritage building / structure or grows in a manner, that endangers its structural safety and hampers its restoration and / or is detrimental to the safety of maintenance / restoration personnel, the owner /agency shall be able to remove/prune such trees immediately and inform the Tree Officer.

1.5. If tree falls or grows in or on the precinct of any building residential / official / commercial etc., or extends into the Balconies / chhajas / walls etc. of the building in a manner, that endangers structural safety of the building / wall and / or threatens the safety of its inhabitants, the land owning agency / individual / RWAs in case of housing societies, after self-certification regarding ownership, shall be able to remove/prune such trees immediately and inform the Tree Officer.

1.6. If trees falls in the right of way of a Railway Track / Metro Installation in a manner, that hampers security, obstructs free flow of traffic, affect structural safety and/or is detrimental to the safety of

people, the land- owning agency shall be able to remove/prune such trees immediately and inform the Tree Officer.

1.7. In case of dried up or dead trees, trees leaning in a precarious manner, being vulnerable to fall in the event of a storm or otherwise, the land-owning agency / individual shall be able to remove / prune such tree immediately and inform the Tree Officer.

The requisite information must be reported to the concerned Tree Officer by the land-owning agency, individual, RWA etc., within 24 hours of the felling / cutting of such trees, as per Section 8 of the DPTA, 1994. This may be done by way of uploading a photograph of the tree from at least three different sides, along with geo-coordinates and the justification for felling, accompanied by another photograph after the execution, on the DPTA e-Forest Portal: https://dpta.eforest.delhi.gov.in. The Tree Officer shall accept it as compliance in accordance with proviso of Section 8 of the Act. The Tree Officer may also, suo motu, issue directions to the land-owning agency and shall take necessary action on their own if they notice any such dangerous tree during the course of inspection / routine field visits.

These SOPs are intended only to facilitate bona fide action in the circumstances enumerated above. However, if at a later stage it is found that anyone has misused this provision, he / she will be liable for action under relevant forest laws.

By Order and in the Name of the Lt. Governor
of the National Capital Territory of Delhi,

BIPUL PATHAK, Addl. Chief Secy. (Environment & Forests)

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