

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH**

(By Video Conferencing)

M.A No. 54/2022
in
Original Application No. 296/2022

Naveen Rana ...Applicant

Versus

State of Uttarakhand ...Respondent

Date of hearing: 19.10.2022

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None.
Respondents: Mr. Sanjay Upadhyay, Mr. Agosh Anand, Mr. Shudhandu Anand, Mr. Gaurav Kumar and Mr. Sawmitra Jaiswal, Advocates for Swarg Aashram Trust.
Mr. Rahul Verma, Additional Advocate General, for State of Uttarakhand.
Mr. Mukesh Verma, Advocate for UKPCB.

Application is registered based on a complaint received by Post.

ORDER

1. The grievances in this present Letter Petition sent by Mr. Navin Rana, Sabhasad (Member), Nagar Panchayat, Swarg Aashram (Gharwal) are that Swarg Aashram trust is constructing shops within the distance of 100 meters from river Ganga in violation of the orders of Hon'ble Uttarakhand High Court and this Tribunal without getting any construction plan sanctioned/approved from the concerned authorities. Complaint for prohibition and demolition of unauthorized construction was made to the concerned authorities but no action has been taken.

2. Vide order dated 05.05.2022, Joint Committee was constituted to submit a Factual and Action Taken Report.

3. In compliance there of Factual and Action Taken report was submitted by the Joint Committee vide email dated 18.07.2022.
4. Vide order dated 08.08.2022, notices were ordered to be issued to the Project Proponent and the District Magistrate, Pauri Garhwal and the Joint Committee was directed to submit further report *inter alia* as to whether the construction falls within Flood Plain Zone of River Ganga.
5. In compliance thereof report of the Joint Committee has been filed by Officer In Charge, Collectorate Pauri vide email dated 17.10.2022.
6. Reply on behalf of the Project Proponent has also been filed vide email dated 18.10.2022.
7. Mr. Rahul Verma, Ld. Additional Advocate General for State of Uttarakhand seeks time to file reply/response on behalf of State of Uttarakhand and the District Magistrate, Pauri Garhwal. Reply/response on their behalf be filed within one week at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.
8. List for further consideration on 02.11.2022.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

October 19, 2022
AG