

Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 514/2015

Gauri Maulekhi

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

(Report filed in O.A. No. 514/2015)

Date of hearing: 30.07.2019

**CORAM:**

**HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S.P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE K. RAMAKRISHNAN, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

For Applicant(s):

Ms. Meera Gopal, Advocate

**ORDER**

1. The grievance in this application is against illegal construction in Haridwar Forest Division in Shyampur Range. According to the applicant, area of Chandi Block, Shyampur Range, Shivalik Elephant Reserve and its adjoining Rajaji National Park and Tiger Reserve are wildlife habitats within 100 meters of river Ganga where large scale construction is going on in the said area without any clearance by the competent authorities under Forest (Conservation) Act, 1980. Construction is *inter-alia* being done at Dakshinkali Temple, Maa Chandi Devi Purohit Residential Area, Chandikeshwar Mahadev

Avam VedKarmkand Vidyalaya, Gauri Shankar Temple Parking Area etc. and encroachment by several others.

2. Vide order dated 24.08.2018, this Tribunal directed the Forest Department and the District Administration to take necessary steps to remove the illegal constructions. An Oversight Committee was also constituted headed by Justice U.C. Dhyani, former Judge, Uttarakhand High Court.
3. The matter was thereafter considered on 14.02.2019 in the light of report dated 22.12.2018 submitted by the Oversight Committee indicating the steps taken. The report was accepted and further action was directed to be taken.
4. Today, a further report dated 09.07.2019 has been submitted to the effect that 12 meetings have already taken place. There was some delay in the proceedings relating to eviction of encroachments because of the Model code of Conduct and the elections. No new encroachment has now taken place and some encroachments have been removed. In some cases, orders of eviction have been passed or other proceedings were pending. The remaining eviction proceedings are to be completed within three months.
5. Let a final report be now furnished by the Oversight Committee giving the status of the actions taken and its recommendations in the matter by 30.11.2019.

List for further consideration on 17.12.2019.

Adarsh Kumar Goel, CP

S.P. Wangdi, JM

K. Ramakrishnan, JM

Dr. Nagin Nanda, EM

July 30, 2019  
Original Application No. 514/2015  
DV

