

Item No. 01

Court No. 2

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

Original Application No. 892/2022

Prem Mohan Gaur

Applicant

Versus

National Highway Authority of India & Ors.

Respondent(s)

Date of hearing: 11.01.2023

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Suruchi Mittal, Advocate

**ORDER**

1. This original application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') has been filed by sole applicant - Prem Mohan Gaur with prayer that respondents be directed to remove construction of road raised on pond in Village Kiranj and restore the pond to its original shape.

2. It is also alleged that in Hajipur woodlot forest land, lots of trees have been illegally cut damaging environment and no action has been taken by concerned authority, therefore, appropriate action be taken against responsible respondents and environmental compensation be assessed and recovered from them.

3. The applicant has said that construction of road is being carried out by National Highway Authority of India (hereinafter referred to as '**NHAI**') and while constructing road in an elevated new National Highway-148NA (DND-Faridabad Ballabgarh bypass to KMP interchange stretch of Delhi-

Vadodara-Mumbai Expressway) which is connected to Gurugram canal, the officials of NHAI have covered a pond, notified under Haryana Pond Waste Water Management Authority Act, 2018, and have also caused illegal cutting of trees in the forest area in violation of Forest (Conservation) Act, 1980 in village Hazipur, Gurugram which falls under Social Forestry scheme of Forest Department, Haryana.

4. In our view, a substantial question relating to environment for implementation of the scheduled enactments under NGT Act, 2010 has arisen but before taking any further action in the matter, we find it appropriate to obtain a factual report from concerned authorities, for which purpose, we constitute a joint Committee comprising State PCB, PCCF, Gurugram and District Magistrate, Gurugram who shall visit the site, collect relevant information and submit a detailed factual report beside action taken, if any, within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

5. District Magistrate, Gurugram will be nodal agency for coordination and compliance.

6. List for further consideration on 17.03.2023.

7. A copy of this order, alongwith copy of complaint, be forwarded to State PCB, PCCF, Gurugram and District Magistrate, Gurugram by e-mail for compliance.

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

January 11, 2023  
Original Application No. 892/2022  
DV