

Ensure no petrol pump is built on forest land, says NGT

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Gurgaon: The National Green Tribunal (NGT) has directed the forest department and district administration to ensure that no petrol pump is set up in forest land in the city and to file an action-taken report within two months.

The move comes after a petition was filed in the NGT appealing prohibition of any construction activity in forest land. According to the petitioner, the Municipal Corporation of Gurgaon (MCG) had requested the forest department to allow setting up of a petrol pump on 1,500 sqm of forest land in Chakkarpur. According to the department, the land comes under Aravali plantation area and cannot be diverted for commercial use.

The petition was filed by Abhay Jain from Manav Awaaz, an NGO. The forest department, in a letter on July 29 last year, had told the deputy commissioner of Gurgaon that the site in question was a part of forest land and according to a Supreme Court order, it cannot be used for non-forest purposes. Thus, the retail outlet of the Indian Oil Corporation Limited (IOCL) could not be set up on the site, the petitioner pointed out to NGT.

“In spite of the said stand of the forest department, MCG has failed to take remedial action to enforce the law. Use of forest land for non-forest purposes is in violation of the 1992 Aravali Notification by the ministry of environment, forests and climate change. We have also appealed to the Punjab and Haryana high court on Saturday appealing prohibition of any construction activity in forest land, in view of the judgment of the Supreme Court in the M C Mehta vs Union of India case (2018),” Jain said.

A three-member principal bench, headed by NGT chairperson Justice Adarsh Kumar Goel, heard the plea on February 9 and issued an order on Monday. The bench said the matter needs to be looked into by the deputy commissioner and the divisional forest officer of Gurgaon and action should be taken to enforce the law, following due process. “An action-taken report may be filed jointly by the deputy commissioner and the divisional forest officer within two months,” the order said.

Environmental activists welcomed the decision. They pointed out Gurgaon is among the most-polluted cities in the country and

needs to increase its forest cover in order to fight air pollution. The forest in Chakkarpur acts as a buffer against localised air pollution between the road and the residential area and thus the government should avoid giving away forest land for commercial purposes, they said.

“As per revenue records, the site falls under the category of ‘gair mumkin pahar’ (uncultivable hill) thereby qualifying as Aravalis, and is also part of the Aravalis plantation. According to the Aravali Notification, no construction activities can be carried out in the areas notified as such,” said Vaishali Rana Chandra, a city-based environmental activist.