

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:1711
ANSWERED ON:08.03.2016
SCs Directive on Encroachment
Khaire Shri Chandrakant Bhaurao

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Supreme Court in its judgement delivered in September, 2009 had ordered to demolish religious places constructed on encroached land;
- (b) if so, the details thereof;
- (c) whether the Government has taken action against the States which have not implemented the order of Supreme Court; and
- (d) if so, the details thereof and the steps taken to review the works of the State Governments and the District Administration in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJU)

(a) & (b): The Supreme Court in its directions in SLP (C) No. 8519/2006 dated 29.9.2009, inter-alia, directed that henceforth no unauthorized construction shall be carried out or permitted in the name of Temple, Church, Mosque or Gurudwara etc. on public streets, public parks or other public places etc. In respect of the unauthorized construction of religious nature which has already taken place, the State Governments and the Union Territories shall review the same on case to case basis and take appropriate steps as expeditiously as possible. In order to ensure compliance of the aforesaid directions, the Supreme Court

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further directed all the District Collectors and Magistrates/Deputy Commissioners in charge of the Districts to submit a report to the concerned Chief Secretaries or the Administrators of the Union Territories who in turn would send a report to the Supreme Court.

(c) & (d): In compliance of the directions of the Hon'ble Supreme Court, in its various subsequent interim orders, the Union of India has filed status reports on the basis of Affidavits filed by States/Union Territories. The matter is presently sub-judice.

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