

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

PIL WRIT PETITION NO.904 OF 2005

Ehsanul Haque A. Nadvi

: Petitioner

V/s.

The Union of India & Ors.

: Respondents

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Mr.Akhilesh Upadhyay for the petitioner.

Mr.R. Raghuwanshi, Addl. Solicitor General, with Ms Bharati Mahant for respondent nos.1 & 7.

Mr.Pradeep Jadhav, Asstt. Govt. Pleader for respondent nos.2 & 5.

Ms Shobha Ajitkumar for respondent no.6.

Mr.Z.A.Jariwala i/b. Thakore Jariwala & Associates for respondent no.8.

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CORAM : BILAL NAZKI & S.A.BOBDE,JJ.

DATE : FEBRUARY 06, 2008.

P.C.

1. The learned counsel for the Union of India shall file an affidavit of the concerned Officer stating therein whether the site, which is the subject-matter of this Writ Petition, has ever been declared as a National Park or not. If so, he shall also produce a copy of such Notification.

2. S.O. for two weeks.

(BILAL NAZKI, J.)

(S.A. BOBDE, J.)

Bombay High Court

Article in The
Times of India
dt. 9th July 06

So similar but hills apart



GILBERT HILL

- Date of birth: Approximately 65 million years ago
- Address: Mumbai, India
- Height: 200 feet
- Job experience: Starred in all-time Bollywood hit *Sholay* (1975)
- Status: On GST list of national monuments but, nevertheless crumbling



DEVILS TOWER

- Date of birth: Approximately 65 million years ago
- Address: Wyoming, the United States
- Height: 867 feet
- Job experience: Starred in Hollywood hit *Close Encounters of the Third Kind* (1977)
- Status: Protected natural national monument

Vijay Singh | TNN

Mumbai: The irony is towering.

As the United States gears up to celebrate 100 years of crowning Devils Tower as a protected natural national monument, Gilbert hill in Mumbai is on the verge of crumbling and falling apart.

It was on 24 September 1906 that then US President Theodore Roosevelt declared Devil's Tower the first protected natural national monument in the country. It rises 867 feet from the base in north-east Wyoming and is a volcanic structure very similar to our own 200-foot-tall Gilbert Hill.

Devils Tower, just like Gilbert Hill,

was born out of volcanic activity some 65 million years ago. There is another similarity as well; both have starred on the silver screen. Devils Tower starred in the 1977 sci-fi thriller *Close Encounters of the Third Kind*; Gilbert Hill did a cameo in Bollywood's most popular film till date, *Sholay*.

But then the differences start. Several black basalt boulders weighing nearly six tonnes came crashing down from the top of Gilbert Hill, causing localised tremors and raising concerns about its stability. It is also surrounded by multi-storied buildings. It is possible to peer down on the hill as you hang out your laundry to dry on the clothes line.

Devils Tower, on the other hand, is in the pink of health. It's also surrounded by nature. "It is sad that no one is taking care of our Gilbert Hill. It has been named a national monument by the Geological Survey of India but that has not stopped the encroachments around the hill," geologist V Subramanyan said.

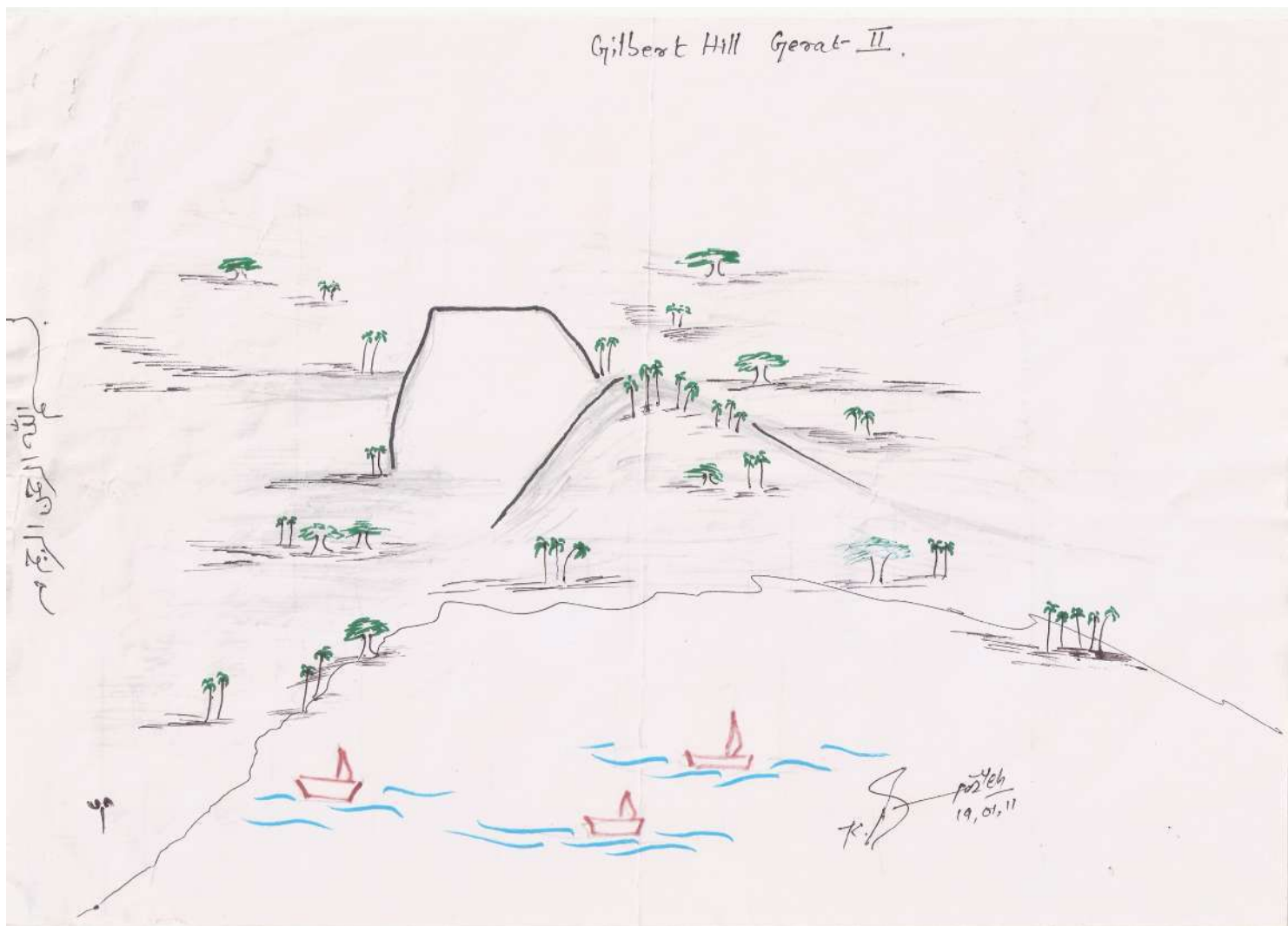
Former Prince of Wales Museum director, Sedashiv Gorakshakar earlier told TOI that documents from 1962 showed the hill was declared a National Park by Bombay state's Parks and Gardens Advisory Committee, which also ordered a boundary to be erected around it.

The construction close to the base

of the hill has caused vibrations that, in turn, have loosened the basalt rocks that made up the hill, Subramanyan says; the closest building is five metres away.

Sandeep Pardeshi of the Shree Ganndevi Durga Deosthan Trust, that manages a Durga temple atop Gilbert Hill, says he has been crying hoarse about the hill being under threat from the excavations around it but nothing has been done. "We plan to move the Bombay High Court to protect the hill," he added. A division bench of the court appointed a team from the Indian Institute of Technology-Bombay to study the dangers facing Gilbert Hill last week.

Gilbert Hill Gerat-II.



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