

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

AT PRINCIPAL BENCH, NEW DELHI

(In O.A. No. 293 of 2023)

**Yogesh Maini & anr. Vs The State of Punjab through the Principal Secretary of Local Government Department & ors.**

**Affidavit of Yogesh Maini (aged 41 years) s/o Late Sh. Kapil Bhushan Maini r/o #678/1, Prem Nagar, Shiv Mandir Road, Civil Lines, Ludhiana.**

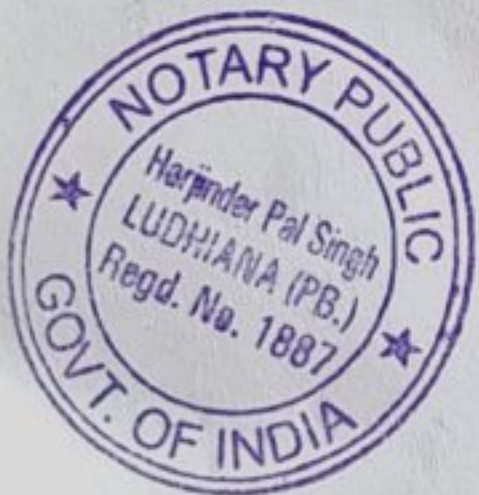
**RESPECTFULLY SHOWETH:**

I, the above mentioned deponent do hereby solemnly affirm and declare as under:-

1. That the deponent, who is one of the Applicants (in person) in O.A. No. 293 of 2023 filed with this Hon'ble National Green Tribunal.
2. That the contents of paras no. 1 to 4 of the accompanying Additional Affidavit are true and correct to my knowledge.

Place: Ludhiana  
Dated: 20.10.2024

*Yogesh Maini*  
**DEPONENT**



**Verification:**

Verified that the contents of para 1 and 2 of this affidavit are true and correct. No part of it is false, and nothing material has been kept concealed therefrom.

616  
20-10-2024

Place: Ludhiana  
Dated: 20.10.2024

*Yogesh Maini*  
**DEPONENT**

Adh. No. -  
3551 88470 635

**ATTESTED AS IDENTIFIED**

*HPM* 20-10-2024

**NOTARY PUBLIC  
LUDHIANA (PB)**

I know the Deponent/Excitants personally and he/she has Signed/Thumb Impression in my presence.

20 OCT 2024

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI**

(In O.A. No. 293 of 2023)

Yogesh Maini & anr.

..... Petitioners

Vs.

State of Punjab & ors.

..... Respondents

Additional Affidavit by Applicant No. 1 on continuous Environment damage being done by solid fixing interlocking tiles/cement concrete even after 20-09-2024 by Municipal Commisioner of Ludhiana as well as Chairman of Ludhiana Improvement Trust

AND

Real facts regarding claim of removal of interlocking tiles as done by Municipal Corporation Ludhiana in Model Town, Sarabha Nagar, Bhai Randhir Singh Nagar AND by Ludhiana Improvement Trust in Shaheed Bhagat Singh Nagar as well as Rishi Nagar Ludhiana

Hon'ble sir,

Respectfully sheweth,

The Applicant humbly submit as under:

1. That even after date of hearing held on 20-09-2024, the Respondent No. 2 and Respondent No. 3 both have still continuing to fix Solid interlocking tiles/cement concrete in 100% area along roadsides (Non-permeable tiles)

without leaving space of One meter in radius around the trees by going against the orders of this Hon'ble Tribunal. Such an act is against the provisions of Section 26 of NGT Act and the Head of Department is liable to be prosecuted and punished accordingly. Two Photographs depicting laying of Cement Concrete as on 14-10-2024 at Gill Road Ludhiana by Municipal Corporation Ludhiana are produced herewith as **Annexure PX-1**.

2. That as seen on website of Ludhiana District Courts, the EXE 609/2021 has already been disposed-of considering the affidavit of MCL, LIT and GLADA whereas on actual grounds, only 15-20% of interlocking tiles have been removed from the areas. The copy of final orders is produced herewith as **Annexure PX-2**. Thus, the MCL claiming to be submitting the compliance report in District Courts of Ludhiana in said case is misleading and it is clear that the MCL itself is having no knowledge of the real facts and affidavit submitted by it in District Courts is also false. It is strongly contested that the areas like Bhai Randhir Singh Nagar, Sarabha Nagar & Kithclu Nagar comes under the jurisdiction of Municipal Corporation Ludhiana and MCL has done development works of interlocking tiles in these areas, thus the claim of MCL for these three areas under the jurisdiction of LIT is wrong and just to run away from its duty.
3. That Er. Kapil Dev (Petitioner in Exe 609/2021) has informed that MCL and LIT had been repeatedly submitting false affidavits and during last two hearing, he couldn't attend the hearing as was engaged in hearing of a matter with this Hon'ble Tribunal. The salaries of officials of MCL & LIT were orders to be attached twice but the Act of officials of MCL & LIT has always been

wrong and to defy orders of Hon'ble NGT and district court. The MCL had submitted affidavit regarding clearance of interlocking in Model Town, Sarabha Nagar, Bhai Randhir Singh Nagar, Model Town Extension, Atam Nagar area etc. **but the real fact is that only 15-20% of interlocking tiles have been removed from these locations and case has been disposed-of by the District Courts in a hurry without considering the factual conditions.** Photographs depicting present status of tiles/concrete around some of the trees in Model Town, Sarabha Nagar, Bhai Randhir Singh Nagar are produced herewith as **Annexure PX-3**. Similar is the condition of trees in Model Town Extension and other areas of Ludhiana coming under the jurisdiction of Respondent No. 2 and the photographs depicts only few trees whereas the condition of other large number of trees is also similar.

4. That the Respondent No. 3 Ludhiana Improvement Trust has continued to fix solid interlocking tiles in Shaheed Bhagat Singh Nagar without leaving adequate space around trees and despite submission dated 20-09-2024, the tiles have not been removed around the trees and instead of perforated tiles with 50% holes, solid concretization has been done that too above the level of road, resulting into major reason behind waterlogging on roads, an act against IRC Code. Further, Respondent No. 3 has failed to removed interlocking tiles in Rishi Nagar too. Photographs depicting present status of tiles/concrete around some of the trees in Rishi Nagar & Shaheed Bhagat Singh Nagar are produced herewith as **Annexure PX-4**.

**PRAYER**

Keeping in view of the above, the Applicants humbly pray this Hon'ble Tribunal to kindly accept our prayer as submitted in Original Application and issue directions to PPCB to initiate proceedings against Respondent No. 2 & 3 under the provisions of Section 26 of NGT Act, 2010 for repeatedly defying orders of this Hon'ble Tribunal.

Date: 20-10-2024

Place: Ludhiana



Yogesh Maini

(Petitioner No. 1)



## ANNEXURE PX-2

CNR No: PBLD020092602021

CIS No: EXE/609/2021

KAPIL DEV VS STATE OF PUNJAB etc.

Present: None for the applicant

Sh Amit Bhanot Advocate for LIT

Sh. R.P. Singh Advocate for GLADA

Sh. G.S. Gill Advocate for Municipal Corporation

None appeared on behalf of the applicant. As per file, on the last date of hearing also, applicant failed to appear before the court.

At this stage, Ld. Counsels for the respondents i.e. LIT, GLADA and MC draw attention of the court towards the affidavits filed by the concerned officials of these departments regarding 99/100 % compliance of the orders of Hon'ble NGT. The present application has been filed by the applicant for compliance of orders of Hon'ble NGT in MA No. 64/2021 in original application No. 62/2021 .

From order dated 02.03.2023 onwards, the respondents were directed to make compliance in specific areas. Thereafter, compliance reports on affidavits were filed by the officials of the respondents. After that , reports of the bailiffs were called regarding the actual and factual position keeping in view the affidavits filed by the respondents. In the reports of the bailiffs, certain discrepancies were found and the respondents were again directed to make compliance of the orders of Hon'ble NGT in letter and spirit. Thereafter, again fresh affidavits regarding compliance have been filed by the respondents.

Since, the said affidavits have not been assailed by the applicant/DH and as per the affidavits so filed, respondents have made compliance of the orders of Hon'ble NGT in the areas under their

jurisdiction to the extent of 99-100%. Further, Ld. Counsels for the respondents stated that the respondents undertook to make compliance of the orders of Hon'ble NGT in future and that in case, any discrepancy is found, the respondents undertook to correct the same at the earliest.

In view of the above discussion, the affidavits regarding compliance filed by the respondents and no objection on the part of applicant (since applicant not appeared from last 2 dates), the present application/execution stands disposed off being satisfied. However, before parting with this order, this court deems it apposite to direct the respondents to remain bound by their undertaking regarding in-bin compliance of orders of Hon'ble NGT in future projects as well as to rectify/correct the discrepancies if any found, at the earliest.

In these circumstances, the application filed by the applicant u/S 26, 28 of NGT Act stands disposed off being not pressed. With these observations, application in hand stands disposed off being satisfied.

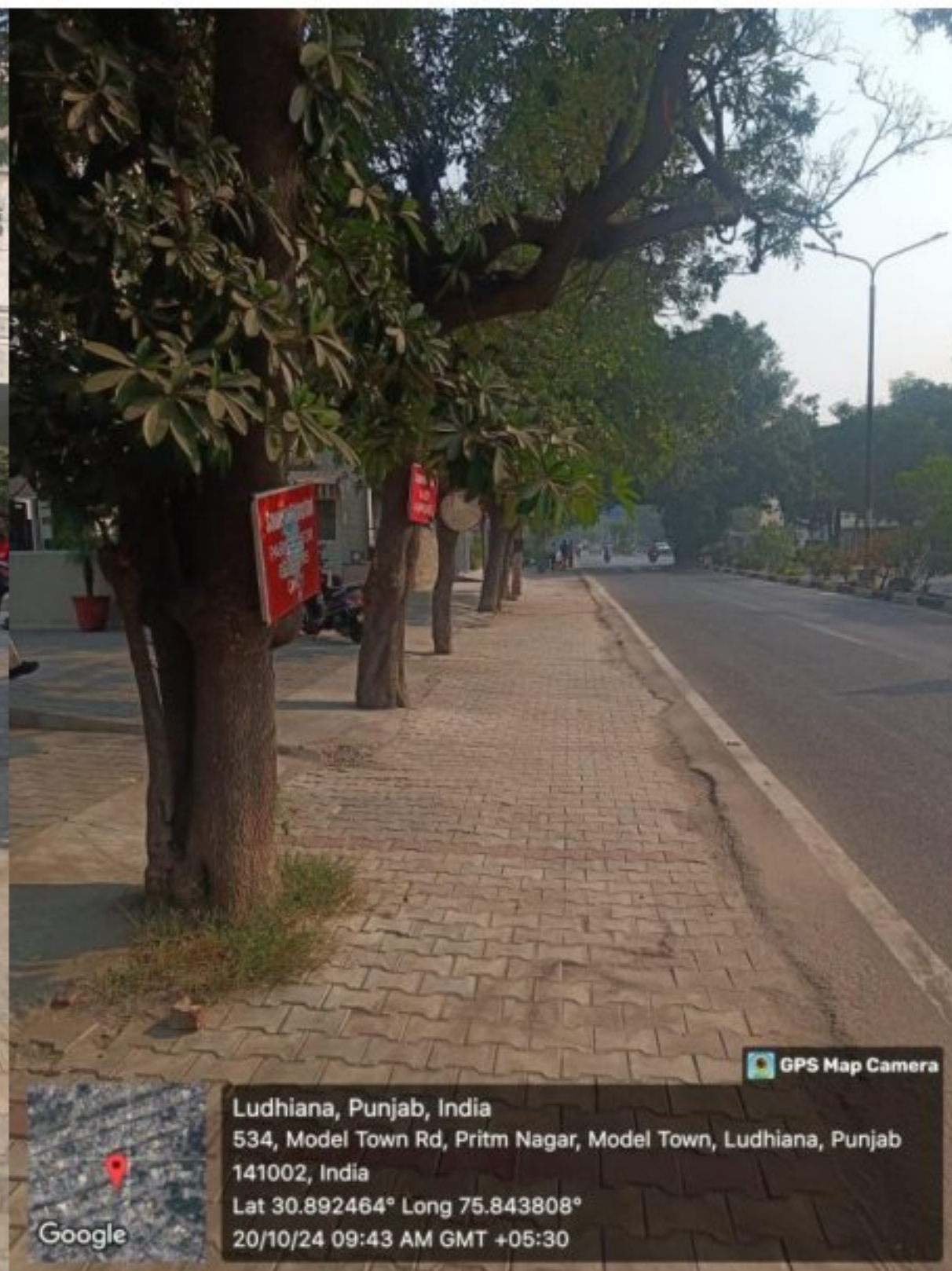
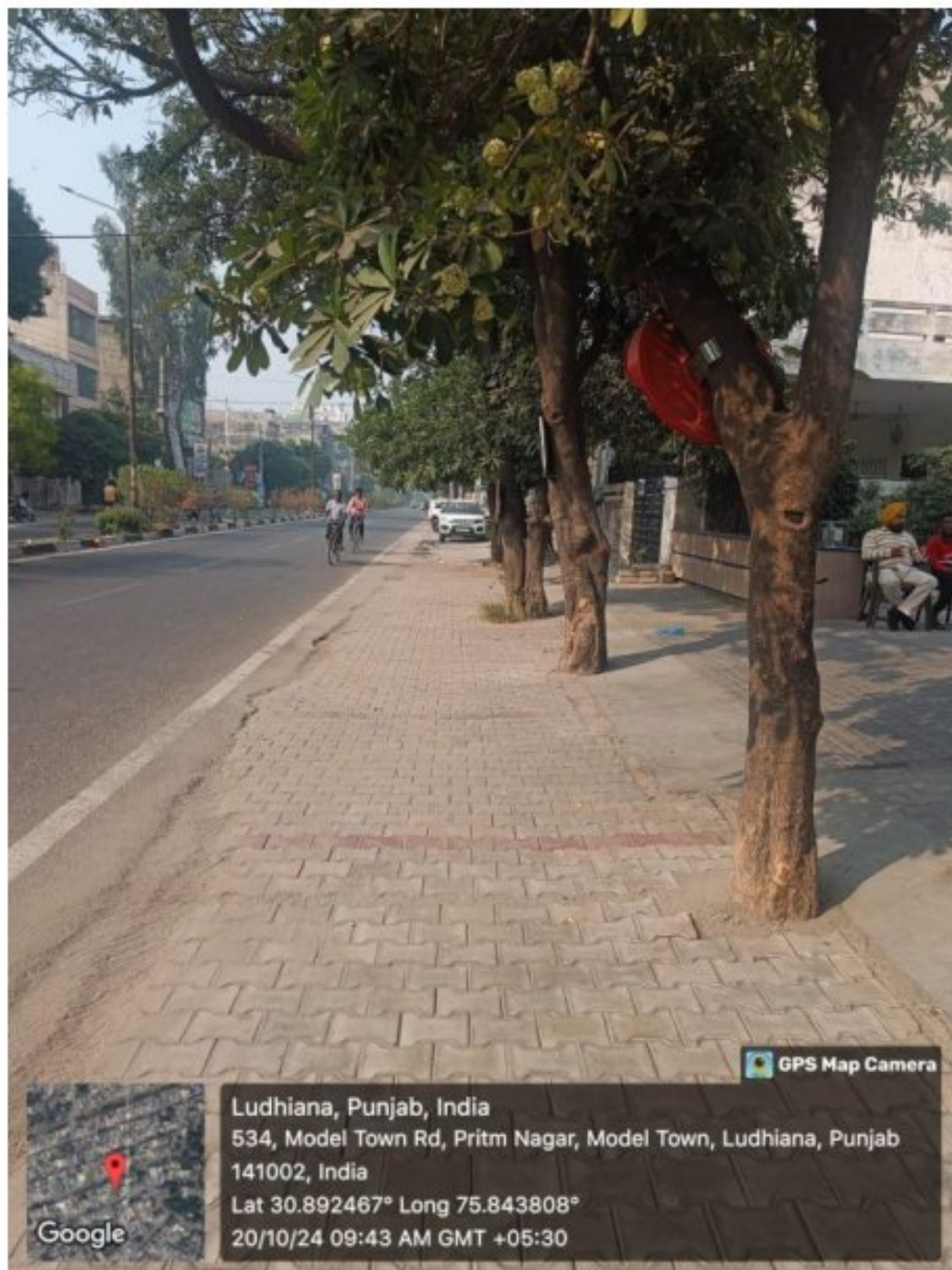
However, the applicant is at liberty to file fresh application in future, in case any fresh discrepancy is found.

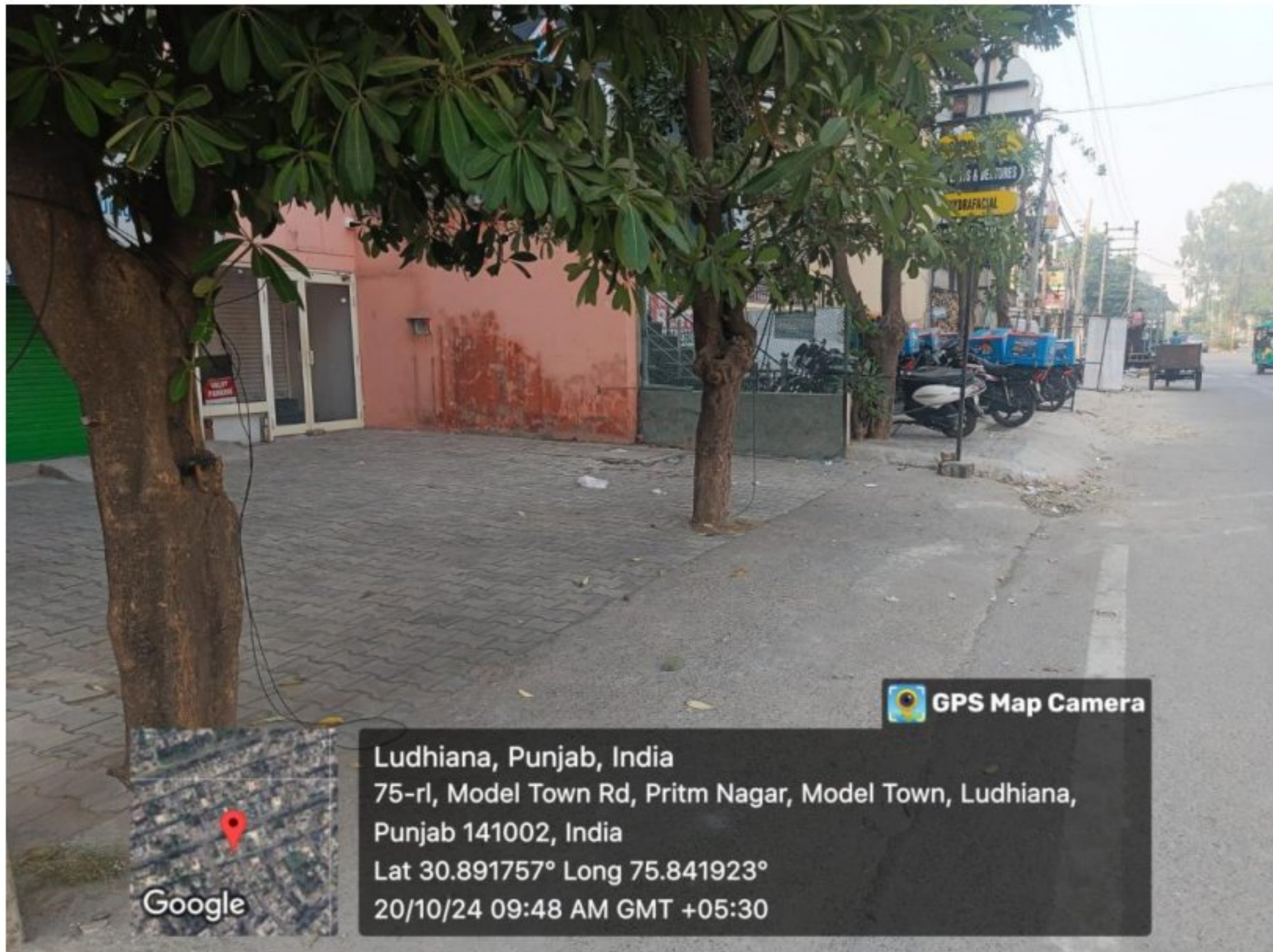
File be consigned to the record room.

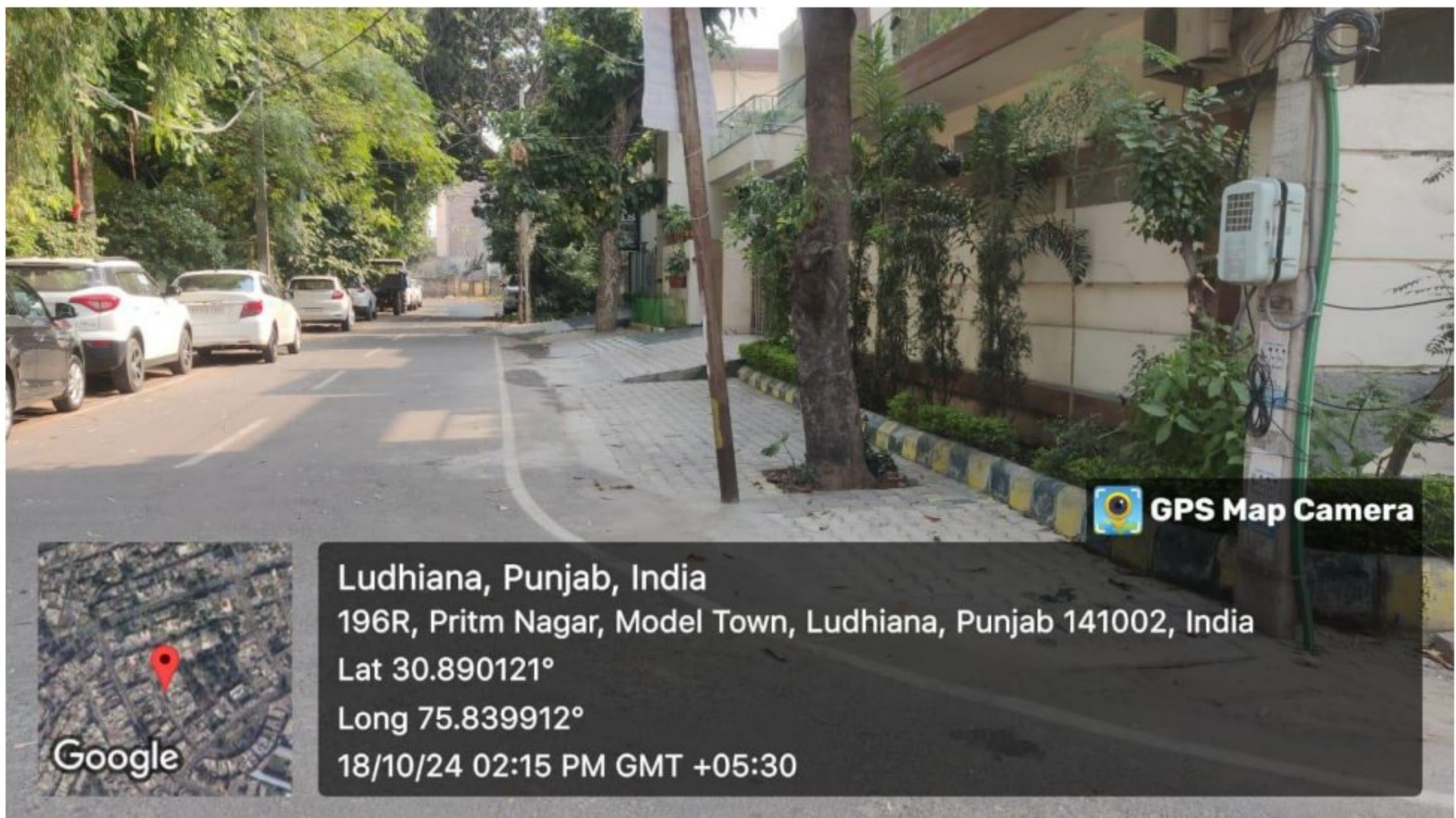
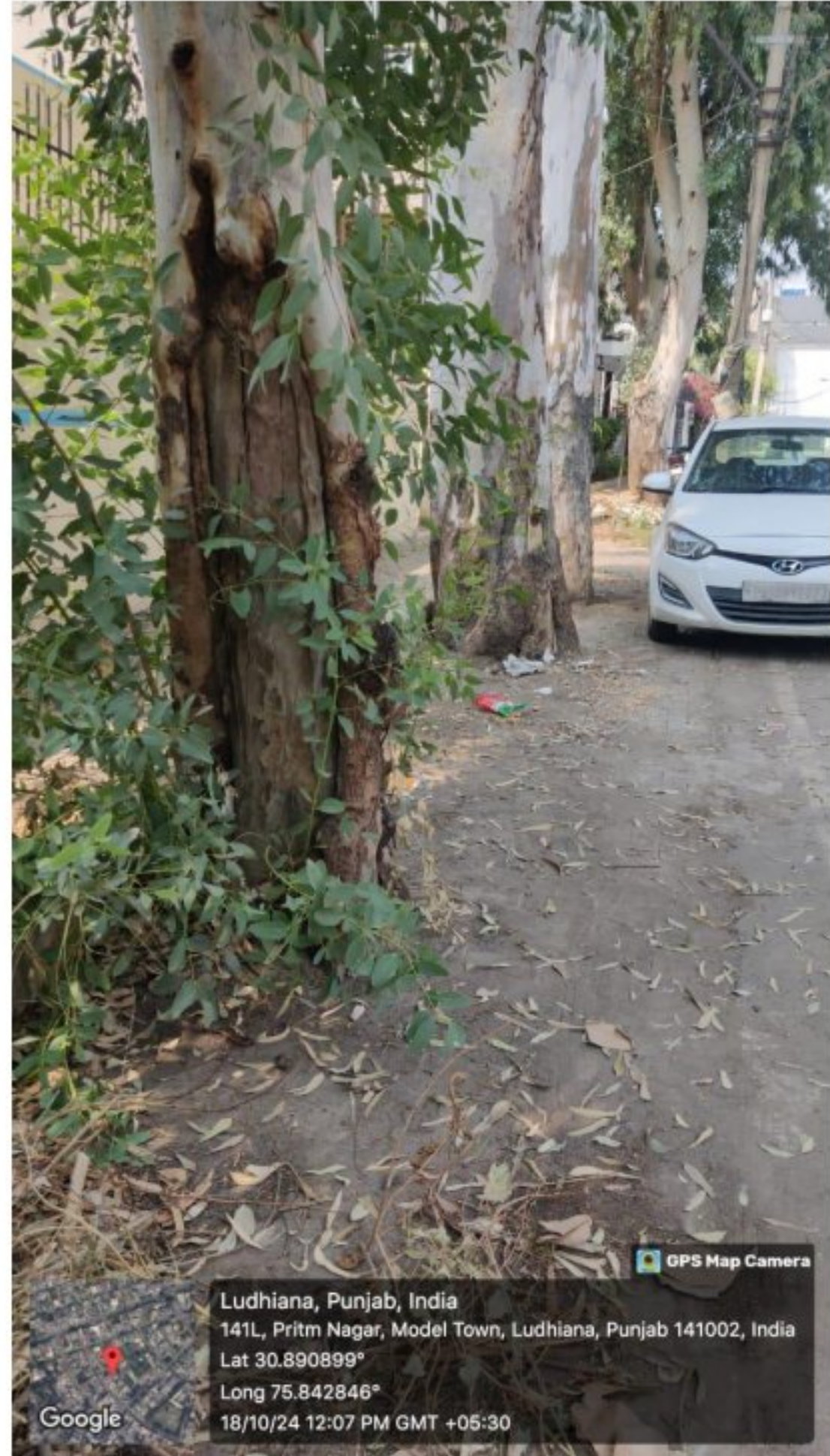
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*Diksha Stg-III*

(Karan Aggarwal)  
Civil Judge (Junior Division)  
UID NO . PB00552

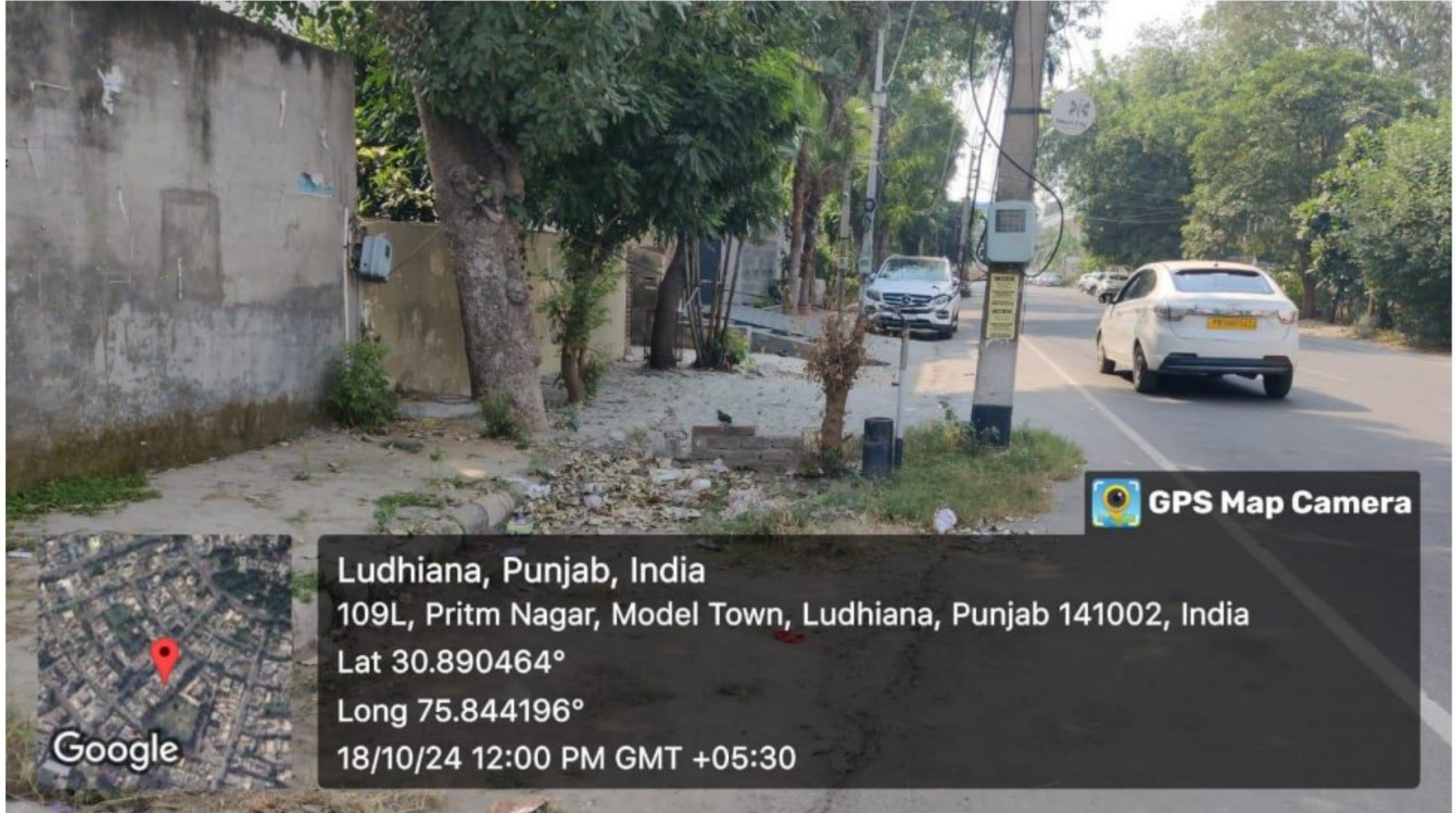
**Model Town (under the Jurisdiction of Municipal Corporation, Ludhiana):**



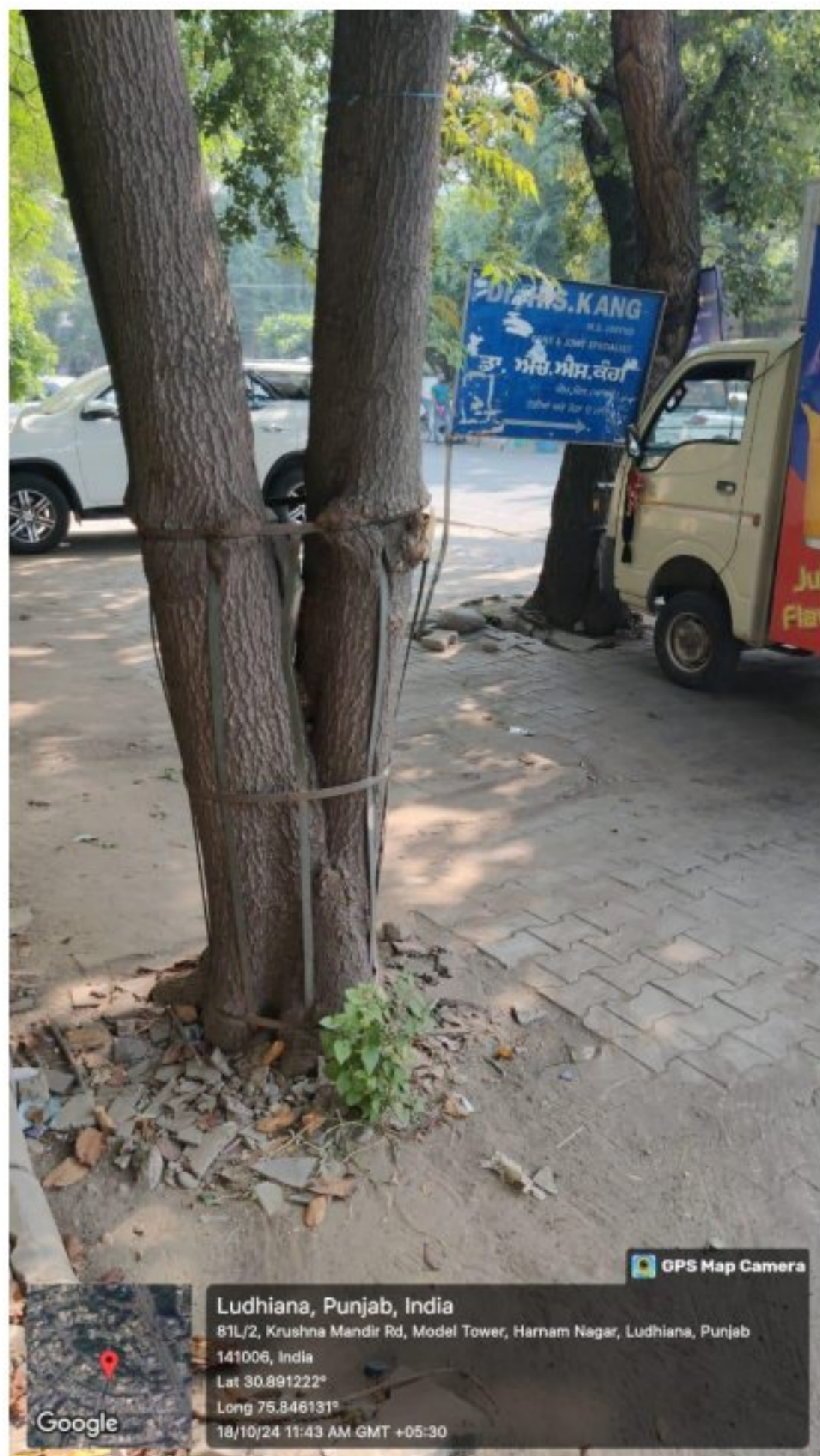
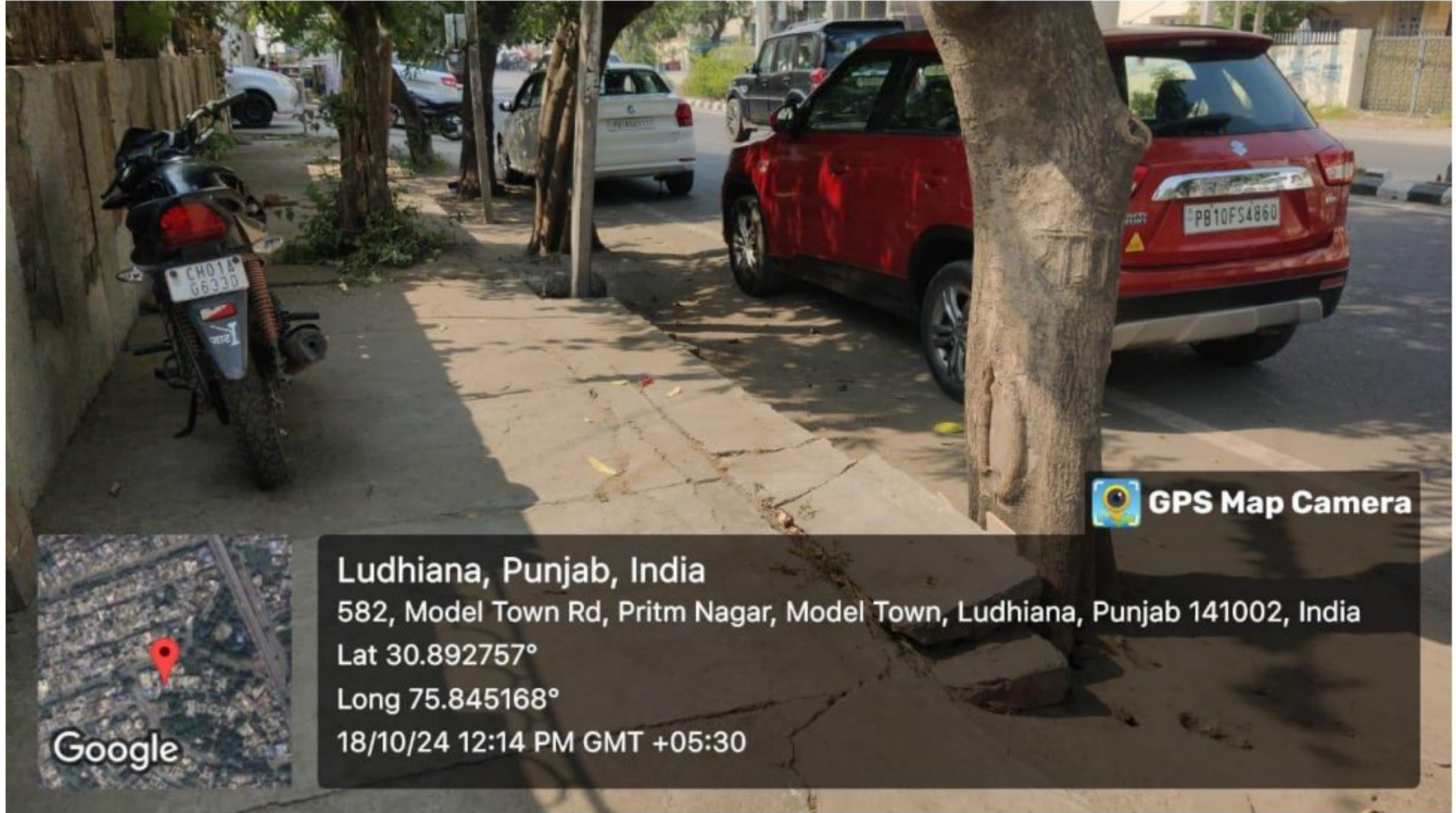


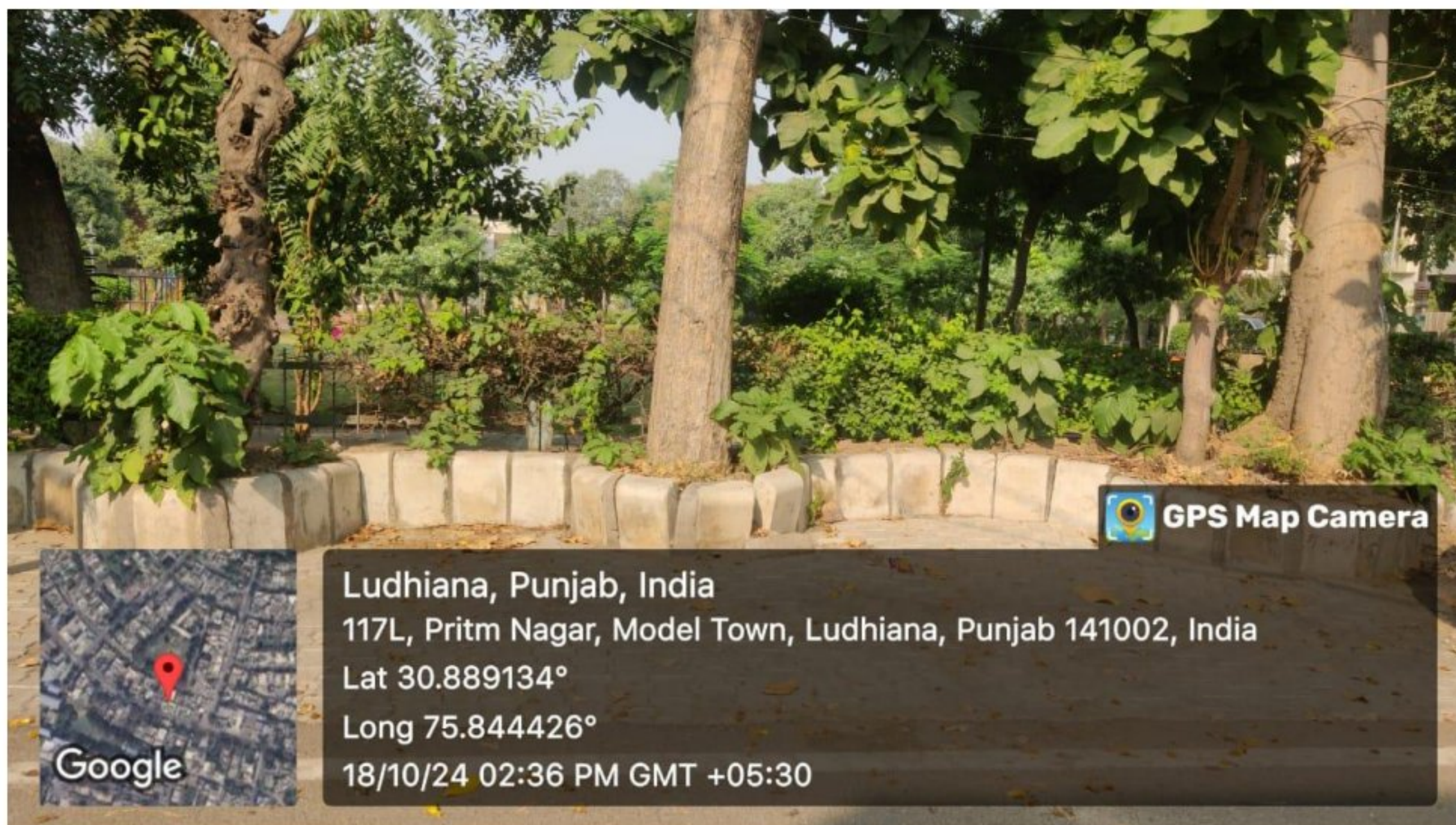


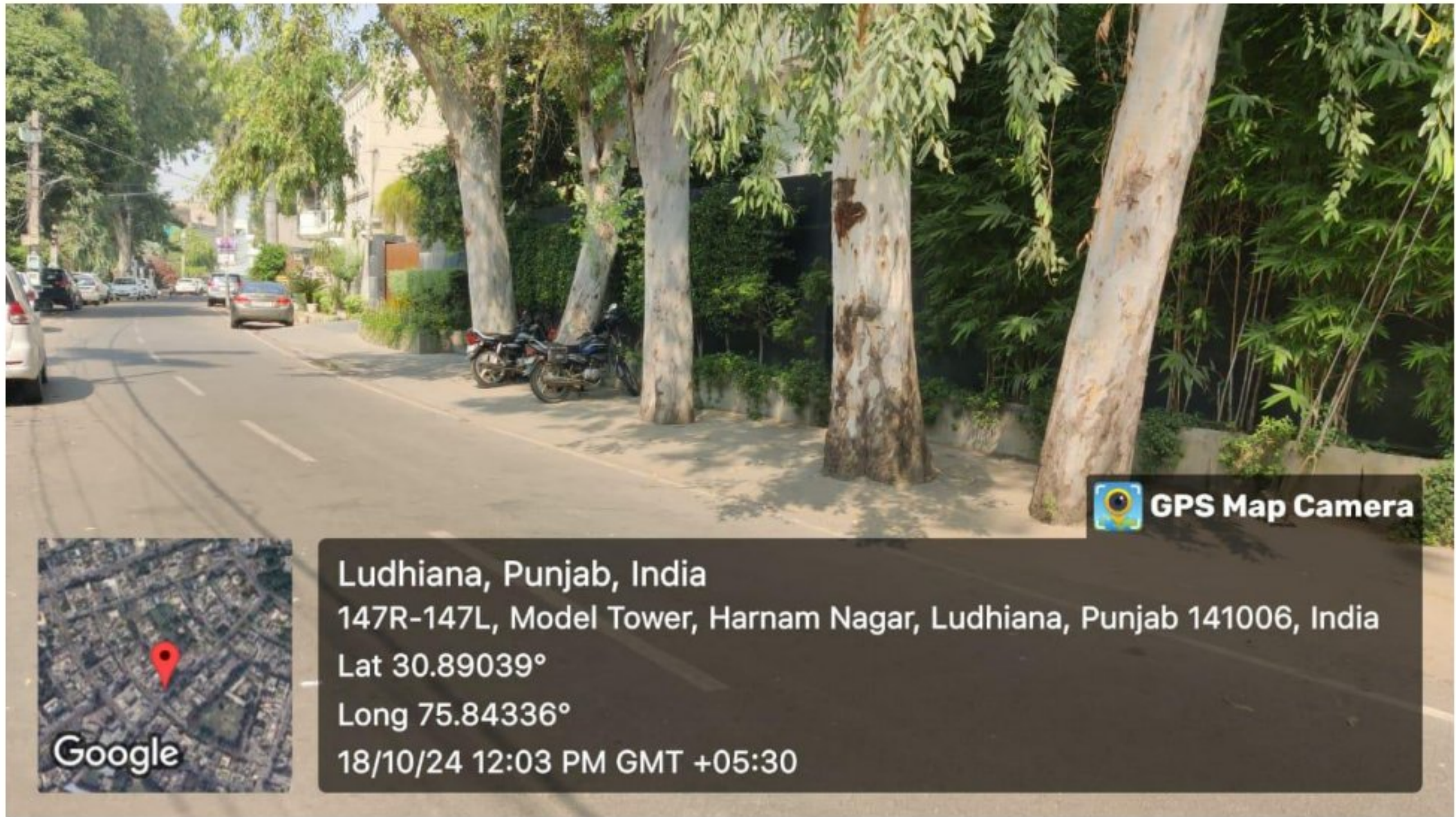


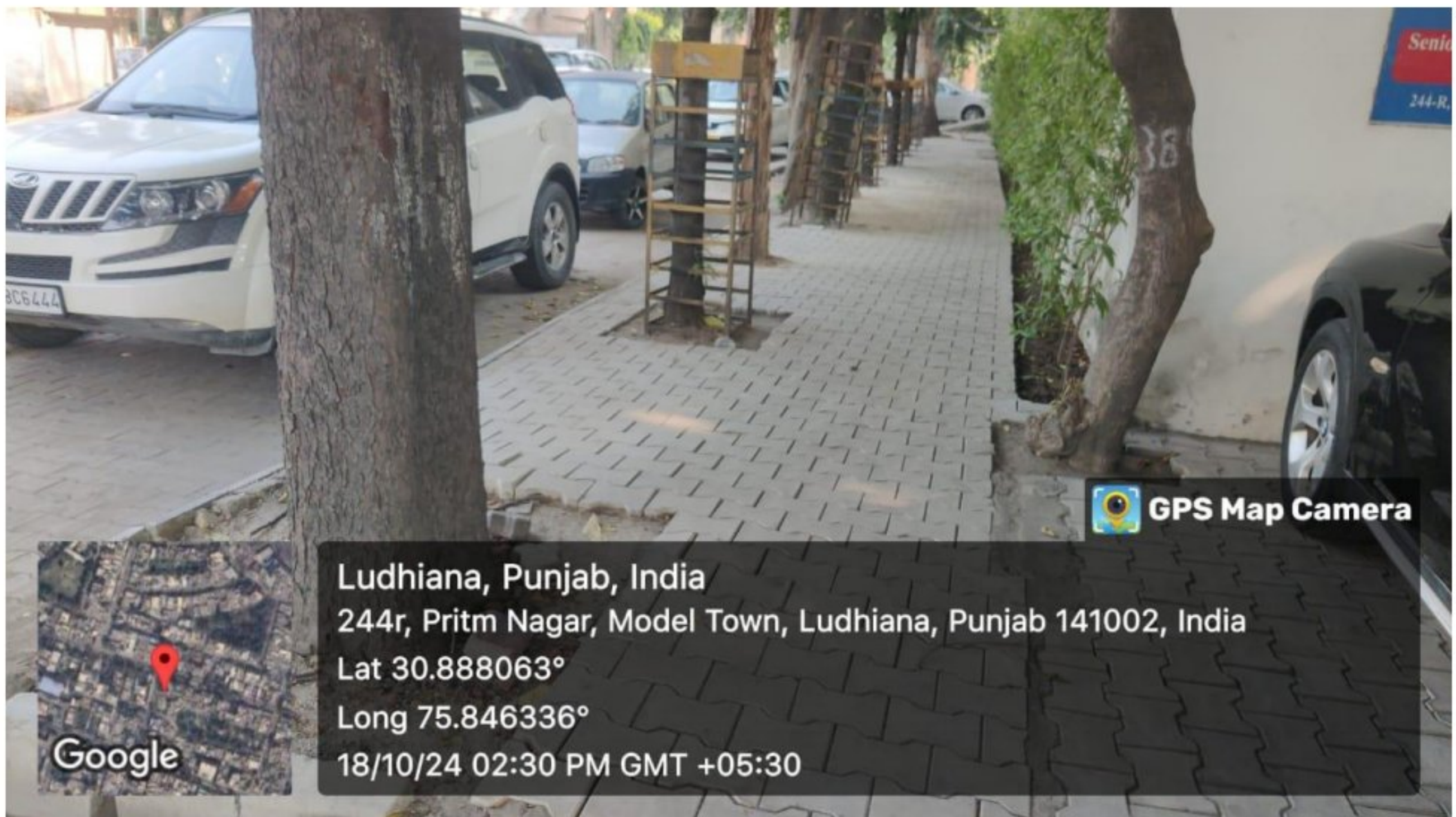




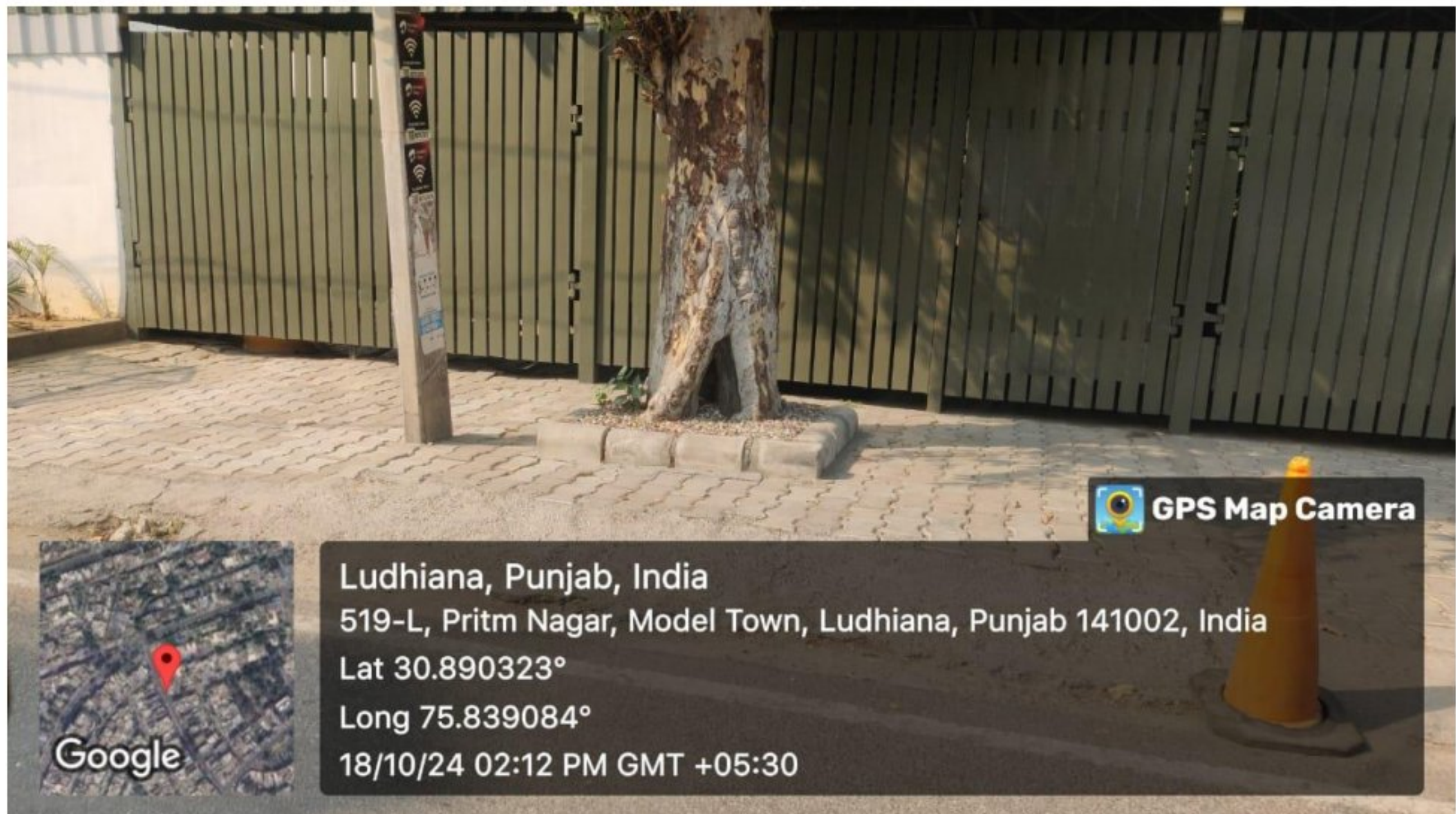
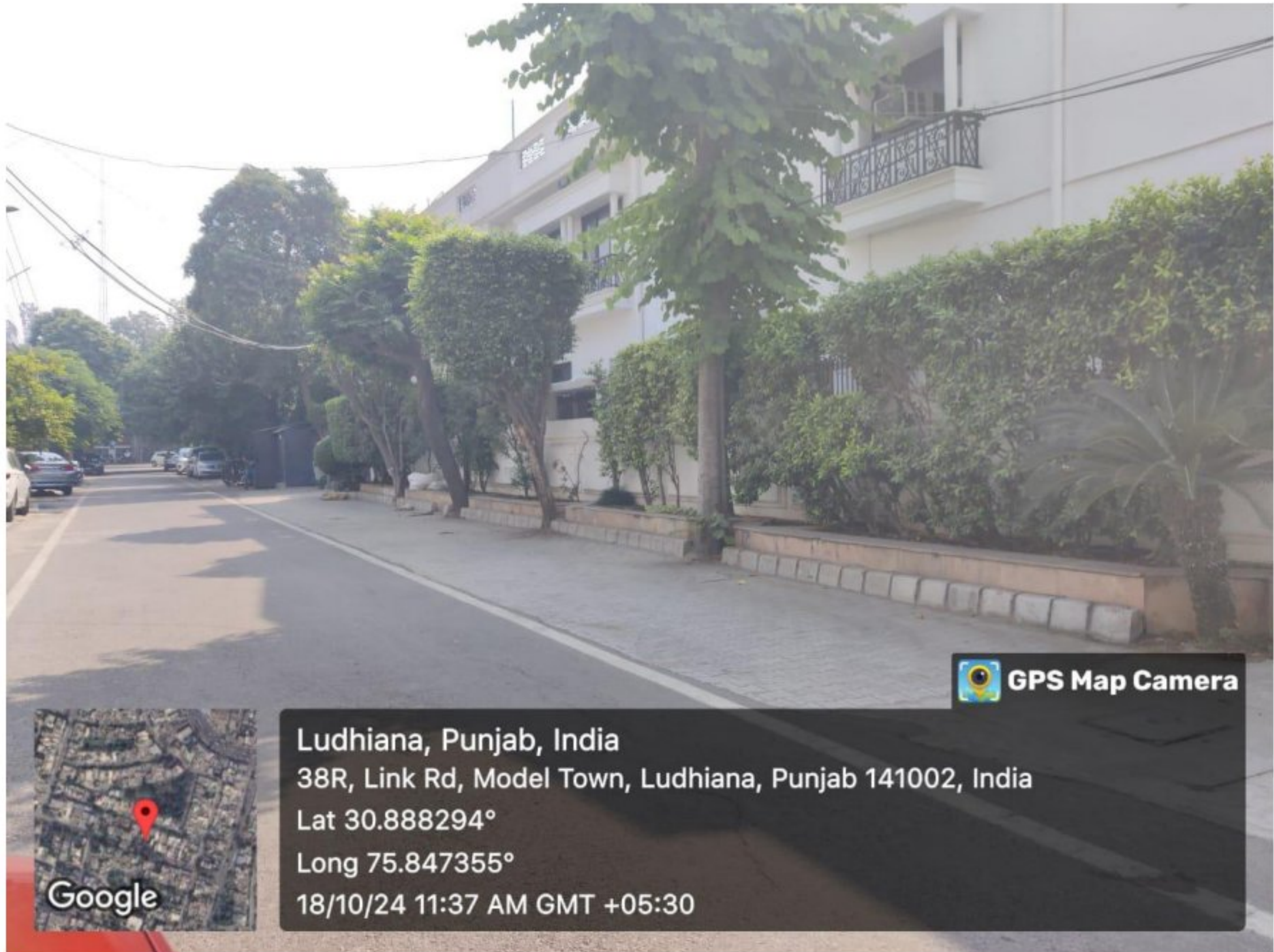


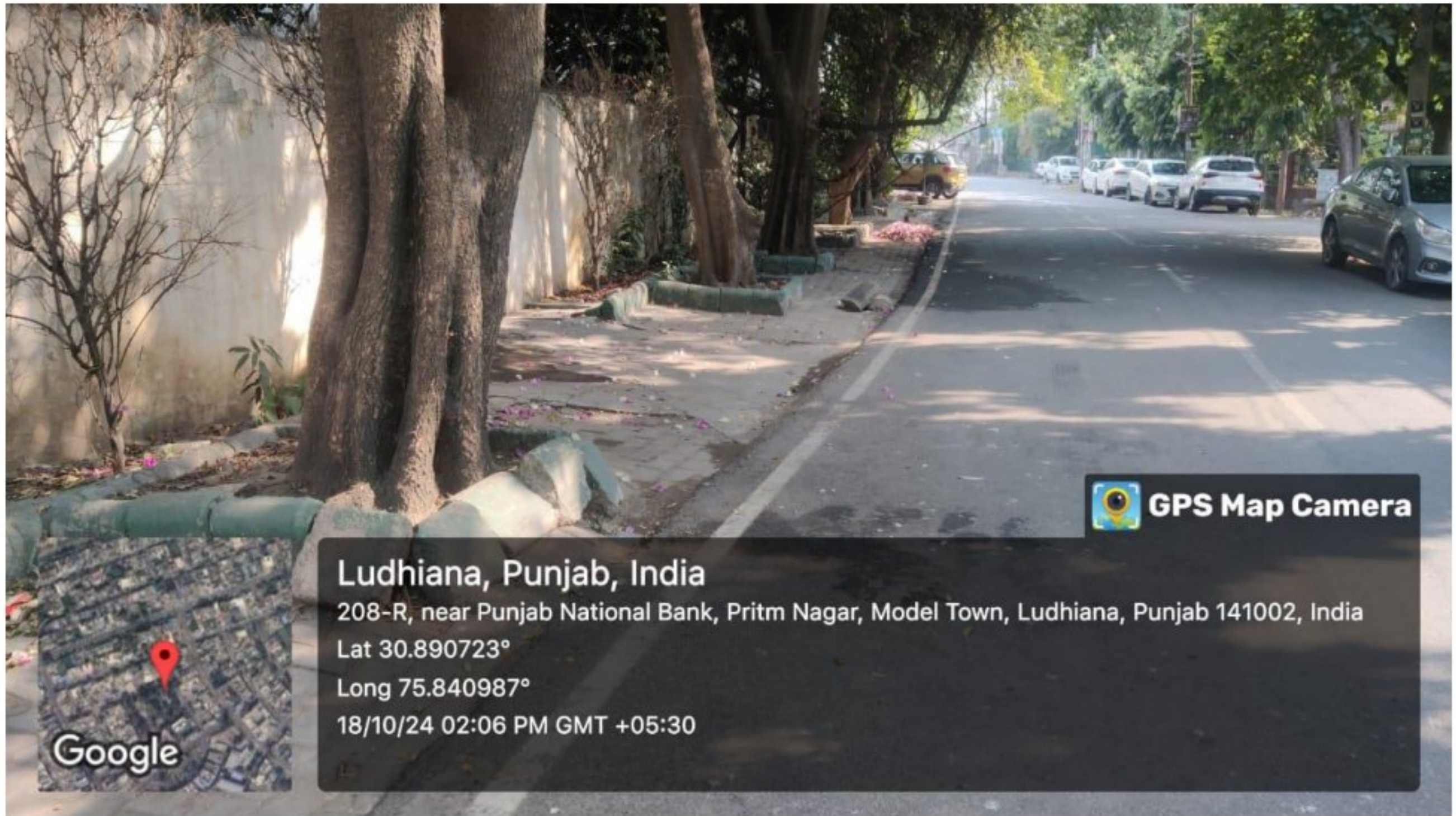


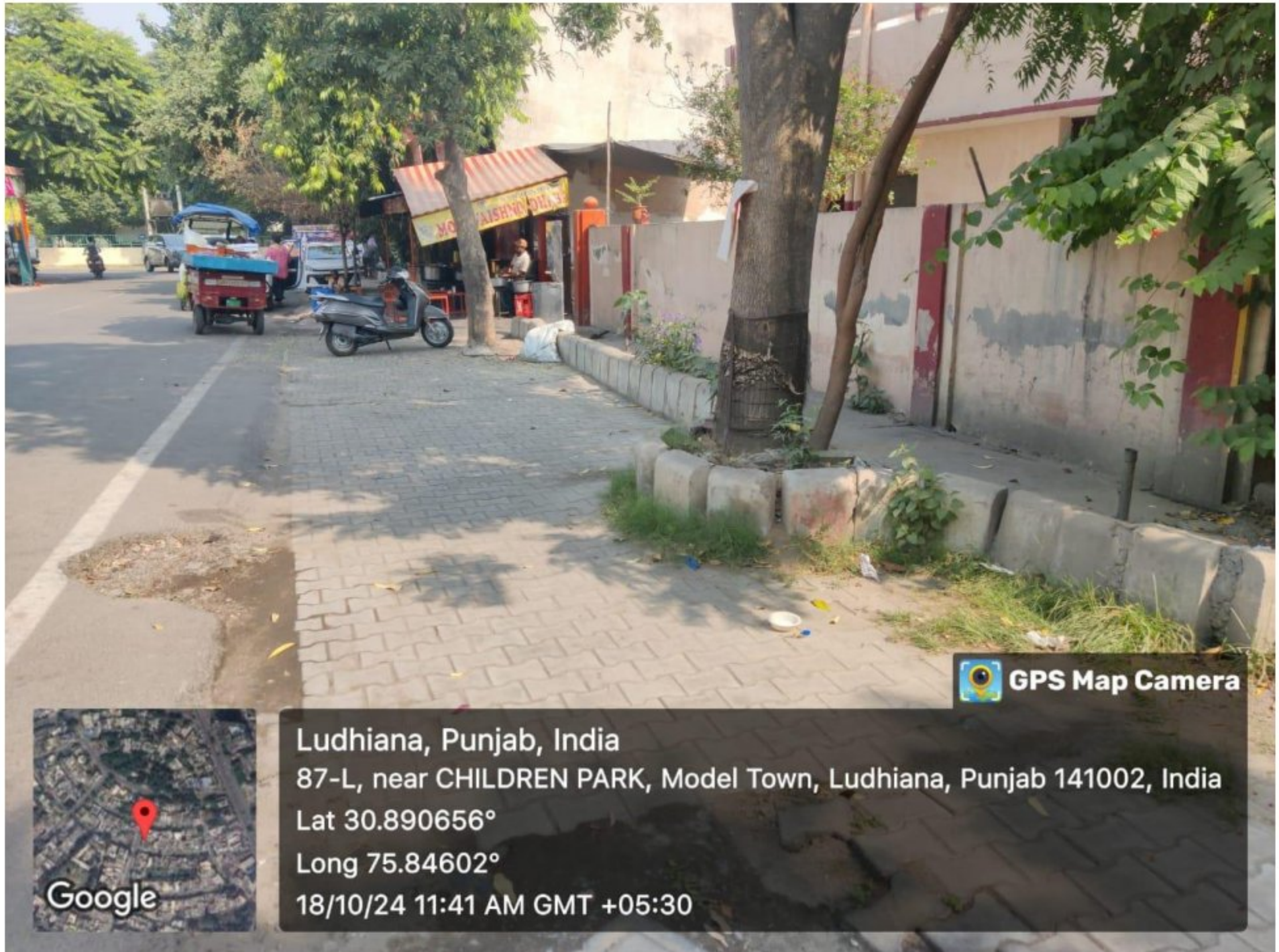




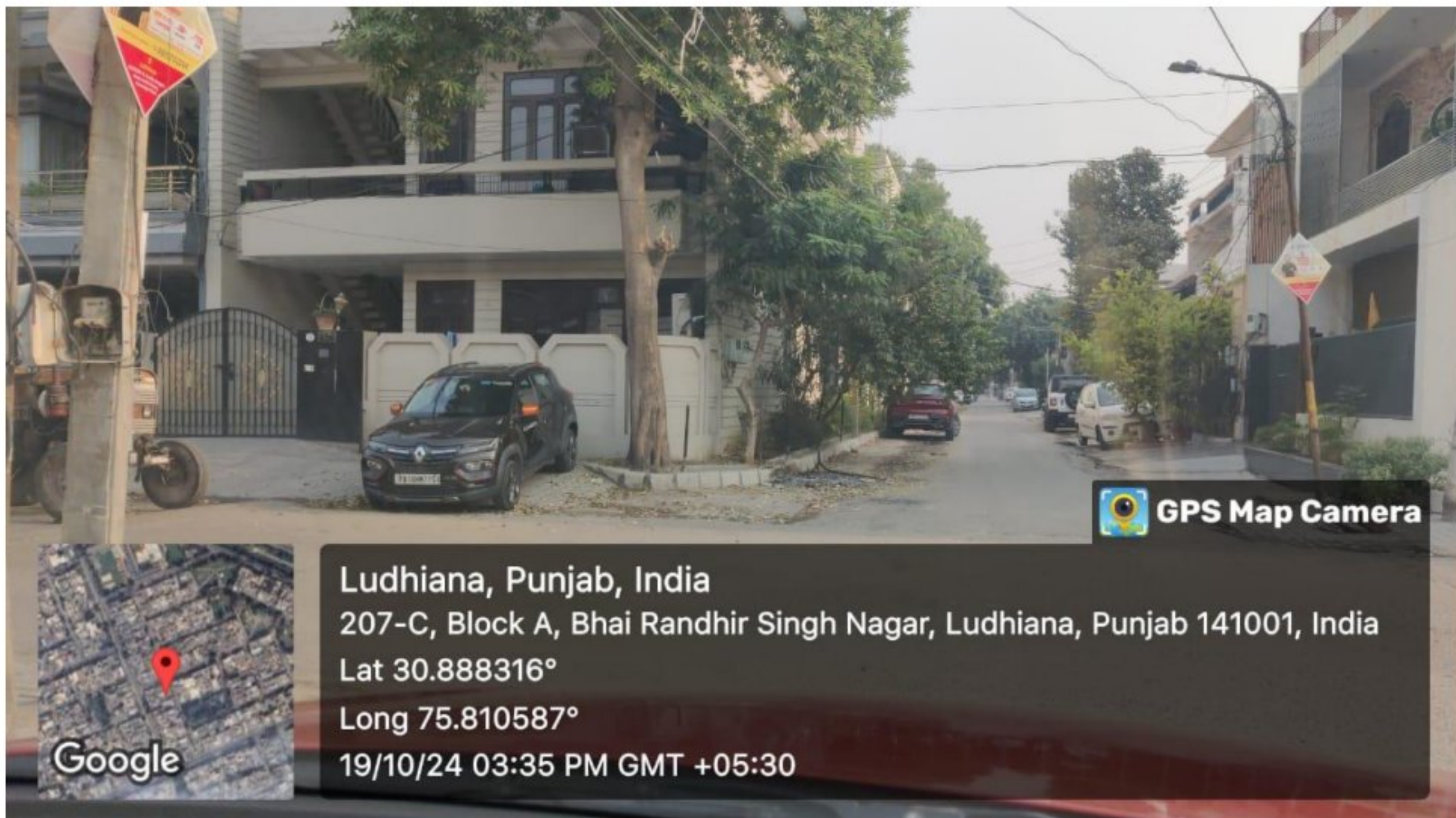


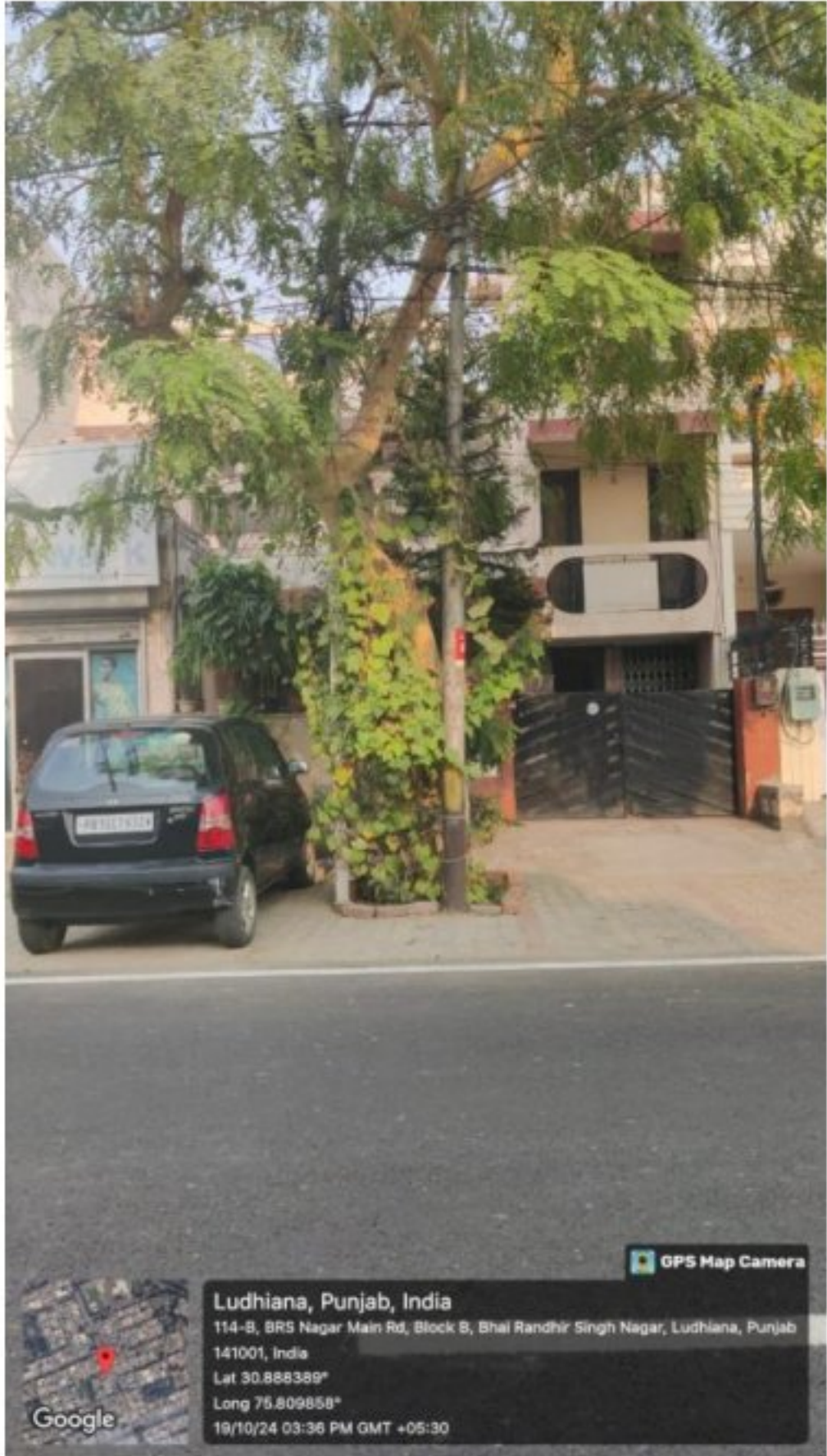
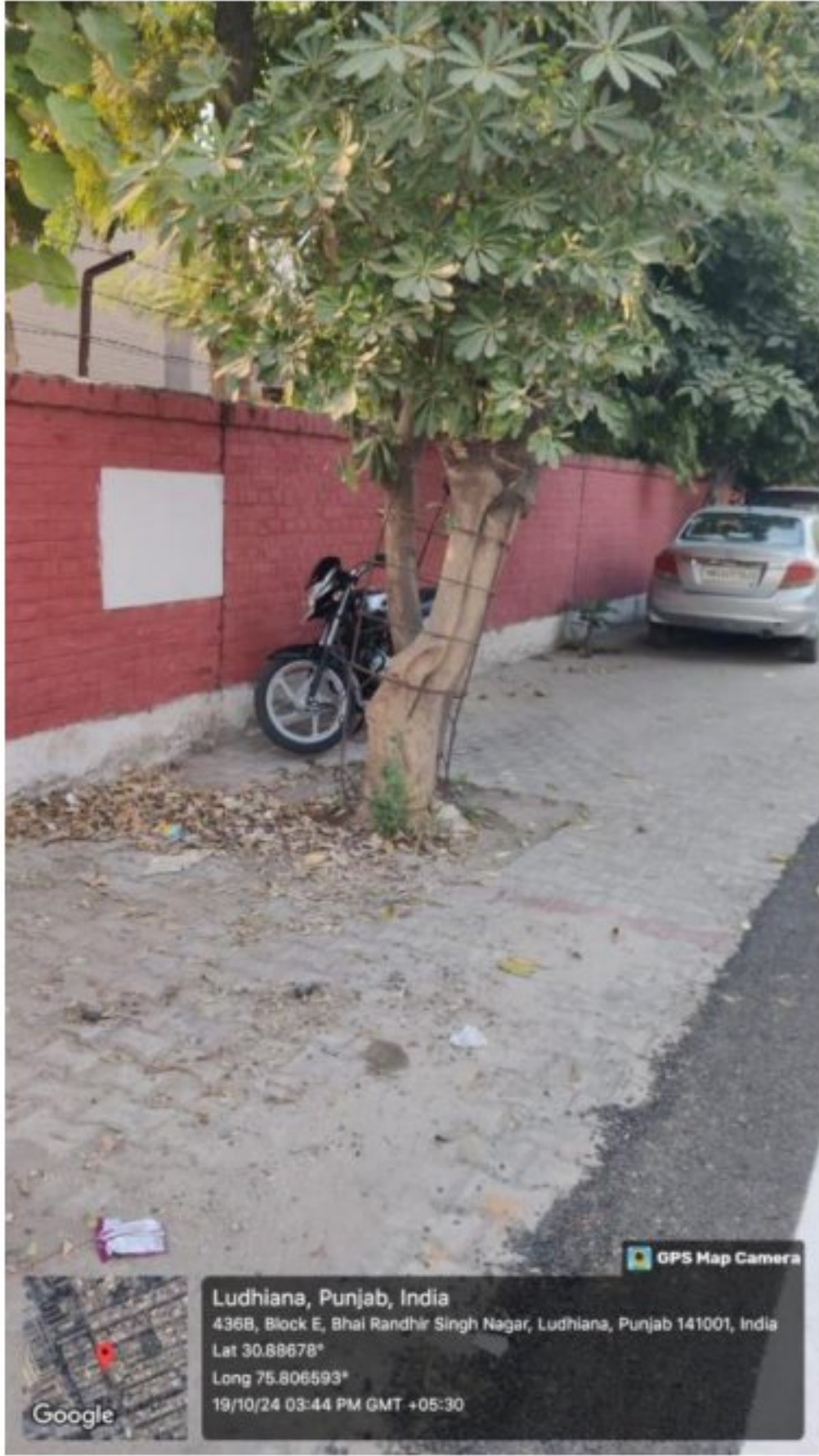






BHAI RANDHIR SINGH NAGAR (UNDER THE JURISDICTION OF MUNICIPAL CORPORATION LUDHIANA)

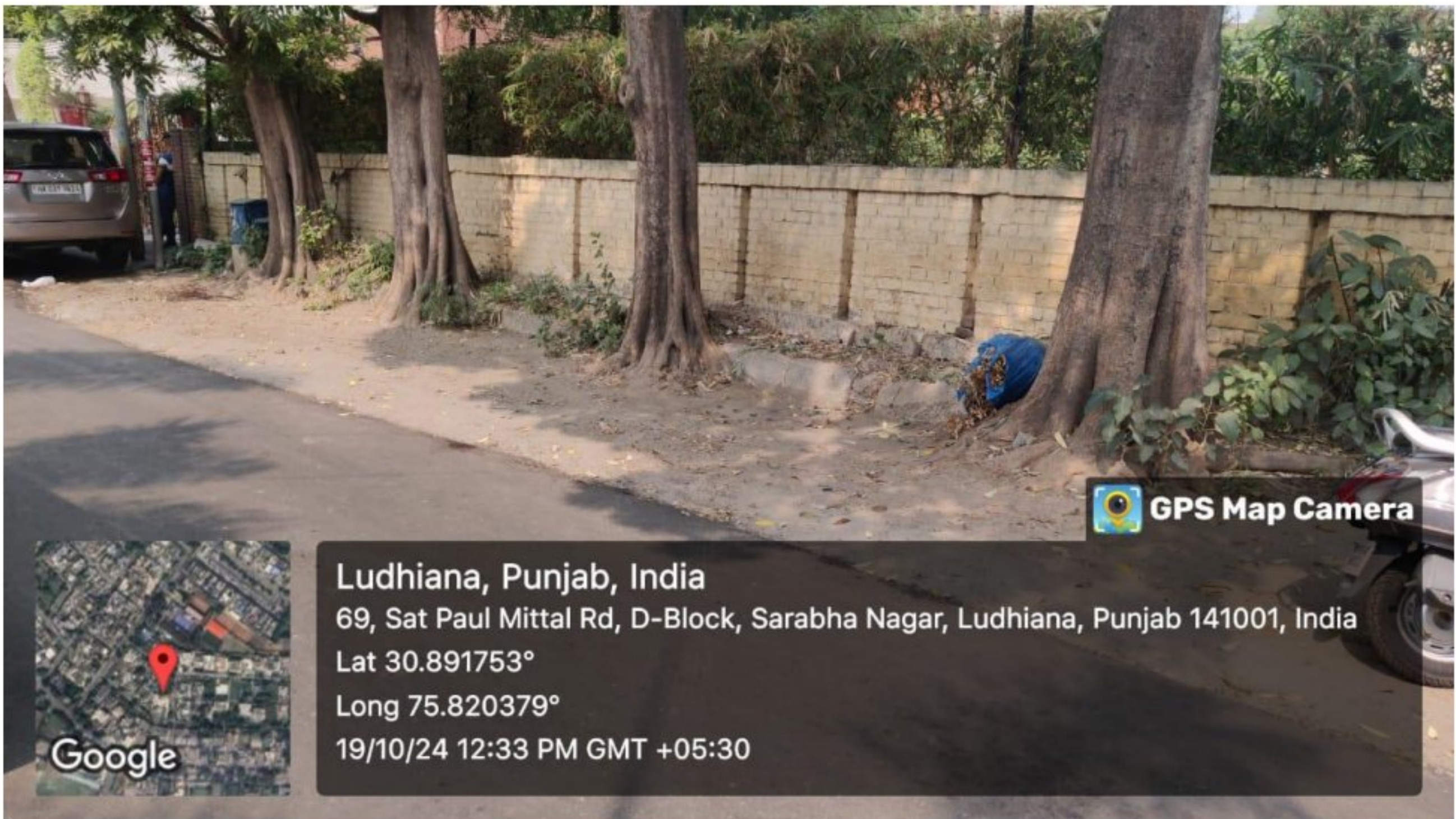


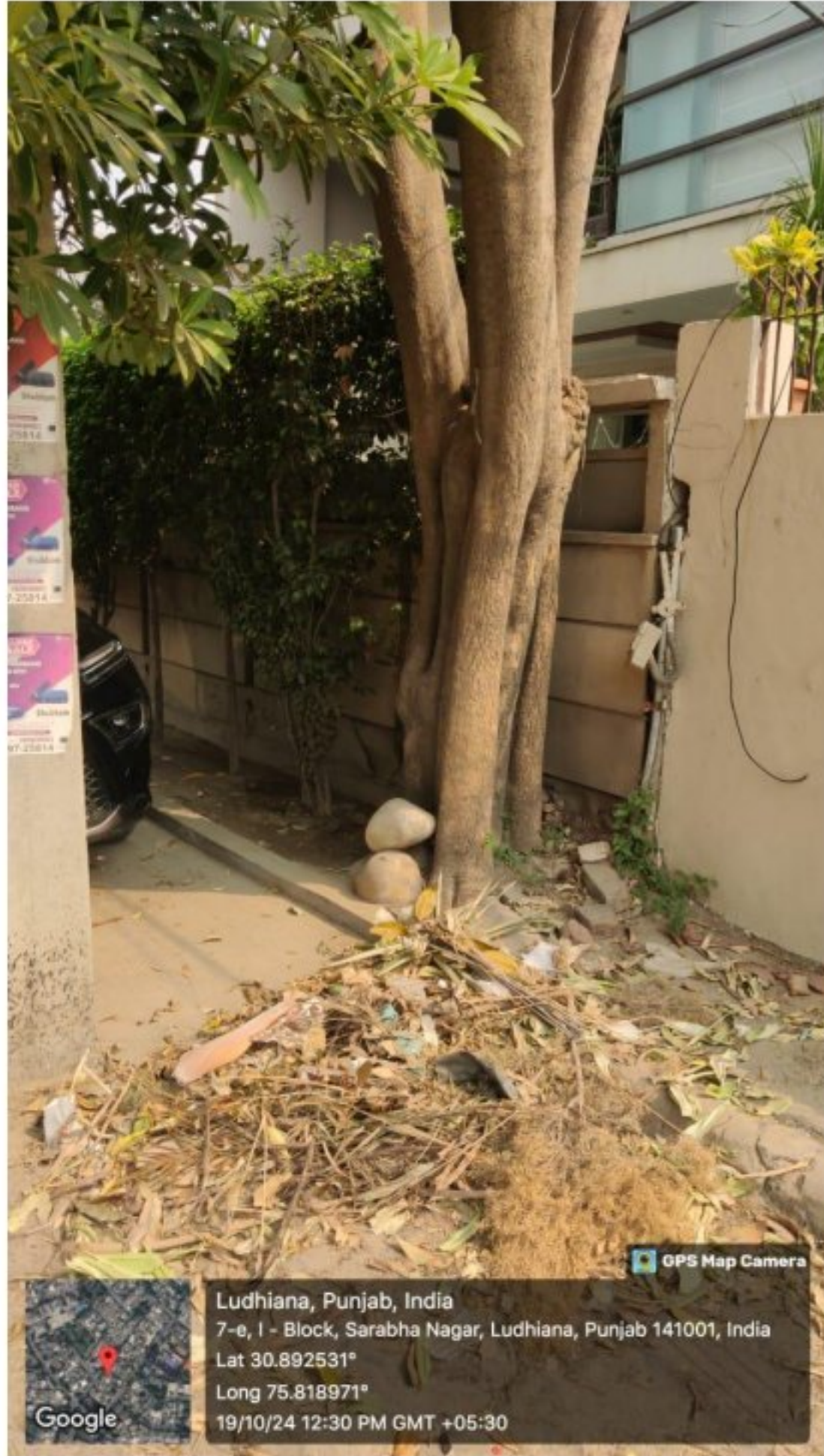




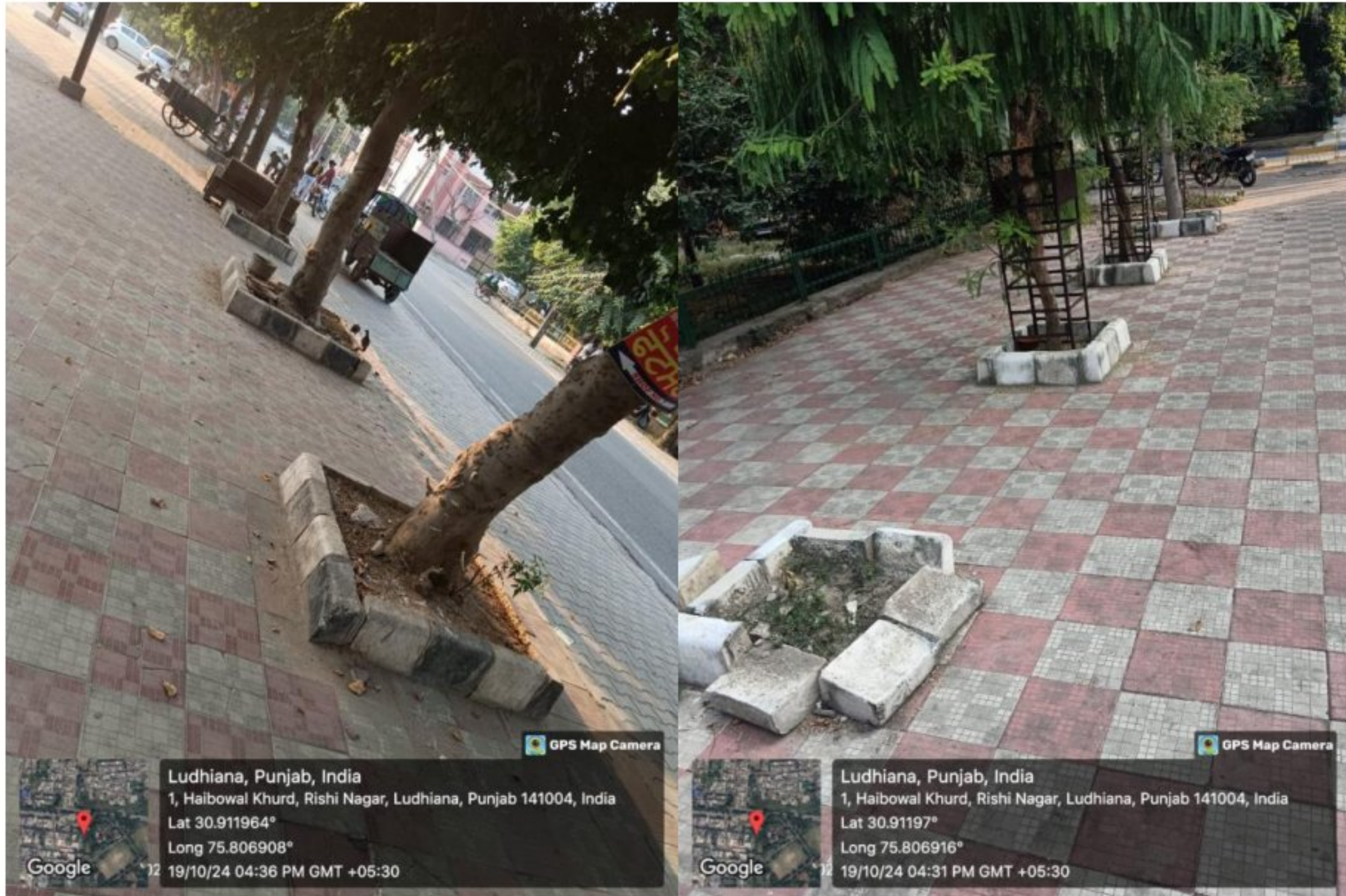
**SARABHA NAGAR UNDER THE JURISIDCTION OF MUNICIPAL CORPORATION LUDHIANA**

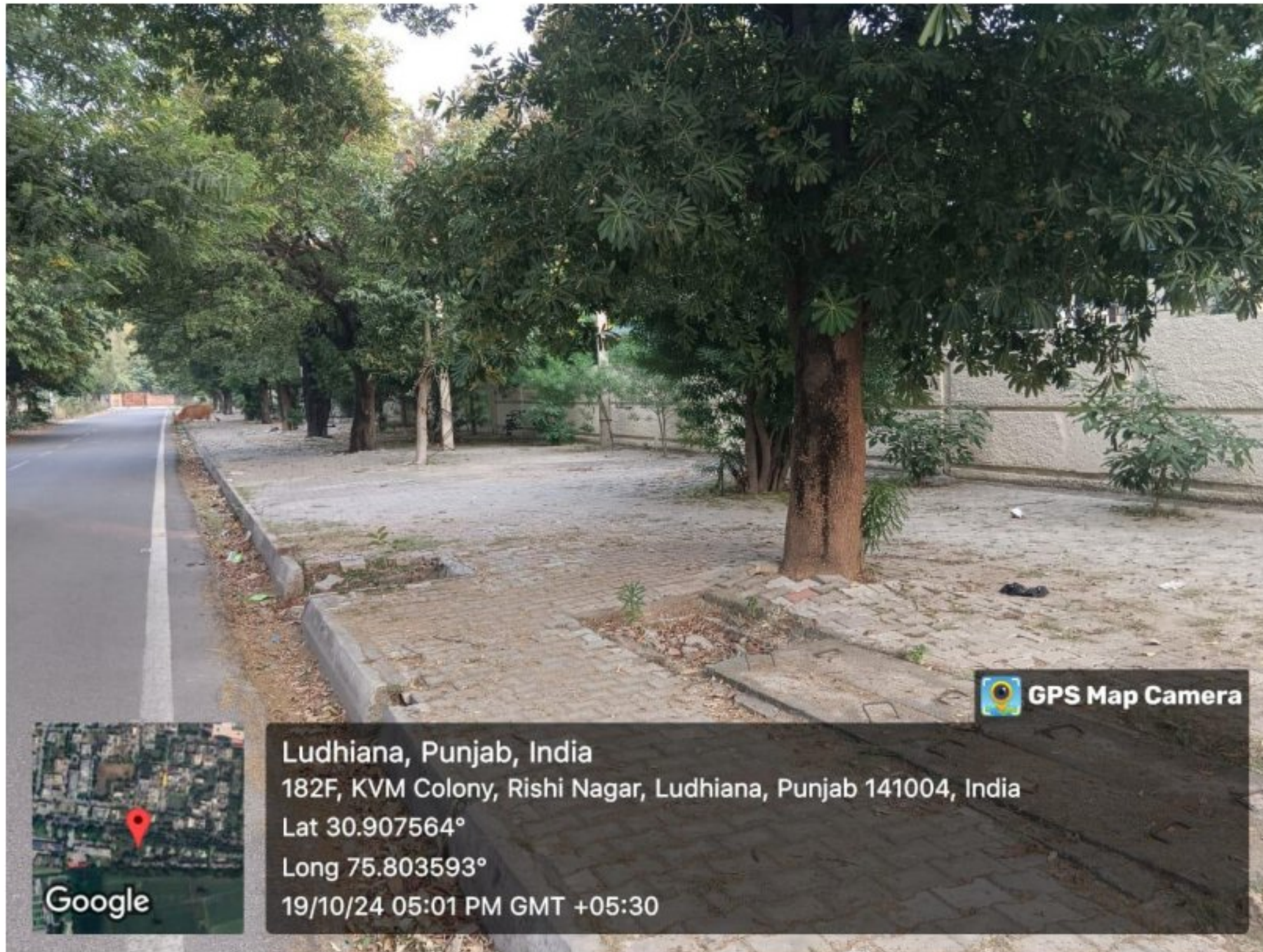


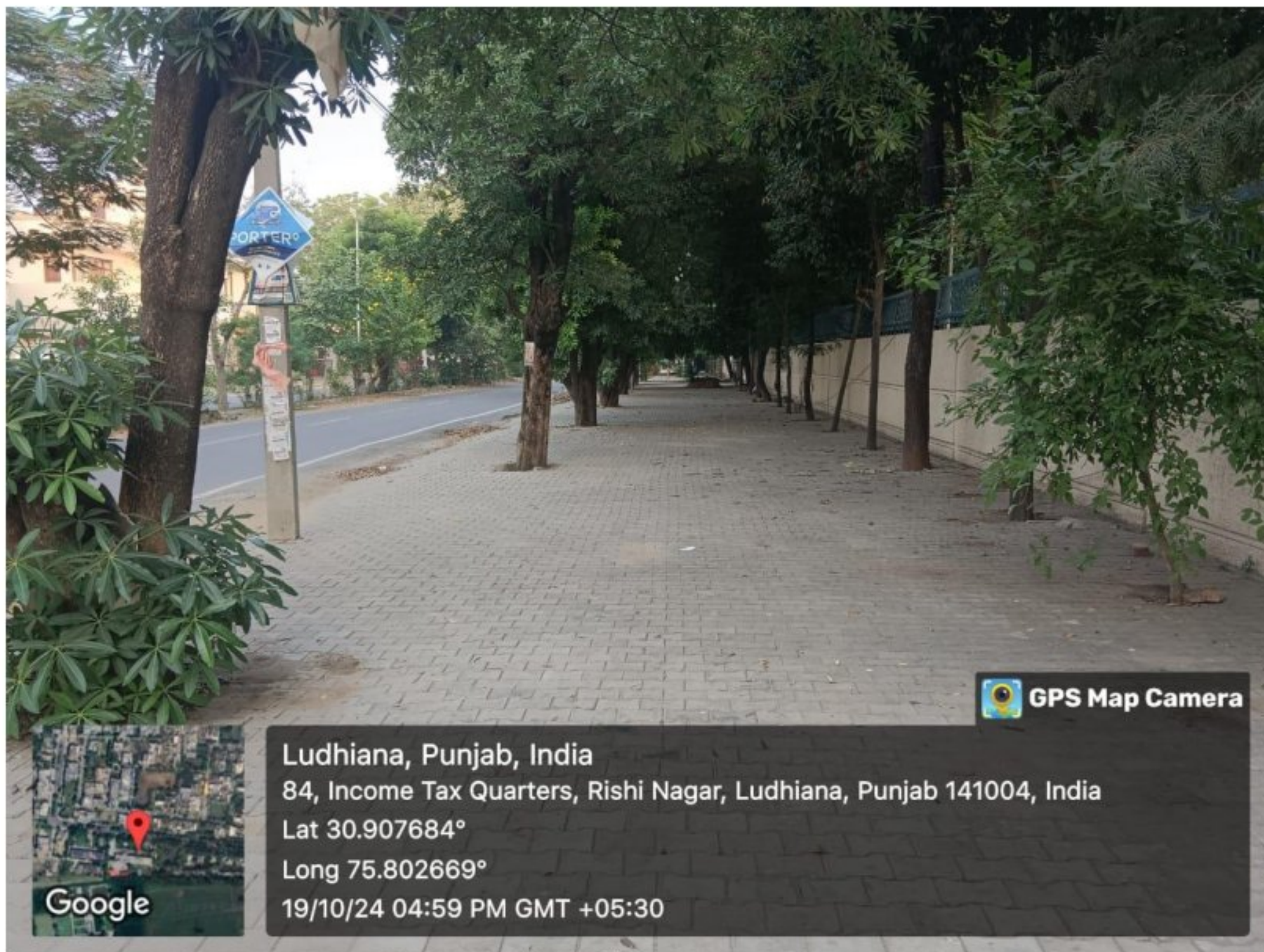
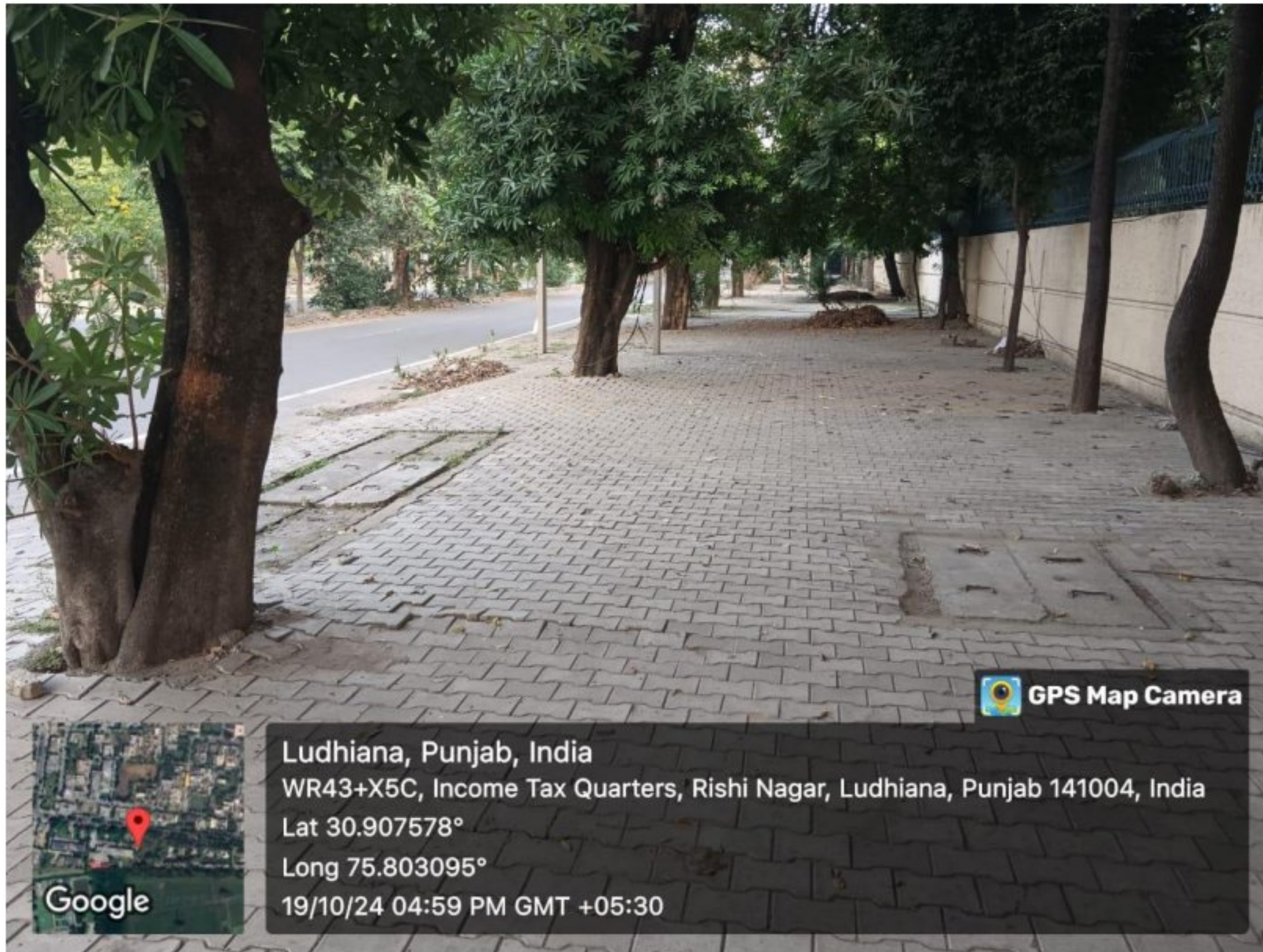


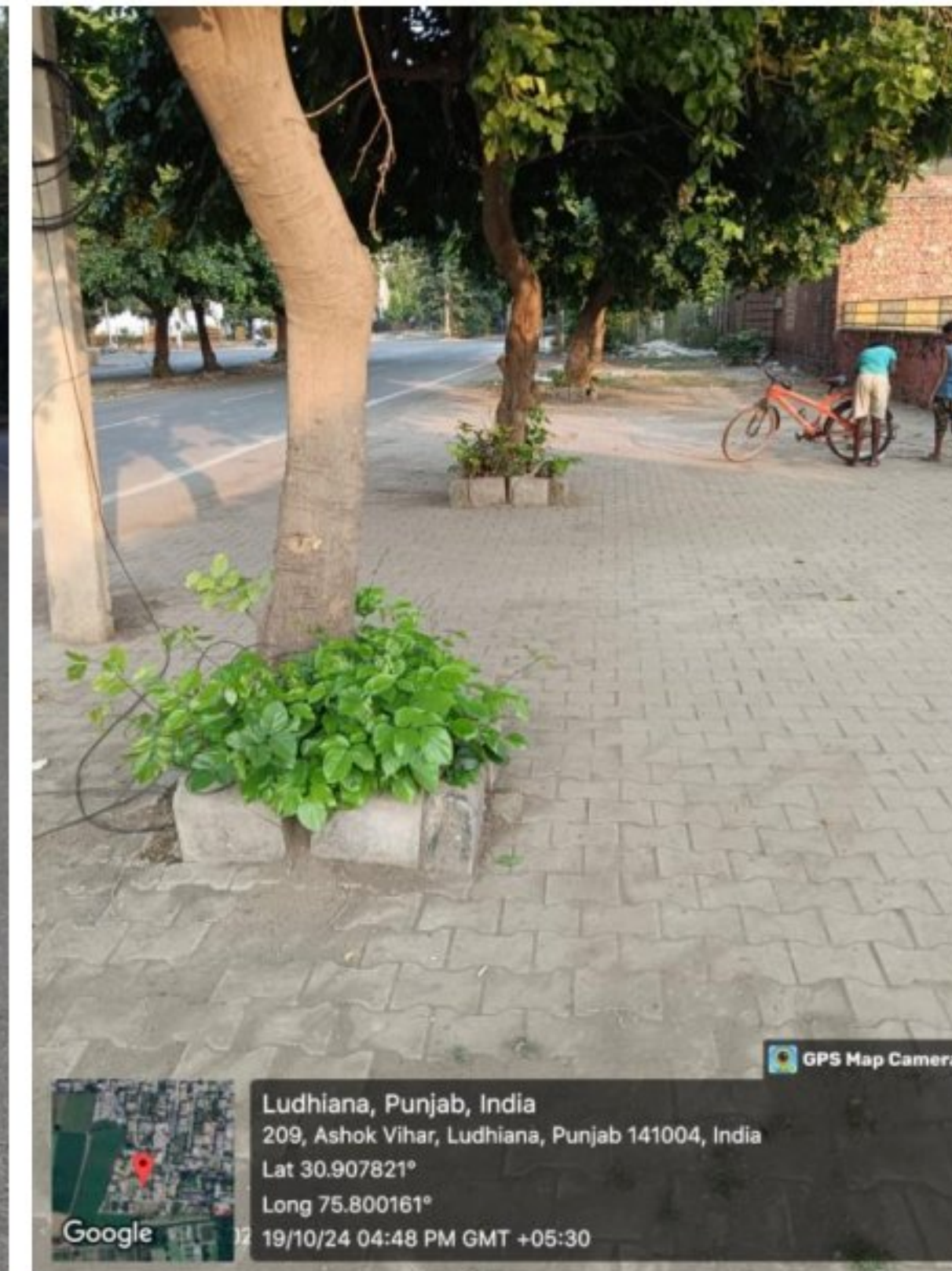
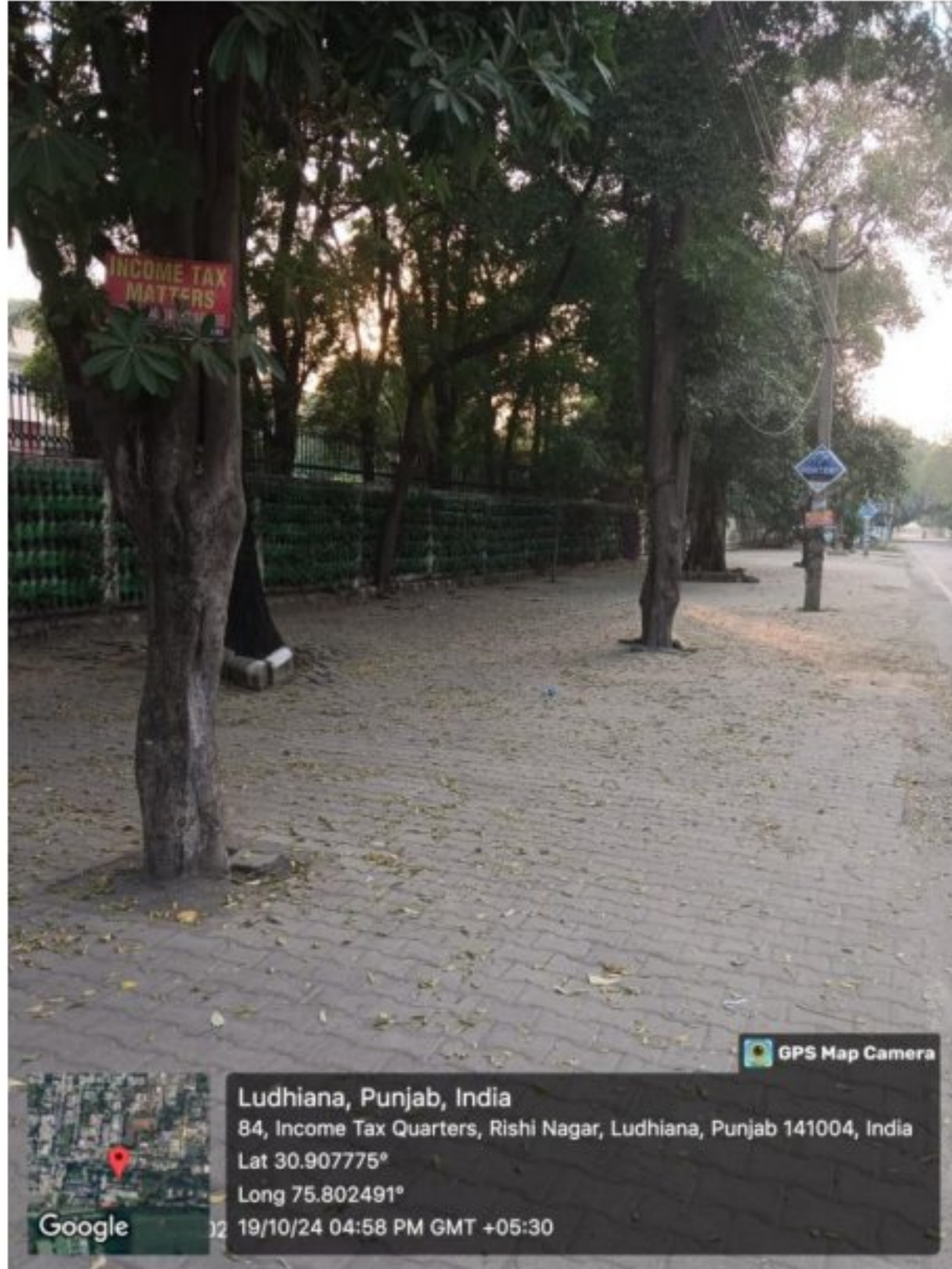


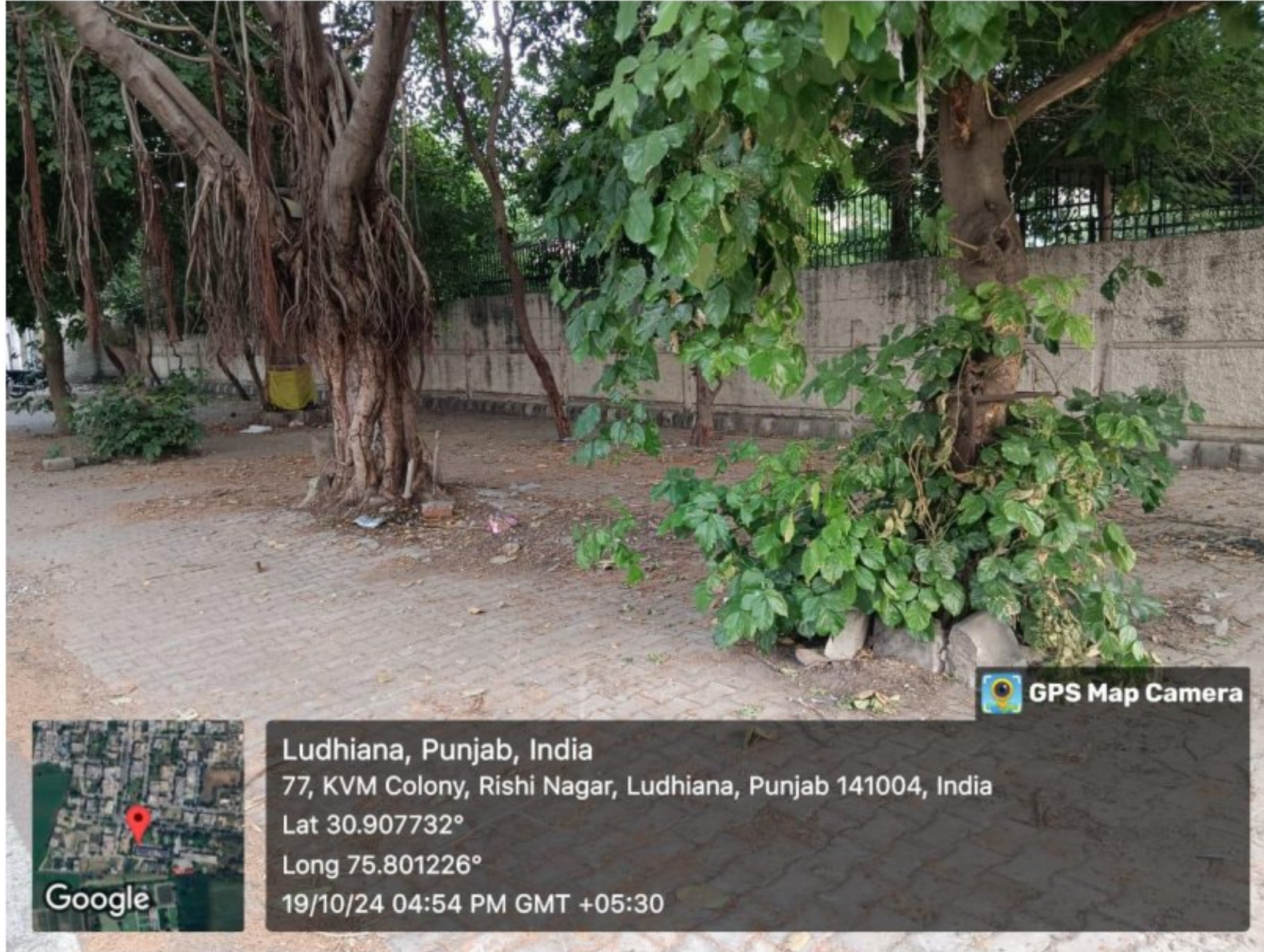
**RISHI NAGAR (UNDER THE JURISIDCTION OF LUDHIANA IMPROVEMENT TRUST):**



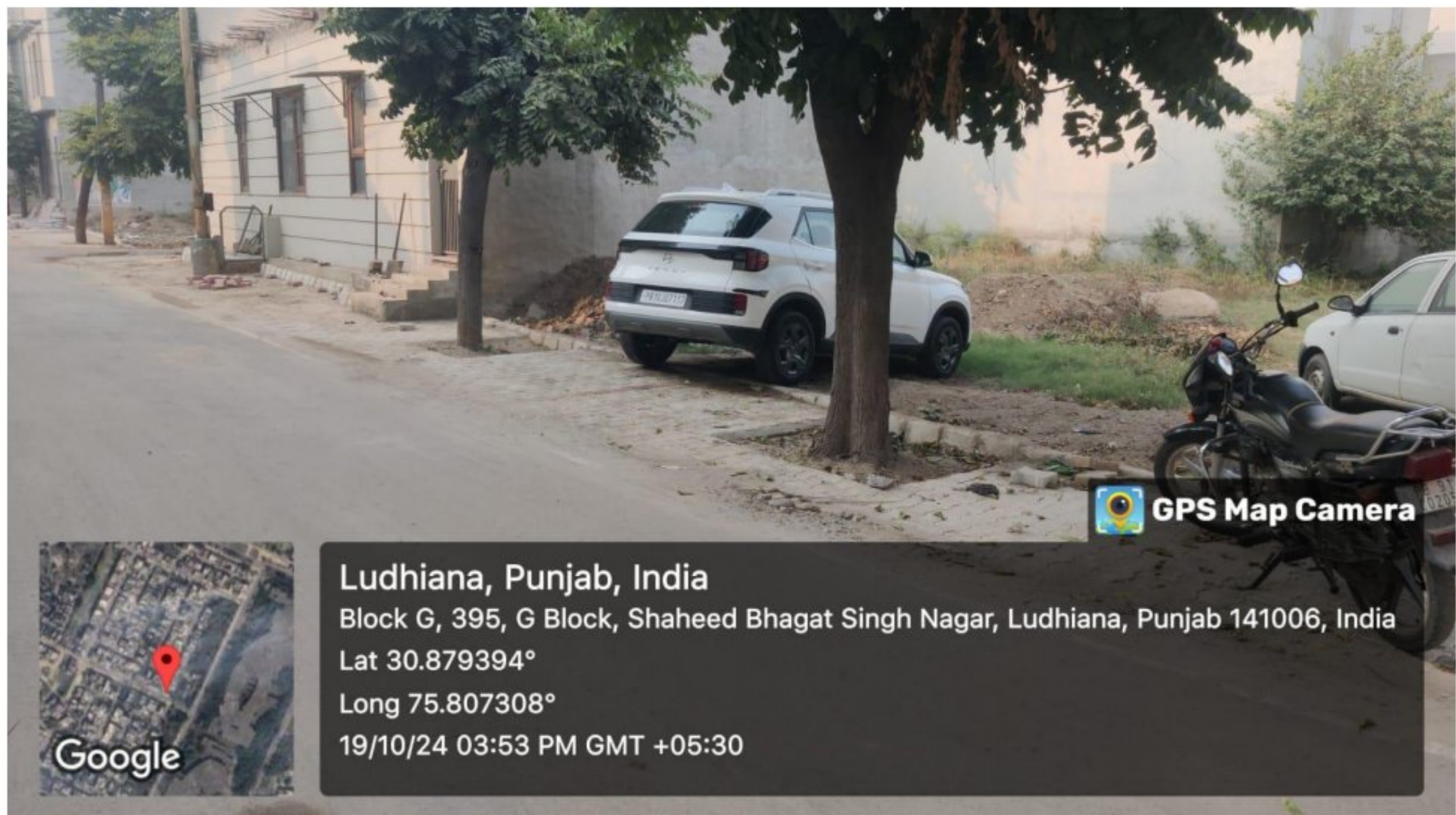
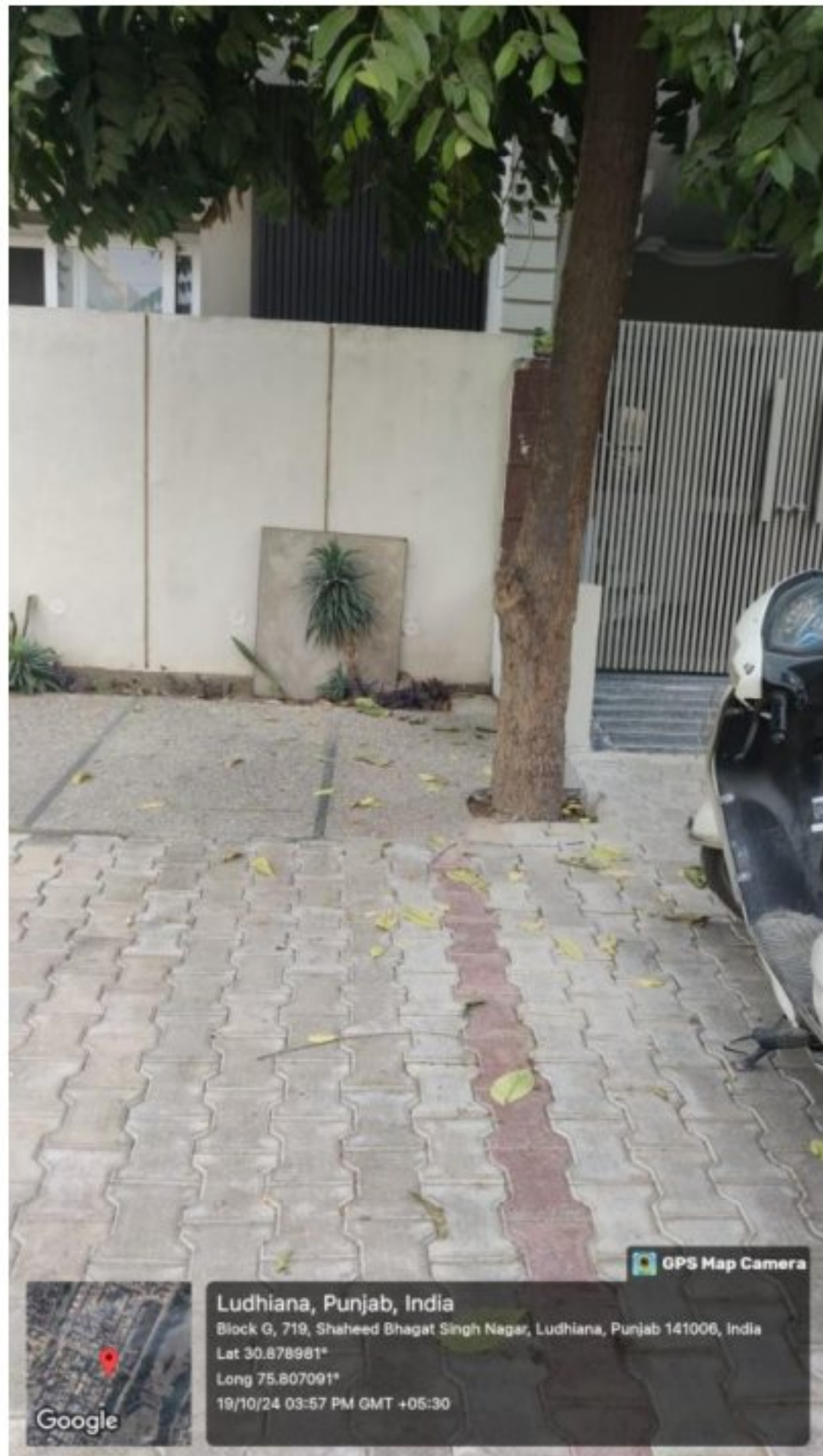


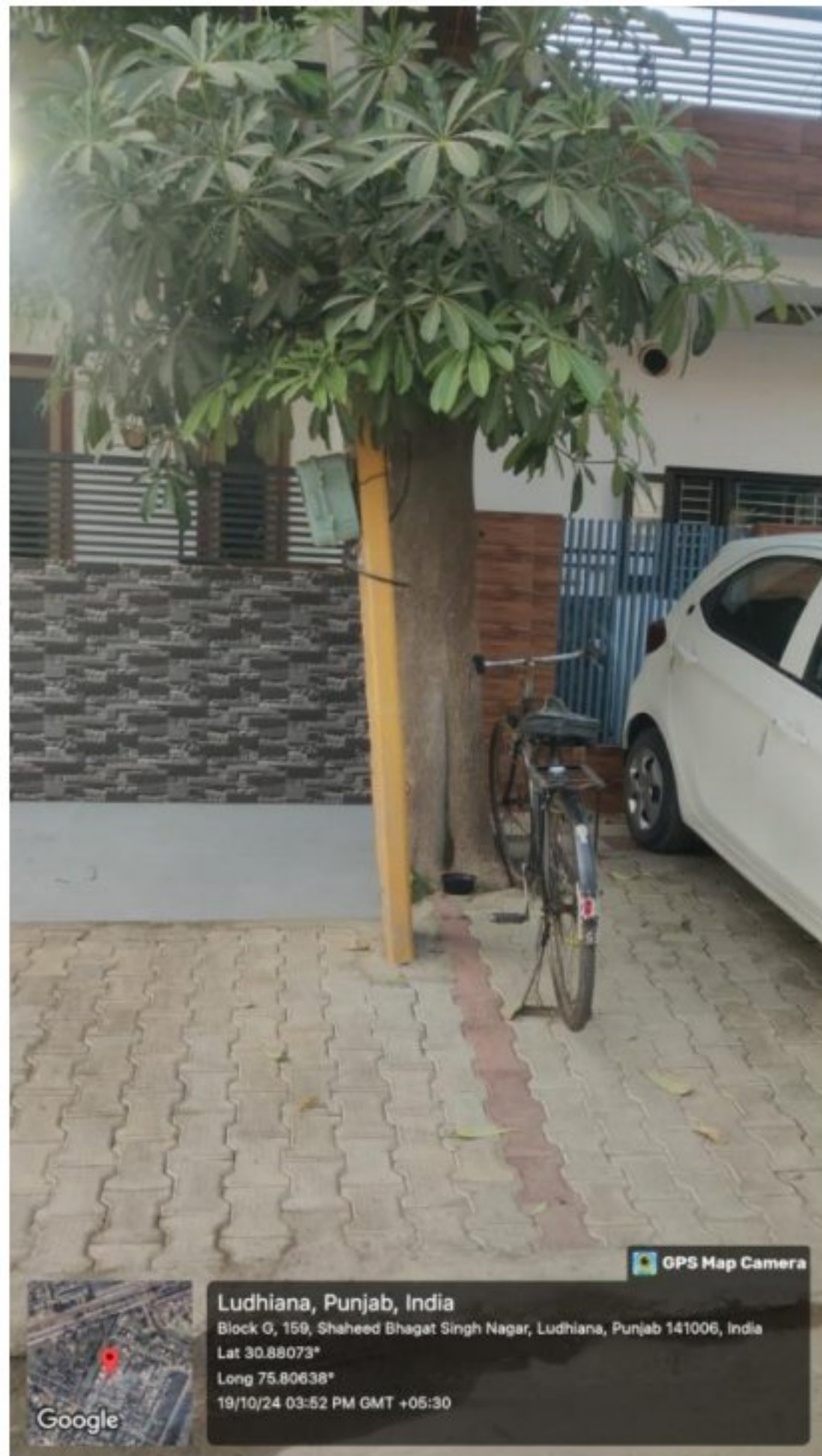


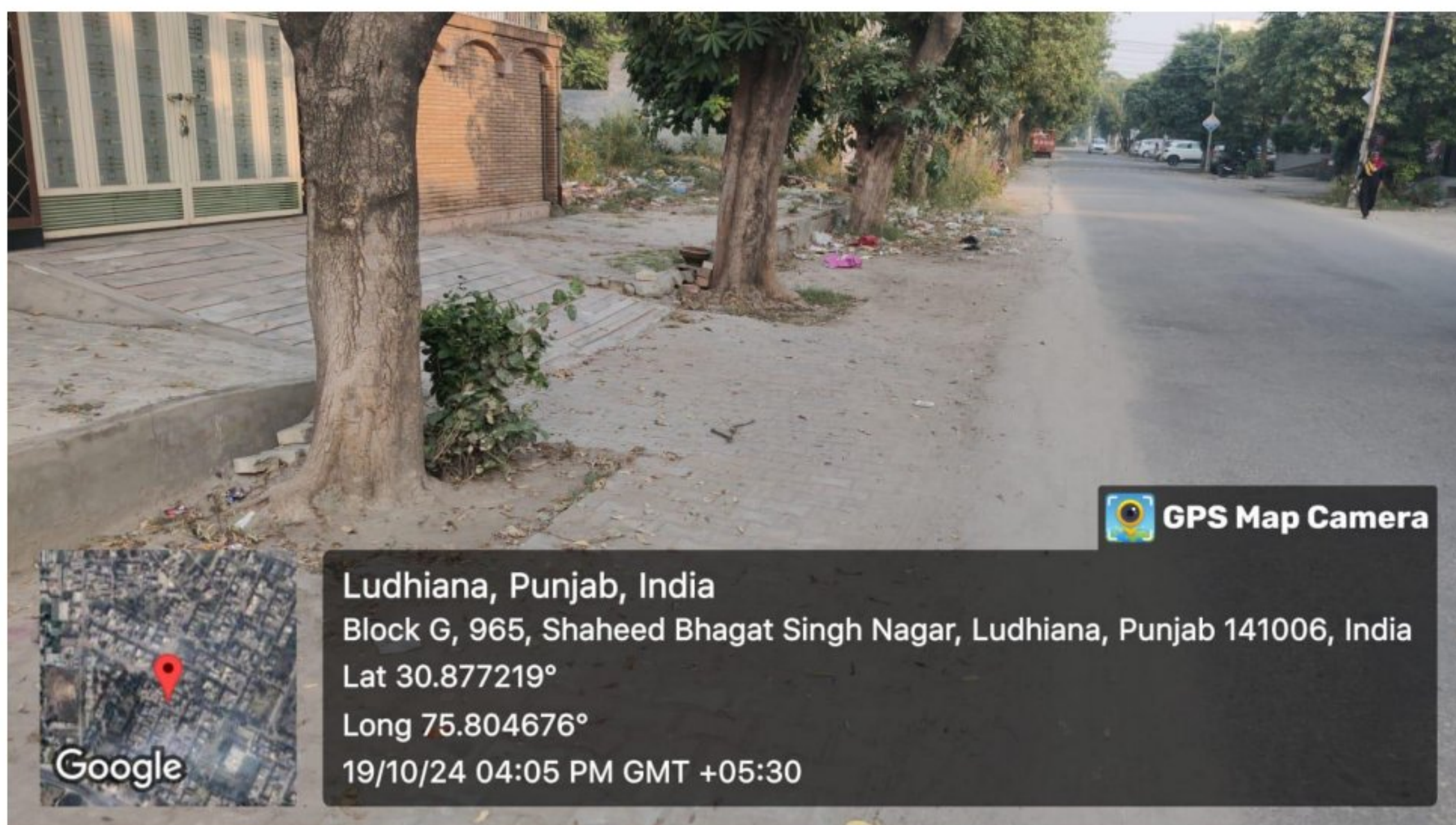


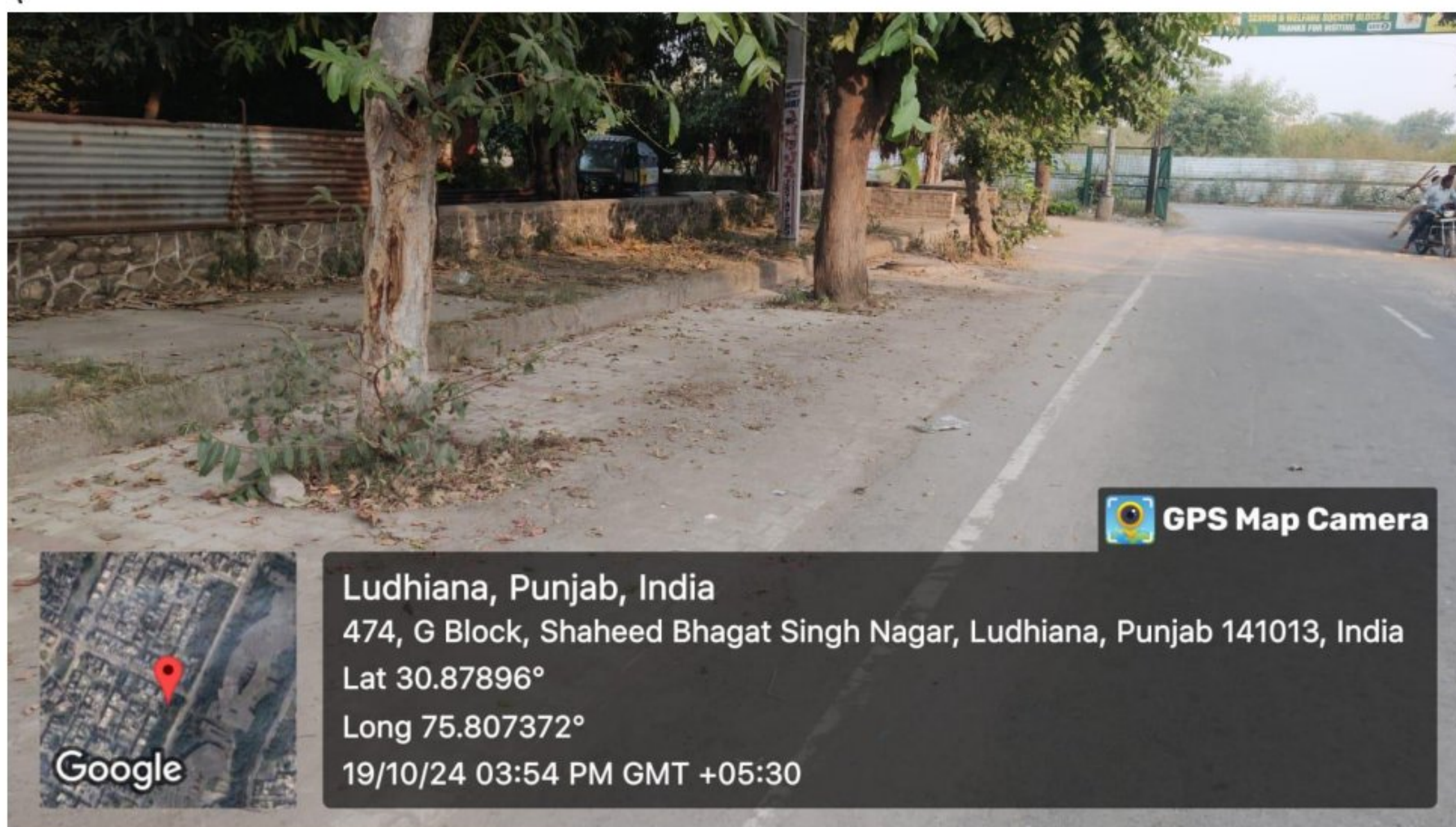


**RISHI NAGAR UNDER THE JURISIDCTION OF IMPROVEMENT TRUST LUDHIANA:**





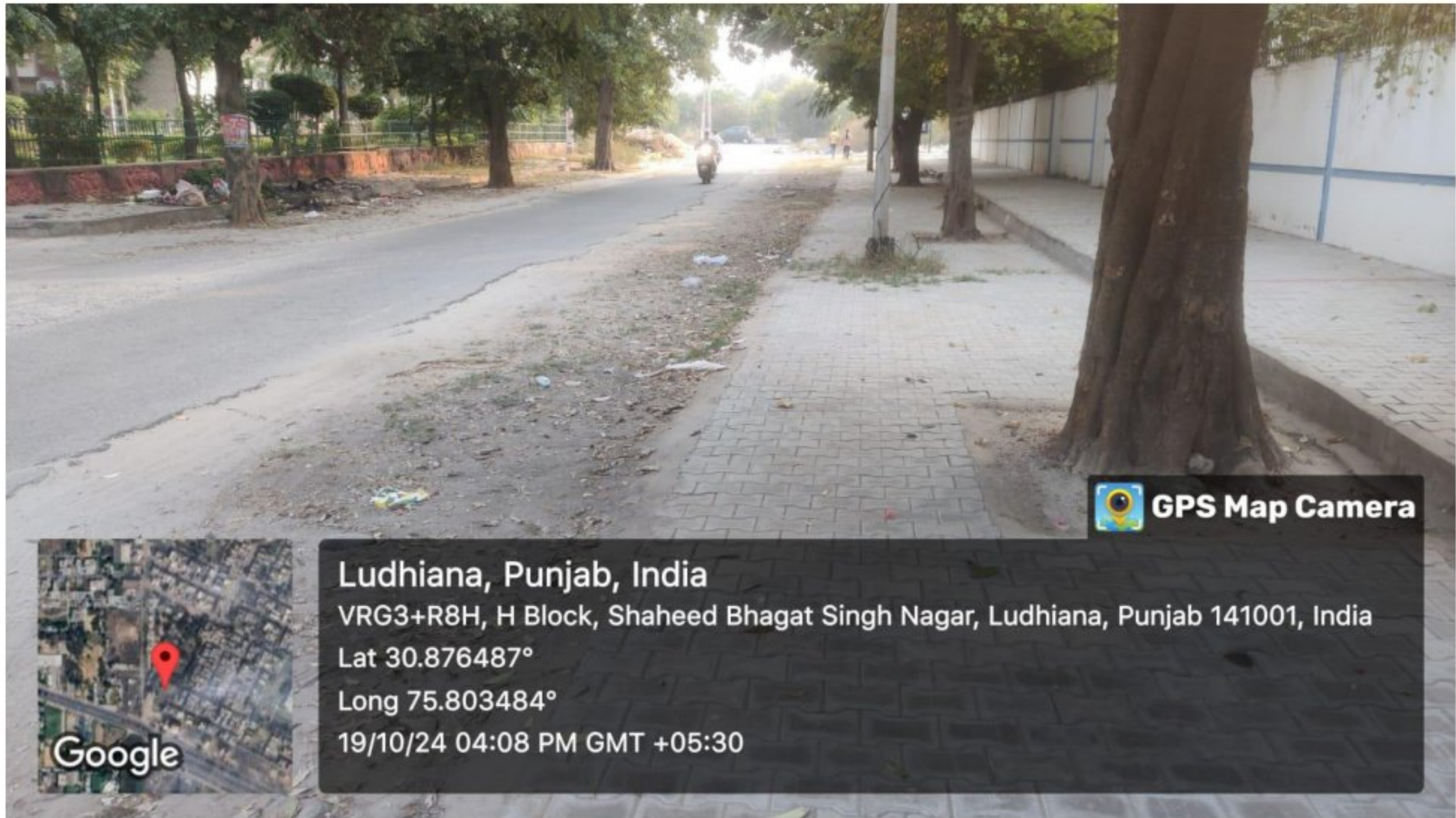














**Subject** Subject: Service of Additional Affidavit by Petitioner in O.A. No. 293 of 2023

**To:** [ldh\_it\_2009@yahoo.co.in <ldh\_it\_2009@yahoo.co.in>, commissionerml@gmail.com <commissionerml@gmail.com>]

**From** yogesh maini <yogesh\_maini1981@yahoo.com>

**196**

**Date:** Sun, Oct 20, 2024 at 21:51

Dear sir

PFA additional affidavit by Petitioner No. 1 in O.A. No. 293 of 2023 in form of Service of Document.

Regards

Yogesh Maini  
Petitioner No. 1  
In O.A. 293 of 2023