

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

OA No. 1325 of 2024

Punjab Action Committee & Ors.

.....Applicants

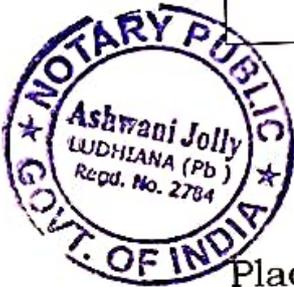
Versus

Union of India and Ors.

.....Respondents

INDEX

Sr. No.	Particulars	Dated	Pages
1.	Affidavit of Sandeep Singh Mangat, Executive Engineer, Sidhwan Canal Division, Water Resources Department, Punjab, Ludhiana for and on behalf of Respondent No. 7.		



Place: Ludhiana

Dated:

Submitted by:


(Sandeep Singh Mangat)
Executive Engineer,
Sidhwan Canal Division,
Water Resources Department,
Punjab, Ludhiana.

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

OA No. 1325 of 2024

1. Public Action committee through its member Er. Kapil Dev,
#561-L, Model Town, Ludhiana Email:
mattewarasutlejpac@gmail.com mobile: 9872007872
2. Er. Kapil Dev (aged 46 years) s/o Sh. Jagdish Chander, r/o
186-E, Bhai Randhir Singh Nagar, Ludhiana mobile:
9872007872 Email: aroraengineers@gmail.com.
3. Jaskirat Singh (aged 47 years) s/o Sh. Makhan Singh, r/o
561-L, Model Town, Ludhiana M 9815781629 Email:
jaskirats@gmail.com.
4. Dr. Amandeep Singh Bains (aged 43 years) s/o S. Resham
Singh, r/o #1120, Farmers Abode, Basant Avenue, Ludhiana.
Contact: 9872710384 Email: amandeepsinghbains@yahoo.com
5. Kuldeep Singh Khaira (aged 45 years) s/o S. Ujjagar Singh
Khaira, r/o #125, Ishar Nagar, Ludhiana mobile: 9855.44433
email: kuldeepsinghkhaira5@gmail.com.

.....Applicants

Versus



1. The Union of India through the Member Secretary, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi. Email: secy-moef@nic.in
2. The Member Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi-110032. Email: mscb.cpcb@nic.in
3. The Member Secretary, Punjab Pollution Control Board, Paryavarn Bhawan, Nabha Road, Patiala. Email: msppcb@punjab.gov.in
4. The Chairman, Punjab Dyers Association (50MLD CETF Plant), Backside Central Jail, Tajpur Road, Ludhiana. Email: punjabdyerasso@gmail.com
5. The Chief Engineer, Punjab Pollution Control Board, Focal Point, Ludhiana. Email: ppcbzollhdh@gmail.com
6. The Secretary Environment, Government of Punjab, Room No. 323, 3rd Floor, Punjab Civil Secretriate-2, Sector-9, Chandigarh Email: secy.te@punjab.gov.in
7. The Executive Engineer cum Canal Officer, Department of Water Resources, Sidhwan Canal Division, Dugri, Ludhiana. Email: xensidhwancanal@gmail.com



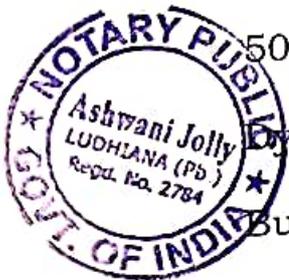
.....Respondents

Affidavit of Sandeep Singh
Mangat, Executive Engineer,
Sidhwan Canal Division, Water
Resources Department,
Punjab, Ludhiana for and on
behalf of Respondent No. 7.

MOST RESPECTFULLY SHOWETH:-

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

- 5148 /
1. That the present Original Application is pending adjudication before this Hon'ble Tribunal and is listed for hearing on 20.02.2025.
 2. That through the present Original Application, the applicants have inter-alia, sought directions to the Respondent No. 3 to execute the orders dated 25.09.2024 (Annexure P-8) to immediately stop falling of treated Water (Effluent) from 50MLD Common Effluent Treatment Plant (CETP) of Punjab Dyers Association, who are discharging their effluent into Budha Dariya (now known as Nallah) despite directions dated 22.02.2017 of Hon'ble Supreme Court, mandatory specific condition as "there shall be no discharge into Budha Nallah" at Clause No. 5 (ii) of Environment Clearance dated 03.05.2013



of MoEF&CC, Condition No. 8(iv) of Ministry of Environment in meeting held in MoEF&CC on 11.10.2019 to sanction the proposed 50MLD CETP project which says "The CETP will not discharge its effluent into Budha Nullah and it will reuse either into the back process or irrigation by laying their own network at their own cost" read with orders dated 20.01.2020 in IA No. 13 of 2020, point No. 4.2 Irrigation Module of Orders read with Provisions of Canal & Drainage Act 8 of 1873, directions dated 12.08.2024 of CPCB u/s 18(1) (b) of the Water Act of 1974 issued to Punjab Pollution Control Board.

5148. That from the perusal of contents of the present Original Application, it has come forth that Punjab Dyers Association (SPV) is operating a Common Effluent Treatment Plant (CETP) of capacity 50 MLD installed for treatment of waste water of the cluster of textiles dyeing industries located at Tajpur Road in Ludhiana. The environmental clearance regarding the construction of similar nature 117 MLD CETP was granted by Ministry of Environment, Forest and Climate Change (MoEF&CC) vide letter dated 03.05.2013, wherein it has been referred at Clause No. 5 (ii) that there shall be no discharge into Budha Nallah. The 50 MLD CETP referred in the present application was decided to be sanctioned by the Appraisal



Committee in meeting dated 11.10.2019 held in Ministry of Environment, Forest and Climate Change (MoEF&CC), wherein the minutes of said meeting referred at Condition No. 8 (iv) that the CETP will not discharge its effluent into Budhha Nullah and it will reuse either into the back ^{flow} process or irrigation by laying their own network at their own cost. Further, the sanction for the 50 MLD CETP was issued vide order dated 16.12.2019.

4. That thereafter, the Punjab Dyers Association filed IA No. 13/2020 in OA No. 410/2017 before this Hon'ble Tribunal, seeking modification of condition No. 4 (iv) in the sanctioned order dated 16.12.2019 regarding 50 MLD CETP, wherein it has been referred that CETP will not discharge its effluent into Budhha Nallah and it will reuse either into the back process or irrigation by laying down their own network at their own cost. The said IA No. 13/2020 was disposed of by this Hon'ble Tribunal vide order dated 20.01.2020, whereby condition No. 6 which was imposed on other similarly situated CETPs was ordered to apply in the matter of present 50MLD CETP. The said condition No. 6 reads as under:-

"(vi) the proponent has mentioned that treated effluent shall be discharged and used for



irrigation purpose. Member Secretary, PPCB also confirmed that Govt. of Punjab has approved the project for providing conveyance system for carrying treated effluent from STPs and CETPs in Ludhiana for irrigation ^{from} and also stated that they have stipulated a condition in consent to establish as the farmers shall be made aware that water supplied to them is treated effluent."

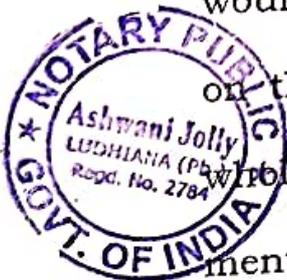
5. That in view of above, it is respectfully submitted that the project report (Annexure P-6) was prepared by the department of answering respondent, whereby the proposal of construction of distributary (by converting lower Budha Nallah into a distributary), off-taking at RD 150000 feet of Budha Nallah with design discharge of 220 cusecs to carry treated water (Effluent) discharge of 503 MLD (201 cusecs) of all STPs and CETPs was submitted to the Competent Authority for irrigating 33,454 acres G.A/C.C.A. of 35 nos. villages falling under Ludhiana and Moga District. It was referred in the said proposal that the water for irrigation would be supplied through the treatment plants under the control of Sewerage



Board/Municipal Corporation and the acceptability of the water by the farmers would entirely depend upon the treatment of water as per norms set by the Pollution Control Department/any other relevant department for the same. It was further referred that if the farmers refuse to consume the said water, the onus of this would be entirely of the department responsible for carrying out operation/supervision of the treatment plants.

6. That after examining the said proposal, it came to notice that the Bed level/FSL of lower Budha Nallah which acts as drain, lies below the NSL. The bed level of proposed distributary is likely to be raised above the NSL to feed the adjoining area under gravity. With raising of Bed level/Full supply level of the proposed distributary, it would act as sheet flow barrier. The natural sheet flow on left side of the distributary would get obstructed after the construction of this new channel and would cause a huge loss of property and life to the area falling on the left side of lower Budha Nallah, thus disturbing the whole natural drainage system of the area. It is pertinent to mention here that lower Budha Nallah outfalls into Sutlej River near Sidhwan Bet catering to almost 25 Km long stretch of drainage requirements of the areas adjoining it. It is further

5148



submitted that the farmers of the villages opposed the construction of this new channel by giving representation as they did not want to use the treated water (Effluent) for irrigation purpose.

7. That therefore, after considering the above facts/reasons, the proposal of construction of distributary (by converting lower Budha Nallah into a distributary) to carry treated water (Effluent) discharge of 503 MLD (201 cusecs) of all STPs and CETPs was not sanctioned by the Competent Authority and the same could never get notified. Further, it is pertinent to mention here that Director of Research, Punjab Agriculture University, Ludhiana has given its report regarding non-suitability of treated water (Effluent) for irrigation purposes.

8. That it is further submitted that no cause of action has accrued to the petitioners to file the present application against the answering respondent. Therefore, the present application of the petitioners is liable to be dismissed qua the answering respondent.

In view of the submissions made herein above, it is respectfully submitted that the present Original Application



may kindly be dismissed qua the answering respondent, in the interest of justice.

Place: Ludhiana

Dated:


Deponent
(Sandeep Singh Mangat)
Executive Engineer,
Sidhwan Canal Division
Water Resources Department,
Punjab, Ludhiana.

~~Certified that the affidavit S.P.A./G.P.A. No. _____
has been read over & explained to the deponent,
who has seemed correctly to understand
the same at the time making above there at~~

VERIFICATION

Verified that the contents of para No. 1 to 8 of the above

affidavit are true and correct to my knowledge as per information derived from the official record. No part of it is false and nothing material has been kept concealed therein.

Place: Ludhiana

Dated:


Deponent
(Sandeep Singh Mangat)
Executive Engineer,
Sidhwan Canal Division
Water Resources Department,
Punjab, Ludhiana.



ATTESTED AS IDENTIFIED


NOTARY PUBLIC, LDH

7 MAR 2025