

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

O.A NO. 16 OF 2025

IN THE MATTER OF

Public Action Committee & Ors. Applicant

VERSUS

State of Punjab & Ors Respondents

INDEX**NEXT D.O.H- 06.05.2025**

S. No.	Particulars	Page No.
1.	Additional Affidavit filed on behalf of Respondent No.3 (Municipal Council, Sirhind)	1-8

Filed by



(Sachar Anand)
 Advocate for the Respondent No.3
 14, 1st Floor, National Park
 Lajpat Nagar-IV, New Delhi-110024
 Phone No.-9958792346
 Email- sachar_anand@yahoo.co.in

Place: New Delhi
 Dated: 03.04.2025



BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

O.A NO. 16 OF 2025

IN THE MATTER OF

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VERSUS

State of Punjab & Ors Respondents

ADDITIONAL AFFIDAVIT ON BEHALF OF THE RESPONDENT

NO.3 MUNICIPAL COUNCIL SIRHIND

I, Sangeet, Executive Officer, Municipal Council, Sirhind Mondri, at Old Grain Market, Sirhind, District Fatehgarh Sahib, do hereby solemnly affirm and declare as under:-

1. That I am the Executive Officer and Respondent No.3 in the present OA and am well conversant with the facts and circumstances of the case and am competent to swear this affidavit.
2. That the present additional affidavit is being filed in addition to reply affidavit dated 18.04.2025 filed by the answering respondent.
3. That in para No.12 of the reply earlier submitted, it was submitted that for constructing a boundary wall on the dump site in question adjoining to the said drain, the Municipal Council, Sirhind-Fatehgarh Sahib has issued E-Tender being MC/Sirhind/2023/4455.
4. That in pursuance there of the work for construction of boundary wall of site in dispute was started, but the nearby residents had stopped the work and sent a notice against construction of boundary



A

wall around the garbage dump with demand to stop the construction and a copy of said notice is Annexure R/12.

- 5. That upon receiving the notice, the deponent wrote a letter No.983 dated:28.03.2025 and letter No.1058 dated 02.04.225 and letter No.1213 dated 17.04.2025 to Executive Engineer, Department of Water Sanitation-cum-Mining Mandal, Bara Khua, Nabha road, Patiala for issuing a N.O.C regarding the construction of temporary Boundary wall around the site in dispute which is still awaited. The work of constructing of Boundary wall will be completed after receiving the required N.O.C from the concerned Department and a copy of said notice is Annexure R/13

[Signature]
 DEPONENT
 Executive Officer
 MUNICIPAL COUNCIL, SIRHIND,
 FATEHGARH SAHIB

VERIFICATION

Verified at 02/May on this 02/May, 2025, that the facts stated in the above affidavit are true to best of my knowledge and belief. No part of it is false and nothing material has been concealed there from.

[Signature]
 I IDENTIFY THE DEPONENT



[Signature]
 DEPONENT
 Executive Officer
 MUNICIPAL COUNCIL, SIRHIND,
 FATEHGARH SAHIB

ATTESTED & IDENTIFIED
[Signature]
 RACHIT SINGH (PH/7655/2021)
 Advocate & Oath Commissioner
 Distt. Courts, Fatehgarh Sahib.

certified that the above statement made on oath or affirmation before me this 02/May day of 2025 at Sirhind by Executive Officer who has been identified by Adv. Rachit Singh who is personally known to me. day and year of register 02/05/2025 commission S. No. 926 date of entry 02/05/25 Distt. Courts, Fatehgarh Sahib.

Notice against construction of boundary wall around impugned Garbage Dump Site located on land of Sukka Dariya (also known as Hansla Nadi) - with demand to stop the any construction without any delay

From: PAC MattewaraSutlej (mattewarasutlejpac@gmail.com)

To: cs@punjab.gov.in; ghairajinder@gmail.com; eedrainage2023@gmail.com; chairman.ptl.ppcb@punjab.gov.in; eerofgs.ppcb@punjab.gov.in

Cc: eomc.sir_fgs@yahoo.co.in; dc.fth@punjab.gov.in

Date: Friday 28 March, 2025 at 01:54 pm IST

To,

1. State of Punjab through the Chief Secretary, Punjab Civil Secretariat, Sector-1, Chandigarh. Contact: **0172-2740860** Email: cs@punjab.gov.in

2. The Superintendent Engineer, Department of Water Resources, Bara Khua, Nabha road, Patiala Punjab. Contact: 9872997779 Email: ghairajinder@gmail.com, eedrainage2023@gmail.com

3. The Chairman, Punjab Pollution Control Board, Vatavarn Bhawan, Nabha Road, Patiala. Contact: 9875999088, email: chairman.ptl.ppcb@punjab.gov.in

4. The Environmental Engineer, Punjab Pollution Control Board, 27, Regional Office, Fatehgarh Sahib, NIST Complex, Mandi Gobindgarh Email: eerofgs.ppcb@punjab.gov.in,

Subject: Notice against construction of boundary wall around impugned Garbage Dump Site located on land of Sukka Dariya (also known as Hansla Nadi) - with demand to stop the any construction without any delay

REFERENCE: NGT Orders dated 23-01-2025 in O.A. 16 of 2025

Sirs,

It has come to our knowledge that the Executive Officer, Municipal Council, Sirhind Mandi has started constructing a boundary wall around impugned garbage dump illegally being operated on

land of Sukka Dariya (Hansla Nadi) with GPS location as 30.6356879, 76.3809855. Four Photographs depicting the start of construction at impugned location are attached for ready reference and immediate necessary action. It is pertinent to mention here that the undersigned complainant NGO along with its members and residents of Sirhind City had filed one Original Application before the Hon'ble National Green Tribunal against the impugned dump on grounds that the land on which the garbage dump as well as MRF building have constructed, belongs to Land of Natural Drain and such garbage dump is resulting major Environmental damages/issues. The copies of the set of documents have already been served upon you.

However, despite knowing the facts that as per Revenue Records, the land belongs to Natural Drain, instead of taking lawful action on the issue, the Municipal Council has started constructing the wall, resulting into sheer wastage of Public Money. You are therefore requested to issue directions to stop such illegal construction immediately to prevent further wastage of Public Money and investigate into the matter regarding officials involved in giving approval for such construction.

Regards

Public Action Committee
through its Member Er. Kapil Dev
#561-L, Model Town,
Ludhiana

Kuldeep Singh Khaira
#125, Ishar Nagar,
Ludhiana
Mobile: 9855544433

Er. Kapil Dev
#186-E, BRS Nagar
Ludhiana
Mobile: 9872007872

Er. Jaskirat Singh
#561-L, Model Town
Ludhiana

Dr. Amandeep Singh Bains
#1120, Basant Avenue
Ludhiana



Photograph-4 Sirhind Garbage Dump issue.jpeg
246.3kB



Photograph-3 Sirhind Garbage Dump issue.jpeg
256.7kB



Photograph-2 Sirhind Garbage Dump issue.jpeg
400.3kB



Photograph-1 Sirhind Garbage Dump issue.jpeg
446.1kB

Sachin

// TRUE COPY //

ANNEXURE R/13

Nagar Council Sirhind-Fatehgarh Sahib
 Distt. Fatehgarh Sahib.
 Phone No.01763-500940, 500937 Email: eomc.sir_fgs@yahoo.co.in.
 Through E-mail.

To

The Executive Engineer,
 Water Supply cum Mining Division,
 Bara Khuha, Nabha road, Patiala.

Number: 1213/S.I/2025 Dated 17/04/2025

Sub: To issue the no objection certificate for con. of boundary wall
 near M.R.F. Shed near Drain City road, Sirhind.

Ref: In the continuation of this office letter No.983 dated 28.03.2025
 and Letter No.1058 dated 02.04.2025 and letter No.1098 dated
 04.04.2025.

In the subject cited above and letter under reference, you are
 again requested that the Dump Site of Nagar Council Sirhind which is
 made since about 20-25 years in the place of own ownership,
 regarding which the case is pending in the National Green Tribunal
 and the next date of hearing is 06.05.2025, it is the main case. So you
 are again requested that the N.O.C. for the boundary wall of dump
 site above may kindly be issued as early as possible.

Sd/-
 Executive Officer
 Nagar Council Sirhind-Fatehgarh Sahib

Endst No.1214-16/S.I/KSA/2025 Date: 17/04/2025

The copy of above has been sent to the below mentioned for
 information:

- 1) The Director, Local Bodies Department, Chandigarh
- 2) The Deputy Commissioner, Fatehgarh Sahib
- 3) The Additional Deputy Commissioner (G) Fatehgarh Sahib.

Attached to be True Copy

Sd/-
 Executive Officer
 Nagar Council Sirhind-Fatehgarh Sahib

H

Executive Officer
 MUNICIPAL COUNCIL, SIRHIND,
 FATEHGARH SAHIB

Nagar Council Sirhind-Fatehgarh Sahib
 Distt. Fatehgarh Sahib.
 Phone No.01763-500940, 500937 Email: eomc.sir_fgs@yahoo.co.in.
 Through E-mail.

To

The Executive Engineer,
 Water Supply cum Mining Division,
 Bara Khuha, Nabha road, Patiala.

Number: 983/S.I/2025 Dated 28/03/2025

Sub: To issue the no objection certificate for con. of boundary wall
 near M.R.F. Shed near Drain City road, Sirhind.

It is requested in the subject cited above, the Nagar Council after got conducted the demarcation from the revenue department of its own ownership property/place, the construction of boundary wall of dump site on vacant space over dump site, the constructed M.R.F. of Nagar Council Sirhind is being conducted by watching the case filed in the Hon'ble National Green Tribunal, the next hearing date of which is 06.05.2025. The construction of this boundary wall has to be constructed by the Nagar Council before the date fixed. So the No Objection Certificate in this regard may kindly be issued, If you required any kind of discussion regarding the above, then you are requested to come to the office of Hon'ble Additional Deputy Commissioner (G) Fatehgarh Sahib.

Sd/-
 Executive Officer
 Nagar Council Sirhind-Fatehgarh Sahib

Endst No.984-856/S.I/KSA/2025

Date: 28/03/2025

The copy of above has been sent to the below mentioned for information:

- 1) The Additional Deputy Commissioner (G), Fatehgarh Sahib
- 3) The Executive Engineer, Punjab Pollution Control Board, Mandi Gobindgarh..

Attested to be true copy

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Executive Officer
 MUNICIPAL COUNCIL, SIRHIND,
 FATEHGARH SAHIB

Executive Officer
 Nagar Council Sirhind-Fatehgarh Sahib

Nagar Council Sirhind-Fatehgarh Sahib
Distt. Fatehgarh Sahib.
Phone No.01763-500940, 500937 Email: eomc.sir_fgs@yahoo.co.in.
Through E-mail.

To

The Executive Engineer,
Water Supply cum Mining Division,
Bara Khuha, Nabha road, Patiala.

Number: 1058/S.I/2025 Dated 02/04/2025

Sub: To issue the no objection certificate for con. of boundary wall
near M.R.F. Shed near Drain City road, Sirhind.

Ref: In continuation of this office letter No.983 dated 28.03.2025.

in the continuation of subject and reference cited above, it is written as per the meeting conducted today i.e. 02.04.2025 at the office of Hon'ble Additional Deputy Commissioner (G) Fatehgarh Sahib that the construction of the boundary wall which is to be conducted by the Nagar Council, this construction has to be made by left the 100 feet from the centre of drain and it is also clear that the construction which is to be made by the Nagar Council, the same has to be made on temporary basis through Precast wall. This boundary wall is very much necessary to be made. The Nagar Council will be bound to remove this temporary wall during the Flood Season as per the instructions issued by your department.

It is also necessary to mention here that Nagar Council Sirhind-Fatehgarh Sahib by co-ordination with Nagar Council Mandi Gobindgarh, to process the vest, to install the processing Plant, both the Nagar Councils had passed a resolution and had sent the same to the higher officials so that the Dump may be closed within a year. So the N.O.C. be issued to the Nagar Council to construct the temporary wall on its dump site as stated above.

Sd/-
Executive Officer
Nagar Council Sirhind-Fatehgarh Sahib
(initial)

Endst No.1059-1061/S.I/KSA/2025

Date: 02/04/2025

The copy of above has been sent to the below mentioned for information:

- 1) The Director, Local Bodies Department, Punjab, Chandigarh
- 2) The Deputy Commissioner, Fatehgarh Sahib
- 3) The Additional Deputy Commissioner (G) Fatehgarh Sahib

Attested to be True copy

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Executive Officer
MUNICIPAL COUNCIL, SIRHIND,
FATEHGARH SAHIB

Sd/-
Executive Officer
Nagar Council Sirhind-Fatehgarh Sahib
(initial)

Sarabjit

// TRUE COPY //