

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

**OA No. 414 of 2023**

Avtar Singh & Ors.

.....Applicant(s)

Versus

State of Punjab and Ors.

.....Respondent(s)

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Submitted by :

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Place: Chandigarh

Dated:

(Krishan Kumar)  
 Principal Secretary to  
 Government of Punjab,  
 Department of Water Resources,  
 Chandigarh.

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Affidavit of Krishan Kumar,  
Principal Secretary to  
Government of Punjab,  
Department of Water Resources,  
Chandigarh on behalf of  
Respondent No. 6.

**RESPECTFULLY SHOWETH:-**

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

1. That the present Original Application is pending adjudication before this Hon'ble Tribunal and is listed for hearing on 15.12.2023.
2. That through the present Original Application, the applicants has raised the grievance that the Jargari drain constructed by the villagers, crosses under the First Patiala Feeder Canal and outfalls into the Lassara drain and that Lassara, which is a interstate drain, has no outfall and it has become a pond. Their further plea is that 29 MLD sewage treatment plant was

constructed for Khanna Town but the said STP plant is not operating and sewage water is flowing to Jargari drain and finally the pipeline has been left open stream of siphon below the first Patiala Feeder Canal which is not cleaned because the drain downstream of the siphon i.e. Lassara Drain does not have any outfall. Resultantly, the flow of water is obstructed and water stagnates in the drain and further overflows and stands in the fields of the applicants and other residents of the area.

3. That it is respectfully submitted that the Lassara Drain was excavated in year 1963-64 after the floods of year 1955. The said drain originates from village Dhamot falling at the left side of First Patiala Feeder in Punjab. Before the bifurcation of the State of Punjab, the said drain used to flow through the present Haryana territory and outfalls in the Ghaggar river. The Lower Lassara Drain flowing in the Haryana portion was abandoned by the State of Haryana in year 1977 and the land was returned to their owners after issuing de-notification dated 28.07.1977 by the State Government of Haryana. A cross bandh was also constructed at RD 185000 by the State of Haryana restricting the flow of Lassara drainage network of Punjab territory which in turn inundates and adversely affects the upstream villages of Punjab State in Bathinda District. The entire area near the vicinity of the Lassara Drain starting from Ludhiana to Haryana Border at Bathinda have therefore become prone to floods. A number of drains and an escape channel with a discharge of 1900 cusecs outfall in this drain in Punjab portion. Thus, this huge quantum of water has been obstructed by the State of Haryana by the

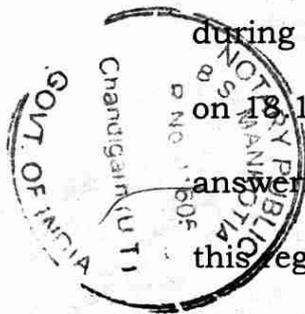


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abandonment of Lower Lassara Drain and further construction of cross bandh at RD 185000 as there is no outfall of the Lassara Drain at present. The copy of Google Image of cross bandh constructed by State of Haryana is annexed herewith as **Annexure R-1.**

4. That it is pertinent to mention here that the issue of restoration of Lassara Drain in Haryana boundary is pending since 5th Ghaggar Standing Committee (GSC) meeting 1996. The issue was also raised during 29th meeting of GSC at New Delhi on 29.08 2019. The Hon'ble Chief Minister, Punjab has also requested the Hon'ble Chief Minister, Haryana in year 2012 for re-excavation of the drain and to remove the Cross Bandh. It was requested that outfall reach of Lower Lassara Drain may be made functional by re-excavating for natural drainage which is in accordance with country slope of area which is towards Haryana State as per topography/contouring of entire region. The point regarding revival of Lassara Drain Project that needs to be taken up by Government of Haryana was also raised by State of Punjab during 30th meeting of Ghaggar Standing Committee (GSC) held on 18.12.2020. Further, the D.O. letter was also been written by answering respondent to State of Haryana dated 10.06.2022 in this regard.

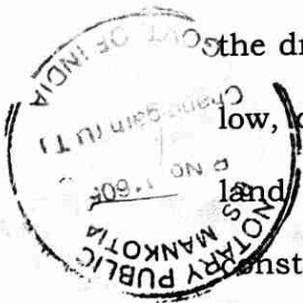
5. That the matter was also taken up in the 20<sup>th</sup> meeting of the Standing Committee of the Northern Zonal Council held on 12.01.2023 at Chandigarh, where the Government of Punjab has again requested the State of Haryana for re-excavation of the drain and removal of the cross bandh and the answering



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respondent has also intimated that land was already acquired in composite Punjab. The Draft minutes of the 20<sup>th</sup> meeting of Standing Committee of Northern Zonal Council held on 12.01.2023 is annexed herewith as **Annexure R-2**. The issue was also raised in the 1<sup>st</sup> meeting of bilateral issues of Punjab and Haryana held between Chief Secretary, Punjab and Chief Secretary, Haryana on 23.09.2023 at Chandigarh. But, the matter is still unresolved between the States of Punjab and Haryana.

6. That it is further submitted that the Lassara drain doesnot have any outfall, due to which the flow of water is obstructed and stagnates in the drain and further overflows. The applicants of the present original application have raised the grievance of overflowing of the said drain below the First Patiala Feeder Canal at the downstream of the siphon. The Forest Department has stated about the drying of the trees planted on the left side of the said drain. The land of Forest Department exists on both sides of Upper Lassara Drain. The level of the bandh on the right side of the drain is correct and the level of the bandh on the left side is low, due to which the drain overflows and water goes into the land of forest department. Therefore, there is a proposal to construct a bank on the left side of the Lassara drain from RD 303150 to 299150 (length 4000 feet) with estimated cost of Rs. 18 lakhs to prevent the overflowing of the drain below the First Patiala Feeder Canal at the downstream of the siphon. Alongwith this, the department has also taken up the cleaning work of



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Lassara Drain and siphon, which has been completed by this year which cost amount of Rs. 17 lakh.

In view of the submissions made herein above, it is respectfully submitted that the above information may kindly be taken on record and this Hon'ble Tribunal may kindly issue the requisite directions to State of Haryana to remove the cross bandh and to notify the land for re-excavation of the Lassara drain in Haryana, so that the outfall reach of Lower Lassara Drain be made functional, in the interest of justice.

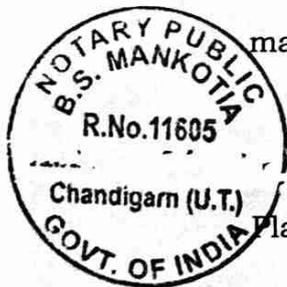
Place: Chandigarh

Dated:

Deponent   
(Krishan Kumar)  
Principal Secretary to  
Government of Punjab,  
Department of Water Resources,  
Chandigarh.

**VERIFICATION:-**

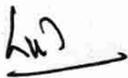
Verified that the contents of para No. 1 to 6 of the above affidavit are true and correct to my knowledge as per information derived from the official record. No part of it is false and nothing material has been kept concealed therein.



Place: Chandigarh

ATTESTED AS IDENTIFIED Dated:

NOTARY, GOVT. OF INDIA  
CHANDIGARH (U.T.)

Deponent   
(Krishan Kumar)  
Principal Secretary to  
Government of Punjab,  
Department of Water Resources,  
Chandigarh.

14 DEC 2023

The Contents of this Affidavit/Document has been explained to the deponent/executor/ He/She admitted the same to be correct. The deponent/executor has signed the Register

240 P.No. 23 dated 14/12/2023



**Draft minutes of the 20<sup>th</sup> meeting of the Standing Committee of the NZC held on 12.1.2023 at Chandigarh**

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The 20th meeting of the Standing Committee of the Northern Zonal Council was held under the Chairmanship of the Chief Secretary of the Govt. of Punjab on 12.1.2023 at Chandigarh.

The list of participants is at Annexure-I.

**Chief Secretary, Govt. of Punjab and Chairman, 20<sup>th</sup> meeting of the Standing Committee, Northern Zonal Council** in his inaugural remarks welcomed the participants in the meeting and stated that Standing Committee of the Northern Zonal Council is a very important forum for discussing inter-State issues. He mentioned that every State of our country has different kind of issues and certain inter-State issues crop up which can be resolved at the level of Zonal Council or prior to that in the Standing Committee. He mentioned certain issues which are important for Punjab and requires positive consideration in the meeting. The first issue pertains to the claim of Chandigarh as the Capital of Punjab as the parent State generally retains the Capital rather than continuing it as a joint Capital of two States. The second issue raised pertained to the river waters of Punjab based on principle that water is a State subject and the rightful claim of the State over its river waters. The third issue raised was that of availability of land for purchase by anyone as some States have prohibited purchase of land by Outsiders. The people of Punjab feel biased against when there is no uniformity of Law and different States have different sets of Laws as per their convenience. To bring all the States at par and to achieve the objective of progress of the Country and all the States. Chief Secretary, Punjab assured full support from the State Government in resolving the issues in the spirit of cooperative federalism.

**Secretary, ISCS, Ministry of Home Affairs** in her opening remarks stated that Hon'ble Union Home Minister and Cooperation Minister and Chairman, Zonal Councils in various meetings of the Zonal Councils has emphasized on the need to get the maximum issues resolved at the level of the Standing Committee where the officers present can have free and frank discussions. She also intimated that this time with the approval of the Chairman, Zonal Councils, three new issues of national importance and two to three good practices from each member State/UT have been introduced in the agenda of the meeting. She requested the Committee to select, based on the presentation and discussion, the good practices that could be presented before the Northern Zonal Council.

**S. No. 48. Connectivity of Lissara Nallah**

(Sponsored by Govt. of Punjab)

**Principal Secretary, Water Resources, Govt. of Punjab** stated that before bifurcation of the State of Punjab, one Nallah called Lissara Nallah was flowing through the present Haryana territory. Haryana abandoned the Nallah in 1977-78 and a cross bandh was also constructed by them due to which, the flood water doesn't get smooth flow for drainage and as a result, many villages in the Bathinda district of Punjab are being adversely affected. Government of Punjab has requested the state of Haryana for re-excavation of the nallah and removal of the bandh.

**Secretary, ISCS** observed that Ministry of Jal Shakti has informed that the Hon'ble Chief Minister of Haryana had already responded to the Hon'ble Chief Minister of Punjab in 2012 itself stating that it was impossible to revive the Nallah at this stage as it would involve huge land acquisition.

**Principal Secretary, WR, Govt. of Punjab** intimated that land was already acquired in composite Punjab.

**Secretary, ISCS** observed that since that land had already been given back, it was not there any longer.

**Adviser to Hon'ble CM, Haryana** intimated that the Nallah was originally conceptualized in 1955 when floods had hit united Punjab and it was planned to drain the water in river Sutlej through Chandraprabha Drain. Later it was proposed to move the project through Haryana. However, as upto the period 1977 no extra water came, thus the acquired lands were denotified.

The Committee decided that this issue may be taken in the bilateral meeting between Punjab and Haryana Governments and may be treated as resolved from the forum of Zonal Council.

*Mohinder Singh*

<b>Decision</b>	<b>Issue Resolved.</b>
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