

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

Original Application No. 668 of 2023

In the matter of

Prasher Dev Sharma

..... Applicant

V/s

State of Punjab and Others

..... Respondent

Application for seeking time to file report of the joint committee constituted by the Hon'ble Tribunal vide order dated 12.1.2024.

RESPECTFULLY SHOWETH

- 1) That the Hon'ble National Green Tribunal was pleased to constitute a Joint Committee in the case vide order dated 12.1.2024 comprising of representatives of the Punjab State Pollution Control Board, District Magistrate, Ludhiana and Executive Officer, Jagraon with direction to file Factual and Action Taken Report within one month by email at judicial-ngt@gov.in.

for

2) That in compliance to the order dated 12.1.2024 passed by the Hon'ble Tribunal, the District Magistrate, Ludhiana has constituted the committee of the following officers to act in accordance with the mandate of the order dated 12.1.2024

- a) Sh. Gurbir Singh Kohli
Sub-Divisional Magistrate, Jagraon.
- b) Sh. Sukhdev Singh Randhawa,
Executive Officer, Municipal Council, Jagraon.
- c) Er. Rajpal Gill, Assistant Environmental Engineer,
Punjab Pollution Control Board, Regional Office-3,
Ludhiana

3) That the meeting of the Joint Committee was held on 20.2.2024 and the same was presided over by Sh. Gurbir Singh Kohli, Sub-Divisional Magistrate, in his office at Jagraon. After deliberations, the site under complaint was visited by the Joint Committee members and it was observed that a pond has been established on the Government land belonging to Municipal Council Jagraon and Maa Bhadar Kali Mandir, KotheRahla, Jagraon is located in this pond area. Size of the pond is approximately 07 Acres and the pond was almost dry. Municipal Solid Waste and old Construction and Demolition waste was found lying in the pond.

After making visit to the compliant site, the members of joint committee deliberated the remedial measures to be taken by Municipal Council, Jagraon to resolve the issue. Sh. Sukhdev Singh Randhawa, Executive Officer, Municipal Council Jagraon informed that the construction and demolition will be removed and bio remediation of legacy waste lying in the pond site is required to be carried out. To

execute the remediation work, tender is required to be called by the Municipal Council, Jagraon, which a time-consuming process as per Government guidelines. However, the Municipal Council Jagraon has initiated the process to remove the construction and demolition waste and to call tenders for bio-remediation of the legacy waste.

- 4) That after detailed deliberations, it was decided by the Joint Committee that the Hon'ble National Green Tribunal may be requested to allow 04-month time to Municipal Council Jagraon to prepare and submit action plan for execution of bio-remediation work of legacy waste lying at site. The interim report of the Joint Committee is enclosed herewith as **Annexure-A**.
- 5) That the present application for grant of time is being filed by the Environmental Engineer, Ludhiana as Punjab Pollution Control Board has been nominated as nodal agency for coordination and compliance by the Hon'ble National Green Tribunal vide order dated 12.1.2024.

It is, therefore, prayed that a time period of four months may kindly be granted to Municipal Council, Jagraon to prepare and submit action plan and further 15 days may kindly be granted to the Joint Committee for filing its report before the Hon'ble National Green Tribunal.

Submitted by

Gurmit Singh
23/02/2024

(Gurmit Singh)

Environmental Engineer,
Punjab Pollution Control Board
Regional Office-3, Ludhiana

(Nodal agency for coordination and
compliance)

Date: 23-02-2024

Place: Ludhiana

Interim report of Joint Committee

(Constituted in compliance to order dated 12.01.2024 passed by the Hon'ble National Green Tribunal in O.A. No. 668/2023 titled as "Prasher Dev Sharma V/s State of Punjab &Ors.")

Background of the Case:

The applicant Mr. Prasher Dev Sharmahas filed an application with the Hon'ble National Green Tribunal with grievance that Municipal Council, Jagraon has dumped and filled garbage in pond surrounding Maa Bhadar Kali Mandir. The application was treated as Original Application No. 668/2023 titled as "Prasher Dev Sharma V/s State of Punjab & Ors" by the Hon'ble National Green Tribunal.

Order dated 12.01.2024 passed by the Hon'ble National Green Tribunal

After consideration of the matter, the Hon'ble National Green Tribunal waspleased to constitute Joint Committee in the case and called for the factual and action taken report vide order dated 12.1.2024. The relevant part of the order dated 12.1.2024 is reproduced below:

"3. In view of the facts and circumstances of the case we consider it necessary to have the response from (1) State of Punjab, through District Magistrate (DM), Ludhiana, (2) Executive Officer, Municipal Council (MC), Jagraon and (3) Punjab State Pollution Control Board (PSPCB), through its Member Secretary who stand impleaded as respondents No. 1 to 3.

4. The Registry is directed to prepare and attach memo of parties to the application and issue notices to respondents no. 1 to 3 requiring them to file their reply/response to the averments made in the application within one month at judicial-ngt@gov.in





preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF.

5. In view of the averments made in the application, we also consider it appropriate that a Joint Committee be constituted to verify the factual position and suggest appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of representatives of the PSPCB, DM, Ludhiana and EO, MC, Jagraon and direct the same to meet within two weeks, undertake visits to the site, look into the grievances of the applicant, associate the applicant and representative of the concerned project proponent, verify the factual position and suggest appropriate remedial action. The State PCB will be the nodal agency for coordination and compliance.

6. Factual and Action taken Report may be submitted within one month by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF

Formation of the Joint Committee:

In compliance to the order dated 12.1.2024 passed by the Hon'ble Tribunal, the District Magistrate, Ludhiana has constituted the committee of the following officers to act in accordance with the mandate of the order dated 12.1.2024.

1. Sh. Gurbir Singh Kohli
Sub-Divisional Magistrate,
Jagraon.
2. Sh. Sukhdev Singh Randhawa,
Executive Officer,
Municipal Council, Jagraon.



3. Er. Rajpal Gill,
Assistant Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-3, Ludhiana

Meeting of the Joint Committee and visit of site

The meeting of the Joint Committee was held on 20.2.2024 and the same was presided over by Sh. Gurbir Singh Kohli, Sub-Divisional Magistrate, in his office at Jagraon. After deliberations, the site under complaint was visited by the Joint Committee members and it was observed that a pond has been established on the Government land belonging to Municipal Council Jagraon and Maa Bhadar Kali Mandir, KotheRahla, Jagraon is located in this pond area. Size of the pond is approximately 07 Acres and the pond was almost dry. Municipal Solid Waste and old Construction and Demolition waste was found lying in the pond.

After making visit to the compliant site, the members of joint committee deliberated the remedial measures to be taken by Municipal Council, Jagraon to resolve the issue. Sh. Sukhdev Singh Randhawa, Executive Officer, Municipal Council Jagraon informed that the construction and demolition will be removed and bio remediation of legacy waste lying in the pond site is required to be carried out. To execute the remediation work, tender is required to be called by the Municipal Council, Jagraon, which a time-consuming process as per Government guidelines. However, the Municipal Council Jagraon has initiated the process to remove the construction and demolition waste and to call tenders for bio-remediation of the legacy waste.

After detailed deliberations, it was decided by the Joint Committee that the Hon'ble National Green Tribunal may be requested to allow 04-month time to Municipal Council Jagraon to prepare and submit action plan for execution of bio-remediation work of legacy waste lying at site.



Submission of interim report of Joint Committee

The interim report of the Joint Committee is submitted to the Hon'ble National Green Tribunal with request to kindly grant 04 months time to Municipal Council Jagraon to prepare and submit action plan for execution of bio-remediation work of legacy waste lying at the pond site, which otherwise belongs to Municipal Council, Jagraon.



(Rajpal Gill)
Assistant Environmental
Engineer, Punjab Pollution
Control Board



(Sukhdev Singh Randhawa)
Executive Officer, Municipal
Council, Jagraon



(Gurbir Singh Kohli)
Sub Divisional Magistrate,
Jagraon