



STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY PUNJAB

Ministry of Environment, Forest & Climate Change, Government of India

O/o Directorate of Environment & Climate Change

C/o PSCST, MGSIPA Complex,

Sector 26, Chandigarh-160019

Tele-0172-2792325

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No. SEIAA/M.S./933

Through Email

Date: 01-11-2019

To

The Principal Bench,
Hon'ble National Green Tribunal,
New Delhi- 110001.

Subject: Interim report in the matter related to OA No. 980/2019 titled as Harminder Singh & Others V/s Union of India & Others.

Respectfully, it is submitted that in compliance to the orders passed by the Hon'ble NGT on 25.09.2019, in the subject cited matter, an interim report has been prepared, which is enclosed herewith for kind perusal please.

This report is being submitted along with a prayer to extend the time limit to furnish the final report by another 4 weeks' time to the committee as detailed survey is required to be carried out to calculate the flow, to identify the original bed levels & cross sections to design the culverts required for unhindered flow of water of Siswan Nadi and the creek joining it.

DA/ Interim Report

**Environmental Engineer
(SEIAA)**

Subject: Interim report in the matter related to OA No. 980/2019 titled as Harminder Singh & Others V/s Union of India & Others.

1.0 Background

OA No. 980/2019 titled as Harminder Singh & Others V/s Union of India & Others, came up for hearing before the Hon'ble National Green Tribunal on 25.09.2019 and the operative part of the order related to constitution of joint committee is as under:

“ With a view to consider the grievance, in the first instance, we find it necessary to require a factual and action taken report from a joint committee comprising Additional Chief Secretary, Housing and Urban Development, Punjab, Secretary, Irrigation Department, Punjab and SEIAA, Punjab. The SEIAA, Punjab will be the nodal agency for compliance and coordination. The report may be furnished within one month by e-mail at judicial-ngt@gov.in .

The applicant may serve a set of papers on the Additional Chief Secretary, Housing and Urban Development, Punjab, Secretary, Irrigation Department, Punjab and SEIAA, Punjab and the affidavit of service within one week.”

2.0 First Meeting of the committee

In order to comply with the orders of Hon'ble NGT, a joint meeting was held on 17th October, 2019 at 3.30 PM in the office of Directorate of Environment and Climate Change, Govt. of Punjab, MGSIPA Complex, Sector 26, Chandigarh in which following were present to discuss the matter:

- i) Sh. Kuldip Singh, IFS (Retd.), Chairman, State Environment Impact Assessment Authority (SEIAA) Punjab.
- ii) Dr. Sunil Mittal, Member, SEIAA (Punjab).
- iii) Er. Sunil Kansal, Chief Engineer, GMADA.
- iv) Er. Sanjiv Gupta, Chief Engineer, Department of Water Resources, Punjab.
- v) Sh. Pardeep Garg, Secretary, State Expert Appraisal Committee and Joint Director, Directorate of Environment & Climate Change, Punjab.

- vi) Sh. Manjinder Singh S/o Sh. Ajmer Singh, R/o H No 26, Sector-20A, Chandigarh; one of the applicants.

Sh. Manjinder Singh, explained in detail about all their grievances. All the members present in the meeting discussed the matter at length. Earlier, the applicant had also submitted detail of their grievances in writing as per directions of Hon'ble NGT. As no one was present from the department of Town and Country Planning, it was decided that another meeting be held at a short notice to know about their view point also. It was also decided that M/s Omaxe Chandigarh be also given an opportunity to present their case before the committee.

Accordingly, after knowing the availability of all the concerned, it was decided to hold another meeting on 22.10.2019 at 11:30 AM in which the Chief Town Planner, Punjab and the developer namely M/s Omaxe Chandigarh Extension was also requested to be present.

3.0 Second Meeting of the committee

The second meeting of the committee was held on 22nd October, 2019 at 11:30 AM in the Conference Hall-3, PSCST, MGSIPA Complex, Sector 26, Chandigarh in which the following were present to discuss the matter:

- i) Sh. Kuldip Singh, IFS (Retd.), Chairman, SEIAA (Punjab).
- ii) Sh. Gurpreet Singh, Chief Town Planner, Punjab.
- iii) Er. Sunil Kansal, Chief Engineer, GMADA.
- iv) Er. Sanjiv Gupta, Chief Engineer, Department of Water Resources, Punjab.
- v) Sh. Pardeep Garg, Secretary, State Expert Appraisal Committee and Joint Director, Directorate of Environment & Climate Change, Punjab.
- vi) Sh. Mukesh Bhati, Representative of M/s Omaxe Chandigarh Extension Developer Pvt. Ltd.

The committee discussed in detail about the grievance of applicant regarding obstructing and diverting natural flow of Siswan Nadi and a creek joining to it. The committee explained in detail about the grievances of the applicant to Sh. Mukesh Bhati, Representative of M/s Omaxe Chandigarh Extension Developer Pvt. Ltd. as he showed his ignorance about the case going on in Hon'ble NGT on the subject. He informed that they have provided

two pipes of 5' diameter at each point where the creek of Nadi Siswan crosses the road. He also assured that the developer is ready to comply with all the directions to be given by the committee to address the grievances of the complainant. He also submitted an undertaking to the effect that M/s Omaxe Chandigarh Extension Developer Pvt. Ltd. shall construct culverts or any other option as per the direction of GMADA to make unobstructed flow of seasonal /rainy nallah/choe, they will not disturb the original path of Choe , which is passing through their site in order to address the grievances of petitioner and observations made by the committee. A copy of the undertaking submitted by M/s Omaxe Chandigarh Extension Developer Pvt. Ltd. is enclosed as **Annexure-A**

Thereafter, the committee decided to make a visit to the site so as to assess the ground situation. During visit, the committee observed as under:

- i) Construction waste was found dumped in the low-lying area along the road (Plate-1). The committee directed the representative of the developer to get the debris removed immediately.
- ii) During visit, flow in Siswan Nadi was very less and water was passing through the creek and was crossing the road at point A and B (Plate-2). The committee observed that only two pipes of 5 feet Diameter are provided at both the above crossing points (Plates- 3 & 4) and same are insufficient to handle the peak discharge during the rainy season. The committee decided that Water Resources Department will design culverts and other measures to be taken for the unhindered flow of Siswan Nadi and the creek joining it.
- iii) The representative of M/s Omaxe Chandigarh Extension Developer Pvt. Ltd agreed in principle to comply with aforesaid observations.
- iv) During visit, the committee also observed that a detailed survey is required to be carried out to calculate the flow, original bed levels and cross sections to design the culverts required at point A & B for which about 4 weeks' time is required by the Department of Water Resource.

- v) After 4 weeks' time, Water Resource Department shall provide the design and drawing of the culverts and other measures to be taken, if any to the committee based upon the peak flow of at least last 25 years.
- vi) The committee also decided that an interim report be filed in the Hon'ble National Green Tribunal and also a request be made for seeking 4 weeks' additional time, so that comprehensive report be filed.

4.0 Facts as informed by Water Resources Department, Punjab

Chief Engineer, Drainage, Water Resources Department, Punjab vide letter no. 2176-78 dated 22.10.2019 addressed to Chairman-SEIAA submitted a report which is enclosed as **Annexure-B**. This report will also be considered by the committee along with the final report to be submitted by the department after detailed survey.

5.0 Prayer

- i) In compliance to the order dated 25.09.2019, Hon'ble NGT is requested to consider this as interim report in the matter.
- ii) Hon'ble NGT is requested to extend the time limit to furnish the final report by another 4 weeks' time to the committee as detailed survey is required to be carried out to calculate the flow, to identify the original bed levels & cross sections to design the culverts required for unhindered flow of water of Siswan Nadi and the creek joining it.


Chairman-SEIAA


**Chief Engineer-
GMADA**


**Chief Engineer
Water Resources**


**Chief Town Planner
Punjab**

Plate-1 : Construction waste found dumped in the low-lying area along the road .



Plate-2: Discharge of Siswan Nadi passing through the creek and crossing the road at point A and B

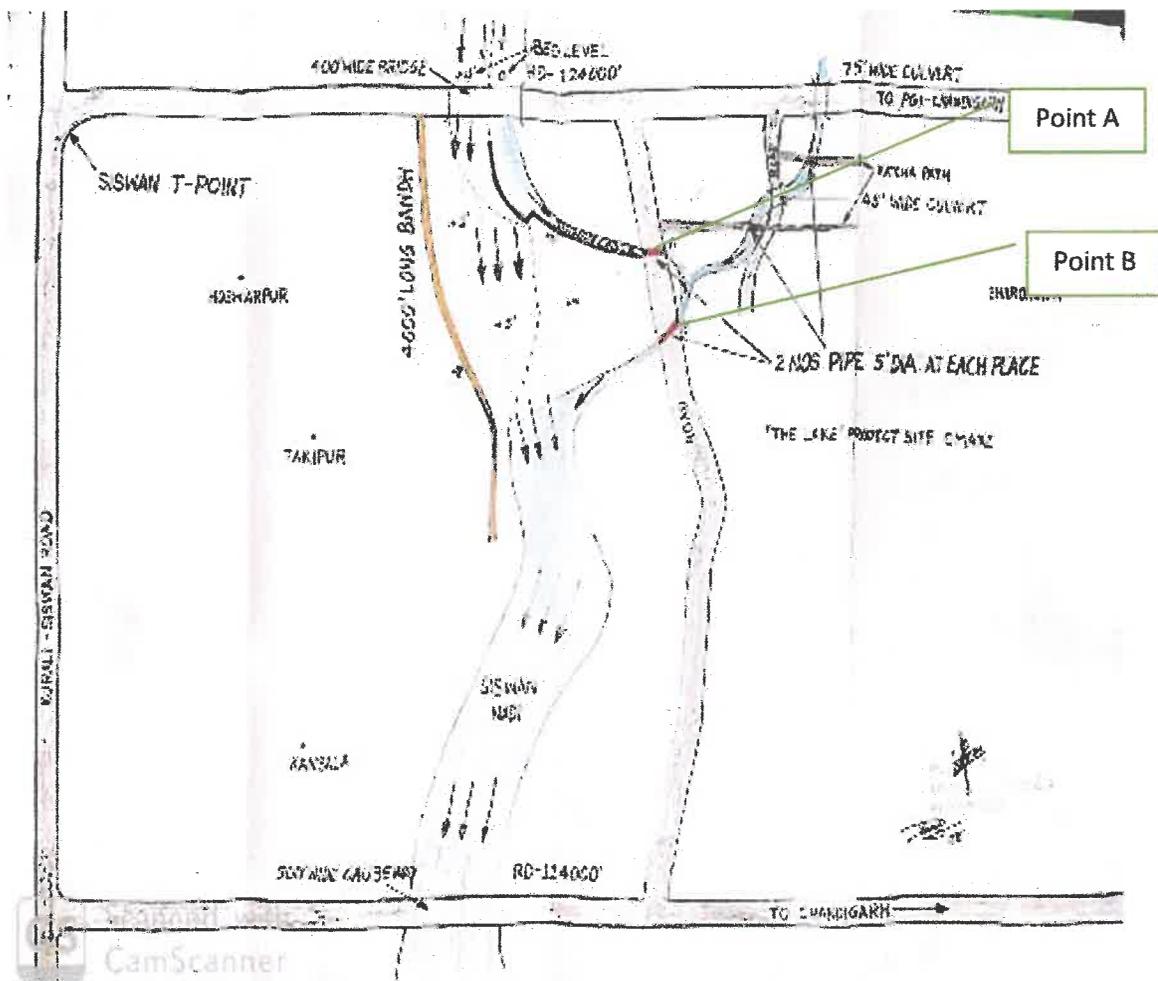


Plate 3: Two pipes of 5 feet Diameter provided at crossing point 'A'



Plate4 : Two pipes of 5 feet Diameter provided at crossing point B'



22/10/2019



To,

Environmental Engineer,
SEIAA, Punjab
O/o Directorate of Environment & Climate Change,
C/o PSCST, MGSIPA Complex,
Sector 26, Chandigarh-160019

Subject: NGT Order dated 25.09.2019 in OA No. 980/2019 in the matter of Harminder Singh & Others V/s Union of India & Others.

Ref: Your letter no. SEIAA/M.S/912 dated 18/10/2019

Sir,

This is in reference to above mentioned subject and letter under reference; vide which the above said matter was discussed under the chairmanship of Chairman, SEIAA on 22.10.2019 at 11.30 in the conference Hall, PSCSTE, MGSIPA Complex, Sector 26 Chandigarh.

In this regard we do hereby undertake as:

1. That we (Omaxe Chandigarh Extension Developers Pvt. Ltd.) will construct culverts or any other option as per direction of GMADA under the VR-6 (200' wide Mullanpur Master Plan Road) being constructed by us under the adjustment of EDC payable to GMADA, to make unobstructed flow of Seasonal / Rainy Nallah/choe, will not disturb the original path of Choe by keeping it intact in the layout plan, which is passing through our Site in order to address the observation raised by the committee.
2. We further undertake that are ready to line (Stone Pitching) the original course of Barsati Nallah/ Choe passing through our site upto VR-6 (200' wide Master Plan Road).

Thanking you,
Yours truly

For Omaxe Chandigarh Extension Developers Pvt. Ltd.


Daleep Moudgil
Director (Business Development & Projects)

"This is to inform that please make all correspondence with us on our **Zonal/Corporate Office Address Only**"

Omaxe Chandigarh Extension Developers Private Limited

Zonal Office: India Trader Tower, 1st Floor, Madhya Marg Extn. Road, New Chandigarh (Near Mullanpur), District- SAS Nagar, Punjab-140901
E-mail: customerrelations_chandigarh@omaxe.com

Registered & Corporate Office: 10, Local Shopping Complex, Kalkaji, New Delhi-110019.
CIN: U00500RJ2006PTC022398, **Customer Care No.:** 1800 102 0064, **Website:** www.omaxe.com

Annexure-B

From

Chief Engineer/Drainage,
Water Resources Department, Punjab,
Chandigarh.

To

Chairman/SEIAA,
Directorate of Environment & Climate Change,
Punjab.

No:- 2176-78

Date:- 22-10-19

Subject: NGT Order dated 25.09.2019 in O.A. No 980/2019 in matter of Harinder Singh & others v/s Union of India.

Reference: Your Office Letter No: SEIAA/M.S./907-09 Date: 18/10/2019

With respect to above mentioned subject and reference, Superintending Engineer, Drainage Circle Patiala vide his office letter no 2567-68 dated 21.10.19 has submitted a report along with detailed site map which is as below:-

1. Siswan Nadi crosses 400 ft wide bridge with 5 bays on PGI Chandigarh to Siswan road. It has been observed during normal rains with less discharge, the flow used to pass through the creek having 20 ft bed width and travels through 'The Lake' project road and again passes through second pipe culvert and joins into Siswan Nadi whereas, during heavy rains, the flow of Siswan Nadi runs through all 5 bays and travels straight way. It is pertinent to mention here that protection bandh of 4000 ft length is existing along right side of Siswan Nadi downstream PGI Chandigarh road, which clearly indicates the existence of old bed of the Siswan Nadi and original direction of flow. It is further added that local land owners has constructed protection bandh during 2014 in between 5 bays of the bridge and diverted the flow towards left side. This bandh continues on the right side of the creek of the Siswan Nadi upto 'The Lake' Project road. During the rainy season 2019, it has been observed that peak discharge of Siswan Nadi flowed straight way through its original course.
2. After exploring Google Map of year 2012 & 2016, it has been observed that the creek of Siswan Nadi was passing through the site of the OMAXE Company near village Bharonjian. and in this regards, the NOC was issued to the office of Deputy Commissioner, SAS Nagar, Mohali on the request of GMADA. A condition was imposed in the NOC that

flow of the creek should not be obstructed and for this purpose the design of the requisite culverts should be got vetted from the Drainage Department before execution. But 2 nos of RCC pipe culverts for the flow of Siswan Nadi were constructed by the OMAXE company without any approval from Drainage Administration.

Moreover, the creek coming from PGI, Chandigarh road has been restored by OMAXE company which is passing through two pipe culverts (2 Nos of 5 ft dia) and one 45 ft wide box culvert. It is important to mention here that 75 ft wide culvert is existing on PGI Chandigarh road (Map Attached), hence 75 ft wide culvert need to be constructed by the OMAXE company instead of existing culverts on the internal road of new Chandigarh adjoining to 'The lake' project.

Action:

- i) During 2014, the Notice was issued to OMAXE company by the GMADA authorities and directed them to stop the pipe laying work.
- ii) Similarly, notices under Canal & Drainage Act were issued during 2014 to the land owners to restore the natural flow.

Now, the Executive Engineer/Ropar Drainage, has taken up a matter with SDM/Kharar and revenue authorities of Majri Block again on 11.10.2019 and requested them to provide the names of the defaulters for diverting/obstructing the flow of Siswan Nadi, so that section 55 of the act could be invoked.

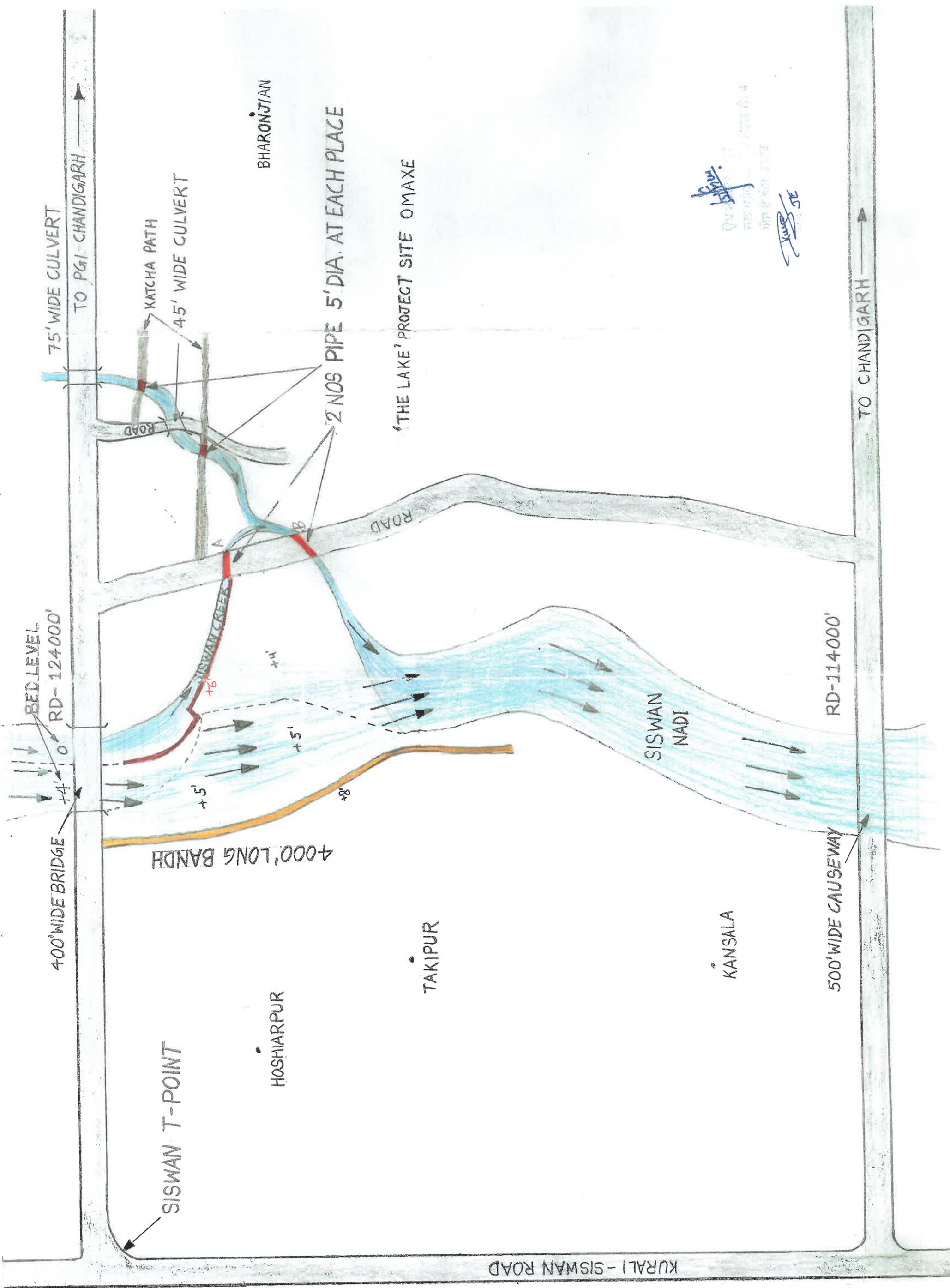
This is for your kind information and further perusal please

D/A:- 1 No. Map


Executive Engineer/Floods,
For: Chief Engineer/Drairage,
Water Resources Department, Punjab,
Chandigarh.

Copy of the above is forwarded to

1. The Principal Secretary, Water Resources, Punjab
2. Superintending Engineer, Drainage Circle Patiala.



75' WIDE CULVERT

TO PGI-CHANDIGARH

KATCHA PATH

45' WIDE CULVERT

BHARONJIAN

2 NOS PIPE 5' DIA. AT EACH PLACE

THE LAKE' PROJECT SITE OMAXE

BED LEVEL

RD-124000

ROAD

SISWAN CREEK

SISWAN NADI

RD-114000

4000' LONG BANDH

500' WIDE CAUSEWAY

400' WIDE BRIDGE

SISWAN T-POINT

HOSHIARPUR

TAKIPUR

KANSALA

KURALI - SISWAN ROAD

TO CHANDIGARH

Handwritten signatures and a stamp.