

REPORT OF THE JOINT COMMITTEE

(Constituted by the Hon'ble National Green Tribunal vide order dated 22.11.2023 passed in Original Application No. 209 of 2023 Kapil Dev and Others v/s Municipal Commissioner and Others)

Background of the case

Applicants Mr. Kapil Dev and another have filed an application under the provisions of the National Green Tribunal Act, 2010 complaining about encroachments and raising of illegal constructions by Municipal Corporation, Ludhiana and some other persons on green belts while seeking issuance of directions for removal of encroachments, demolition of illegal constructions and restoration of green belts.

The applicants had stated that Sarabha Nagar and Model Town Extension, Ludhiana have been developed under the Municipal Town Planning Scheme and the impugned areas are Green belts/Leisure Valley as per TP scheme as well as Master Plan of Ludhiana. Municipal Corporation, Ludhiana has constructed extension office alongwith approach road as well as Scrap Yard/Dump Yard/Store in land of green belt (Leisure Valley). Some private persons have also encroached by raising constructions on green belts at Model Town Extension, Funeral Ground Road in violation of law. It is further mentioned that the applicants served notice dated 10.03.2023 on Municipal Corporation, Ludhiana to stop the conversion of green belt (Leisure Valley) into parking area but to no effect. The application filed by the applicants has been treated as Original Application no. 209 of 2023 titled as "Kapil Dev and another v/s Municipal Commissioner, Ludhiana and Others".

Order passed by the Hon'ble National Green Tribunal

After consideration of the matter, the Hon'ble National Green Tribunal was pleased to issue notice to the respondents vide order dated 28.03.2023. The Hon'ble Tribunal was further pleased to pass an order dated 22.11.2023 thereby constituting a Joint Committee comprising of representatives of Integrated Regional Office, MoEF&CC Chandigarh, Divisional Forest Officer, Ludhiana and State Pollution Control Board with direction to meet within two weeks, undertake visits to sites in question, look into the grievances of the applicant, verify the factual position and suggest appropriate remedial measures. State Pollution Control Board was designated as nodal agency for coordination

and compliance. In this regard, the relevant extract of para no. 6 and 7 of the order dated 22.11.2023 is reproduced herein below for kind perusal and reference.

6. In view of the averments made in the application and reply filed by respondent no. 1- Commissioner, Municipal Corporation, Ludhiana, 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 Integrated Regional Office, MoEF & CC Chandigarh, DFO, Ludhiana and PPCB and direct the same to meet within two weeks, undertake visits to the sites in question, look into the grievances of the applicant, verify the factual position and suggest appropriate remedial measures. PPCB will be the nodal agency for coordination and compliance.
7. Report of the Joint Committee be filed within two months 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 ed 22.11.2023 passed in O.A No. 209/2023 is reproduced herein below for kind perusal and reference.

Compliance of Order dated 22.11.2023 passed by the Hon'ble National Green Tribunal

1. That in compliance of orders dated 22.11.2023, the Board has requested the Deputy Inspector General of Forests, MOEF & CC, and District Forests Officer, Ludhiana requesting for nomination of the members in the Joint Committee. A copy of letter no. 3223 dated 15.12.2023 and letter no. 3224 dated 15.12.2023 is enclosed herewith as **Annexure-A and Annexure-B respectively**. The Department of Forests and Wildlife Preservation, Punjab has nominated Sh. Kamalpreet Singh, Forest Range Officer vide letter no. 10555 dated 18.12.2023 (**Annexure-C**) and the Ministry of Environment, Forest and Climate Change (Integrated Regional Office) has nominated Sh. N.K. Dimri, Technical Officer (G) vide letter no. 1-21-2023/Misc./Env.

R.O(NZ) dated 28.12.2023 (**Annexure-D**) as member in the Joint Committee.

2. That Joint Committee of the representatives of the Ministry of Environment, Forest and Climate Change, Government of India; Department of Forests & Wild Life Preservation, Punjab and Punjab Pollution Control Board was constituted vide Board's letter no. 31 dated 03.01.2024, a copy of which is enclosed herewith as **Annexure-E**.

Meeting of the Joint Committee: 12.01.2024

- 1) That a meeting of the members of the said Joint Committee was convened by the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana on 12.01.2024 (through virtual mode) by writing a letter bearing no. 47 dated 11.1.2024 to the concerned departments. A copy of letter No. 47 dated 11.1.2024 is enclosed herewith as **Annexure-F**.
- 2) The representatives namely Sh. N.K. Dimri, Technical Officer (G), MOEFCC; Sh. Gurmit Singh, (Nodal Officer), Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana and Sh. Kamalpreet Singh, Forest Range Officer, Department of Forests and Wildlife Preservation, Punjab attended the meeting through virtual mode on 12.01.2024. The matter was deliberated in detail and it was decided to take the following action by the Joint Committee:
 - i. Report regarding land use pattern of the area, where office building of Municipal Corporation, Zone-D is constructed, exact dimensions of Leisure Valley as well as office building of Zone-D (As per non statutory/Draft Master Plan i.e Prior to notification of Master Plan of Ludhiana as well as after notification of Master Plan, Ludhiana) and certified copy of Master Plan, Ludhiana may be obtained from the District Town Planner, Ludhiana as well as to the extent that no expansion has been made in land area of Municipal Corporation, Zone-D office in the notified Master Plan as compared to the site area available prior to its notification.

- ii. Divisional Forests Officer, Ludhiana will check whether land in question is purely a non-forest land or not and submit the report to the joint committee accordingly.
- iii. Site visit of the area should be planned in the up-coming days to verify the actual facts on-site.
- iv. Request may be made to the Hon'ble NGT to further allow two months' time period for preparing and submitting report in the matter.
- v. A copy of the minutes of the meeting held on 12.1.2024 is enclosed herewith as **Annexure-G**.

Letter written to District Town Planner, Ludhiana: 15.01.2024

3) That as per decisions of the Joint Committee meeting held on 12.01.2024, District Town Planner, Ludhiana was requested vide PPCB letter no. 58 dated 15.01.2024 to submit report as under:

- i. Report regarding land use pattern of the area, where office building of Municipal Corporation, Zone-D is constructed.
- ii. Exact dimensions of Leisure Valley as well as office building of Zone-D (As per non-statutory/Draft Master Plan i.e. Prior to notification of Master Plan of Ludhiana as well as after notification of Master Plan, Ludhiana).
- iii. Certified copy of Master Plan, Ludhiana as well as to the extent that no expansion has been made in land area of Municipal Corporation, Zone-D office in the notified Master Plan as compared to the site area available prior to its notification.

A copy of letter no. 58 dated 15.01.2024 is enclosed herewith as

Annexure-H.

**Request for adjournment made to Hon'ble National Green Tribunal:
09.02.2024**

- 4) That a request for seeking two-months' time to file report of Joint Committee was submitted before the Tribunal vide application sent through e-mail dated

09.02.2024. A copy of the application submitted before the Hon'ble National Green Tribunal is enclosed as **Annexure-I**.

Visit carried out by the Joint Committee: 14.03.2024

- 5) That in compliance of the orders dated 22.11.2023 of the Hon'ble Tribunal, visit of the sites under question was undertaken by the members of the Joint committee along-with complainant Sh. Kapil Dev on 14.03.2024. During visit it was observed that the office building of Municipal Corporation (Ludhiana), Zone -D is situated adjacent to Leisure valley (Green Belt area) and the site is earmarked in approved map of notified Master Plan of Ludhiana (2007-31). A single-story office building for Birth & Death registration has been constructed by the Municipal Corporation, Ludhiana in Leisure Valley, adjacent to the existing office building of Municipal Corporation, Zone-D and a Public Utility was also under construction at this office site. Municipal Corporation, Ludhiana has also constructed an open parking with paved blocks in the Leisure Valley area adjacent to Birth & Death registration office Building.
- 6) The Municipal Corporation Ludhiana has constructed scrap yard and office of Junior Engineer in Leisure Valley at a distance of about 100 meters from the office building of Municipal Corporation, Zone D near Rotary club.
- 7) The complainant has also shown to the joint committee a small Statue of Lord Shiva established in the Leisure Valley near Model Town Extension.
- 8) Model Town extension area was also visited by the team along-with complainant and he has shown 04 private establishments which have made encroachments in the green belt area of the Improvement Trust, Ludhiana. The details of the said establishments are as under:
 - i. M/s Urban Tikka Restaurant, Model Town Extension, Ludhiana.
 - ii. M/s D.S. Enterprises, Model Town Extension, Ludhiana.
 - iii. M/s M.P Ply Palace, Model Town Extension, near Block C, Ludhiana.
 - iv. M/s A.B Wines, Model Town Extension, near Block C, Ludhiana.

All the above said 04 establishment have encroached green belt area for making path to their shops from main road of Model Town Extension.

Reply of District Town Planner, Ludhiana: 15.03.2024

9) That in reference to PPCB letter no. 58 dated 15.01.2024, the District Town Planner vide office memo no. 646 dated 15.03.2024 forwarded the reply as under:

- i. The land use of "building of Municipal Corporation, Zone-D, Ludhiana" mentioned in Master Plan, Ludhiana (2007-31) is "Government/Public officers/Cantonment".
- ii. The tentative site area of the above said building is same in Existing Land Use Ludhiana (2007) and Draft Master Plan i.e. Before the notification of Master Plan, Ludhiana and also same in proposed Master Plan, Ludhiana (2007-31).
- iii. Attested copy of Notified Master Plan, Ludhiana (2007-31) is attached herewith.
- iv. Current situation and status of the above said building should be taken from the concerned office of Municipal Corporation, Zone-D, Ludhiana.

A copy of letter no. 646 dated 15.03.2024 of District Town Planner, Ludhiana is enclosed as **Annexure-J**.

Acceptance of request for adjournment: Order dated 20.03.2024 passed by the Hon'ble National Green Tribunal

10) The Hon'ble Tribunal accepted the request of the joint committee and vide order dated 20.03.2024 granted time to the Joint Committee to file report in the case. The relevant extract of para no. 3,4 and 5 of the order dated 20.03.2024 is reproduced below for kind perusal and reference:

3. Joint committee has submitted interim report vide email dated 09.02.2024 seeking grant of two months' time for submission of its report.
4. Learned Counsel for respondent no. 1 and 2 also seeks time for filing their reply/response.

5. Report of the Joint Committee and reply/response by respondents no. 1 and 2 be filed within one month.

Report of Divisional Forest Officer, Ludhiana: 09.05.2024

- 11) That in reference to the proceedings of the meeting held on 12.01.2024, the Divisional Forest Officer, Ludhiana vide office letter no. 1742 dated 09.05.2024 has submitted report with regard to land in question with the buildings shown by the complainant as under:

| Sr No. | Description of Site | Whether forest land or not |
|--------|--|----------------------------|
| 1. | Extension office along Green Belts named Area (Leisure) Valley in Sarabha Nagar Area | Non- forest land |
| 2. | Scrap Yard/ Dump Yard/ store in land of Green Belt (Leisure valley) | Non- forest land |
| 3. | Green Belt at Model Town Extension Funeral Ground Road | Non- forest land |

Observations of the Joint Committee

The matter was further deliberated by the members of the Joint Committee in consideration of the reports received from District Town Planner and Divisional Forest Officer, Ludhiana. No forest land has been encroached by anyone. However, some green area of Leisure Valley and green belt area of Model Town Extension, Ludhiana has been found to be encroached to some extent. The observations of the Joint Committee are tabulated herein below

| S. No. | Description of Site | Status of site as per Approved Master Plan, Ludhiana. |
|--------|--|--|
| 1 | Office of Municipal Corporation, Zone - D Ludhiana | No encroachment of green belt (Leisure Valley) as the site is earmarked in the notified Master Plan, Ludhiana. |
| 2 | Birth & Death Registration Office, Municipal | Encroachment of green area (Leisure Valley) as the site is not earmarked in |

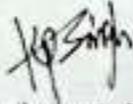
| | | |
|---|--|---|
| | Corporation, Ludhiana | the notified Master Plan, Ludhiana. |
| 3 | Scrap Yard and office of Junior Engineer, Municipal Corporation, Ludhiana. | Encroachment of green area (Leisure Valley) as the site is not earmarked in the notified Master Plan, Ludhiana. |
| 4 | Lord Shiva Statue in the Leisure Valley, Near Model Town Extension. | Encroachment of green area (Leisure Valley) as the site is not earmarked in the notified Master Plan, Ludhiana. |
| 5 | M/s Urban Tikka Restaurant, Model Town Extension, Ludhiana | The restaurant has constructed temporary shed beyond its premises in the Green Belt area of Model Town Extension thereby making an encroachment. |
| 6 | M/s D.S. Enterprises, Model Town Extension, Ludhiana | The establishment has provided path in the Green Belt area of Model Town Extension to make approach up to the main road thereby making an encroachment. |
| 7 | M/s M.P Ply Palace, Model Town Extension, near Block C, Ludhiana | The establishment has provided path in the Green Belt area of Model Town Extension to make approach up to main road thereby making an encroachment. |
| 8 | M/s A.B Wines, Model Town Extension, near Block C, Ludhiana | The establishment has provided path and parking in the Green Belt area of Model Town Extension to make approach up to main road thereby making an encroachment. |

Recommendations of the Joint Committee

- i) The committee recommends that suitable directions may be issued to the Municipal Corporation, Ludhiana and the Improvement Trust, Ludhiana to remove the encroachments as shown in the tabular form here in above.
- ii) The Municipal Corporation, Ludhiana and the Improvement Trust, Ludhiana shall form a committee to implement the provisions of Master Plan, Ludhiana in true letter and spirit.

Submission of the status report

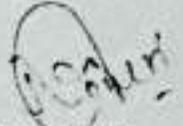
The joint committee hereby submits its report in compliance to order dated 22.11.2023 for kind consideration of the Hon'ble Tribunal.



(Kamalpreet Singh)
Forest Range Officer,
Department of Forests
and Wildlife Preservation,
Punjab



(Gurmit Singh)
Environmental Engineer
(Nodal Officer),
Punjab Pollution Control
Board, Regional Office-3,
Ludhiana



(N.K. Dimri)
Technical Officer (G),
Ministry of Environment,
Forest & Climate
Changes



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੋਰੋਬਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Regional Office-III, Savitri Complex, Dholewal Chowk, Ludhiana

PPCB/RO-III/No. 3223

Through e-mail

Dated: 15/12/2023

To

1. The Deputy Director General of Forests (C),
Ministry of Environment, Forest and Climate Change,
Integrated Regional Office,
Chandigarh.
2. The District Forest Officer,
Ludhiana.

Sub: Orders passed by the Hon'ble National Green Tribunal on dated 21.11.2023 in O.A No. 209/2023 titled as Kapil Dev & Others vs Municipal Commissioner & Others.

Please refer to the subject cited order passed by the Hon'ble National Green Tribunal, New Delhi (copy attached):

The relevant paras of orders dated 21.11.2023 passed by the Hon'ble NGT in this matter is reproduced as under:-

1. In view of the averments made in the application and reply filed by respondent no. 1- Commissioner, Municipal Corporation, Ludhiana, 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 IRO, MoEF & CC Chandigarh, DFO, Ludhiana and PPCB and direct the same to meet within two weeks, undertake visits to the sites in question, look into the grievances of the applicant, verify the factual position and suggest appropriate remedial measures. PPCB will be the nodal agency for coordination and compliance.
2. Report of the Joint Committee be filed within two months by e-mail at judicial-ngo@gov in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.
3. List for further consideration on 20.03.2024.

Since, the Hon'ble NGT has appointed PPCB as nodal agency for coordination and compliance in the matter, it is therefore requested to send the nomination of the officers of your department (name, designation, mobile number and e-mail) to this office through e-mail at ppcbro3@yahoo.com, as members of the joint committee constituted, to comply with the orders passed by the Hon'ble NGT.

DA: As above

[Handwritten Signature]

[Handwritten Signature]
15/12

Environmental Engineer
For & on behalf of
Punjab Pollution Control Board



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Regional Office-III, Savitri Complex, Dholewal Chowk, Ludhiana

PPCB/RO-III/No. 3224

Through e-mail

Dated: 15/12/2023

To

1. The Deputy Director General of Forests (C),
Ministry of Environment, Forest and Climate Change,
Integrated Regional Office,
Chandigarh.
2. The District Forest Officer,
Ludhiana.

Sub: Orders passed by the Hon'ble National Green Tribunal on dated 21.11.2023 in O.A No. 209/2023 titled as Kapil Dev & Others vs Municipal Commissioner & Others.

Please refer to the subject cited order passed by the Hon'ble National Green Tribunal, New Delhi (copy attached):

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1. In view of the averments made in the application and reply filed by respondent no. 1- Commissioner, Municipal Corporation, Ludhiana, 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 IRO, MoEF & CC Chandigarh, DFO, Ludhiana and PPCB and direct the same to meet within two weeks, undertake visits to the sites in question, look into the grievances of the applicant, verify the factual position and suggest appropriate remedial measures. PPCB will be the nodal agency for coordination and compliance.
2. Report of the Joint Committee be filed within two months 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.
3. List for further consideration on 20.03.2024

Since, the Hon'ble NGT has appointed PPCB as nodal agency for coordination and compliance in the matter, it is therefore requested to send the nomination of the officers of your department (name, designation, mobile number and e-mail) to this office through e-mail on ppc.bro3@yahoo.com, as members of the joint committee constituted, to comply with the orders passed by the Hon'ble NGT.

DA: As above

15/12
Environmental Engineer
For & on behalf of
Punjab Pollution Control Board

AEE-2 FR 3/11/24

ਪੰਜਾਬ ਸਰਕਾਰ
 ਵਣ ਅਤੇ ਜੰਗਲੀ ਜੀਵ ਸੁਰੱਖਿਆ ਵਿਭਾਗ, ਪੰਜਾਬ
 ਦਫਤਰ ਵਣ ਮੰਡਲ ਅਫਸਰ, ਲੁਧਿਆਣਾ
 ਟਿਹੜੇਪੁਰ ਰੋਡ, ਲੁਧਿਆਣਾ

9012
 3/11/24

ਫੋਨ ਨੰ: 0161-2550089 E-Mail ID: ludhianaadfo@gmail.com

ਸੇਵਾ ਵਿਖੇ

Punjab Pollution Control Board
 Regional Office -III, Savitri Complex,
 Dholewal Chowk, Ludhiana.

ਨੰਬਰ 10555 ਮਿਤੀ: 18-12-2023

ਵਿਸਾ: Orders passed by the Hon,ble National Green Tribunal on dated 21.11.2023 in
 O.A No.209/2023 titled as Kapil Dev & Others vs Municipal Commissioner &
 Others.

ਹਵਾਲਾ: ਆਪ ਦਾ ਪੱਤਰ ਨੰ: 3223 ਮਿਤੀ 15.12.2023

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਹਵਾਲੇ ਅਧੀਨ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਇਸ ਮੰਡਲ ਦੇ ਹੇਠ ਲਿਖੇ ਅਧਿਕਾਰੀ ਦਾ
 ਨਾਮ ਨੋਮੀਨੇਟ ਕਰਕੇ ਆਪ ਜੀ ਨੂੰ ਅਗਲੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜਿਆ ਜਾਵੇਗਾ ਹੈ।

| ਲੜੀ ਨੰ: | ਅਧਿਕਾਰੀ ਦਾ ਨਾਂ ਅਤੇ ਅਹੁਦਾ | ਮੋਬਾਇਲ ਨੰਬਰ | ਈ-ਮੇਲ |
|---------|-----------------------------|-------------|------------------------|
| : | ਸ਼੍ਰੀ ਕਮਲਪ੍ਰੀਤ ਸਿੰਘ ਵਣ ਰੇਜਰ | 94630-75052 | rfoludhiana8@gmail.com |

7/24

ਵਣ ਮੰਡਲ ਅਫਸਰ,
 ਲੁਧਿਆਣਾ

Annexure-D
AEE-2 F.R. 03/12/2023

I-21/2023/Misc./Env./RO(NZ)

1/61256/2023



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE
CHANGE

क्षेत्रीय कार्यालय, चंडीगढ़ / Regional Office, Chandigarh

9041
03/01

फाइल संख्या. 1-21/2023/Misc./Env./RO(NZ)

E-MAIL

दिनांक: 28.12.2023

To

The Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-III, Savitri Complex, Dholewal Chowk, Ludhiana,
Email Id- ppcbro3@yahoo.com

Sub.: Nomination of representative in compliance with the order dated 21.11.2023 in O.A. No. 209/2023 titled as Kapil Dev & Others vs. Municipal Commissioner & Others. - reg.

Ref.: PPCB/RO-III/No. 3223 dated 15.12.2023.

Sir,

I am directed to draw your kind attention to the letter referred above on the subject, requesting nomination of an officer from this office for the Committee constituted by Hon'ble NGT vide order dated 21.11.2023 in O.A. no. 209/2023 & other cases.

In this connection, it is to inform you that Shri N.K. Dimri, To (F), of this office has been nominated to represent this office for the Joint Committee. The contact details of the officer are as below:

Name: Shri N.K. Dimri, TO (F)

Mobile: 9158403666

Email: nk.dimri@gov.in

This issued with the approval of the competent authority.

Signed by

Raja Ram Singh

Date: 29-12-2023 11:50:03
(Raja Ram Singh)

Deputy Inspector General of Forests (Central)



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Regional Office-III

Savitri Complex-I, (Dada Motors), 3rd Floor, Dhulewal Chowk, G.T. Road, Ludhiana

ppcbro3@yahoo.com

Ph No. 0161-25400450

No. 37

Through e-mail

Date 03/01/2024

To

1. The Deputy Inspector General of Forests,
MOEF & CC, Integrated Regional Office,
Chandigarh

2. The Divisional Forest Officer,
Ludhiana.

Sub: Regarding Constitution of Joint Committee.

**Ref: Hon'ble National Green Tribunal order dated 21.11.2023 passed in
O.A no.209/2023 and this office letter no. 3233 dated 15.12.2023.**

Please refer to the order dated 21.11.2023 passed by the Hon'ble NGT
in the O.A No. 209/2023.

This is with reference to the nominations received from your office
through e-mail for appointment of members of the joint committee. It is
intimated that to comply with the orders passed by the Hon'ble NGT, joint
committee of the following officers has been constituted as under:

| Sr. No | Name of the department | Name of the officer & designation | Designation in Committee | Mobile Number | e-mail address |
|--------|--------------------------------|---|--------------------------|---------------|-----------------------|
| 1 | Punjab Pollution Control Board | Er. Gurmit Singh, E.E., R.O-3, Ludhiana | Nodal Officer | 98789-42034 | ppcbro3@yahoo.com |
| 2 | MoEF & CC, CHD | Sh. N.K Dimri, TO (F) | Member | 91584-0366 | nk.dimri@gov.in |
| 3 | Forests & Wild Life Sanctuary | Sh. Kamalpreet Singh, Range Officer | Member | 94630-75052 | rjoludhiana@gmail.com |

This is for your information and further necessary action in the matter please.

M
03/01/2024
Environmental Engineer,
(Nodal Officer)

For & On behalf of PPCB

Endst. No.....

Date.....

A copy of above is forwarded to the Member Secretary, Punjab Pollution Control Board, Head Office, Patiala for information in the matter please.

sd-
Environmental Engineer,
(Nodal Officer)

For & On behalf of PPCB



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD



Regional Office-III

Savitri Complex-I, (Dada Motors), 3rd Floor, Dholewal Chowk, G.T. Road, Ludhiana

ppcbro3@yahoo.com

Ph No. 0161-25400450

No. 47

Through e-mail

Date 11/01/2024

To

1. The Deputy Inspector General of Forests,
MOEF & CC, Integrated Regional Office,
Chandigarh
2. The Divisional Forest Officer,
Ludhiana.

Sub: Meeting regarding compliance of Hon'ble Nathinal Green Tribunal order dated 21.11.2023 passed in O.A no.209/2023.

Please refer to the order dated 21.11.2023 passed by the Hon'ble NGT in the O.A No. 209/2023.

It is intimated that to comply with the orders passed by the Hon'ble NGT, a joint committee of the following officer's has been constituted vide Board's letter no. 31. Dated 03.01.2024 as under:

| Sr. No | Name of the department | Name of the officer & designation | Designation in Committee | Mobile Number | e-mail address |
|--------|--------------------------------|--|--------------------------|---------------|------------------------|
| 1 | Punjab Pollution Control Board | Er. Gurmit Singh, E.E, R.O-3, Ludhiana | Nodal Officer | 98789-42034 | ppcbro3@yahoo.com |
| 2 | MoEF & CC, CHD | Sh. N.K Dimri, TO (F) | Member | 91584-0366 | nk.dimri@gov.in |
| 3 | Forests & Wild Life Sanctuary | Sh. Kamalpreet Singh, Range Officer | Member | 94630-75052 | rfoludhiana8@gmail.com |

To discuss the matter and to proceed further in the matter, a meeting of the joint committee is scheduled on 12.01.2024 at 3:30 P.M through hybrid mode.

It is therefore, requested to kindly depute the member of joint committee to attend the above said meeting on 12.01.2024 please..

Link of the meeting will be sent separately.

[Signature]
11/01
Environmental Engineer,
(Nodal Officer)
For & On behalf of PPCB



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD



Regional Office-III, Savitri Complex, Dholewal Chowk, Ludhiana

PPCB/RO-III/No. 55-56

Dated: 15/01/2024

To

1. The Deputy Inspector General of Forests,
MOEF & CC, Integrated Regional Office,
Chandigarh
2. The Divisional Forest Officer,
Ludhiana.

Sub: Minutes of 1st meeting of Joint Committee Constituted in compliance of order dated 21.11.2023 passed in O.A. No. 209/2023 titled as "Kapil Dev & Anr. V/s Municipal Corporation & Ors." held on 12.01.2024 (through VC).

In regard to above, please find enclosed herewith minutes of 1st meeting of Joint Committee Constituted in compliance of order dated 21.11.2023 passed in O.A. No. 209/2023 titled as "Kapil Dev & Anr. V/s Municipal Corporation & Ors." held on 12.01.2024 for information and further necessary action in the matter please.

DA/- As above

[Signature]
15/01
Environmental Engineer
(Nodal Officer)

Endst. No. 57

Date: 15/01/2024

A copy of above is forwarded to the Member Secretary, Punjab Pollution Control Board, Head Office, Patiala for information in the matter please.

[Signature]
15/01
Environmental Engineer
(Nodal Officer)

Minutes of 1st meeting of Joint Committee Constituted in compliance of order dated 21.11.2023 passed in O.A. No. 209/2023 titled as "Kapil Dev & Anr. V/s Municipal Corporation & Ors." held on 12.01.2024 (through VC).

The following were present:

1. Er. Gurmit Singh, (Nodal Officer)
E.E, PPCB, RO-3,
Ludhiana.
2. Sh. N.K. Dimri,
Technical Officer (G), MoEF&CC,
RO, Chandigarh.
3. Sh. Kamalpreet Singh,
Range Officer, Department of Forests & Wild Life Sanctuary,
Ludhiana

At the outset, Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana welcomed all the members of Joint Committee.

Thereafter, he apprised all committee members that the applicants in their application have alleged that the Municipal Corporation, Ludhiana has constructed extension office along-with approach road as well as scrap yard/ dump yard/ store in the land area of green belt (Leisure Valley) and some private persons have also encroached green belt at Model Town Extension Funeral Ground Road. He further informed to the Committee that in order dated 21.11.2023 passed by the Hon'ble NGT, it has been mentioned that the Municipal Corporation, Ludhiana in its reply has submitted to the Hon'ble NGT that office building of Zone-D at Sarabha Nagar was constructed in year 2000 and no scrap yard/ dump yard/store has been constructed in the land area of green belt (Leisure Valley).

It was brought into the notice of Committee members that Master Plan of Ludhiana was notified in year 2008 and office building of Zone-D was constructed before the notification of Master Plan Ludhiana and the same has also been marked as Government/Public offices/Cantonment in the approved drawing of Master Plan Ludhiana. Further record in this

regard can be obtained from the office of the District Town Planner, Ludhiana.

Sh. Kamalpreet Singh, Range Officer pointed out that the Municipal Corporation might have expanded its office building after notification of Master Plan Ludhiana and exact dimensions of Leisure Valley as well as office building of Zone-D are required to be obtained from the District Town Planner, Ludhiana.

Sh. N.K. Dimri, Technical Officer (G), MoEF&CC further pointed out that the DFO, Ludhiana must check whether land in question is purely a non-forest land and details regarding encroachment in Model Town Extension is required to be obtained from the department of Improvement Trust, Ludhiana and also, a site visit of Joint Committee is required to verify the actual facts on-site and hence, the Joint Committee should request to the Hon'ble NGT to allow further two month time period to submit report in the matter.

It was also discussed in the meeting that since the Hon'ble NGT has seek report of Improvement Trust, Ludhiana in the matter separately, hence, no separate report is required to taken from the department at this stage.

After detailed deliberations, it was decided by the Joint Committee as under: -

1. Report regarding land use pattern of the area, where office building of Municipal Corporation, Zone-D is constructed, exact dimensions of Leisure Valley as well as office building of Zone-D (As per non-statutory/Draft Master Plan i.e Prior to notification of Master Plan of Ludhiana as well as after notification of Master Plan, Ludhiana) and certified copy of Master Plan, Ludhiana may be obtained from the District Town Planner, Ludhiana as well as to the extent that no expansion has been made in land area of Municipal Corporation, Zone-D office in the notified Master Plan as compared to the site area available prior to its notification

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2. Divisional Forests Officer, Ludhiana will check whether land in question is purely a non-forest land or not and submit the report to the joint committee accordingly.
3. Site visit of the area should be planned in the up-coming days to verify the actual facts on-site.
4. Request may be made to the Hon'ble NGT to further allow two month time period for preparing and submitting report in the matter.

Meeting ended with vote of thanks to all members.


(Nodal Officer)

Punjab Pollution Control Board



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ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ

PUNJAB POLLUTION CONTROL BOARD

Annexure - H



Regional Office-III, Savitri Complex, Dholewal Chowk, Ludhiana

PPCB/RO-III/No. 52

Dated: 15/01/2024

To

The District Town Planner,
Ludhiana

Sub:

Hon'ble Nathinal Green Tribunal order dated 21.11.2023 passed in O.A no.209/2023 and this office letter no. 3233 dated 15.12.2023.

Please refer to the order dated 21.11.2023 passed by the Hon'ble NGT in the O.A No. 209/2023.

It is intimated that in compliance to the above said orders of the Hon'ble NGT, a joint committee of members of Punjab Pollution Control Board, Divisional Forest Officer, Ludhiana and Ministry of Environment, Forests & Climate Changes, Regional Office, Chandigarh was constituted with PPCB as Nodal agency.

First meeting of the joint committee was held on 12.01 2024 to discuss the matter. Minutes of the 1st meeting of joint committee are enclosed herewith. Further, as per decisions of the joint committee, report regarding land use pattern of the area, where office building of Municipal Corporation, Zone-D is constructed, exact dimensions of Leisure Valley as well as office building of Zone-D (As per non-statutory/Draft Master Plan i.e Prior to notification of Master Plan of Ludhiana as well as after notification of Master Plan, Ludhiana) and certified copy of Master Plan, Ludhiana as well as to the extent that no expansion has been made in land area of Municipal Corporation, Zone-D office in the notified Master Plan as compared to the site area available prior to its notification is required to be obtained from your department.

In view of the above, it is requested to supply the above said information to this office within 10 days positively.

DA/- As above

Environmental Engineer

(Nodal Officer)

15/01
= PS

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

Original Application No. 209 of 2023

In the matter of

Kapil Dev and Others

..... Applicant

V/s

Municipal Commissioner and Others

..... Respondent

Application for seeking time to file report of the joint committee constituted by the Hon'ble Tribunal vide order dated 22.11.2023.

RESPECTFULLY SHOWETH

1. That the subject cited case is pending for adjudication before the Hon'ble National Green Tribunal and is listed for hearing on 20.3.2024.
2. That the Hon'ble National Green Tribunal was pleased to pass an order dated 22.11.2023 in the above-mentioned case thereby constituting a committee comprising of representatives of the IRO, MOEF &CC Chandigarh, DFO Ludhiana and PPCB with directions to verify the factual position and suggest appropriate remedial measures. The committee has

Yea

Yea

been asked to submit report within 02 months. The Punjab Pollution Control Board was designated as Nodal Agency for coordination and compliance. In this regard, the relevant extract of para no. 6 and 7 of the order dated 22.11.2023 is reproduced herein below for kind perusal and reference

6. In view of the averments made in the application and reply filed by respondent no. 1- Commissioner, Municipal Corporation, Ludhiana, 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 IRO, MoEF & CC Chandigarh, DFO, Ludhiana and PPCB and direct the same to meet within two weeks, undertake visits to the sites in question, look into the grievances of the applicant, verify the factual position and suggest appropriate remedial measures. PPCB will be the nodal agency for coordination and compliance.

7. Report of the Joint Committee be filed within two months 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 ed 22.11.2023 passed in O.A No. 209/2023 is reproduced herein below for kind perusal and reference.

3. That in compliance to order dated 22.11.2023, the Board has requested the Deputy Inspector General of Forests, MOEF & CC, and District Forests

Officer, Ludhiana requesting for nomination of the members in the Joint Committee. A copy of letter no. 3223 dated 15.12.2023 and letter no. 3224 dated 15.12.2023 is enclosed herewith as **Annexure-A** and **Annexure-B** respectively. The said departments have nominated the officers accordingly. The Department of Forests and Wildlife Preservation, Punjab has nominated Sh. Kamalpreet Singh, Forest Ranger vide letter no. 10555 dated 15.12.2023 (**Annexure-C**) and the Ministry of Environment, Forest and Climate Change (Integrated Regional Office) has nominated Sh. N.K. Dimri, Technical Officer (G), in the Joint Committee vide letter no. 1-21-2023/Misc./Env. R.O(NZ) dated 28.12.2023 (**Annexure-D**).

4. That a Joint Committee of representatives of Ministry of Environment, Forest and Climate Change, Department of Forests & Wild Life Sanctuary, Punjab and Punjab Pollution Control Board was constituted vide Board's letter no. 31 dated 03.01.2024. A copy of letter no. 31 dated 03.01.2024 is enclosed herewith as **Annexure-E**.
5. That a meeting of the members of the said Joint Committee was convened by the Environmental Engineer, Punjab Pollution Control Board, Regional Office-3, Ludhiana on 12.01.2024 (through virtual mode) vide letter no. 47 dated 11.1.2024. A copy of letter dated 11.1.2024 is enclosed herewith as **Annexure-F**.
6. That the meeting of the members of the Joint Committee was held on 12.01.2024 through hybrid mode and the matter was deliberated in detail. All the members of the Joint Committee requested to approach the Hon'ble National Green Tribunal for grant of two months' time for

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preparing and submitting the report with some other decisions. A copy of the minutes of the meeting held on 12.1.2024 is enclosed herewith as **Annexure-G**.

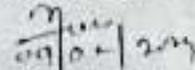
7. That though the case is listed for hearing on 20.3.2024 before the Hon'ble Tribunal, but 2 months' time is requested for in view of the directions of the Hon'ble Tribunal given vide order dated 22.11.2023 to submit the report within two months.

It is, therefore, prayed that a time period of two months may kindly be granted to Joint Committee for filing its report before the Hon'ble National Green Tribunal.

Date: 09-02-2024

Place: Ludhiana

Submitted by



(Gurmit Singh)

Environmental Engineer,
Punjab Pollution Control Board
Regional Office-3, Ludhiana
(Nodal Agency)

ਵੱਲੋਂ

ਜਿਲ੍ਹਾ ਨਗਰ ਯੋਜਨਾਕਾਰ,
ਲੁਧਿਆਣਾ।

ਵੱਲੋਂ

Environmental Engineer, (Nodal Officer)
Punjab Pollution Control Board,
Regional Office-III Savitri Complex, Dholewal Chowk,
Ludhiana.

ਯਾਦ ਪੱਤਰ ਨੰ: 646
ਮਿਤੀ - 15/03/24

ਡੀਟੀਪੀ(ਲ)/ M-2

ਵਿਸ਼ਾ:- Hob'ble National Green Tribunal order dated 21.11.2023 passed in O.A
no. 209/2023 and this office letter no. 3233 dated 15-12-2023.

ਹਵਾਲਾ:- Your letter no. PPCB/RO-III/No.58, dated 15.01.2024.

In reference to above subject it is informed that :-

1. The land use of "building of Municipal Corporation, Zone-D, Ludhiana" mentioned in Mater Plan, Ludhiana (2007-31) is "Government/Public offices/Cantonment".
2. The tentative site area of the above said building is same in Existing Land Use Ludhiana (2007) and Draft Master Plan i.e. Before the notification of Master Plan, Ludhiana and also same in proposed master plan Ludhiana (2007-31).
3. Attested copy of Notified Master Plan, Ludhiana (2007-31) is attached herewith.
4. Current situation and status of the above said building should be taken from the concerned office of Municipal Corporation, Zone-D, Ludhiana.
Report is submitted for further necessary action.

Encl./Copy of Master Plan, Ludhiana, Part Plans, Etc.

(Harpreet Singh Bajwa)
District Town Planner,
Ludhiana.

