

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

Original Application No. 793 of 2022

REPORT OF THE JOINT COMMITTEE

Subject: Site visit report in respect of OA 793 of 2022, Council of Engineers & Ors. Vs State of Punjab & Ors., before Hon'ble NGT, Principal Bench at New Delhi.

The Hon'ble National Green Tribunal, Principal Bench vide order dated 07.11.2022 constituted a Joint Committee comprising Regional Officer, MoEFF & CC, Chandigarh, Commissioner, Municipal Corporation, Ludhiana, State PCB and the Deputy Commissioner, Ludhiana.

The relevant extract of the said order is reproduced hereunder: -

".....In view of the serious nature of the allegations made in the application and in view of the provisions of the Code of Civil Procedure, 1908 empowering the Court to ex-parte appoint a Local Commission to make local investigation for the purpose of elucidating any matter in dispute, we also consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of Regional Officer, MoEFF & CC, Chandigarh, Commissioner, Municipal Corporation, Ludhiana, State PCB and the Deputy Commissioner, Ludhiana 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 submit its report within 15 days by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF....."

The complaints are encroachments made over Green Belts (i) by Lodhi Club and Sacred Heart Convent School, situated at BRS Nagar, Ludhiana by opening illegal gate entry as well as converting the Green Belt area into Parking Space; (ii) by Municipal Corporation Ludhiana by allowing parking of Vehicles after concretization of huge area of Green Belts from Jagraon Road to Sherpur Chowk and; (iii) by Municipal Corporation Ludhiana by constructing library building in the Green Belt/Park near Manju Cinema in violation of directions of Hon'ble Supreme Court and this Tribunal, environmental norms and Master Plan of Ludhiana.

2. MEETING OF THE JOINT COMMITTEE ON DATED 21.11.2022: In compliance of the Hon'ble NGT orders, the joint committee held its first meeting on 21-11-2022 (copy of minutes of meeting is annexed as **Annexure A-1**). In addition to the Joint Committee, the applicant, Counsel of Engineers & Ors. & representative of the concerned project/Establishments i.e. Principal of Sacred Heart Senior Secondary

School, BRS Nagar and President of Lodhi Club were invited to the meeting. The joint committee heard the main concerns/issues raised by the complainant. The representative of the School & Lodhi Club voiced their concerns as to how the area has been allocated to them as part of the Town planning scheme of Ludhiana Improvement Trust, if the said areas were part of the Greenbelt as per master plan of Ludhiana. The committee decided to look into the extant rule position *vis-à-vis* the concerns of the affected parties, both complainant and the Municipal Corporation of Ludhiana, Sacred Heart Senior Secondary School, BRS Nagar and President of Lodhi Club. It was decided to undertake field visit subsequently.

3. FIELD VISIT DATED 13.12.2022: There are three main project proponents namely,

1. Lodhi Club and Sacred Heart Convent School who have been questioned in the complaint.
2. Green belt located along with the road site (from Jagraon Road to Sherpur Chowk)
3. Library building which is allegedly built in the Green Belt/Park near Manju Cinema .

Further, to verify encroachment into the questioned 'Green Belt' area and facts involved in the grievances, satellite maps between 2013 to 2022 were seen on the GOOGLE map in time scale mode to understand the changes in land use over the said period.

4. REPORT FROM TOWN PLANNING DEPT: The representative of Ludhiana Improvement Trust & Town planning department were instructed to submit the report of nature of land in question. As per report received from District Town Planner (Copy of report is annexed herewith as **AnnexureA-2**) vide letter no. 2647 dated 25-11-2022, he has mentioned that the particular site around the Lodhi Club and Sacred heart convent school, BRS nagar; Jagraon bridge to Sherpur chowk near Manju cinema has been indicated as green belt on master plan. As per notified Master plan (2007-31), he has also mentioned that unified Zoning regulation and Development control have been notified U/S 70(5) of the Punjab Regional & Town Planning & Development Act, 1995 vide notification no. 6515-41/CTP(Pb)/SP-135 dated 18-10-2018. These Zoning regulations were notified by Govt. of Punjab in the public interest and ease of doing business in the street to bring uniformity in zoning regulations and development controls of all master plans in the state of Punjab. These zoning regulations and development controls shall be applicable on all master plan already notified or to be notified in the provision of "The Punjab regional and town planning and development act 1995". The nature of land use and control of development within each master plan shall be regulated through these regulations. In addition to these the building rules and other notification/guidelines/circulars issued from time to time by the state government for regulations and control of development shall also be applicable within master plan areas. Since, the sub-division of lands, design and construction of buildings is being controlled through well-established building bye laws/regulations by

the concerned authorities. These zoning regulations and development controls of the master plan are seen as the guiding parameters for the authorities to ensure that the development permitted by them is within the framework of master plan provisions. In the same zoning regulations and developmental control for master plan para 2.7 exception talks about:

"The Site on which various Projects have been approved or whose change of Land Use has already been permitted by competent Authority/ Government informs the final notification of the Master Plan such site shall be deemed to be adjusted as sanctioned/ permitted."

5. The main observations on: encroachments made over Green Belts (i) by Lodhi Club and Sacred Heart Convent School, situated at BRS Nagar, Ludhiana by opening illegal gate entry as well as converting the Green Belt area into Parking Space are as follows:

Ludhiana Improvement Trust has submitted that it has developed a scheme namely Bhai Randhir Singh Nagar, (550 Acre) under PTI Act 1922 U/S 42 (1) and same was approved by the Government vide its Notification No.153-USLG-(1)-76/41858 dated 06.12.1976. Copy of the said notification dated 06.12.1976 is annexed herewith as **ANNEXURE A3**. The Drawing No. 3/LIT/80 dated 01.02.1990 was prepared and sanctioned wherein as per the Scheme one site is reserved for Higher Senior Secondary School and another site is reserved for Water Work Site. The copy of the drawing dated 01.02.1990 is annexed as **ANNEXURE A4**. That at present the school is known as Sacred Heart Convent School and the Water Work site is developed as Lodhi Club. After going through the drawing as per the said scheme it shows that in front of School as well as the Water Works site there exists 300 feet wide Southern Ring Road and there was no mention of any green belt in the existence which falsify the contentions of the applicants.

The area along both sides of the road, adjoining Lodhi club, Sacred Heart convent school, BRS nagar is part of the Right Of Way (ROW) as is clear from the detailed scheme plan of the area, hence it is humbly submitted that claim of encroachment on green belt is falsified since this is ROW and not a green belt.

6. Regarding Encroachments made over Green Belts (ii) by Municipal Corporation Ludhiana by allowing parking of Vehicles after concretization of huge area of Green Belts from Jagraon Road to Sherpur Chowk: That the applicant herein also raised the issue with regards to allowing parking of vehicles after concretization of huge areas of green belts from Jagraon road to Sherpur chowk.

Separate field visit was carried out by representative of MOEFF and Applicant and report was submitted vide letter no. 01-02/2022/Misc./Env. dated 05-01-2023 (Copy attached at **ANNEXURE-A5**) in which finding in the enquiry is as follows:

1. The MC Ludhiana is the Legal Owner of the land in question i.e. green belt.
2. The MC Ludhiana failed to maintain the green belt as green belt by converting it as parking lots.

As per the record, this is part of old GT Roads which connects Amritsar to Delhi, this road was handed over to Municipal Corporation Ludhiana in 1995 by Public Works Department (**ANNEXURE 6**).

As per record, prior to the construction of Ludhiana bye pass by the National Highway Authority of India from Sherpur bye pass chowk to Jalandhar bye pass road, the road connecting the Jalandhar bye pass and Sherpur chowk was passing through within the city area was known as GT Road. The width of the said road except the portion of road passing through within the core area of the city varied in between 200 feet to 225 feet. However, on the construction of Ludhiana Bypass from Jalandhar Bye pass to Sherpur Chowk via Basti Jodhewal Chowk and Samrala Chowk by the National Highway Authority of India, the traffic volume on the old GT Road considerably reduced. Resultantly, squatters & hawkers started unauthorized use of the unmetalled portion of the road width by placing their wooden Takhats and kiosks for sale of articles. Apart shanties were also erected on katcha portion of the road. In these circumstances, to check the unauthorised use of the public road, the Municipal Corporation vide its resolution no 3207/3 dated 22.10.1999 sanctioned a sum of Rs 49.38 Lacs for development of green spaces and parks on both the sides of the road except on the road portion passing through within the core area of the city as the width of the road was lesser and was touching the building line.

It is relevant to mention here that as per section 224/225 of the Punjab Municipal Corporation Act, 1976, all the public streets within the Municipal area vests with the Municipal Corporation and the Municipal Corporation can widen, extend or otherwise improve any such roads. Still further, under section 226 of the MC Act 1976, the Municipal Corporation can even dispose of the land becoming available on permanently closure of total or part of any street. In this regard, the legal proposition already stands settled by a Division bench of this the Hon'ble High Court on 23.01.2014 while deciding the Civil writ petition filed by Citizen Welfare Society (Regd) versus State of Punjab.

The area along both sides of the on Old GT Road is part of the Right Of Way (ROW) as is clear from the detailed scheme plan of the area, hence it is humbly submitted that claim of encroachment on green belt is falsified since this is ROW and not a green belt.

7. That the applicant herein has also raised issues with regard to the constructed Library building near the Manju Cinema, Ludhiana. It is submitted that the library in question is built on the area of approximately 650 sq. feet as per the record of Village Taraf Saidan, Jamabandi for the year 2007-2008, Khewat No.2550/2818,

Khasra no.1528 (25 Bigha, Biswa, 4 Biswansian) on Gairmumkin road, reflecting the ownership of Provincial Government. In the Cultivation Column, the name of the Public Work Department (PWD) is entered and later on the same was handed over to Municipal Corporation, Ludhiana in 1995.

The old GT road was transferred to Municipal Corporation, Ludhiana in 1995. Municipal Corporation, Ludhiana has been maintaining the entire area since then. Further, some part of the ROW, on both sides of the road, was developed as park by Municipal Corporation, Ludhiana in 1999. Later on, a library & Statue was built in a corner of the park/green belt by Municipal Corporation, Ludhiana in 2021. It is to be noted that a COCP no. 165 of 2022 is pending in Hon'ble High Court regarding the same matter (**ANNEXURE-A7**). The matter being subjudice, any decision as given by Hon'ble High Court or this Hon'ble Tribunal shall be complied with.

8. Finding of the joint committee

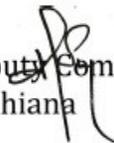
Committee deliberated upon the recent changes made in unified Zoning regulation and Development control which have been notified U/S 70(5) of the Punjab Regional & Town Planning & Development Act, 1995 wide notification no. 6515-41/CTP(Pb)/SP-135 dated 18-10-2018. Subsequently this notification deemed to adjust change of land use which have been already been permitted by competent authorities/Government before the final notification of master plan. In the given case sacred heart school and lodhi club were part of the scheme namely Bhai Randhir Singh Nagar, (550 Acre) under PTI Act 1922 U/S 42 (1) and same was approved by the Government vide its Notification No.153-USLG-(1)-76/41858 dated 06.12.1976. Further Old GT road was handed over to Municipal Corporation Ludhiana in 1995, and these parking sites were developed in 1999. The committee understood that even though sites are not in compliance of master plan, but they are adjusted as per notification/regulation notified by government at various point of time.

1. The area along both sides of the road, adjoining Lodhi club, Sacred Heart convent school, BRS nagar is part of the Right Of Way (ROW) which was notified in 1976 by improvement in its notification. Hence committee is of opinion that this is not a green belt as claimed by applicant.

2. The area along both sides of the on Old GT Road is part of the Right Of Way (ROW) which was handed over to MCL in 1995 and since then it is maintained by MCL. Hence committee is of opinion that this is not a green belt as claimed by applicant.

3. With respect to construction of library building in green belt/park near manju cinema, it is to be noted that a COCP no. 165 of 2022 is pending in Hon'ble High Court regarding the same matter. Hence no action can be proposed by committee at this stage.

9. That the Consolidated reply on behalf of the Regional officer, MOEF&CC, Chandigarh, Commissioner, Municipal Corporation Ludhiana, State PCB and Deputy Commissioner Ludhiana of Punjab is hereby submitted in compliance to the order dated 07/11/22 for kind consideration and appropriate orders of this Hon'ble National Green Tribunal.


Deputy Commissioner,
Ludhiana


Commissioner,
MC Ludhiana


Representative from PCB

ਮਿਤੀ 21-11-2022 ਨੂੰ ਸਮਾਂ ਸਵੇਰੇ 11.00 ਵਜੇ ਕਮਿਸ਼ਨਰ ਜੀ ਦੀ ਪ੍ਰਧਾਨਗੀ ਹੇਠ ਨੈਸ਼ਨਲ ਗ੍ਰੀਨ ਟ੍ਰਿਬਿਊਨਲ, ਵੱਲੋਂ OA No. 793/2022 ਦੇ ਕੇਸ ਵਿੱਚ ਮਿਤੀ 07-11-2022 ਨੂੰ ਕੀਤੇ ਗਏ ਹੁਕਮਾਂ ਸਨਮੁੱਖ ਗਠਿਤ ਕੀਤੀ ਗਈ ਕਮੇਟੀ ਦੀ ਮਿਤੀ 21-11-2022 ਨੂੰ ਕੀਤੀ ਗਈ ਮੀਟਿੰਗ ਦੀ ਕਾਰਵਾਈ।

ਉਪਰੋਕਤ ਮੀਟਿੰਗ ਵਿੱਚ ਹੇਠ ਲਿਖੇ ਅਧਿਕਾਰੀ/ ਕਰਮਚਾਰੀ ਅਤੇ ਹੋਰ ਸ਼ਾਮਲ ਹੋਏ: -

01. ਸ਼੍ਰੀ ਅਮਰਜੀਤ ਸਿੰਘ ਬੈਂਸ - ਵਪੀਕ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਲੁਧਿਆਣਾ
02. ਡਾ. ਵਿਮਲ ਕੁਮਾਰ - ਵਪੀਕ ਡਾਇਰੈਕਟਰ, MoEF & CC, ਚੰਡੀਗੜ੍ਹ।
03. ਸ਼੍ਰੀ ਸੰਜੇ ਕੰਵਰ - ਨਿਗਰਾਨ ਇੰਜੀ: ਬੀ.ਐੱਡ.ਆਰ., ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ
04. ਸ਼੍ਰੀ ਐਮ.ਐਲ. ਚੌਹਾਨ - ਕਾਰਜਕਾਰੀ ਇੰਜੀ:, ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
05. ਸ਼੍ਰੀ ਵਿਕਰਮ ਕੁਮਾਰ - ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ, ਨਗਰ ਸੁਧਾਰ ਟਰੱਸਟ
06. ਸ਼੍ਰੀ ਰਜਨੀਸ਼ ਵਾਧਵਾ - ਐਮ.ਟੀ.ਪੀ
07. ਸ਼੍ਰੀ ਮਦਨਜੀਤ ਸਿੰਘ ਬੇਦੀ - ਏ.ਟੀ.ਪੀ
08. ਸ਼੍ਰੀ ਨਿਤੀਨ ਮਹਾਜਨ - ਜਰਨਲ ਸਕੱਤਰ, ਲੋਪੀ ਕਲੱਬ
09. ਫਾਦਰ ਜਾਰਜ - ਡਾਇਰੈਕਟਰ, ਸੈਕਰੇਡ ਹਾਰਟ ਕਾਨਵੈਂਟ ਸਕੂਲ
10. ਸ਼੍ਰੀ ਹਰੀਸ਼ ਰਾਏ ਢਾਂਡਾ - ਐਡਵੋਕੇਟ, ਸੈਕਰੇਡ ਹਾਰਟ ਕਾਨਵੈਂਟ ਸਕੂਲ
11. ਸ਼੍ਰੀ ਕਪਿਲ ਅਰੋੜਾ - ਪ੍ਰਧਾਨ, ਕੌਂਸਲ ਆਫ ਇੰਜੀਨੀਅਰਜ਼
12. ਸ਼੍ਰੀ ਕੁਲਵੰਤ ਸਿੰਘ - ਵਾਇਜ਼ ਪ੍ਰਧਾਨ, ਕੌਂਸਲ ਆਫ ਇੰਜੀਨੀਅਰਜ਼

ਮੀਟਿੰਗ ਵਿੱਚ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਮੁੱਦੇ ਵਿਚਾਰੇ ਗਏ ਅਤੇ ਫੈਸਲੇ ਕੀਤੇ ਗਏ: -

01. ਲੋਪੀ ਕਲੱਬ ਅਤੇ ਸੈਕਰੇਡ ਹਾਰਟ ਕਾਨਵੈਂਟ ਸਕੂਲ ਵੱਲੋਂ ਗੈਰ-ਕਾਨੂੰਨੀ ਰੂਪ ਤੋਂ ਗੇਟ ਕੱਢਣ ਅਤੇ ਗ੍ਰੀਨ ਬੈਲਟ ਨੂੰ ਪਾਰਕਿੰਗ ਸਪੇਸ ਵਿੱਚ ਕੰਨਵਰਟ ਕਰਨ ਦੇ ਮੁੱਦੇ ਸਬੰਧੀ: -

ਇਸ ਸਬੰਧੀ ਨਗਰ ਸੁਧਾਰ ਟਰੱਸਟ, ਲੁਧਿਆਣਾ ਦੇ ਨੁਮਾਇੰਦਿਆਂ ਵੱਲੋਂ ਦੱਸਿਆ ਗਿਆ ਕਿ ਇਸ ਸਾਈਟ ਨੂੰ ਉਨ੍ਹਾਂ ਵੱਲੋਂ ਬਣਾਏ ਹੋਏ ਲੋਆਉਟ ਪਲੈਨ ਵਿੱਚ 300 ਫੁੱਟ ਸਾਊਂਦਰਨ ਰਿੰਗ ਰੋਡ ਦਰਸਾਇਆ ਗਿਆ ਹੈ, ਜੋ ਕਿ ਗ੍ਰੀਨ ਬੈਲਟ ਦਾ ਹਿੱਸਾ ਨਹੀਂ ਹੈ ਪ੍ਰੰਤੂ ਸ਼ਿਕਾਇਤਕਰਤਾ ਸ਼੍ਰੀ ਕਪਿਲ ਅਰੋੜਾ ਵੱਲੋਂ ਕਿਹਾ ਗਿਆ ਕਿ ਲੁਧਿਆਣਾ ਸ਼ਹਿਰ ਦੇ ਮਾਸਟਰ ਪਲੈਨ ਅਨੁਸਾਰ ਇਹ ਸਾਈਟ/ ਰੋਡ ਨੂੰ ਗ੍ਰੀਨ ਬੈਲਟ ਦਰਸਾਇਆ ਹੋਇਆ ਹੈ ਅਤੇ ਸਬੰਧਤ ਜਗ੍ਹਾਂ ਦੇ ਮਾਸਟਰ ਪਲੈਨ ਦੀ ਇੱਕ ਕਰਾਪ ਫੋਟੋ ਵੀ ਦਿਖਾਈ ਗਈ, ਜਿਸ ਤੇ ਨਗਰ ਨਿਗਮ ਯੋਜਨਾਕਾਰ ਵੱਲੋਂ ਦੱਸਿਆ ਗਿਆ ਕਿ ਸ਼ਹਿਰ ਦਾ ਮਾਸਟਰ ਪਲੈਨ **PRTPD Act 1995** ਅਧੀਨ ਨੋਟੀਫਾਇਡ ਕੀਤਾ ਗਿਆ ਹੈ। ਇਸ ਨੋਟੀਫਿਕੇਸ਼ਨ ਦੇ ਅਨੁਲੱਗ ਮਾਸਟਰ ਪਲੈਨ ਅਤੇ ਰਿਪੋਰਟ ਹੁੰਦੇ ਹਨ। ਪ੍ਰਵਾਨਸ਼ੁਦਾ ਮਾਸਟਰ ਪਲੈਨ ਵਿੱਚ ਭੇ-ਮੰਤਵ ਨਿਰਧਾਰਿਤ ਕੀਤੇ ਜਾਂਦੇ ਹਨ, ਜੋ ਕਿ ਮਾਇਕਰੋ ਲੈਵਲ ਦੀ ਪਲੈਨਿੰਗ ਹੈ। ਮਾਇਕਰੋ ਲੈਵਲ ਦੀ ਅਥਾਰਿਟੀ ਵੱਲੋਂ ਲੋਆਉਟ ਪਲੈਨ ਤਿਆਰ ਕੀਤੇ ਜਾਂਦੇ ਹਨ ਜਿਵੇਂ ਕਿ ਨਗਰ ਸੁਧਾਰ ਟਰੱਸਟ ਸਕੀਮਾਂ ਦੇ ਲੋਆਉਟ ਪਲੈਨ। ਇਸ ਦੇ ਨਾਲ ਹੀ ਸੈਕਰੇਡ ਹਾਰਟ ਕਾਨਵੈਂਟ ਸਕੂਲ ਦੀ ਅਗੁਆਈ ਕਰ ਰਹੇ ਵਕੀਲ ਸ਼੍ਰੀ ਹਰੀਸ਼ ਰਾਏ ਢਾਂਡਾ ਵੱਲੋਂ ਦੱਸਿਆ ਗਿਆ ਕਿ ਉਨ੍ਹਾਂ ਦੇ ਸਕੂਲ ਦੀ ਰਜਿਸਟਰੀ ਵਿੱਚ ਵੀ ਸਬੰਧਤ ਸਾਈਟ ਨੂੰ ਰੋਡ/ ਸੜਕ ਦਰਸਾਇਆ ਹੋਇਆ ਹੈ ਅਤੇ ਉਨ੍ਹਾਂ ਵੱਲੋਂ ਸੇਮ ਨੇਚਰ ਦੇ ਇੱਕ ਕੇਸ ਵਿੱਚ ਮਾਣਯੋਗ ਹਾਈਕੋਰਟ ਵੱਲੋਂ ਪਾਸ ਕੀਤੇ ਗਏ ਇੱਕ ਹੁਕਮਾਂ ਦੀ ਕਾਪੀ ਵੀ ਦਿੱਤੀ ਗਈ, ਜਿਸ ਵਿੱਚ ਮਾਣਯੋਗ ਕੋਰਟ ਵੱਲੋਂ ਅਜਿਹੀ ਜਗ੍ਹਾਂ ਨੂੰ ਗ੍ਰੀਨ ਬੈਲਟ ਦੀ ਥਾਂ ਰੋਡ/ ਸੜਕ ਕਰਾਰ ਕੀਤਾ ਗਿਆ ਹੈ।

ਉਪਰੰਤ ਫੋਰੇਸਟ (ਸੈਂਟਰਲ), ਮਨਿਸਟਰੀ ਆਫ ਕਲਾਇਮੇਟ ਚੇਂਜ ਦੇ ਨੁਮਾਇੰਦੇ ਪਾਸੋਂ ਗ੍ਰੀਨ ਬੈਲਟ ਦੀ ਪਰਿਭਾਸ਼ਾ ਸਬੰਧੀ ਕਲੈਰੀਫਿਕੇਸ਼ਨ ਮੰਗੀ ਗਈ, ਜਿਸ ਦੇ ਜਵਾਬ ਵਿੱਚ ਜੰਗਲਾਤ ਵਿਭਾਗ ਦੇ ਅਧਿਕਾਰੀ ਵੱਲੋਂ ਦੱਸਿਆ ਗਿਆ ਕਿ ਗ੍ਰੀਨ ਬੈਲਟ ਦੀ ਪਰਿਭਾਸ਼ਾ ਕਿਤੇ ਵੀ ਕਲੀਅਰ/ ਸਪਸ਼ਟ ਨਾ ਹੋਣ ਕਾਰਣ ਉੱਚਿਤ ਹੋਵੇਗਾ ਕਿ ਇਸ ਸਬੰਧੀ ਮਾਸਟਰ ਪਲੈਨ ਅਨੁਸਾਰ ਇਸ ਜਗ੍ਹਾਂ ਸਬੰਧੀ ਜ਼ਿਲ੍ਹਾਂ ਨਗਰ ਯੋਜਨਾਕਾਰ ਪਾਸੋਂ ਰਿਪੋਰਟ ਲੈ ਲਈ ਜਾਵੇ। ਇਸ ਲਈ ਕਮੇਟੀ ਵੱਲੋਂ ਐਮ.ਟੀ.ਪੀ ਨੂੰ ਹਦਾਇਤ ਕੀਤੀ ਗਈ ਕਿ ਮਾਸਟਰ ਪਲੈਨ ਸਬੰਧੀ ਜਾਰੀ ਕੀਤੀ ਗਈ ਲਗਭੱਗ 400 ਪੰਨਿਆਂ ਦੀ ਨੋਟੀਫਿਕੇਸ਼ਨ ਵਿੱਚ ਇਸ ਜਗ੍ਹਾਂ ਨੂੰ ਕੀ ਦਰਸਾਇਆ ਗਿਆ ਹੈ, ਸਬੰਧੀ ਰਿਪੋਰਟ ਵੱਖ-ਵੱਖ ਵਿਭਾਗਾਂ ਪਾਸੋਂ ਮੰਗਵਾਕੇ ਕਮੇਟੀ ਨੂੰ ਪੇਸ਼ ਕੀਤੀ ਜਾਵੇ।

02. ਜਗਰਾਓ ਬਰਿੱਜ ਤੋਂ ਲੈਕੇ ਸ਼ੇਰਪੁਰ ਚੌਂਕ ਤੱਕ ਦੀ ਜਗ੍ਹਾ ਸਬੰਧੀ: -

ਇਸ ਸਬੰਧੀ ਸ਼੍ਰੀ ਕਪਿਲ ਅਰੋੜਾ ਵੱਲੋਂ ਇਹੋ ਦਲੀਲ ਦਿੱਤੀ ਗਈ ਕਿ ਓਲਡ ਜੀ.ਟੀ. ਰੋਡ ਨੂੰ ਲੁਧਿਆਣਾ ਸ਼ਹਿਰ ਦੇ ਮਾਸਟਰ ਪਲੈਨ ਵਿੱਚ ਗ੍ਰੀਨ ਬੈਲਟ ਹੀ ਦਰਸਾਇਆ ਗਿਆ ਹੈ। ਇਸ ਸਬੰਧੀ ਕਮੇਟੀ ਵੱਲੋਂ ਐਮ.ਟੀ.ਪੀ. ਨੂੰ ਹਦਾਇਤ ਕੀਤੀ ਗਈ ਕਿ ਇਸ ਜਗ੍ਹਾ ਸਬੰਧੀ ਨੈਸ਼ਨਲ ਹਾਈਵੇ ਅਥਾਰਿਟੀ, ਜਲੰਧਰ ਅਤੇ ਜਿਲ੍ਹਾ ਨਗਰ ਯੋਜਨਾਕਾਰ ਪਾਸੋਂ ਮਾਸਟਰ ਪਲੈਨ ਅਨੁਸਾਰ ਡਿਟੇਲ ਰਿਪੋਰਟ/ ਰਿਕਾਰਡ ਪ੍ਰਾਪਤ ਕਰਕੇ ਕਮੇਟੀ ਦੇ ਸਨਮੁੱਖ ਪੇਸ਼ ਕੀਤਾ ਜਾਵੇ।

03. ਮੰਚੂ ਸਿਨੇਮਾ ਨੇੜੇ ਬਣੀ ਲਾਇਬ੍ਰੇਰੀ ਦੇ ਏਰੀਏ ਸਬੰਧੀ: -

ਇਸ ਸਬੰਧੀ ਵੀ ਸ਼੍ਰੀ ਕਪਿਲ ਅਰੋੜਾ ਵੱਲੋਂ ਇਹੋ ਦਲੀਲ ਦਿੱਤੀ ਗਈ ਕਿ ਗ੍ਰੀਨ ਬੈਲਟ ਏਰੀਏ ਵਿੱਚ ਨਗਰ ਨਿਗਮ ਵੱਲੋਂ ਲਾਇਬ੍ਰੇਰੀ ਬਣਾਈ ਹੋਈ ਹੈ, ਜਿਸ ਦੇ ਸਬੰਧ ਵਿੱਚ ਕਮੇਟੀ ਵੱਲੋਂ ਨਗਰ ਨਿਗਮ ਦੀ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ ਬੀ.ਐੱਡ.ਆਰ. ਜੋਨ-ਡੀ ਨੂੰ ਰਿਪੋਰਟ/ ਰਿਕਾਰਡ ਪੇਸ਼ ਕਰਨ ਦੀ ਹਦਾਇਤ ਕੀਤੀ ਗਈ। ਇਸ ਦੇ ਨਾਲ ਹੀ ਲੁਧਿਆਣਾ ਸ਼ਹਿਰ ਦੇ ਮਾਸਟਰ ਪਲੈਨ ਵਿੱਚ ਇਸ ਜਗ੍ਹਾ ਨੂੰ ਗ੍ਰੀਨ ਬੈਲਟ ਹੀ ਦਰਸਾਇਆ ਗਿਆ ਹੈ ਜਾਂ ਨਹੀਂ? ਸਬੰਧੀ ਰਿਪੋਰਟ ਨੈਸ਼ਨਲ ਹਾਈਵੇ ਅਥਾਰਿਟੀ ਅਤੇ ਜ਼ਿਲ੍ਹਾ ਨਗਰ ਯੋਜਨਾਕਾਰ ਪਾਸੋਂ ਪ੍ਰਾਪਤ ਕਰਨ ਦੇਸ਼ ਆਦੇਸ਼ ਦਿੱਤੇ ਗਏ।

ਇਸ ਤੋਂ ਇਲਾਵਾ ਸ਼ਿਕਾਇਤਕਰਤਾ - ਸ਼੍ਰੀ ਕਪਿਲ ਅਰੋੜਾ, ਪ੍ਰਧਾਨ ਆਫ ਕੌਂਸਲ ਆਫ ਇੰਜੀ: ਨੂੰ ਵੀ ਉਪਰੋਕਤ ਤਿੰਨ ਸਾਈਟਾਂ ਦੇ ਮਾਸਟਰ ਪਲੈਨ ਨੂੰ ਘੋਖਣ ਅਤੇ ਇਸ ਵਿੱਚ ਦਰਜ ਗਾਇਡਲਾਇਨਜ਼ ਅਨੁਸਾਰ ਹੀ ਅਗਲੀ ਮੀਟਿੰਗ ਵਿੱਚ ਆਪਣੇ ਤੱਥ ਰੱਖਣ ਲਈ ਕਿਹਾ ਗਿਆ। ਇਸ ਦੇ ਨਾਲ ਹੀ ਲੜੀ ਨੰ: 01 ਤੇ ਦਰਜ ਸਾਈਟ ਸਬੰਧੀ ਬਿਲਡਿੰਗ ਸ਼ਾਖਾ ਦੇ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਅਤੇ ਲੜੀ ਨੰ: 02 ਅਤੇ 03 ਸਬੰਧੀ ਬੀ.ਐੱਡ.ਆਰ. ਦੇ ਅਧਿਕਾਰੀਆਂ ਨੂੰ ਆਦੇਸ਼ ਦਿੱਤੇ ਗਏ ਕਿ ਸਬੰਧਤ ਵਿਭਾਗਾਂ ਪਾਸੋਂ ਮਾਸਟਰ ਪਲੈਨ/ ਰਿਪੋਰਟ/ ਰਿਕਾਰਡ ਆਦਿ ਜਲਦ ਤੋਂ ਜਲਦ ਪ੍ਰਾਪਤ ਕਰਨ ਉਪਰੰਤ ਤਿੰਨ ਸਾਈਟਾਂ ਦੀ ਵਿਜ਼ਿਟ ਕਰਕੇ ਆਪਣੀ ਰਿਪੋਰਟ ਨਿਮਨ-ਸਹੀਕਾਰ ਨੂੰ ਪੇਸ਼ ਕੀਤੀ ਜਾਵੇਗੀ।



ਵਧੀਕ ਕਮਿਸ਼ਨਰ (ਏ),
ਨਗਰ ਨਿਗਮ, ਲੁਧਿਆਣਾ।

ਨੰ: 438/ਆਨ/2022
ਉਪਰੋਕਤ ਦਾ ਉਤਾਰਾ :

ਮਿਤੀ: 22/11/2022

- 1 ਮਾਣਯੋਗ ਡਿਪਟੀ ਕਮਿਸ਼ਨਰ, ਲੁਧਿਆਣਾ ਜੀ ਨੂੰ ਸੂਚਨਾ ਹਿਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ।
- 2 ਮਾਣਯੋਗ ਕਮਿਸ਼ਨਰ, ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ ਜੀ ਨੂੰ ਸੂਚਨਾ ਹਿਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ।
- 3 ਐਮ.ਟੀ.ਪੀ ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ ਨੂੰ ਭੇਜਕੇ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਜ਼ਿਲ੍ਹਾ ਨਗਰ ਯੋਜਨਾਕਾਰ, ਲੁਧਿਆਣਾ ਨਾਲ ਤਾਲਮੇਲ ਕਰਕੇ ਉਪਰੋਕਤ ਸਬੰਧੀ ਰਿਪੋਰਟ/ ਰਿਕਾਰਡ ਜਲਦ ਤੋਂ ਜਲਦ ਇਸ ਕਮੇਟੀ ਨੂੰ ਪੇਸ਼ ਕੀਤਾ ਜਾਵੇ।
- 4 ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ-ਬੀ.ਐੱਡ.ਆਰ, ਜੋਨ-ਡੀ ਨੂੰ ਭੇਜਕੇ ਹਦਾਇਤ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਨੈਸ਼ਨਲ ਹਾਈਵੇ ਅਥਾਰਿਟੀ, ਜਲੰਧਰ ਨਾਲ ਤਾਲਮੇਲ ਕਰਕੇ ਉਪਰੋਕਤ ਸਬੰਧੀ ਰਿਪੋਰਟ/ ਰਿਕਾਰਡ ਜਲਦ ਤੋਂ ਜਲਦ ਇਸ ਕਮੇਟੀ ਨੂੰ ਪੇਸ਼ ਕੀਤਾ ਜਾਵੇ।



ਵਧੀਕ ਕਮਿਸ਼ਨਰ (ਏ),
ਨਗਰ ਨਿਗਮ, ਲੁਧਿਆਣਾ।

ਵਲੋਂ,

ਨਗਰ ਅਤੇ ਗਰਾਮ ਯੋਜਨਾਬੰਦੀ ਵਿਭਾਗ, ਪੰਜਾਬ

ਵੱਲ,

ਜ਼ਿਲ੍ਹਾ ਨਗਰ ਯੋਜਨਾਕਾਰ,
ਲੁਧਿਆਣਾ।

ਨਿਗਮ ਨਗਰ ਯੋਜਨਾਕਾਰ,
ਨਗਰ ਨਿਗਮ, ਲੁਧਿਆਣਾ।

ਯਾਦ ਪੱਤਰ ਨੰ: 2647 ਡੀਟੀਪੀ(ਲ)/ 1-2

ਮਿਤੀ: 25/11/22

ਵਿਸ਼ਾ:

Council of Engineers and Ors. Versus State of Punjab and Ors
(Application No.793/2022).

ਹਵਾਲਾ

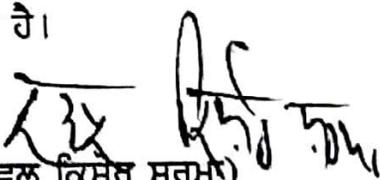
ਆਪ ਦਾ ਇਸ ਦਫਤਰ ਵੱਲ ਪੱਤਰ ਨੰ:170/MTP-D, ਮਿਤੀ: 21-11-2022 ਦੇ ਸਬੰਧ ਵਿੱਚ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ Lodhi Club & Sacred Heart Convent School, situated at BRS Nagar, Jagraon Road to Sherpur Chowk,, near Manju Cinema ਦੀਆਂ ਸੜਕ ਦੇ ਦੋਨੋਂ ਪਾਸੇ ਨੋਟੀਫਾਈਡ ਮਾਸਟਰ ਪਲੈਨ ਲੁਧਿਆਣਾ (2007-31) ਦੀਆਂ ਤਜਵੀਜਾਂ ਅਨੁਸਾਰ ਗਰੀਨ ਬੈਲਟ ਅੰਕਿਤ ਕੀਤੀ ਗਈ ਹੈ। ਇੱਥੇ ਇਹ ਵੀ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਯੂਨੀਫਾਈਡ ਜ਼ੋਨਿੰਗ ਰੈਗੂਲੇਸ਼ਨ ਐਂਡ ਡਿਵੈਲਪਮੈਂਟ ਕੰਟਰੋਲ ਜੋ ਕਿ u/s 70(5) of The Punjab Regional & Town Planning & Development Act-1995 ਤਹਿਤ ਨੋਟੀਫਾਈਡ ਹੈ, (ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ:6515-41 ਸੀਟੀਪੀ(ਪਬ)/ਐਸ.ਪੀ-135, ਮਿਤੀ 18-10-2018, ਕਾਪੀ ਨੱਥੀ) ਦੇ ਰੈਲੇਵੈਂਟ ਪੋਰਸ਼ਨ ਨੂੰ ਰੀਪ੍ਰੋਡਿਊਸ ਕੀਤਾ ਜਾਂਦਾ ਹੈ।

" The Site on which various Projects have been approved or whose change of Land Use has already been permitted by competent Authority/ Government inform the final notification of the Master Plan such site shall be deemed to be adjusted as sanctioned/ permitted"

ਰਿਪੋਰਟ ਆਪ ਨੂੰ ਅਗਲੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।

ਨੱਥੀ/×


(ਨਵਲ ਕਿਸ਼ੋਰ ਸ਼ਰਮਾ)
ਜ਼ਿਲ੍ਹਾ ਨਗਰ ਯੋਜਨਾਕਾਰ,
ਲੁਧਿਆਣਾ।

ਦਫਤਰ ਨਗਰ ਸੁਧਾਰ ਟਰੱਸਟ ਲੁਧਿਆਣਾ

ਵੱਲ

ਨਿਗਮ ਨਗਰ ਯੋਜਨਾਕਾਰ
ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ

94/MTP-D
1/12/22

ਮੀਮੇ ਨੰ. ਲਏਟਾ 6088

ਮਿਤੀ 01/12/22

ਵਿਸ਼ਾ:- Council of Engineers and Ors. Versus State of Punjab and Ors (Application No 793/2022)

ਹਵਾਲਾ:- ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦੇ ਪਿੱਠੇ ਅੰਕਣ ਨੰ. 171/MTP-D ਮਿਤੀ 21-11-2022 ਦੇ ਸਬੰਧ ਵਿੱਚ ਇਸ ਦਫਤਰ ਦੇ ਪੱਤਰ ਨੰ. 6031 ਮਿਤੀ 29-11-2022 ਦੀ ਲਗਾਤਾਰਤਾ ਵਿੱਚ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲੇ ਤਹਿਤ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਟਰੱਸਟ ਦੀ ਵੱਲੋਂ ਸਕੀਮ ਭਾਈ ਰਣਧੀਰ ਸਿੰਘ ਨਗਰ (550 ਏਕੜ) ਸਰਕਾਰ ਵੱਲੋਂ ਪੀ.ਟੀ.ਆਈ. ਐਕਟ 1922 ਦੀ ਧਾਰਾ 42 (1) ਅਧੀਨ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ. 153-USLG-(1)-76/41858 ਮਿਤੀ 06-12-1976 ਰਾਹੀਂ ਪ੍ਰਵਾਨ ਕੀਤੀ ਗਈ ਸੀ (ਕਾਪੀ ਨੱਥੀ)। ਇਸ ਦਫਤਰ ਦੀ ਡਰਾਇੰਗ ਨੰ. 3/ LIT/80 ਮਿਤੀ 01-02-1980 (ਕਾਪੀ ਨੱਥੀ) ਮੁਤਾਬਕ Higher Sec. School site (ਮੈਂਕੇ ਤੇ ਬਣਿਆ ਹੋਇਆ Sacred Heart Convent School) ਅਤੇ Water Works Site (ਮੈਂਕੇ ਤੇ ਬਣਿਆ ਹੋਇਆ Lodhi Club) ਦੇ ਸਾਹਮਣੇ Southern ring road 300' Wide ਦਰਸਾਈ ਹੋਈ ਹੈ। ਇਸ ਦਫਤਰ ਦੇ ਡਰਾਇੰਗ ਨੰ. 1/LIT/87 ਮਿਤੀ 05-04-1987 (ਕਾਪੀ ਨੱਥੀ) ਅਨੁਸਾਰ ਉਕਤ Water Works ਵਾਲੀ ਸਾਈਟ ਦਾ ਭੇ-ਮੰਤਵ The Ludhiana Aviation Club ਕੀਤਾ ਗਿਆ, ਜਿਸ ਜਗ੍ਹਾ ਤੇ ਹੁਣ ਮੈਂਕੇ ਤੇ Lodhi Club ਬਣਿਆ ਹੋਇਆ ਹੈ, ਦੇ ਸਾਹਮਣੇ ਵੀ Southern ring road 300' Wide ਦਰਸਾਈ ਹੋਈ ਹੈ।

ਇਹ ਆਪ ਜੀ ਦੀ ਜਾਣਕਾਰੀ ਹਿੱਤ ਪੇਸ਼ ਹੈ ਜੀ।

1/12/2022

ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ

ਨਗਰ ਸੁਧਾਰ ਟਰੱਸਟ, ਲੁਧਿਆਣਾ



Punjab Government Gazette

Published by Authority

No. 51 | CHANDIGARH, FRIDAY, DECEMBER 17, 1976 (AGRAHAYANA 26, 1898 SAKA)

PART I-A

Notifications by Punjab Government

LOCAL GOVERNMENT DEPARTMENT

The 6th/9th December, 1976

No. 153-USLG(I)-76/41858.—Sanction of Government is accorded under section 43 of the Punjab Town Improvement Act, 1922 to the alteration in the layout plan Drawing No. DTP (L)114/74, dated 23rd September, 1974 of 550 Acres Expansion Scheme for area opposite Milk Plant on Ferozepur Road at Ludhiana [The above scheme already sanctioned by State Government,—vide notification No. 85 (45)-3CI-72/20431, dated 28th October, 1972] to the extent as proposed in Drawing No. DTP (L)70/76, dated 30th September, 1976 i. e.,

Area reserved for Site & Services Scheme and planned as per Drawing No. DTP (L)70/76, dated 30th September, 1976	36.27 acres
Area reserved for special purposes (commercial)	7.73 acres
Area reserved for special purposes (housing)	50.00 acres
Area under Ring Road	10.38 acres
Area planned on West of Ring Road	14.84 acres

COVERAGE PERMISSIBLE IN THE ENTIRE SCHEME SHALL BE AS FOLLOWS

The proportion up to which site (plot) may be covered with buildings including ancillary buildings, be in accordance with the following slabs, remaining portion being left open in the form of an open space courtyard around the building :—

	Permissible coverage
(a) Residential Building	
A. For the plot up to 200 sq. metres.	66 %
B. For the plot above 200 sq. metres.	60 % subject to a maximum of 250 sq. metres.
<i>Note</i> :—The covered area on the ground floor and first floor shall be as given under (A) & (B) above but on the second floor it shall be 50 % of the maximum permissible area on the ground floor.	
(b) Commercial Buildings:—	As per building control sheet or Zoning Plan.
(c) Commercial-cum-residential	Ditto
(d) Public buildings/institutions:	
For 1st.4 Hectares (1 Acre)	25%
For the balance area	15%

Provided that basement not exceeding the permissible coverage on the ground floor to for storage may be allowed if it satisfies the public health and structural requirements.

No plot shall be of size less than that shown on the layout plan and or building control. The number of dwelling units on the ground floor on the first floor and the second floor shall be :

Sanction is also accorded to the revised cost of the scheme, i. e. on Acquisition & Deve amounting to Rs. 647.51 lacs approximately.

I. S. BINDRA, J. S.

104

Reg. No. 147/1976



Punjab Government Gazette

Published by Authority

NO. 11 CHANDIGARH, FRIDAY, DECEMBER 17, 1976 (ASR/ MAYANA 26, 1058 SAZA)

PART I-A
Notifications by Punjab Government
LOCAL GOVERNMENT DEPARTMENT
The 6th/9th December, 1976

No. 153-USLG(1)-76/41858.—Sanction of Government is recorded under section 43 of the Punjab Town Improvement Act, 1922 to the alteration in the layout plan Drawing No. DTP (L)116/76, dated 23rd September, 1974 of 550 Acres Expansion Scheme for area opposite Milk Plant on Ferozpur Road at Ludhiana [the above scheme already sanctioned by State Government vide notification No. 85 (45)-307-72/70A31, dated 28th October, 1972] to the extent as proposed in Drawing No. DTP (L)176/76, dated 30th September, 1976 i. e.

Area reserved for Site & Services Scheme and planned as per Drawing No. DTP (L)76/76, dated 30th September, 1976	36.27 acres
Area reserved for special purposes (commercial)	7.73 acres
Area reserved for special purposes (housing)	50.80 acres
Area under Ring Road	11.38 acres
Area planned on West of Ring Road	14.84 acres

COVERAGE PERMISSIBLE IN THE ENTIRE SCHEME SHALL BE AS FOLLOWS

The proportion up to which site (plot) may be covered with buildings including auxiliary buildings, be in accordance with the following slab, remaining portion being left open to the form of an open space courtyard around the building :-

	Permissible coverage
(a) Residential Buildings	66%
A. For the plot up to 200 sq. metres.	60% subject to a maximum 250 sq. metres.
B. For the plot above 200 sq. metres.	As per building control sheet or Zoning Plan.
(b) Commercial Buildings	Ditto
(c) Commercial-non-residential	25%
(d) Public buildings/institutions: For 1st 4 Hectares (5 Acres) For the balance area	15%

Provided that basement not exceeding the permissible coverage on the ground floor is for storage may be allowed if it satisfies the public health and structural requirements.
No plot shall be of size less than that shown on the layout plan and no building cover. The number of dwelling units on the ground floor on the first floor and the second floor shall be as sanctioned is also accorded to the revised cost of the scheme, i. e. on Acquisition & Devt amounting to Rs. 67.51 lacs approximately.

Price 30 Paise

(58)

I. S. BHINDRA, J.L.O.
Executive Officer,
Improvement Trust, Ludhiana

ਦਫਤਰ ਨਗਰ ਸੁਧਾਰ ਟਰੱਸਟ ਲੁਧਿਆਣਾ

ਵੱਲ

935/MTP-9

29/11/2022

ਨਿਗਮ ਨਗਰ ਯੋਜਨਾਕਾਰ
ਨਗਰ ਨਿਗਮ ਲੁਧਿਆਣਾ।

ਮੀਮੇ ਨੰ.ਲਏਟ 6031

ਮਿਤੀ 29/11/22

ਵਿਸ਼ਾ:- Council of Engineers and Ors. Versus State of Punjab and Ors (Application No 793/2022)

ਹਵਾਲਾ:- ਆਪ ਜੀ ਦੇ ਦਫਤਰ ਦੇ ਪਿੱਠ ਅੰਕਣ ਨੰ. 171/MTP-D ਮਿਤੀ 21-11-2022 ਦੇ ਸਬੰਧ ਵਿੱਚ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਅਤੇ ਹਵਾਲੇ ਤਹਿਤ ਪੱਤਰ ਦੇ ਸਬੰਧ ਵਿੱਚ ਦੱਸਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਟਰੱਸਟ ਦੀ ਵਿਕਾਸ ਸਕੀਮ ਭਾਈ ਰਣਧੀਰ ਸਿੰਘ ਨਗਰ (550 ਏਕੜ) ਸਰਕਾਰ ਵੱਲੋਂ ਪੀ.ਟੀ.ਆਈ. ਐਕਟ 1922 ਦੀ ਧਾਰਾ 42 (1) ਅਧੀਨ ਨੋਟੀਫਿਕੇਸ਼ਨ ਨੰ. 153-USLG-(1)-76/41858 ਮਿਤੀ 06-12-1976 ਰਾਹੀਂ ਪ੍ਰਵਾਨ ਕੀਤੀ ਗਈ ਸੀ (ਕਾਪੀ ਨੱਥੀ)। ਡਵੀਜ਼ਨਲ ਟਾਊਨ ਪਲੈਨਰ ਲੁਧਿਆਣਾ ਦੇ ਡਰਾਇੰਗ ਨੰ. ਡੀ.ਟੀ.ਪੀ. (ਐਲ)114/74 ਮਿਤੀ 23-09-1974 (ਕਾਪੀ ਨੱਥੀ) ਅਤੇ ਇਸ ਦਫਤਰ ਦੀ ਡਰਾਇੰਗ ਨੰ. 3/ LIT/80 ਮਿਤੀ 01-02-1980 (ਕਾਪੀ ਨੱਥੀ) ਅਨੁਸਾਰ ਇਸ Lodhi Club ਵਾਲੀ ਜਗ੍ਹਾ ਦਾ ਭੇ-ਮੰਤਵ ਵਾਟਰ ਵਰਕਸ ਨਿਰਧਾਰਤ ਕੀਤਾ ਗਿਆ ਸੀ। ਇਸ ਉਪਰੰਤ ਇਸ ਵਾਟਰ ਵਰਕਸ ਵਾਲੀ ਜਗ੍ਹਾ ਦੇ ਸਾਈਟ ਪਲਾਨ ਡਰਾਇੰਗ ਨੰ. 1/LIT/87 ਮਿਤੀ 05-04-1987 (ਕਾਪੀ ਨੱਥੀ) ਅਨੁਸਾਰ ਇਸ ਜਗ੍ਹਾ ਦਾ ਭੇ-ਮੰਤਵ ਵਾਟਰ ਵਰਕਸ ਤੇ ਬਦਲ ਕੇ Ludhiana Aviation Club ਕੀਤਾ ਗਿਆ ਸੀ। ਡਰਾਇੰਗ ਨੰ. 3/ LIT/80 ਮਿਤੀ 01-02-1980 ਅਤੇ ਡਰਾਇੰਗ ਨੰ. 1/LIT/87 ਮਿਤੀ 05-04-1987 ਮੁਤਾਬਕ ਸਬੰਧਤ ਜਗ੍ਹਾ ਦੇ ਸਾਹਮਣੇ ਸਾਊਂਦਰਨ ਆਉਟਰ ਰਿੰਗ ਰੋਡ 300 ਫੁੱਟ ਵਾਈਡ ਦਰਸਾਈ ਹੋਈ ਹੈ।

ਇਹ ਆਪ ਜੀ ਦੀ ਜਾਣਕਾਰੀ ਹਿੱਤ ਪੇਸ਼ ਹੈ ਜੀ।

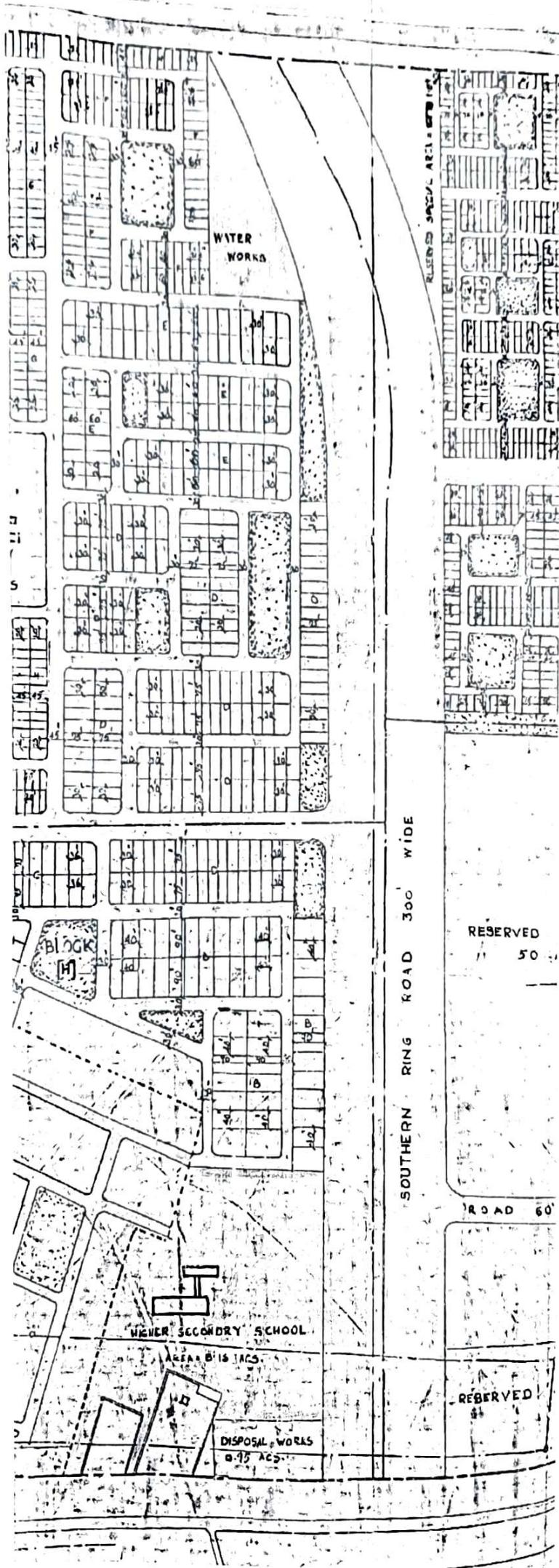
29/11/2022

ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ

ਨਗਰ ਸੁਧਾਰ ਟਰੱਸਟ, ਲੁਧਿਆਣਾ

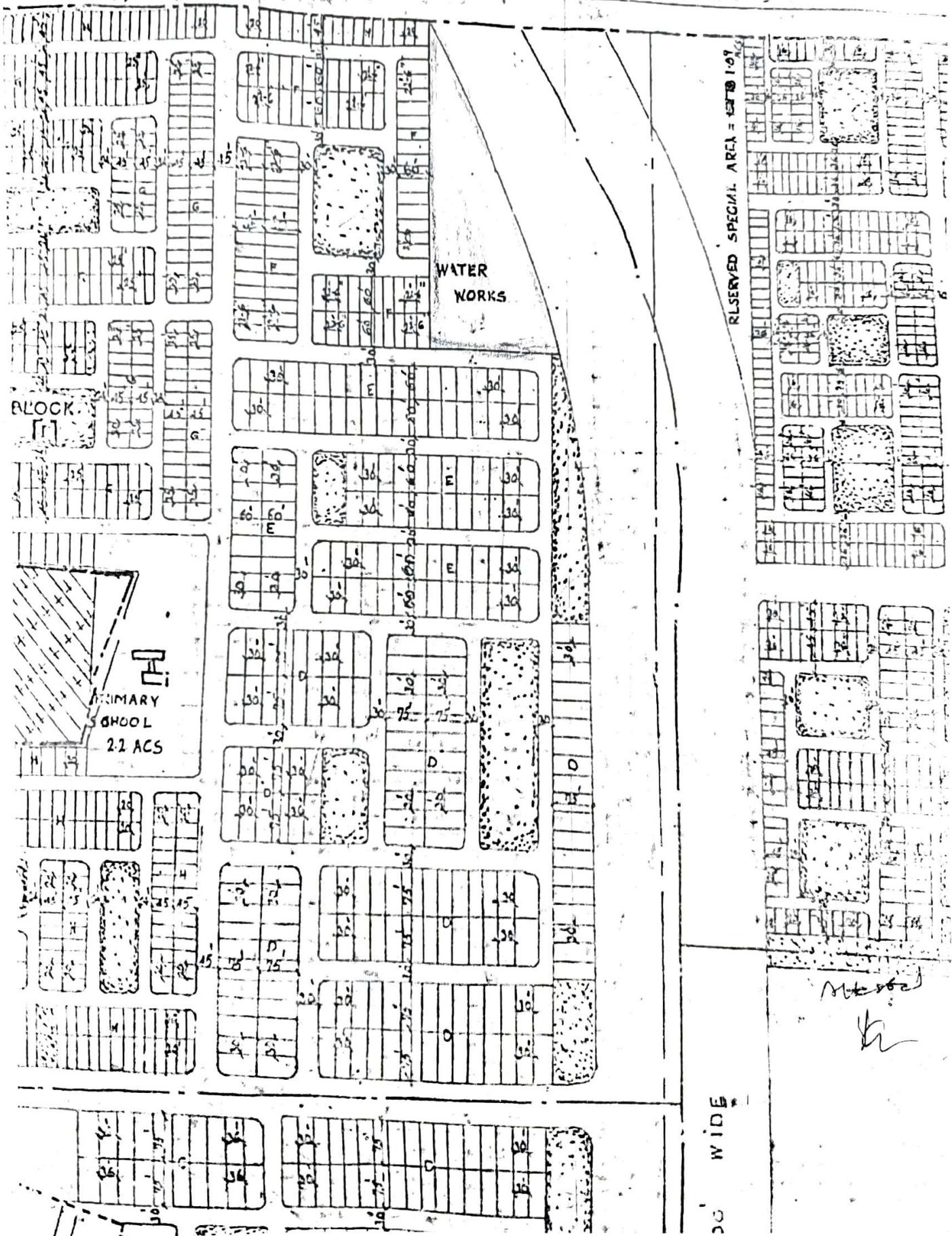
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DRG NO 3/LIT/80 DATED - 01-02-1980



Mt...
Ku

DRC No- 3/LIT/80 dated - 01-02-1980





भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
एकीकृत क्षेत्रीय कार्यालय, चंडीगढ़ / Integrated Regional Office, Chandigarh



By Email

F. No.: 01-02/2022/Misc./Env.

Dated: 05.01.2023

To,
The Municipal Commissioner
Ludhiana

Sub: OA No. 793/2022- Council of Engineers & Ors. Vs. State of Punjab & Ors.

Ref: Your email dated 03.01.2023.

Madam/Sir,

With reference to the above-mentioned subject, representatives of this office again visited the site on 04.01.2023 along with officials of Municipal Corporation, Ludhiana to verify the allegations mentioned in Point No. (ii) of the Hon'ble NGT Order dated 07.11.2022.

Please find enclosed Joint Inspection Report for further necessary action.

Encl: As Above

(Dr. Gobind Sagar Bharadwaj)
Dy. Director General of Forest
Integrated Regional Office, Chandigarh

Joint Inspection Report of the site visit undertaken by Dr. KK Garg, Joint Director (S)/Scientist-D and Shri Ravinder Singh, Technical Officer (Forestry) Grade-I, Ministry of Environment, Forest and Climate Change, Integrated Regional Office, Chandigarh on 4th January, 2023 as per the directions of Hon'ble National Green Tribunal, New Delhi vide its order dated 7th November, 2022 in OA No. 793 of 2022 in the matter of "Council of Engineers and Others verses State of Punjab" regarding illegal encroachments (ii) by the Municipal Corporation, Ludhiana by allowing parking of vehicles after concretization of huge area of green belt from Jagron Road to Sherpur Chowk: reg.

It is pertinent to mention here that OA No. 793 of 2022 in the matter of "Council of Engineers and Others verses State of Punjab" regarding illegal encroachments over green belt by MC Ludhiana has been heard before the Hon'ble NGT on 07.11.2022 and on that day Hon'ble Tribunal constitute a Joint Committee comprising of Regional Officer, MoEF & CC, Chandigarh, Commissioner, Municipal Corporation, Ludhiana, State PCB and the Deputy Commissioner, Ludhiana 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 submit its report within 15 days by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

2. Accordingly, the site in question was visited by this office on 13.12.2022 w.r.t. allegation no. (i) & (iii) of the applicant and detailed factual report in this regard on the subject has been submitted to the MC Ludhiana vide email dated 19.12.2022 (**Annexure-1**), because allegation no. (ii), i.e., by the Municipal Corporation, Ludhiana by allowing parking of vehicles after concretization of huge area of green belt from Jagron Road to Sherpur Chowk, did not shown to the then investigating officer of this office.

3. It is pertinent to mention here that Hon'ble NGT vide its order dated 20.12.2022 observed that The Joint Committee has not filed any report as directed by the Hon'ble Tribunal in its earlier order dated 07.11.2022 whereas report of IRO, MoEF&CC, Chandigarh has already been submitted to the MC Ludhiana vide email dated 19.12.2022. Accordingly, acting upon the request of learned counsel appearing for MC Ludhiana seeking some more time to file report of The Joint Committee, Hon'ble Tribunal directed The Joint Committee to submit its report within 15 days by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR supported PDF and not in the form of Image PDF and send copy of its report to concerned Statutory Authorities for compliance in terms of order dated 07.11.2022.



4. Consequent upon the above direction of Hon'ble Tribunal, MC Ludhiana requested this office to visit the site in question and submit a report, without acknowledging this office report submitted on 19.12.2022. Consequently, keeping in the view the seriousness of the case, the Regional Officer, IRO, MoEF&CC, Chandigarh directed the both undersigned officers to visit the site in question and submit a detailed factual report on allegation no. (ii) of the applicant by 05.01.2022.

5. Pursuant to the instructions of the Regional Officer, IRO-Chandigarh, undersigned reached the site in question i.e. Jagron Road to Sherpur Chowk at Ludhiana on 04.01.2023 at 12.30 PM. At the outset, undersigned explained about the purpose of the proposed site visit and discussed other facts on the project in detail with applicant Shri Kapil Dev and Shri Kulwant Singh and office staff of MC Ludhiana. The Team comprises the following members (attendee copy attached):

Dr. Krishan Kishor Garg	:	Scientist-D, IRO, MoEF&CC, Chandigarh
Ravinder Singh	:	Technical Officer (Forestry) Grade-I, Representative of Integrated Regional Office, MoEF&CC, Chandigarh.
Rakesh Singla	:	Executive Engineer, MC, Ludhiana
Pradeep Sehgal	:	Asst. Town Planner, MC, Ludhiana
Pawan Preet Singh	:	Junior Engineer (B&R), MC, Ludhiana
Rashpal Singh	:	Junior Engineer (B&R), MC, Ludhiana
Manish Arora	:	MC, Ludhiana
Kapil Dev	:	Applicant
Kulwant Singh	:	Applicant

GRIEVANCE OF THE COMPLAINANT(S)

6. On the site, undersigned requested both applicants/complainants viz. Sh. Kapil Dev and Sh. Kulwant Singh to explain their grievance and accordingly they submitted as under:

- **The Municipal Corporation, Ludhiana illegally encroached the green belt by allowing parking of vehicles after concretization of huge area of green belt from Jagron Road to Sherpur Chowk.**

ACTUAL POSITION ON THE GROUND

7. During the site visit Joint Inspection Team observed that the land in question is green belt owned and maintained by the MC, Ludhiana. Officials of the MC, Ludhiana accepted that they area the illegal owner of this land. But most of the area of said green belt on both side of the road has been found encroached and concretized by the MC, Ludhiana for parking of the vehicles of the local beneficiaries of the adjoining area. In addition to this,

applicant has' also brought to the notice of the Joint Inspection team that MC Ludhiana has made public auction for parking lots with multistory parking etc. on the said green belt. A news paper cutting provided by the applicant is annexed at **Annexure-2** and photographs of the site along with KML file are annexed at **Annexure-3**.

FINDING IN THE INQUIRY

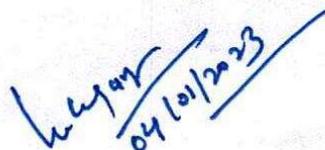
8. It is evident from the site visit that:

- (i) The MC Ludhiana is the legal owner of the land in question i.e. green belt.
- (ii) The MC Ludhiana failed to maintain the green belt as green belt by converting it as parking lots.

Encls: as above


04 JAN 2023

(Ravinder Singh)
Technical Officer (Forestry), Grade-I,
Ministry of Environment, Forests and
Climate Change, IRO, Chandigarh


04 JAN 2023

(Dr. Krishan Kishor Garg), Joint
Director (S)/Scientist-D
Ministry of Environment, Forests
and Climate Change, IRO,
Chandigarh

Date: Wednesday, January 4, 2023

REPORT OF THE JOINT COMMITTEE

Subject: Site visit report in respect of OA 793 of 2022, Council of Engineers & Ors. Vs State of Punjab & Ors., before Hon'ble NGT, Principal Bench at New Delhi.

The Hon'ble National Green Tribunal, Principal Bench vide order dated 07.11.2022 constituted a Joint Committee comprising Regional Officer, MoEF& CC, Chandigarh, Commissioner, Municipal Corporation, Ludhiana, State PCB and the Deputy Commissioner, Ludhiana.

The relevant extract of the said order is reproduced hereunder: -

".....In view of the serious nature of the allegations made in the application and in view of the provisions of the Code of Civil Procedure, 1908 empowering the Court to ex-parte appoint a Local Commission to make local investigation for the purpose of elucidating any matter in dispute, we also consider it appropriate that a Joint Committee be constituted to verify the factual position. Accordingly, we constitute a Joint Committee comprising of Regional Officer, MoEF& CC, Chandigarh, Commissioner, Municipal Corporation, Ludhiana, State PCB and the Deputy Commissioner, Ludhiana 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 submit its report within 15 days by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF....."

The complaints are encroachments made over Green Belts (i) by Lodhi Club and Sacred Heart Convent School, situated at BRS Nagar, Ludhiana by opening illegal gate entry as well as converting the Green Belt area into Parking Space; (ii) by Municipal Corporation Ludhiana by allowing parking of Vehicles after concretization of huge area of Green Belts from Jagraon Road to Sherpur Chowk and; (iii) by Municipal Corporation Ludhiana by constructing library building in the Green Belt/Park near Manju Cinema in violation of directions of Hon'ble Supreme Court and this Tribunal, environmental norms and Master Plan of Ludhiana.

A. MEETING OF THE JOINT COMMITTEE ON DATED 21.11.2022:

In compliance of the Hon'ble NGT orders, the joint committee held its first meeting on 21-11-2022 (copy of minutes of meeting is annexed as **AnnexureA-1**). In addition to the Joint Committee, the applicant, Counsel of Engineers & Ors& representative of the concerned project/Establishments

V.S.P.

i.e., Principal of Sacred Heart Senior Secondary School, BRS Nagar and President of Lodhi Club were invited to the meeting. The joint committee heard the main concerns/issues raised by the complainant. The representative of the School & Lodhi Club voiced their concerns as to how the area has been allocated to them as part of the Town planning scheme of Ludhiana Improvement Trust, if the said areas were part of the Greenbelt as per master plan of Ludhiana. The committee decided to look into the extant rule position *vis-à-vis* the concerns of the affected parties, both complainant and the Municipal Corporation of Ludhiana, Sacred Heart Senior Secondary School, BRS Nagar and President of Lodhi Club. It was decided to undertake field visit subsequently.

B. FIELD VISIT DATED 13.12.2022:

There are two main project proponents namely, Lodhi Club and Sacred Heart Convent School who have been questioned in the complaint. The projects of these proponents are located along with the road site (from Jagraon Road to Sherpur Chowk) under question. Library building which is allegedly built in the Green Belt/Park near Manju Cinema was also visited.

Further, to verify encroachment into the questioned 'Green Belt' area and facts involved in the grievances, satellite maps between 2013 to 2022 were seen on the GOOGLE map in time scale mode to understand the changes in land use over the said period.

C. OBSERVATIONS ON THE ISSUES RAISED BY HONB'LE COURT:

The main observations on- **Encroachments made over Green Belts (i) by Lodhi Club and Sacred Heart Convent School, situated at BRS Nagar, Ludhiana by opening illegal gate entry as well as converting the Green Belt area into Parking Space** are as follows:

1. It is evident from site visit and Google images that the area under question is about 3.25 ha. having length of approx. 900 mt and width of ranging from 35 mt to 60 mt (**Map 1**).
2. Both the concerned project proponents i.e., Sacred Heart Convent School and Lodhi Club have gate entry towards the site under question (**Photos 1 & 2**, respectively).
3. It is noted from the Google Image that both project proponents constructed approach road by using interlocking concrete block pavements to access their entrances. In case of Lodhi Club the approach road was constructed recently in year 2020.
4. Whether or not the entries are legal is a matter of further investigation by the Statutory Authorities.

5. Parking areas have been developed and allowed by the Municipal Corporation, Ludhiana adjacent to the entrance of the both Sacred Heart Convent School (**Map 2; Photo 3**) and Lodhi Club (**Map 3; Photo 4**) highlighted as Parking Area 'A' and Parking Area 'B', respectively, on the **Map 1**.
6. Both parking areas were in use and 'No Parking Zone' has not been marked at any parking side by the Municipal Corporation, Ludhiana, as observed during the site visit.
7. Parking area of school side (Parking Area 'A') is measuring approx. 0.18 ha. area and interlocking tiles have been used. The construction was started somewhere the starting of year 2014.
8. Parking area of Lodhi Club side is measuring approx. 0.11 ha. However, interlocking tiles have not been used here.
9. A well-developed green belt was noticed in this whole area under question (**Map 1, Photo 5**), except the parking area and approach roads.

Encroachments made over Green Belts (ii) by Municipal Corporation Ludhiana by allowing parking of Vehicles after concretization of huge area of Green Belts from Jagraon Road to Sherpur Chowk:

This whole stretch was neither shown to undersigned nor discussed during the site visit.

Encroachments made over Green Belts (iii) by Municipal Corporation Ludhiana by constructing library building in the Green Belt/Park near Manju Cinema in violation of directions of Hon'ble Supreme Court and this Tribunal, environmental norms and Master Plan of Ludhiana:

1. Library building has been constructed (**Photo 6**) by the Municipal Corporation Ludhiana on the area of approximately 650 sq. feet, somewhere in the end of year 2021 in a corner of the park/green belt under question. It is pertinent to mention here that a COCP no. 165 of 2022 is pending in Hon'ble High Court regarding the same matter. Thus, the matter is not investigated further.

D. END NOTE:

It is evident from the above that the green belt area in question has been reduced over period of time from 2013-2022 due to change of land use and construction of parking area and approach road to the project proponents at BRS Nagar. It is pertinent to mention here that the construction of paved roads

and parking areas has been developed after 2014 at BRS Nagar, which is after the finalization of the declaration of the Master Plan of the city in 2008. However, the detailed investigation on approvals of approach roads, demarcation of designated greenbelt as per Ludhiana Master Plan, 2008 and temporal changes of the land use by two project proponents could provide meaningful inferences. The undersigned understood after due deliberations and site visit that Notified Master Plan on 2008 was not complied while the land use change was made.

Vimal
19/12/2021

Dr. Vimal Kumar Hatwal,
Addl. Director/Scientist 'E'
MoEF&CC, IRO Chandigarh



Photo 1:Entry Gate of Sacred Heart Convent School at Site.

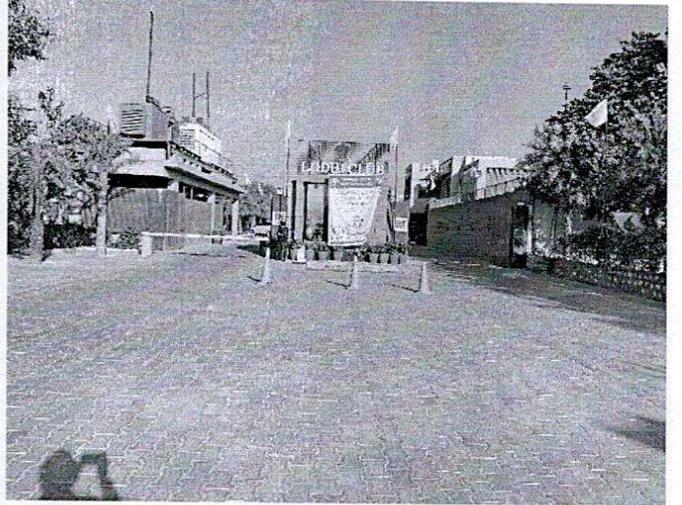


Photo 2:Entry Gate of Lodhi Club at Site.

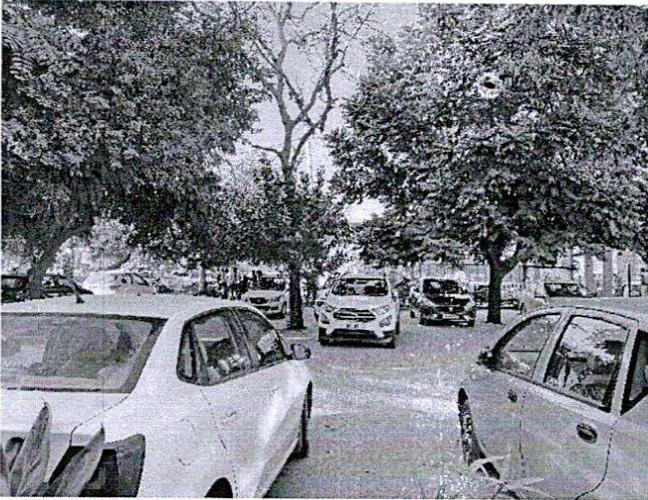


Photo 3: Parking Area 'A' at Site.

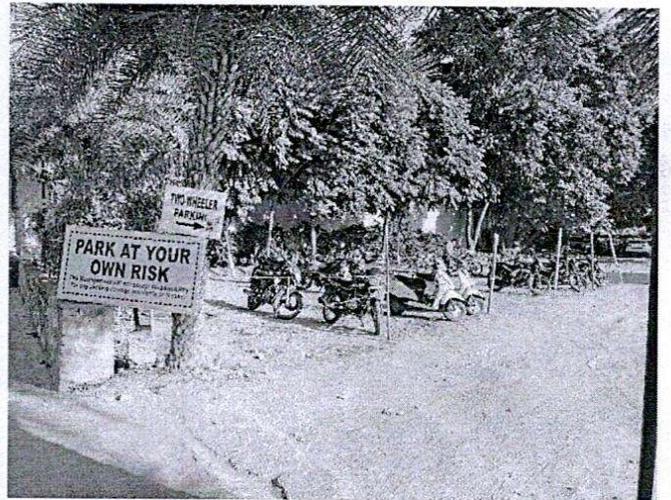


Photo 4: Parking Area 'B' at Site.

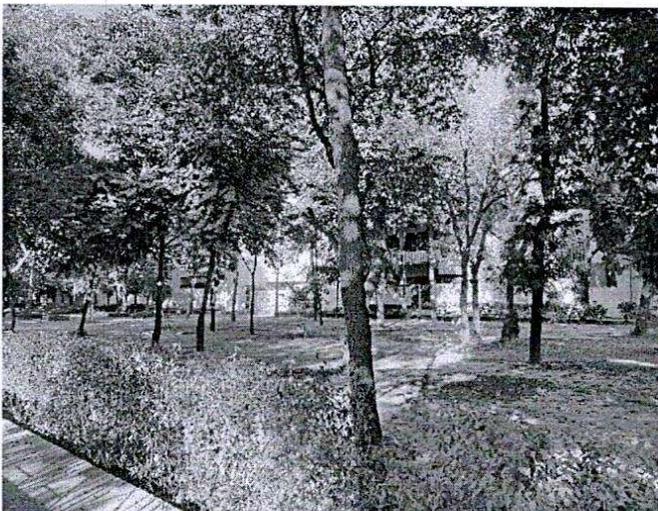


Photo 5: Greenbelt at Site.

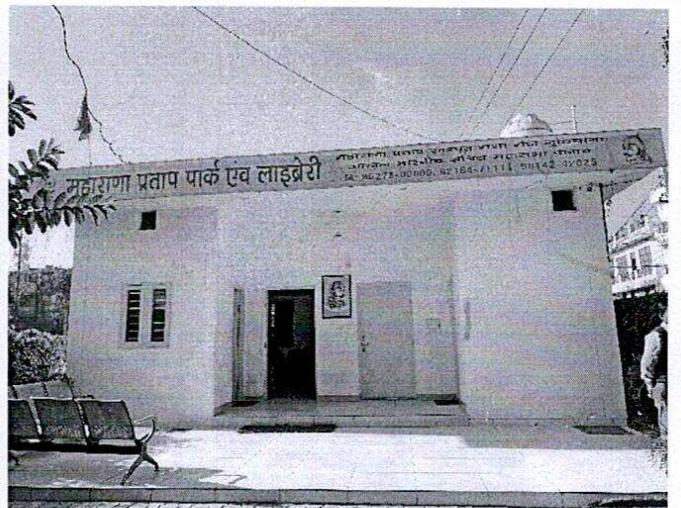


Photo 6:Constructed Library Building at Site.



Map 1. Showing Greenbelt Area Under Question, Parking Areas 'A' & 'B' as per grievances on Google imagery dated 12.10.2022.



Map2: Parking Area 'A'



Map3: Parking Area 'B'

[Home](#) / [Cities](#) / [Chandigarh News](#) / Ludhiana MC floats tender to hire parking contractors, e-auction in O...

Ludhiana MC floats tender to hire parking contractors, e-auction in Oct first week

Chandigarh News

Published on Sep 20, 2022 03:43 AM IST

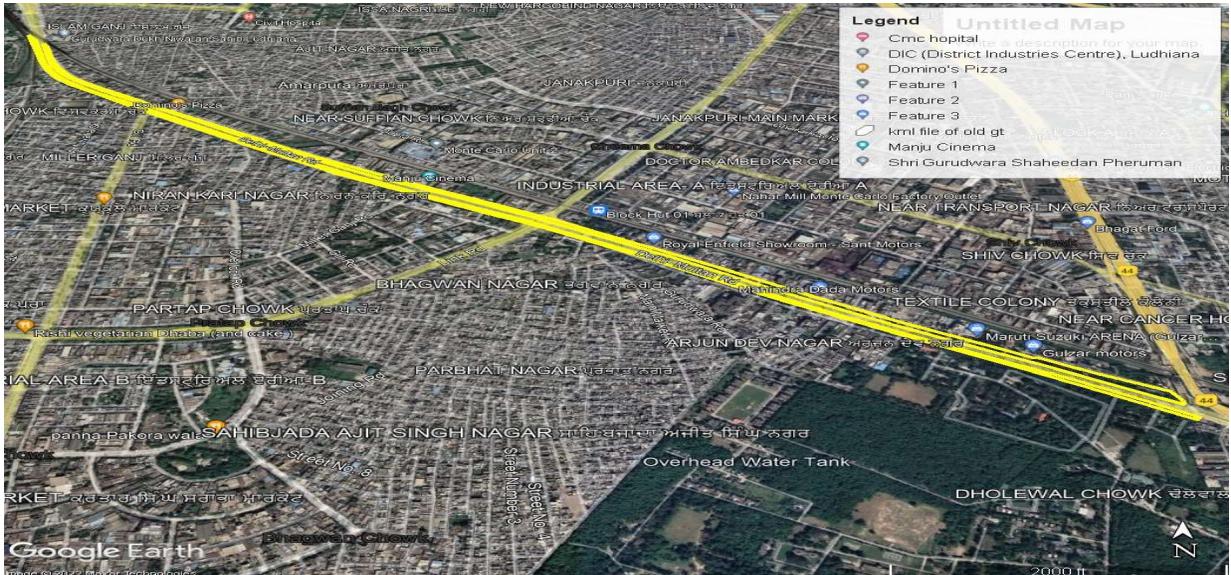
Ludhiana MC superintendent Harvinder Dhalla confirmed that a tender had been floated to hire private contractors through e-auction, which will be held in the first week of October.

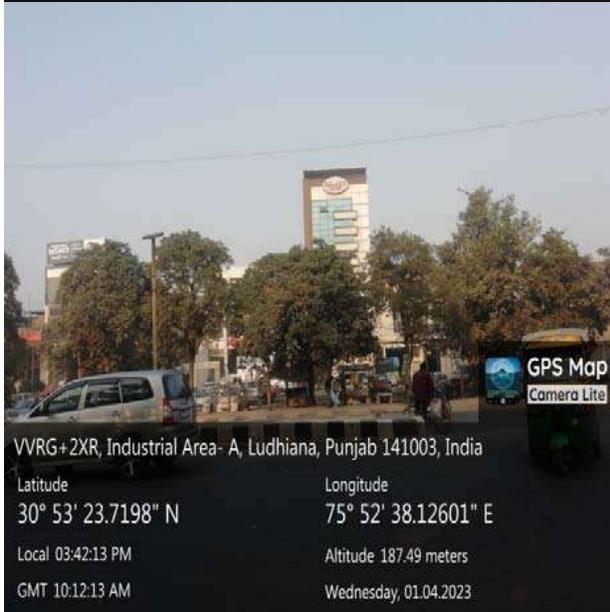
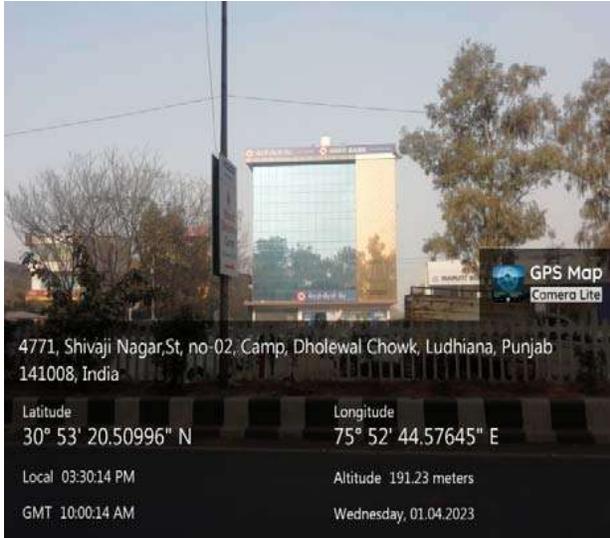
PARKING LOTS TO BE E-AUCTIONED	
PARKING LOT	RESERVE PRICE
Feroze Gandhi Market	₹1.26 crore
Multi-storey parking near MC Zone A office	₹1.8 crore
Below the flyover near Gill Road Chowk	₹2.93 lakh
Jagraon Bridge to Dholewal Chowk	₹20.82 lakh
Dholewal Chowk to Shergpur Chowk	₹20.82 lakh
Main Sarabha Nagar Market	₹28.40 lakh
Bhadaur House	₹31.61 lakh
Tuition Market in Model Town Extension	₹26.8 lakh
BRS Nagar Market near Orient Cinema	₹21.21 lakh



The MC had taken over the parking lots after the previous contractors' term ended, but locals have alleged that private parties continue to collect parking fee and "fleece and misbehave" with the public. (HT File)

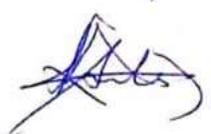
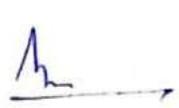
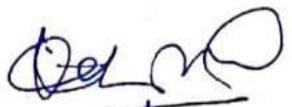
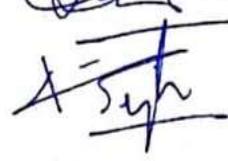
Annexure-3





ATTENDANCE SHEET

LIST OF PARTICIPANTS REMAIN PRESENT DURING
 SITE VISIT ON 04/01/2022 in the
 COMPLIANCE OF MHT ORDER OR NO - 793/2022

S.No.	Name	Department/Designation	Sign
1.	Laksh Singh	Executive Engineer 9780039488	
2.	Hardeep Sehgal	Asstt. Town Planner M.C.LDH. 98140-22455	
3.	PAWAN PREET SINGH	J.C (BER) 98886-63023	
4.	Rashpal Singh	J.C 78883 39061 (BER)	
5.	Momish Arora	Build'g Inspector 98156 89864	
6.	Er. Kapil Dev	President Council of Engineers 9872007872	
7.	Er. Kulwant Singh	Vice President, COE 9780000914	

ਪ. ਨੰ. ਨਿ. ਵਿ. ਸ ਤੇ ਮ

ਕਰਨ ਉਤਾਰਾ ਪੱਤਰ ਨੰ: 764 ਮਿਤੀ 10.2.95 ਵਲੋਂ ਮੁੱਖ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ, ਨੇ; ਨਿ. ਵਿ. ਭ ਤੇ ਮ ਸਾਖਾ, ਪਟਿਆਣਾ ਸੇਵਾ ਵਿਖੇ ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ, ਨੇ; ਨਿ. ਵਿ. ਭ ਤੇ ਮ ਸਾਖਾ, ਜਲੰਧਰ/ ਰੁਧਿਆਣਾ ਅਤੇ ਅਹਿਮਦਾਬਾਦ।

ਵਿਸ਼ਾ:- ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ ਦੀਆਂ ਤਿੰਨ ਮਿਊਂਸਪਲ ਕਾਰਪੋਰੇਸ਼ਨਾਂ ਦੀਆਂ ਹੱਦਾਂ ਅੰਦਰ ਆਉਣ ਵਾਲੀਆਂ ਸੜਕਾਂ ਦੀ ਆਦੀਨੀ ਵਾਧੇ।

ਸ਼ੁੱਠ ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ, ਭਵਨ ਤੇ ਮਾਰਗ ਸਾਖਾ, ਚੰਡੀਗੜ ਵਲੋਂ ਪ੍ਰਾਪਤ ਹੋਏ ਅੱਧ ਸਰਕਾਰੀ ਪੱਤਰ ਨੰ (2x1100) ਆਪ ਜੀ ਨੂੰ ਐਸ ਕੇ ਚੇਨੜੀ ਗੀਤੀ ਜਾ ਦੀ ਹੈ ਕਿ ਚੇਨੜੀ ਦੀ ਸੂਚਨਾ 7 ਦਿਨਾਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਭੇਜੀ ਜਾਵੇ ਤਾਂ ਜੋ ਸਰਕਾਰ ਨੂੰ ਸੂਚਨਾ ਭੇਜੀ ਜਾ ਸਕੇ।

ਪੰਜਾਬ ਮੰਤਰੀ ਪੀਸ਼ਦ ਦੀ ਮਿਤੀ 4.1.95 ਨੂੰ ਹੋਈ ਮੀਟਿੰਗ ਵਿਚ ਇਸ ਆਈਟਮ ਬਾਰੇ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ:-

"ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ ਦੀਆਂ ਤਿੰਨ ਮਿਊਂਸਪਲ ਕਾਰਪੋਰੇਸ਼ਨਾਂ ਦੀਆਂ ਹੱਦਾਂ ਅੰਦਰ ਆਉਣ ਵਾਲੀਆਂ ਸੜਕਾਂ ਦੀ ਆਦੀਨੀ (ਟਰਾਸਫਰ) ਬਾਰੇ ਮੰਤਰੀ ਪੀਸ਼ਦ ਵਲੋਂ ਡੈਰ ਰਸਮੀ ਤੌਰ ਤੇ ਵਿਚਾਰ ਕਰਨ ਉਪਰੰਤ ਇਹ ਹਦਾਇਤ ਦਿੱਤੀ ਗਈ ਕਿ ਲੋਕ ਨਿਰਮਾਣ ਵਿਭਾਗ (ਭਵਨ ਤੇ ਮਾਰਗ) ਦੀਆਂ ਅਜਿਹੀਆਂ ਸੜਕਾਂ ਤਿੰਨੇ ਮਿਊਂਸਪਲ ਕਾਰਪੋਰੇਸ਼ਨਾਂ ਨੂੰ ਇਸ ਸ਼ਰਤ ਨਾਲ ਤੁਰੰਤ ਆਦੀਨ ਕਰ ਦਿੱਤੀਆਂ ਜਾਣ ਕਿ ਮਿਊਂਸਪਲ ਕਾਰਪੋਰੇਸ਼ਨਾਂ ਇਨ੍ਹਾਂ ਸੜਕਾਂ ਦੀ ਦੇਖਭਾਲ ਆਪਣੇ ਫੰਡਾਂ ਵਿਚ ਕਰਨਗੀਆਂ ਅਤੇ ਇਸ ਮੰਤਵ ਲਈ ਰਾਜ ਸਰਕਾਰ ਵਲੋਂ ਕੋਈ ਫੰਡ ਕੀ ਦਿੱਤੀ ਜਾਣੀ।"

ਪਿੱਠ ਅੰਕਣ ਨੰ: 2ਆਰ/259/6905-6 ਮਿਤੀ 21-2-95
ਉਤਾਰਾ ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ, ਪੁੱਤ ਅਤੇ ਮਾਰਗ ਮੰਡਲ/ਦਿਹਾਤੀ ਕਾਰਜ ਮੰਡਲ, ਨੰ: 1/2, ਰੁਧਿਆਣਾ ਨੂੰ ਸੂਚਨਾ ਅਤੇ ਚੇਨੜੀ ਦੀ ਕਾਰਵਾਈ ਲਈ ਭੇਜਿਆ ਜਾਦਾ ਹੈ। ਉਨ੍ਹਾਂ ਨੂੰ ਹਦਾਇਤ ਕੀਤੀ ਜਾਦੀ ਹੈ ਕਿ ਮੰਗੀ ਗਈ ਰਿਪੋਰਟ 4 ਦਿਨਾਂ ਦੇ ਅੰਦਰ ਅੰਦਰ ਇਸ ਦਫਤਰ ਨੂੰ ਭੇਜੀ ਜਾਵੇ।

(Signature)

ਨਿਗਰਾਨ ਇੰਜੀਨੀਅਰ/ ਉਤਾਰੀ ਹਲਕਾ, ਨੇ; ਨਿ. ਵਿ. ਭ ਤੇ ਮ ਸਾਖਾ, ਰੁਧਿਆਣਾ।
**"ਆਈਟੀਆ"*

ਨਬੀ/x
(Handwritten marks)

(Extensive handwritten notes and signatures)
ਮਿਤੀ 21/2/95
ਕਿਸੇ ਵੀ ਸੜਕ ਦੀ ਆਦੀਨੀ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ ਇਸ ਵਿਭਾਗ ਨੂੰ ਸੂਚਨਾ ਦੇਣੀ ਚਾਹੀਦੀ ਹੈ।
21/2/95

ਸਮੇਟ

1. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ 10.30
2.40 ਤੋਂ 10.50
2. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ 10.50 ਤੋਂ 11.00
3. ਸੀ.ਟੀ. ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
4. ਸੀ.ਟੀ. ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
5. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
6. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
7. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
8. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
9. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
10. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
11. ਸ਼ਿਮਲਾ ਚੌਕ ਵੱਲ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ
2.20 ਤੋਂ 2.40

75

ਉਪ ਸੇਵਾ ਸ਼ਿਮਲਾ ਚੌਕ, ਸਮੇਟ ਤੇ ਪੁੱਲ ਉਪ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ, ਸ਼ਿਮਲਾ ਚੌਕ।

ਉਪ ਸੇਵਾ ਸ਼ਿਮਲਾ ਚੌਕ, ਸਮੇਟ ਤੇ ਪੁੱਲ ਉਪ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ, ਸ਼ਿਮਲਾ ਚੌਕ।

ਉਪ ਸੇਵਾ ਸ਼ਿਮਲਾ ਚੌਕ ਤੇ ਸਮੇਟ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ, ਸ਼ਿਮਲਾ ਚੌਕ।

[Handwritten Signature]
 ਸ਼ਿਮਲਾ ਚੌਕ ਸੇਵਾ ਸ਼ੁਰੂ ਕਰਨ ਤੋਂ ਪਹਿਲਾਂ, ਸ਼ਿਮਲਾ ਚੌਕ।
[Handwritten Signature]

Minutes of meeting held under the chairmanship of Chief Secretary, Government of Punjab, on 27/12/2007 at 4.30 PM regarding state policy on access to highways and regulation of controlled areas along scheduled roads.

Chief Engineer, National Highways, PWD (B&P) briefed the chair that the Hon'ble High Court in CWP No. 4559/07 titled Court on its own motion vs State of Haryana and others had directed the Chief Engineer to submit a status report, by way of affidavit, on the next date of hearing i.e. 15/01/2008, regarding the implementation of the State Government's policy on the subject. In this background, agenda items were discussed and decisions taken as follow:-

1. The notification dated 16/08/2001 by Govt. of Punjab, Department of Housing and Urban Development (at Annexure) constitutes a district level committee headed by the Deputy Commissioner for addressing encroachments and access on highways. The District Town Planner is the convener of the Committee. It was decided that the Divisional Forest Officer incharge of the District would also be made a member of the committee. The Department of Housing & Urban Development may issue a notification /amendment to this affect.
2. The functions of the district level committee are prescribed in the notification above mentioned. The local bodies namely; Municipal Corporations/Municipal Committees etc. are responsible for enforcing the set back restrictions on scheduled roads prescribed under the Punjab Regional and Town Planning & Development Act, 1995. Further, the local bodies are expected not to allow any water, sewerage, or other connections in respect of buildings and premises which are in violation of provisions of the above mentioned Act. These provisions of the Law shall be reiterated and enforced by the Department of Local Government. The implementation by the local

bodies shall be reviewed every month by the district level committee. All cases of laxity shall be brought to the notice of government by the Deputy Commissioner, who shall also ensure remedial action by the concerned District Authority /Local Body

3. As regards encroachment on highways falling within the jurisdiction of Municipal Corporation /Committee the lists of encroachments and violation of set back prescribed on scheduled roads have been circulated to Municipal Corporations/Committees by the Executive Engineers PWD (B&R). However, in some cases the Executive Officers of the Municipal Committees have either returned these lists to the XEN PWD (B&R) or have forwarded them to PUDA for action. In this regard it was pointed out that under the Punjab Municipal Act, 1911 and the Punjab Municipal Corporation, Act, 1975, all public roads within the municipal limits are vested in the concerned Municipal Corporation/Committee. Hence, even where PWD(B&R) or some other agency manages, constructs or maintains the road, the public property (Right of way), would continue to vest with Municipal Corporation/Committee. Therefore, it lies in the jurisdiction of the Municipal Corporation /Committee to remove the encroachments on all highways within Municipal limits. The Deputy Commissioner may coordinate this activity and ensure provision of assistance by the police, PWD (B&R) and Forest Department as required.

4. The waste land alongside PWD roads have been notified as forest land by the State Government. The Department of Forests has issued advertisements in newspapers dated 27/11/2007 informing the public that the Forest Conservation Act, 1980, is applicable to all strips of forest along roads and violations are punishable under the law. Further that any proposal to divert forest land by way of seeking access /approach to an establishment along the road requires prior approval of

the Central Government under Forest Conservation Act, 1980. Hence, all such proposals be submitted in the prescribed format to the concerned Divisional Forest Officer. It was decided that the Divisional Forest Officer shall inform the district level committee about all such

of India so that the other authorities concerned may also ensure that the access /approach to the establishment complies with the State Policy. It was informed by the Principal Secretary Forest that the permission granted by the Government of India specifies that any such diversion of forest land will also meet requirements of State laws and rules in force.

5. The Department of Forest and the Department of Local Government will inform the Chief Engineer, National Highway, PWD (B&R) the latest position as regards removal of encroachments on highways so that the same may be incorporated in his report to the Hon'ble High Court. This information may reach Chief Engineer, National Highways, PWD (B&R) latest by 7th January, 2008

encroachment / violation

The Chief Engineer
Punjab PWD B&R Branch
Patiala



All Superintending Engineer
Punjab PWD B&R Branch

Memo No. 1-17

4/1/07

Dated: 9-1-2008

Subject: CWP-4559/07 Court of its own Motion Vs State of Haryana and Others

In connection with subject cited above a meeting was held under the Chairmanship of Chief Secretary Govt. of Punjab on 27.12.07 regarding State Policy on Access to highways and regulation of controlled area along Scheduled Roads.

Please find enclosed herewith copy of the minutes of meeting for information and compliance thereof. If need arises the copy of the minutes may be sent to the field offices of concerned department.

You are further requested to seek status report of removal of encroachments from the department of forest and violation within municipal limit from concerned Executive Officer of municipal committees. The status report should be brought in the meeting to be held in the office of Chief Engineer National Highways on 11.01.2008 at 11.30 A.M at Patiala.

2-2

DA/As above



Superintending Engineer (Roads)
C/o Chief Engineer Punjab
PWD B&R Branch. 9/1/08
Patiala

Inst. No: 5101-03/86 Lt: 9-1-08

A copy of the above along with its enclosures is forwarded to the Executive Engineer, Central Works Division, Bohar/Bathinda/Ferozepur for information & n/action. The status report should be brought in the meeting to be held in the office of Chief Engineer National Highways on 11.01.2008 at 11.30 A.M. at Patiala with copy to this office.

As above.

Superintending Engineer, Central Works Division, Patiala

In the Hon'ble High Court for the States of Punjab &
Haryana
at Chandigarh

COCP No. 165 of 2022

Gaurav Taneja

...Petitioner

Versus

Pardeep Kumar Sabharwal and another

..Respondents

INDEX

Sr No	Particular	Dated	Pages	Court fee
1	Affidavit of reply of Respondent no 1	07.03.22	01-08	---
2	Annexure R-1-Site plan	04.03.22	09	00-65
3	Annexure R-2- Pamphlet	15.04.18	10	00-65
4	Power of attorney	22.02.22	11	2-65

Total; amount of Court fee = Rs Four only) Rs. 04-00

Place: Chandigarh
Dated: 07/03/22

Respondent no 1

Through

Ashok Kumar Bazaz
Advocate
Counsel for Respondent no 1.
P/3045 of 08

In the Hon'ble High Court for the States of Punjab & Haryana
at Chandigarh

COCN No. 165 of 2022

Gaurav Taneja .Petitioner

Versus

Pardeep Kumar Sabharwal and another .Respondents

**Short Reply by way of Affidavit of Pardeep
Kumar Sabharwal, Commissioner, Municipal
Corporation Ludhiana, Respondent No. 1**

I, the above-named Pardeep Kumar Sabharwal do hereby solemnly affirm and declare as under: -

1. That the petitioner in this contempt petition has prayed for action u/s 12 read with section 2(b) of the Contempt of Court Act, 1971 against the respondents for violating the judgement dated 04-10-2008 of this Hon'ble High Court passed in CWP No. 4886 of 2003, Annexure P-10 because the respondents are raising illegal construction in the park area and on the road side.

2. That it is humbly submitted that as per record, prior to the construction of Ludhiana Bypass by the National Highway Authority of India from Sherpur Bye pass Chowk to Jalandhar Bye pass Road, the road connecting the Jalandhar Bye pass and Sherpur Chowk was passing through within the city area was known as G.T.Road. The



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width of the said road except the portion of road passing through within the core area of the city varied in between 200 feet to 225 feet. However, on the construction of Ludhiana Bypass from Jalandhar Bypass to Sherpur Chowk via Basti Jodhewal Chowk and Samrala Chowk by the National Highway Authority of India, the traffic volume on the old G.T.Road considerably reduced. Resultantly, squatters & hawkers started unauthorized use of the unmetalled portion of the road width by placing their wooden Takhats and kiosks for sale of articles. Apart shanties were also erected on katcha portion of the road. In these circumstances, to check the unauthorised use of the public road, the Municipal Corporation vide its resolution no 3207/3 dated 22.10.1999 sanctioned a sum of Rs 49.38 Lacs for development of green spaces and parks on both the sides of the road except on the road portion passing through within the core area of the city as the width of the road was lesser and was touching the building line. It is relevant to mention here that as per section 224/225 of the Punjab Municipal Corporation Act, 1976, all the public streets within the Municipal area vests with the Municipal Corporation and the Municipal Corporation can widen, extend or otherwise improve any such roads. Still further, under section 226 of the PMC Act 1976, the Municipal Corporation can even dispose of the land becoming available on permanently closure of total or part of any street. In this regard, the legal proposition already stands settled by a Division bench of this the Hon'ble High Court on 23.01.2014 while deciding the Civil writ petition filed by Citizen Welfare Society (Regd) versus State of Punjab, As such, the contention of the petitioner that



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Municipal Corporation is constructing a Library by encroaching upon the road portion in violation of the orders of this Hon'ble High Court dated 04.10.2008 and 05.12.2016 passed in CWP no 4886 of 2003 & 4554 of 2016, is on the face of it false and incorrect, therefore, the present contempt petition is liable to be dismissed on this short ground alone.

3. That as per record, for proper management of green spaces and parks, developed on both sides of the impugned metalled road from Vishwakarma Chowk to Sherpur Chowk, the Municipal Corporation vide its Res. No. 2741 dated 29-10-2009 sanctioned a sum of Rs. 12.56 Lakhs and the amount was interalia spent on fencing of the green spaces and parks and other related development works. It is clarified here that the impugned road from Vishwakarma Chowk to Sherpur Chowk is a two-way carriage road and width of each of the way is app. 36 feet wide. Further, on both sides of the road, footpath has been constructed for safety of pedestrians. Still further, there also exists app. 37 feet wide service lane on both the sides for the convenience of the nearby areas and property owners whose properties are situated on this road. The land in between the foot path and service lane for the last app. 25 years is used as green space and parks as shown in the site plan **Annexure R-1**. It is submitted here that since no construction has been raised on any part of the road, therefore, the present contempt petition has been filed maliciously only to harass the law-abiding institution and its officers. It is reiterated here that the two-way carriage and the service lanes of area are intact and no tinkering therewith has been made.



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4. That as per record, Maharana Partap Rajput Sabha (Registered), Ludhiana submitted a request dated 18.04.2017 to allow the applicant to beautify and maintain the small park situated opposite Manju Cinema, Ludhiana. It is relevant to submit here that to involve public participation in the improvement of environment of the city, the Government has formulated a policy in the year 1995, and it was interalia stipulated therein that maintenance of green spaces and parks situated within the Municipal area may be handed over to the Mohalla Associations and other non-Governmental Organizations. In the light of the above stated Govt. policy, the Finance & Contract Committee of the Municipal Corporation vide its resolution no 5139 dated 24.08.2017 resolved to handover the beautification and maintenance of the park to the applicant. Consequently, an agreement dated 22.09.2017, Annexure P-3 was executed in between the applicant Society and the Municipal Corporation. Thereafter, in a public function, which was attended by the Hon'ble Speaker, Punjab Vidhan Sabha, the member of Parliament and Vidhan Sabha representing Ludhiana and Mayor & Councillors of Ludhiana, in a corner of the park, which is app. 290 square meter in area, a statute of Maharana Pratap was installed in the impugned park on 15.04.2018. **Annexure R-2**. Since then, the park is known as "Maharana Partap Park".

5. That Maharana Partap Rajput Sabha (Registered), Ludhiana on 17th March 2020 represented that the Society is largely engaged in the social work and apart from organising blood donation camp, providing free education, medicines and books to poor, the Sabha



also celebrate anniversary of Maharana Pratap every year with great pomp, therefore, to tell the great sacrifices made by Maharana Pratap and other regional warriors, a small piece of land may be allotted for construction of a Library. This request dated 17th March 2020 was considered by Municipal Authorities and after deliberations, it was deemed appropriate that instead of allotting any land to the applicant- Maharana Pratap Rajpoot Sabha (Regd), Ludhiana for construction of Library, the Municipal Corporation may in discharge of its obligatory and discretionary functions not only construct a building for library but as large number of morning & evening walkers and others visit this park, a toilet set may also be constructed for public convenience. In furtherance of this decision, the Finance and Contract Committee of the answering corporation vide its Res. No. 5148 dated 08-11-2021 sanctioned a sum of Rs 14.76 Lac for construction of a library and toilet set. Thereafter, bids were invited from the contractors and finally the Finance & Contract Committee, which is the prescribed authority as provided under section 42(4) of the Punjab Municipal Corporation Act, 1976, vide its resolution no 5892 dated 14.12.2021 approved to award the contract of work of construction of Library to M./s R. K. Construction Company, the lowest bidder. The work order to the contractor was issued on 16.12.2021 and the contractor has since completed the construction work at site. It is also apparent from the site plan, **Annexure R-1** that the building for library and toilet set has been constructed in a corner of the land of park and no portion of the road has been encroached upon as alleged by the petitioner.



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6. That Functions of the Municipal Corporation are defined in Chapter III (Section 43 to 45) of the Punjab Municipal Corporation Act. As per section 43 of the Act, the Municipal Government of the City vests in the Corporation. Further, a bare reading of section 44 (l and q) and 45 (b) of the P.M.C.Act 1976, which reads as follows:-

(i) " the construction, maintenance, alteration and improvements of public streets, bridges, culverts, causeway and the like " ;

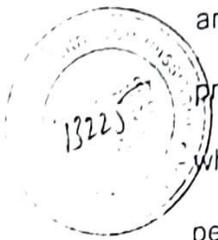
(ii) " the laying out or the maintenance of public parks, gardens or recreation grounds" ; and

(iii) " the establishment and maintenance of, and aid to libraries, museums, art galleries, botanical or zoological collections "

It is thus apparent that the Municipal Corporation has constructed the building for library in discharge of its prescribed functions.

7. That the Manju Cinema is not operative for the last many years and this fact has not been disclosed by the petitioner. Further, the present contempt petition is not maintainable as there is not even a whisper in the contempt petition that petitioner is a public-spirited person and that the answering respondent has connived with any encroacher of the public land. Hence the petitioner has no right to file the present contempt petition.

8. That a conjoint reading of section 4 and 431 of the Punjab Municipal Corporation Act 1976 shall lead to irretrievable conclusion that the land falling within the Municipal Corporation limits shall be administered as per the provisions of the Punjab Municipal Corporation Act 1976. The Municipal Corporation in exercise of the



powers conferred on it under the Punjab Municipal Corporation Act 1976 has long back reduced the width of the old G.T.Road and the land becoming so available to the knowledge of the petitioner was developed as green spaces and parks, therefore, the land ceases to be part of the road. Hence, the contention of the petitioner that the disputed land has been shown as " Gair Mumkin Road" in the revenue record, therefore, the Municipal Corporation is encroaching upon the public road, is perse erroneous and unlawful and liable to be outrightly rejected.

In view of the above stated facts, it is respectfully submitted that the present Civil Original Contempt Petition may kindly be dismissed and the rules discharged, please.

Place: Ludhiana
Dated: 07.03.22

Verified that the Affidavit has been read over & explained to the deponent..... Who seemed perfectly to understand the same at the time of making thereof

~~DEPONENT~~

Verification:



Verified that the contents of para-No. 1 to 8 of my affidavit are true and correct to my knowledge and best belief as derived from the official record. No part of it is false and nothing has been kept concealed therein.

Place: Ludhiana

Attested By
Gurpreet Kaur, Advocate
912
Oath Commissioner, Ludhiana.

~~DEPONENT~~

I identify that I know the deponent personally & the same has signed the affidavit in my presence

11 MAR 2022

Swafidh karani
ID No. 7194.
Davit. D.T.P

Annexure R-2 (10)

Jai Deva

Jai Rajputana

Maharana Pratap Rajpoot Sabha (Rajd.)
LUDHIANA

cordially invites you to attend the

Murti Sthapana Mahotsav

(CONSECRATION CEREMONY)

OF

Veer Shiromni MAHARANA PARTAP JI



at Maharana Pratap Park
Near Dholewal Chowk, Ludhiana

On Sunday, 15th April, 2018
FROM 10:00 AM TO 12:00 NOON

- Sh. K. P. Rana
(Honorable Speaker)
- Sh. Sanna Parmar
(Member of Parliament)
- Sh. Balkar Singh Sandhu
(Mayor, Ludhiana)
- Sh. Bharat Bhushan Ashu
(M.L.A., Ludhiana)

- Special Guests:-
- Sh. Surinder Dawar
(M.L.A.)
- Sh. Iqbal Singh (Sonu)
(Councillor)
- Sh. Harcharan Singh Gohlwadia
(Ex. Mayor, Ludhiana)
- Sh. Dimpal Rana
(Ex. President, Youth Congress)
- Thakur Vishwanath Singh
(Ex. President, Prayassi Bhalai Board)

Contact: 98727-09094, 98142-42025, 98726-22924, 76967-53459, 98761-09373, 98141-16558