

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

AFFIDAVIT  
(In O.A. No. 330 of 2024)

Public Action Committee & ors. .... Applicants

vs.

State of Punjab & ors. .... Respondents

Affidavit of Er. Kapil Dev (aged 48 years) s/o Sh. Jagdish Chander, r/o  
186-E, BRS Nagar, Ludhiana.

RESPECTFULLY SHOWETH:

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

1. That the deponent is Applicant No. 2 (in person) and is filing  
objections before this Hon'ble National Green Tribunal against the  
Reply submitted by MC, Batala as well as depicting actual and  
factual condition of Solid waste dumped at impugned locations as  
on date too.



7645

2. That the contents of Para no. 1 to 6 of the Objections dated 12-09-  
2024 along with Annexures are true to best of my knowledge.

Place: Ludhiana  
Dated: 12.09.2024

Certified that the affidavit SPA/GPA  
has been readover & explained to the  
deponent/executant who seemed directly  
to understand the matter at the writing

*[Signature]*  
DEPONENT

Verification:

Verified that the contents of para 1 and 2 of this affidavit are  
true and correct. No part of it is false, and nothing material has been  
kept concealed therefrom.

Place: Ludhiana  
Dated: 12.09.2024

ATTESTED AS IDENTIFIED  
NOTARY PUBLIC, LUDHIANA (PP)

*[Signature]*  
DEPONENT

Verified that the deponent  
has signed before me I know  
him/her personally

12 SEP 2024

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

(In Original Application No. 330 of 2024)

Public Action Committee & ors. .... Applicants

Vs.

State of Punjab & ors ..... Respondents

Subject: Objections to additional reply dated 17<sup>th</sup> July 2024 as submitted before this Hon'ble Tribunal by Respondent Municipal Commissioner of Batala – the Garbage is still contaminating the Kasoor Drain as well as Environment as cleaning done by the Respondent is mere an eyewash.

Hon'ble sir,

Respectfully Sheweth,

The Applicants humbly submit as under:

1. That the Municipal Corporation Batala has submitted one additional dated 17<sup>th</sup> July 2024 claiming that the locations have been cleaned by the department whereas the actual facts is, the garbage is still being dumped on daily basis in Kasoor Nallah (Drain) as well as on roadsides and in open plots. Further, the garbage is found to be burnt any many such locations too. 22 Photographs depicting

miserable condition of Kasoor Nallah as well as actual and factual condition of Solid Waste Management in Batala are produced herewith as **Annexure P-10**.

2. That the SDM, Batala also holding the charge of Commissioner, Municipal Corporation, Batala has appeared virtually and informed that there was some dispute with the contractor's employees engaged for clearing the solid waste and that dispute has been resolved by directly employing them by the Municipal Corporation Batala but the appointment orders could not be issued on account of model code of conduct and as soon as the model code of conduct is lifted on 06th of June 2024, the appointment orders will be issued. She had submitted that on the basis of understanding so arrived at the workers have started their work of clearing the solid waste. However, now the MC Batala in additional reply is taking the excuse of Strikes again.
3. That the Hon'ble Supreme Court has expressed serious concerns about the increasing plastic pollution in river banks and water bodies which is affecting aquatic life. The dumping of plastic is causing serious environment degradation and also impacting aquatic life. It is pertinent to humbly submit here that Government of Punjab had banned Single Use Plastic in the year 2016 but such banned plastic can be seen dumped everywhere in Batala and the PPCB as well as MC, Batala both have failed to act on implementing the rules.
4. That MC Batala has never taken any steps to prevent the dumping of garbage in water body and it is clear from the photographs

produced in the Annexure P-9 that the no efforts have been made by the MC Batala to plant saplings of trees or wire mesh grills on sides of bridges or Banks of Kasoor Drain to create curtain in order to prevent dumping of garbage in it.

5. That the Irrigation Department has never marked No Activity Zone along the Drain to prevent illegal Rehri market on Banks of the Kasoor Drain. It is pertinent to humbly submit here that the cleaning of bed of drains also comes under the lawful duty of Irrigation Department. However, the Irrigation department is silent on the issue and has taken no steps to clean the bed of the drain.
6. That the Solid Waste Generated by Municipal Corporation Batala in 2021 was 55MT which must have increase too. However, the MC Batala has not disclosed the capacity of each remediation plant in its reply till date.

Keeping in view of the present conditions of present conditions of Solid Waste Management by the Respondents, the Applicants humbly pray the Hon'ble Tribunal to kindly issue orders as prayed in the original Application as deem fit as per the facts and circumstances produced above.

Date: 12-09-2024  
Place: Ludhiana



Er. Kapil Dev  
(Petitioner No. 2)

ANNEXURE P-10





















