

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

Original Application No.: 980/2019

IN THE MATTER OF:

Harminder Singh & Ors.

...APPLICANTS

VERSUS

Union of India & Ors.

.... RESPONDENTS

N.D.O.H. : 02/07/2021  
L.D.O.H. : 20/05/2021

INDEX

| S NO. | PARTICULAR   | PAGE NO. |
|-------|--|----------|
| 1.    | OBJECTIONS ON BEHALF OF APPLICANTS TO THE REPORT FILED BY THE MONITORING COMMITTEE IN COMPLIANCE OF ORDER DATED 24.02.2021 PASSED BY THIS HON'BLE TRIBUNAL ALONG WITH AFFIDAVIT. | 2 - 22   |
| 2.    | Appendix-A<br>Various Google images/ superimposed with actual area maps.   | 23 - 27  |

(A.R. TAKKAR, SHRIYA TAKKAR, AMARJEET KUMAR, UNNATI ANAND

AND SYASHU PESSWANI)

ADVOCATES

ARTLO

# A-25/12, DEODAR MARG, DLF PHASE -1,

GURGAON - 122002

CLERK: 9582209633

Email ID: [artakkar@artlo.in](mailto:artakkar@artlo.in)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, AT NEW DELHI.**

Original Application No.: 980/2019

**IN THE MATTER OF:**

Harminder Singh &amp; Ors.

APPLICANTS

**VERSUS**

Union of India &amp; Ors.

.... RESPONDENTS

**SYNOPSIS**

1. That the Applicants had filed an Original application (980/2019) titled as Harminder Singh & Ors. Vs. Union of India & Ors raising substantial questions relating to Environment and man-made damage to the natural flow of river Sisvan by way of filling up and closing a part of it in village Bharounjian and diverting it at another place nearby in village Kansala, Sub Tehsil Majri, District SAS Nagar, Mohali by M/s. Omaxe ( R/9 and R/10) out of sheer greed in order to build their Group Housing Project "The Lake" and its residential township Phase 1 & its Club , throwing all cautions and rule of law to winds and in this huge environmental damage, which has caused massive flooding in the area damaging the crops and other properties of the villagers, the government agencies/officers concerned have fully connived and their involvement is writ large on the face of this Environmental degradation.
2. That the Applicant herein had filed its objections dated 23.02.2021 to the to the report dated 03.02.2021 submitted by JOINT COMMITTEE COMPRISING OF CPCB, IIT ROORKEE AND STATE PCB and also to the report dated 12.11.2020 filed by Chief Secretary of Punjab. That the Applicant herein had filed the objections particularly highlighting the fact that the report dated 03.02.2021 as well as the report dated 12.11.2020 had failed to take into consideration the illegal acts of the Respondent Builder in Village Kansala.

3. That it is in the humble submission of the Applicant herein that the based on the last objections dated 23.02.2021 filed by the Applicant herein (wherein the Applicant had clearly pointed out the omission of village Kansala by the Joint Committee), this Hon'ble Tribunal had directed the Monitoring Committee vide order dated 24.02.2021 to visit the site and examine the matter. That the last order dated 24.02.2021 passed by this Hon'ble Tribunal though not specifically mentioned but was in respect to both village Bharounjian and village Kansala.
4. That due to non-specification of village Bharounjian and Kansala in the last order dated 24.02.2020, the Monitoring Committee was unclear and thus failed to visit village Kansala in order to determine the illegal acts of the Respondent in village Kansala. It is submitted that the Applicant herein is also presuming that due to paucity of time or due to the prevalent Covid-19 situation, the Monitoring Committee was unable to visit village Kansala and determine the situation at site in village Kansala and hence the report has no mention about the same.
5. That in compliance of the order dated 24.02.2021 passed by this Hon'ble Tribunal, a report by the Monitoring Committee has been submitted on 27.04.2021. The perusal of the aforesaid findings and recommendations as stated by the Monitoring Committee in its report dated 27.04.2021, without any doubt demonstrates and substantiates that Omaxe for this project of theirs have played havoc with the topography and natural flow of the river Siswan and by blocking it/changing its course have raised construction of this project, which is completely illegal and highly damaging to the environment and the biodiversity/aquatic life (flora and fauna) in the area, apart from the entire area having become susceptible to high flooding which has caused damage to the houses of the villagers and crops being sown in their lands in the vicinity where these changes in the natural flow of river have been made by Omaxe and is a big threat for the future as well.

6. That it is in the humble submission of the Applicant herein that the report filed/submitted by the Monitoring Committee is very appropriate and satisfactory with respect to the findings in village Bharounjian and has rightly pointed out the acts of the Respondent Builder in interfering with the normal flow of river Sisvan and closing a part of it whereas the diverting another part of the river causing enormous environmental damage as well as total flooding of the area at village Bharounjian. However, it is submitted that the same does not have any mention about the illegal acts of the Respondent Builder in village Kansala.
7. That since the inception of this Appeal, the Applicant has been pressing upon the fact that the illegal acts of the Respondent Builder are not limited to village Bharounjian but also extend to village Kansala.
8. That the Applicant herein is filing the present Objection to the report dated 27.04.2021 that this Hon'ble Tribunal may be pleased to direct the Monitoring Committee to visit village Kansala and take examine the actual on site situation at village Kansala.

  
(A.R. TAKKAR, SHRIYA TAKKAR, AMARJEET KUMAR, UNNATI ANAND

  
AND SYASHU PESSWANI)

ADVOCATES  
ARTLO  
# A-25/12, DEODAR MARG, DLF PHASE -1,  
GURGAON - 122002  
CLERK: 9582209633  
Email ID: [artakkar@artlo.in](mailto:artakkar@artlo.in)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, AT NEW DELHI.**

Original Application No.: 980/2019

**IN THE MATTER OF:**

Harminder Singh &amp; Ors.

APPLICANTS

**VERSUS**

Union of India &amp; Ors.

.... RESPONDENTS

**OBJECTIONS ON BEHALF OF APPLICANTS TO THE REPORT FILED BY THE  
MONITORING COMMITTEE IN COMPLIANCE OF ORDER DATED 24.02.2021 PASSED  
BY THIS HON'BLE TRIBUNAL ALONG WITH AFFIDAVIT.****BACKGROUND:**

1. That the Applicants had filed an Original application (980/2019) titled as Harminder Singh & Ors. Vs. Union of India & Ors raising substantial questions relating to Environment and man-made damage to the natural flow of river Sisvan by way of filling up and closing a part of it in village Bharounjian and diverting it at another place nearby in village Kansala, Sub Tehsil Majri, District SAS Nagar, Mohali by M/s. Omaxe ( R/9 and R/10) out of sheer greed in order to build their Group Housing Project "The Lake" and its residential township Phase 1 & its Club, throwing all cautions and rule of law to winds and in this huge environmental damage, which has caused massive flooding in the area damaging the crops and other properties of the villagers, the government agencies/officers concerned have fully connived and their involvement is writ large on the face of this Environmental degradation.
2. That the Hon'ble National Green Tribunal vide its order dated 25.09.2019 constituted a committee of Additional Chief Secretary, Housing and Urban Development Punjab, Secretary Irrigation Department Punjab and SEIAA

Punjab to submit factual and action taken report through SEIAA Punjab as nodal agency.

3. That the Committee submitted its report to the Hon'ble National Green Tribunal through SEIAA Punjab on 05.12.2019 with the following recommendations:

***I. GMADA will construct culverts at point A for passing 2000 cusecs of water and at point B for passing of 2650 cusecs of water after vetting drawings from the Water Resources Department.***

*II. M/s Omaxe Chandigarh Extension Developer Pvt. Ltd. shall remove the debris from the water way of the natural drain and restore the Level of the land to the original level. GMADA shall ensure the compliance of the notice issued by it.*

*III. M/s Omaxe Chandigarh Extension Developer Pvt. Ltd shall protect the left side of creek of the reach adjoining to The Lake' Project and the left edge of the road from point A to B along the creek with the help of stone pitching as per the undertaking 22/10/2019 submitted by it. GMADA and Water Resource Department shall ensure the compliance of the same.*

4. That the Applicants herein thereafter filed Objections dated 10.02.2020 to the report dated 05.12.2019 submitted by SEIAA Punjab before this Hon'ble Tribunal. It is submitted that through the objections dated 10.02.2020, the Applicants pointed out that the Report fails to acknowledge relevant factual matrix and was not comprehensive and an incomplete report contrary to the directions by this Hon'ble Tribunal in its order dated 25.09.2019. The report did not comply with the directions of the Tribunal and the grievance of the Applicants in its true spirit and substance.

5. That thereafter, this Hon'ble Tribunal in the light of the report submitted by SEIAA Punjab and the objections dated 10.02.2020 filed by the Applicants herein, inter alia ordered on 03.03.2020:

***"The State PCB may assess and recover compensation on 'Polluter Pays' principle. The GMADA may also enforce its directions in letter dated 28.03.2014, Annexure B-1 to the report. The Committee may look into the issue of diversion of river at village Kansala which has not been gone into so far. Illegal filling up of the river and raising illegal construction and remedial action be also examined by the Committee. The illegal construction may either have to be removed or compensation assessed and recovered. For this purpose, representatives of the Central Pollution Control Board (CPCB), IIT Roorkee and the State PCB will be a separate Committee. The nodal agency for compliance and coordination would be the State PCB."***

6. That a report in view of the above directions was submitted before this Hon'ble Tribunal by the Chief Engineer, Drainage Punjab through SEIAA on 08.09.2020, which stated as below:

***"The flow of the creek passing through the pipe culverts near 'The Lake' project again returns to the right side and runs through the old bed of river and flows downstream. At present, there is no obstruction in the natural flow of the river near village Kansala."***

7. That this Hon'ble Tribunal in view of the report dated 08.09.2020 submitted by the Chief Engineer, Drainage Punjab through SEIAA and in view of the submissions made by the Applicants herein on 01.10.2020, ordered:

*"4. Learned Counsel for the applicants submits that the above report does not show compliance of the order of this Tribunal. Mere statement that the flow of the river is not obstructed is not adequate and is in conflict with the earlier reports referred to in the order dated 03.03.2020. It is also pointed out that the matter has been dealt with only by the Executive Engineer of the Water Resources Department, without involvement of other concerned Departments, including GMADA, Housing and Urban Development Department, the Environment Department and the Irrigation Department.*

*5. In view of above, we direct the Chief Secretary, Punjab to call a meeting of the concerned departments viz. GMADA, the Housing and Urban Development Department, the Irrigation Department, and the Environment Department within one month to look into the matter and take remedial action and furnish a report after taking information from all the said departments within three months by e-mail at [judicialngt@gov.in](mailto:judicialngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."*

8. That consequently in part compliance of the order of this Hon'ble Tribunal, an action taken report had been filed by Chief Secretary of Punjab dated

12.11.2020. However, the same in fact appeared to be made to help the wrong doers as it was not in compliance with the order dated 01.10.2020 passed by this Hon'ble Tribunal. The report was not comprehensive and non-compliant in all its major aspects. The report failed to acknowledge important factual aspects that have and are causing damage to the natural flow of river Sisyan.

9. That in compliance of the order passed by this Hon'ble Tribunal on 03.03.2020, a report dated 03.02.2021 had been submitted by JOINT COMMITTEE COMPRISING OF CPCB, IIT ROORKEE AND STATE PCB. That the relevant recommendations of the committee were as follow:

*13(a) Provided two pipes each of 5 ft diameter at the crossings of the river Siwan with the project road at Points A and B are not adequate and would inundate the area towards west side of the project road even during moderate flow in the river. Such obstruction in flow may divert the main channel and the river may follow a straight path in future which would cause erosion of the agricultural land. **To avoid such damage is recommended that culverts of suitable size be constructed both the points A & B.** The concerned Dept, may engage some expert agency to carry out study to design the culverts and the cost of the construction of the culverts shall be levied from M/s Omaxe Chandigarh Extension Developers Pvt. Ltd.*

*13(b) The course of the river and Choe at their confluence have been shifted towards north and the left food plain of the Choe and Siswan river have also been encroached near the confluence. **To avoid the environmental damage in future, the***

*committee recommends that the course of the river shall be restored to its original course as it was before the construction of the project. Alternatively, a suitable section of the Siswan river from Point A to B and the Choe from the Culvert on the Chandigarh-Kurali road to its confluence with Siswan river be excavated and debris be cleared so that flood water can be contained in the channelized section of the river and the Choe to avoid inundation and soil erosion in the nearby area. The concerned Dept. may engage some expert agency to carry out study to fix the size of the section of the river and the Choe. The cost towards the restoration or the channelization including land cost is required to be borne by M/s Omaxe Chandigarh Extension Developers PL Ltd.*

10. That the Applicants herein thereafter filed Objections dated 23.02.2021 to the report dated 03.02.2021 submitted by JOINT COMMITTEE COMPRISING OF CPCB, IIT ROORKEE AND STATE PCB and also to the report dated 12.11.2020 filed by Chief Secretary of Punjab. It is submitted that through the objections dated 23.02.2021, the Applicants pointed out that the Reports failed to acknowledge relevant factual matrix and were not comprehensive and an incomplete report contrary to the directions by this Hon'ble Tribunal in its line of orders. The reports did not comply with the directions of the Tribunal and the grievance of the Applicants in its true spirit and substance.

11. That thereafter, this Hon'ble Tribunal in the light of the report submitted by JOINT COMMITTEE COMPRISING OF CPCB, IIT ROORKEE AND STATE PCB dated 03.02.2021 and the report dated 12.11.2020 filed by Chief Secretary

of Punjab dated and the objections dated 23.02.2021 filed by the Applicants herein, inter alia ordered on 24.02.2021:

The applicant has filed objections to the effect that Environmental Clearance (EC) was granted without taking into account the fact of Siswan River passing through the project. There is diversion of the natural flow of the river to raise constructions. The report does not address the problem fully. Construction of bridge at point B will not solve the problem. There is need to make culverts at points A and B as contemplated in the earlier order of this Tribunal. There is need to restore the area affected by the illegal diversion of the river flow. **The builder has filled up the course of the River and raised construction in the River bed in village Bharoujian and Kansala, resulting in irreversible damage to the environment.**

We have duly considered the matter and also heard the representative of the State. The Builder in question, has also put in appearance. We have also considered the application filed by another builder-company, the PCB Real Estate Pvt. Ltd. seeking direction to restore the River Siswan which has been illegally obstructed affecting the inhabitants.

**We find that since there is change of the natural course of River Siswan by the Builder and the SEIAA while granting EC failed to even consider this aspect, satisfactory remedial action has to be taken.** While we appreciate the efforts of the Chief Secretary in personally intervening in the matter, the remedy provided does not adequately address the problem. Mere construction of bridge may not be a solution in the circumstances. There is need to further examine the matter with the assistance of an independent Committee which may also visit to the site.

Accordingly, without expressing final view at this stage, we request the Committee headed by Justice Jasbir Singh, former Judge of Punjab and Haryana High Court (constituted to

oversee certain environmental issues in the State of Punjab) to look into the matter after undertaking visit to the site and suggest remedial measures. The Committee will be at liberty to take technical assistance from any other experts/institutions and also consider the viewpoint of the rival parties, including concerned Departments. The Committee may give its report preferably by 30.04.2021 and also upload the same on website of PPCB simultaneously so that the concerned parties/Departments and the Chief Secretary, Punjab can access the same for further course of action, unless there are objections to the report in which case the Tribunal will resolve the issue. The report may be filed by e-mail at [judicialngt@gov.in](mailto:judicialngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

12. That a report in view of the above directions has been submitted before this Hon'ble Tribunal by the Monitoring Committee on 27.04.2021, which states as below:

CONCLUSIONS AND RECOMMENDATIONS OF THE MONITORING COMMITTEE:

1. The perusal of the Google earth images of the year 2003, 2006 and 2009 indicate that Siswan river had maintained its part of natural flow in the form of creek within its bed and was reaching to point-A and after crossing the road path way, it confluences with the natural drain / choe (a tributary of Siswan river) passing through the village Bharounjian. After mixing both the creek of river Siswan and natural drain, the combined stream was again entering into river Siswan after crossing the road at point B. All the said features showing the natural drainage system of the area have been mentioned in figure-1 as shown above in aforesaid para.

But now the natural drainage system of the area has been disturbed by M/s Omaxe Chandigarh Developers Pvt Ltd and 2 pipes each of diameter 5' (though these pipes were also not adequate to cater the flow of 2000 cusec), provided at point-A, have been removed and the

creek water is stagnating near point A whereas, during the pendency of the case in the Hon'ble National Green Tribunal, no such deviations in the system could have been made. It has been expressed by the Department of Water Resources that during floods in Siswan river, flow shall be maintained within the river bed. However, no natural drainage system of any area can be disturbed to maintain the balance between environment and ecosystem.

Therefore, the Monitoring Committee recommends that GMADA, SAS Nagar shall construct well designed culvert having adequate span to, pass 2000 cusec of water underneath VR-6 road at point-A, for which necessary design and drawing shall be provided by Department of Water Resources within 01 month and culvert may be constructed by GMADA under the supervision of Department of Water Resources within 04 months. The cost of construction of culvert shall be borne by M/s Omaxe Chandigarh Extension Developers Pvt. Ltd. for which M/s Omaxe Chandigarh Extension Developers Pvt. Ltd has already submitted their consent for construction of these culvert bridges vide letter No OCEDPL/DIR 2019-1, dated 22.10.19.

2. After confluence of creek of Siswan river and natural drain (a tributary of Siswan river), it is crossing VR-6 road at point-8, where the discharge of water shall be 2650 cusec, as mentioned by Department of Water Resources. Therefore, a culvert at point B having adequate span length, to pass 2650 cusec a water, for which the necessary design and drawing shall be provided by the Department of Water Resources within 01 month, shall be constructed by GMADA within 04 months under the supervision of Department of Water Resources. The cost of construction of culvert may be borne by M/s Omaxe Chandigarh Extension Developers Pvt. Ltd for which M/s Omaxe Chandigarh Extension Developers Pvt. Ltd has already submitted their consent for construction of these culvert bridges vide letter No OCEDPL/DIR 2019-1, dated 22.10.19.

3. *Natural drain (a tributary of Siswan river) passing through village Bharounjian and near "The Lake Project" (developed by M/s Omaxe Chandigarh Extension Developers Pvt. Ltd.), may be brought to its original course by M/s Omaxe Chandigarh Developers Pvt Ltd by removing debris/ construction material and other obstructions created within the water way of natural drain. Its embankments and bed may be restored to its original level. The said works may be completed by M/s Omaxe Chandigarh Developers Pvt Ltd within 03 months.*
4. *The wastewater of village Bharounjian and other adjoining villages may be treated adequately as per the design of Thapar model or Seechewal model by the Department of Rural Development and Panchayat within 04 months and the treated sewage may be utilized for irrigation of the nearby fields.*
5. *M/s Omaxe Chandigarh Extension Developers Pvt. Ltd. shall protect both sides of the creek of the reach adjoining to "The Lake Project" (developed by M/s Omaxe Chandigarh Extension Developers Pvt. Ltd.). GMADA and Department of Water Resource shall get compliance of the same.*
6. *The management of M/s Omaxe Chandigarh Extension Developers Pvt. Ltd. shall clean, desilt and maintain natural drain/ choe passing through their project and ensure its free flow in the drain without any obstruction even during flood in drain.*

13. The perusal of the aforesaid findings and recommendations as stated by the Monitoring Committee in its report dated 27.04.2021, without any doubt demonstrates and substantiates that Omaxe for this project of theirs have played havoc with the topography and natural flow of the river Siswan and by blocking it/changing its course have raised construction of this project, which is completely illegal and highly damaging to the environment and

the biodiversity/aquatic life (flora and fauna) in the area, apart from the entire area having become susceptible to high flooding which has caused damage to the houses of the villagers and crops being sown in their lands in the vicinity where these changes in the natural flow of river have been made by Omaxe and is a big threat for the future as well.

14. That it is in the humble submission of the Applicant herein that the report filed/submitted by the Monitoring Committee is very appropriate and satisfactory with respect to the findings in village Bharounjian and has rightly pointed out the acts of the Respondent Builder in interfering with the normal flow of river Sisvan and closing a part of it whereas the diverting another part of the river causing enormous environmental damage as well as total flooding of the area at village Bharounjian. However, it is submitted that the same does not have any mention about the illegal acts of the Respondent Builder in village Kansala.

15. That it is pertinent to mention herein that the last order dated 24.02.2021 passed by this Hon'ble Tribunal though not specifically mentioned but was in respect to both village Bharounjian and village Kansala. That due to non-specification of village Bharounjian and Kansala in the last order dated 24.02.2020, the Monitoring Committee was unclear and thus failed to visit village Kansala in order to determine the illegal acts of the Respondent in village Kansala. It is submitted that the Applicant herein is also presuming that due to paucity of time or due to the prevalent Covid-19 situation, the Monitoring Committee was unable to visit village Kansala and determine the situation at site in village Kansala and hence the report has no mention about the same.

**16. That the illegal actions of Omaxe in terms of construction is not limited to village Bharounjian but also extends to village Kansala. That river Sisvan**

further down flows to the village Kansala, and the Google images taken from the year 2003 till 2018 again demonstrate and substantiate the usurpation/expropriation of river Siswan by Omaxe in order to construct their club and other parts of this township. If the images dated 22<sup>nd</sup> of November 2003, 2<sup>nd</sup> of October, 2006, 17<sup>th</sup> of August, 2007 are perused there is a clear course of the river shown which while coming downstream from the left side of the photograph goes meandering and takes a turn towards left and goes straight and takes a sharp turn towards right to further go down to take another left and flow onwards. If the image of 30<sup>th</sup> of April, 2009 is perused, it shows that Omaxe had started filling up the course of the river from where it takes a sharp turn right and the image dated 16<sup>th</sup> of December, 2012 thereafter shows that portion of the river eliminated completely and where existed the natural flow of the river, now construction is shown along with a boundary wall which in fact is the club and other plotted colony being constructed for the township.

**17. That it is important and extremely relevant to point out here that the report submitted by the Monitoring Committee is incomplete only to the point that it fails to consider the relevant area of the village Kansala where Omaxe has systematically over the years diverted the natural flow of the river in order to raise construction of their clubhouse and other plotted colony, the complete detail of which has been demonstrated along with Google images from the relevant years. For the kind perusal of this Hon'ble Tribunal the Applicants are attaching hereto as Appendix-A, various Google images/ superimposed with actual area maps, perusal of which would bring home the actual area where river flow has been diverted and construction raised by filling up the riverbed in village Kansala.**

**18. Therefore, it is humbly submitted by the Applicant herein that the change in the flow of the river near village Kansala is attributable to the illegal acts of**

construction of the Respondent Builder in village Kansala, which has caused extensive damage to the environment by diverting the natural course of the river, filling up the riverbed and raising illegal construction. The Monitoring Committee due to reasons unknown has not taken into consideration the illegal construction by the Respondent Omaxe in village Kansala and it is thus humbly prayed that the same needs to be investigated and remedial actions taken as well as imposition and recovery of heavy environmental compensation.

19. That it is pertinent to mention herein that the Applicants in the OA as well as the earlier objections dated 10.02.2020 and 23.02.2021 have clearly pointed out that the illegal actions of the Respondent Builder is not limited to Bharounjian but also extends to village Kansala. That further in the order dated 0303.2020, this Hon'ble Tribunal had clearly directed the Committee to look into the issue of diversion of river at village Kansala which has not been gone into so far. That despite the aforesaid directions of this Hon'ble Tribunal and the various objections raised by the Applicants herein, all of the committees formed by this Hon'ble Tribunal have failed to take into consideration village Kansala. It is submitted that till date no report filed before this Hon'ble Tribunal talks about the illegal construction by the Respondent Builder in village Kansala.

20. That it is in the humble submission of the Applicant herein that the based on the last objections dated 23.02.2021 filed by the Applicant herein (wherein the Applicant had clearly pointed out the omission of village Kansala by the Joint Committee), this Hon'ble Tribunal had directed the Monitoring Committee vide order dated 24.02.2021 to visit the site and examine the matter. That has already mentioned in the preceding paragraphs that the last order dated 24.02.2021 passed by this Hon'ble Tribunal though not specifically mentioned but was in respect to both village Bharounjian and

village Kansala. That due to non-specification of village Bharounjian and Kansala in the last order dated 24.02.2020, the Monitoring Committee was unclear and thus failed to visit village Kansala in order to determine the illegal acts of the Respondent in village Kansala.

21. That it is humbly prayed by the Applicant herein that this Hon'ble Tribunal may be pleased to grant some time to the Monitoring Committee and direct them to visit village Kansala and take into consideration the illegal acts of the Respondent Builder in village Kansala.

Therefore, in view of the averments made hereinabove it is respectfully prayed that the facts stated in the written submissions and objections to the reports by the Applicants may kindly be taken on record for just and proper adjudication of this matter.

Through

(A.R. TAKKAR, SHRIYA TAKKAR, AMARJEET KUMAR, UNNATI ANAND

& SYASHU PESSWANI)

ADVOCATES

ARTLO

# A25/12,

DEODAR MARG, DLF PHASE -1,

GURGAON - 122002

SR. CLERK: 9582209633

Email ID: [artakkar@artlo.in](mailto:artakkar@artlo.in)

BEFORE THE NATIONAL GREEN TRIBUNAL AT NEW DELHI.

19

Original Application No. of 2019

IN THE MATTER OF:

HARMINDER SINGH & ANR

...APPLICANT

VERSUS

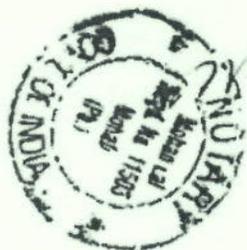
UNION OF INDIA & ORS.

...RESPONDENTS

Affidavit Of Harminder Singh S/o Sh.  
Ajmer Singh Aged About 48 Years, R/o  
Village, Bharunjian, SAS Nagar, (Mohali)  
Punjab

I, the above named deponent do hereby solemnly affirm  
and state as under:

1. That the above titled accompanying Objections has been drafted under the authority and instructions of the deponent and after perusing its contents, the deponent has duly signed it, and the contents of paragraph Nos. 1 to thereof are true and correct to the knowledge of the deponent, and the same may be read as contents of this affidavit also, which are not being reproduced for the sake of brevity. No part of it is false and nothing material has been kept concealed therefrom.



HARMINDER SINGH

2. That the annexures attached with the accompanying 20  
Objections are true Copies of their Respective originals.

PLACE:

DATE:

VERIFICATION:

It is stated in this Affidavit that the contents of the same have been explained to the deponent/ executants He/She has admitted the same to the extent. The deponent/ executant has signed the affidavit before me on this date. Page no. 15/194/28/6/21 Notary (Govt. of India) Mohali

DEPONENT  
SH HARINDER SINGH

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

PLACE: Mohali/Ma

DATE: 28-6-2021

DEPONENT  
SH HARINDER SINGH

Attested As Identified  
MUHAN LAL  
NOTARY (GOVT. of India,  
Mohali (P.O.))

Mohan Lal  
28/6/21



BEFORE THE NATIONAL GREEN TRIBUNAL AT NEW DELHI.

Original Application No. of 2019

IN THE MATTER OF:

HARMINDER SINGH & ANR

...APPLICANT

VERSUS

UNION OF INDIA & ORS.

...RESPONDENTS

Affidavit Of Manjinder Singh S/o Sh  
Ajmer Singh Aged About 51 Years, R/o  
H no-26, Sector- 20-A, Chandigarh.

I, the above named deponent do hereby solemnly affirm  
and state as under:

1. That the above titled accompanying Objections has been drafted under the authority and instructions of the deponent and after perusing its contents, the deponent has duly signed it, and the contents of paragraph Nos. 1 to thereof are true and correct to the knowledge of the deponent, and the same may be read as contents of this affidavit also, which are not being reproduced for the sake of brevity. No part of it is false and nothing material has been kept concealed therefrom.



A handwritten signature in black ink, appearing to read "Manoj Lal".

2. That the annexures attached with the accompanying  
Objections are true Copies of their Respective originals

PLACE:

Ent. contents of this Affidavit  
has been

DATE:

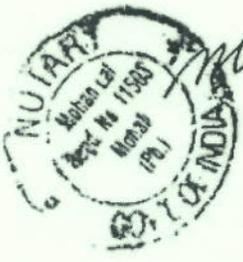
Executed

DEPONENT

VERIFICATION:

Page no N.P.D. 493/286/21  
Notary (Govt of India) Mohali

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



PLACE:

Mohali/Masssi

DATE:

28-6-2021

DEPONENT

ATTESTED AS IDENTIFIED  
MOHAN LAL  
NOTARY (Govt. of India,  
Mohali (Punjab))  
28/6/21



ACTUAL  
SISWAN  
RIVER  
COURSE AS  
PER GOOGLE  
IMAGE ON  
16/12/2012

RIVER COURSE SHOWN IN OMAXE LAYOUT

ACTUAL RIVER  
DIVERSION AREA /  
EFFECTED AREA

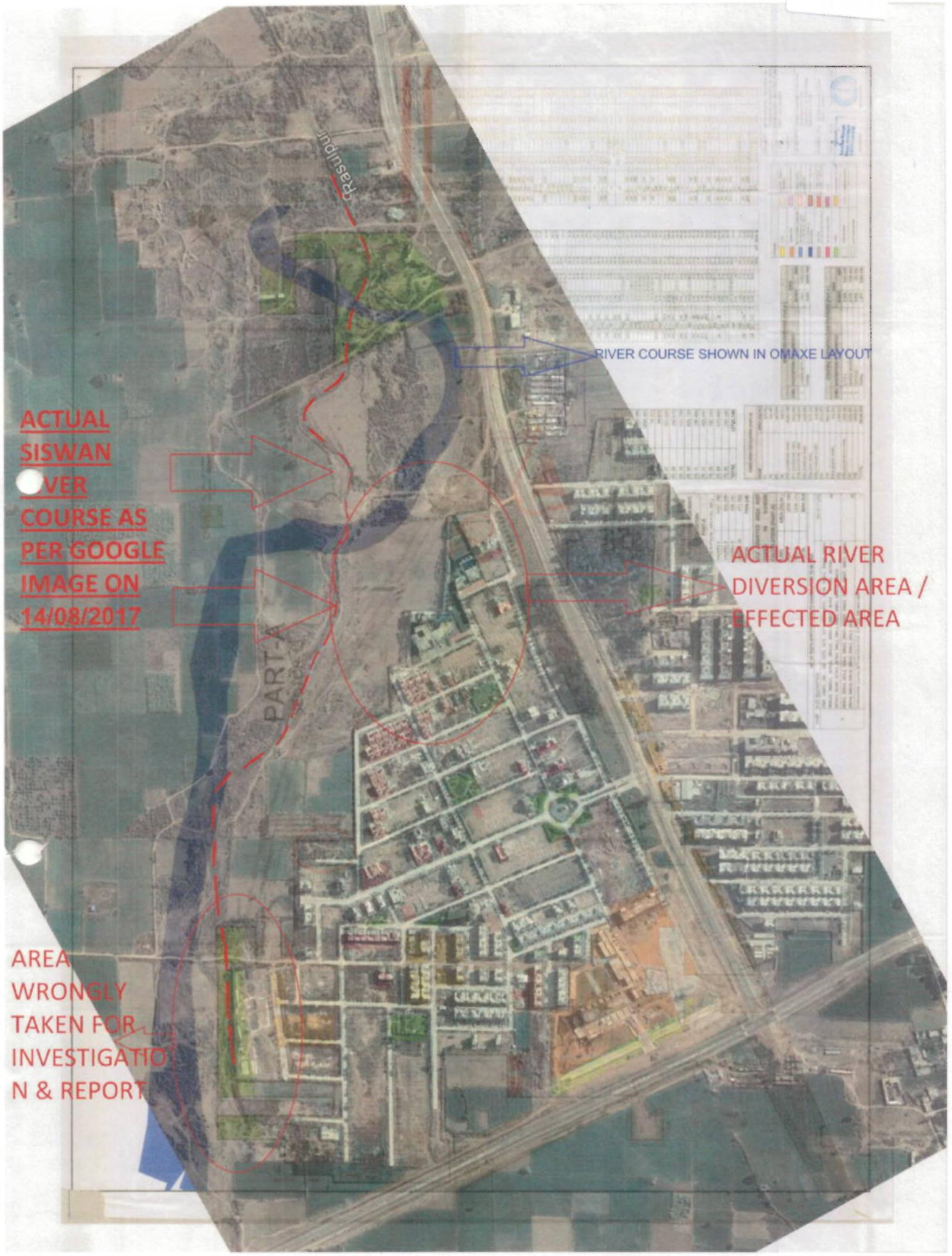
AREA  
WRONGLY  
TAKEN FOR  
INVESTIGATION  
& REPORT

GOOGLE MAPS IMAGE AS ON 2009

ACTUAL RIVER DIVERSION AREA / EFFECTED AREA

AREA WRONGLY TAKEN FOR INVESTIGATION & REPORT





ACTUAL  
SISWAN  
COVER  
COURSE AS  
PER GOOGLE  
IMAGE ON  
14/08/2017

RIVER COURSE SHOWN IN OMAXE LAYOUT

ACTUAL RIVER  
 DIVERSION AREA /  
 EFFECTED AREA

AREA  
 WRONGLY  
 TAKEN FOR  
 INVESTIGATION  
 N & REPORT

PART-A

Rasuliyah



GOOGLE MAPS IMAGE AS ON 2003

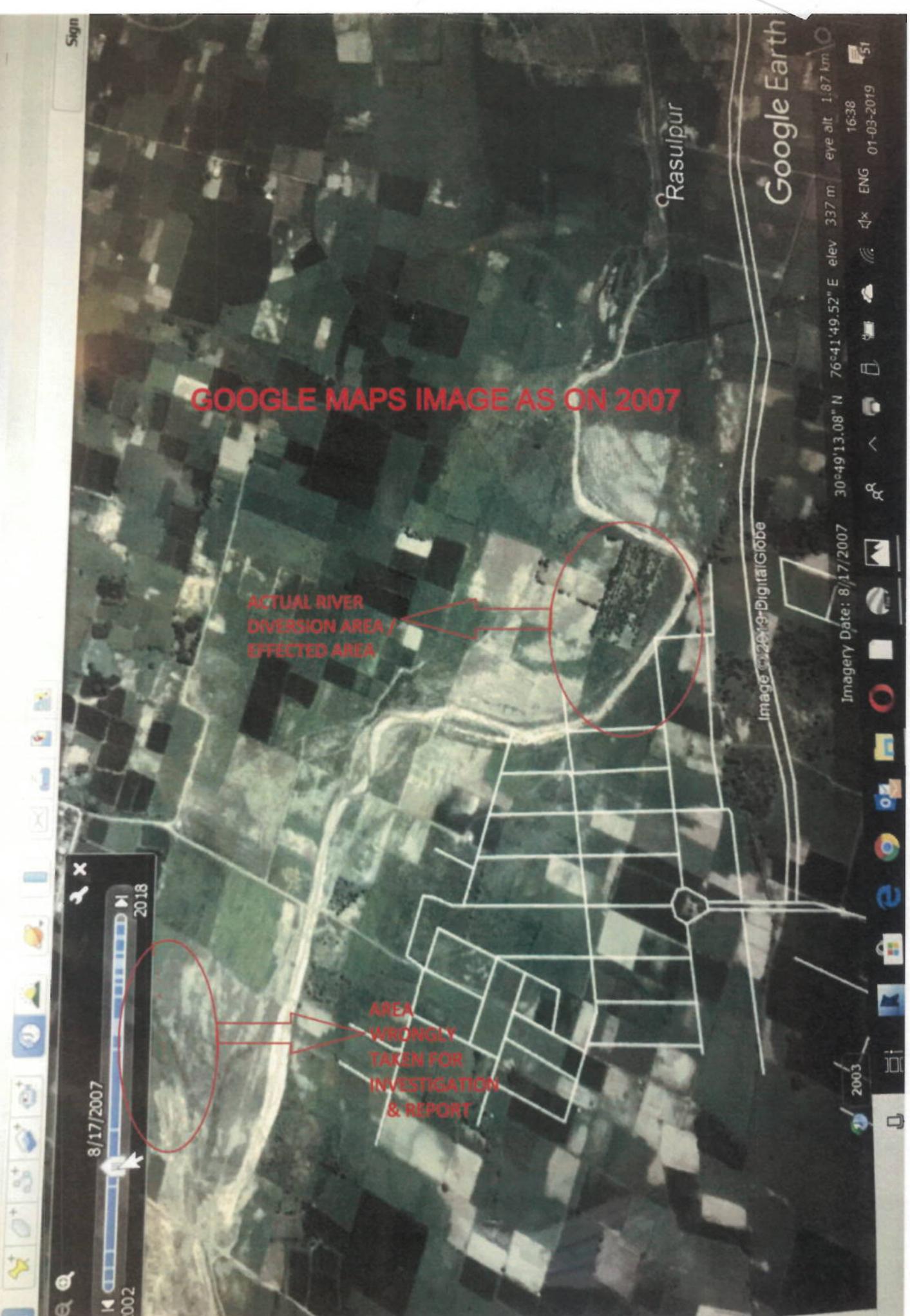
ACTUAL RIVER DIVERSION AREA / EFFECTED AREA

AREA WRONGLY TAKEN FOR INVESTIGATION & REPORT

GOOGLE MAPS IMAGE AS ON 2007

ACTUAL RIVER DIVERSION AREA / EFFECTED AREA

AREA WRONGLY TAKEN FOR INVESTIGATION & REPORT



*Tove Copy*  
*Adc*