

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

O.A NO.47 OF 2024

IN THE MATTER OF:

Gen Secretary Industrial Focal Point Welfare Association

Applicant

Versus

State of Punjab and Others

Respondent

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D.O.H 27.08.2024

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Deponent

Date:

Charanjeet Singh
Executive Officer
Municipal Council, Khanna
(For Respondent No. 3)

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH
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Short Reply by way of Affidavit of Charanjit Singh, Executive Officer, Municipal Council, Khanna for and on behalf of Respondent No.3.

MOST RESPECTFULLY SHOWETH: -

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

1. That, the present case is pending for adjudication before this Hon'ble National Green Tribunal and is fixed for 27.08.2024.
2. That, while hearing this application on 10.07.2024, this Hon'ble National Green Tribunal has passed an order by directing the respondents to file their reply within one month.
3. That, at the outset it is submitted that in order to solve the problem of sewerage at Industrial Focal Point Khanna, as per the requirement of the answering respondent, the estimate of Rs. 35.81 lakhs for desilting/cleaning of existing of Sewer lines in the various streets by mechanized system using super sucker/drilling machine including disposal of silt up to 5 Km. and providing fixing RCC vent shaft dismenialing of road etc. at Focal Point Khanna, District Ludhiana has been prepared by the Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana and the same has been duly passed by the answering respondent vide its Resolution No. 72 dated 31.10.2023 and further the same has been duly approved by the ADC (UD), Ludhiana vide Letter No. 660 dated 01.02.2024. A copy of above said Resolution no. 72 dated 31.10. 2023 is annexed as Annexure R-1 and copy of approval of the Resolution by the ADC (UD) is annexed as Annexure R-2.



4. That, as per estimate submitted by the Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana, the answering respondent (vide PFMS Portal No C022468648982 dated 28-02-2024 Rs. 25.81 and C032447820012 Dated 19-03-2024 Amount 1000000 in favour of Executive Engineer, Punjab Water Supply and Sewerage Board) 35.81 Lakhs has been deposited in favour of the Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana as Annexure R-3
5. That, after receiving the order from the Hon'ble National Green Tribunal, the answering respondent immediately called the progress report from the Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana. Further the Punjab Water Supply and Sewerage Board, Division Ludhiana vide letter no. 3192 dated 16.08.2024 while sending his report has informed the answering respondent that desilting/cleaning of existing sewer lines and 250 mm i/d DIK9 rising main in various streets by mechanized system using super sucker/drilling machine including, disposal of silt up to 5 Km and dismantling of road, providing laying, jointing , cutting and testing of 200 mm o/d UPVC pipe and all other works continental there too at Focal point Khanna Town, Ludhiana. Further, intimated that for this work tenders were opened on dated 11.06.2024 and allotted on dated 20.06.2024 with date of start as 20.06.2024. This work has been allotted to The K.H Co op L&C Society Ltd.Bhagwan Pura, Tehsil Mall out District Shri Makassar Sahib, Punjab. It is further submitted that as per information received from the Punjab

Water Supply and Sewerage Board that the work will be completed in the 6 months and currently work progress is 55% at the site. A copy of report sent by the Executive Engineer, Punjab Water Supply and Sewerage Board; Division Ludhiana has been annexed as Annexure R- 4.

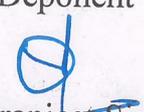
6. That further the answering respondent undertakes to oblige the directions of the Hon'ble National Green Tribunal and consistent efforts are being done to comply the orders at the earliest as per the direction of Hon'ble National Green Tribunal.
7. Keeping in the view of the Submissions made above and report submitted by the Executive Engineer, Punjab Water Supply and Sewerage Board, Division Ludhiana present application may kindly be dismissed qua the answering respondent, in interest of justice

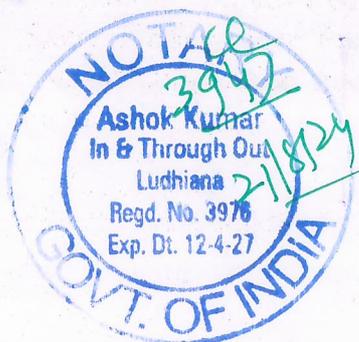
Place: Chandigarh

Date:

Certified that affidavit/SSP/GPA have been readover & explained to this deponent executant who seemed directly to understand the same at the time making thereof.

Deponent


Charanjeet Singh
Executive Officer
Municipal Council, Khanna
(For Respondent No. 3)



ATTESTED

NOTARY
ASHOK KUMAR
In & Through Out
LUDHIANA
KHANNA (PB.)

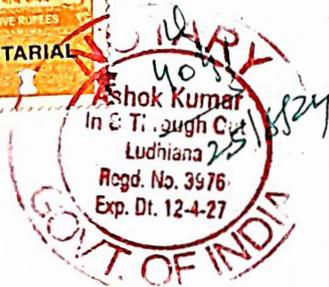
Estimate for Desilting Cleaning of existing Sewer lines in various streets by mechanized system using Super Sucker Drilling machine including disposal of silt up to 5 Km. and Providing Fixing RCC Vent Shaft Dismantling of Road Etc, at Focal Point Khanna Town, Distt. Ludhiana.



According to the report, a joint meeting was held with MLA Sahib and ADC Sahib Focal Point Khanna president and Mohalla residents to solve the sewage problem of Municipal Engineering Sakha Nagar Council Khanna Focal Point Khanna in which Executive Engineer Municipal Council an estimate of Rs 35.81 lakh has been sent by Punjab Water Supply and Sewerage Mandal Ludhiana to solve the sewage problems of Focal Point Khanna. This work will be able to be paid out of the grant received from the Finance Commission. This is proposal for keeping the estimate in the house and for consideration in the meeting of Case Municipal Council, Khanna for the approval of the expenditure

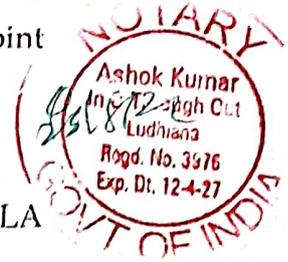


Certified to be true correct & faithful translation into English of the original in Punjab



COPY OF RESOLUTION APPROVED BY ADDL. DEPUTY
COMMISSIONER, LUDHIANA.

Estimate for Desilting Cleaning of existing Sewer lines in various streets by mechanized system using Super Sucker Drilling machine including disposal of silt up to 5 Km. and Providing Fixing RCC Vent Shaft Dismantling of Road Etc, at Focal Point Khanna Town, Distt. Ludhiana.



According to the report, a joint meeting was held with MLA Sahib and ADC Sahib Focal Point Khanna president and Mohalla residents to solve the sewage problem of Municipal Engineering Sakha Nagar Council Khanna Focal Point Khanna in which Executive Engineer Municipal Council an estimate of Rs 35.81 lakh has been sent by Punjab Water Supply and Sewerage Mandal Ludhiana to solve the sewage problems of Focal Point Khanna. This work will be able to be paid out of the grant received from the Finance Commission. This is proposal for keeping the estimate in the house and for consideration in the meeting of Case Municipal Council, Khanna for the approval of the expenditure

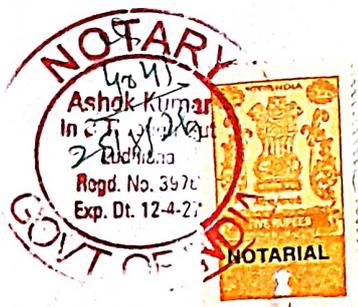
Resolution No. 72 is unanimously approved as per the Rules.

This resolution does not fall under any of the clauses from A to E of Government Memo 3/27/2022-SS3/1935 dated 10-10-2022.

This resolution does not fall under any of the clauses from A to E of Government Memo 3/27/2022-SS3/1935 dated 10-10-2022.

Ensured the work to be carried out as per Rules and conditions.

Executive Officer Municipal Council Khanna



Certified to be true correct & faithful translation into English of the original in.....

ATTESTED
NOTARY
ASHOK KUMAR
IN & THROUGH OUT
LUDHIANA
KHANNA (PB.)

Subject- Estimate for Desilting/Cleaning of existing Sewer lines in various streets by mechanized system using Super Sucker/Drilling machine.

5

Dear Sir/Madam

Regarding the above subject, it is requested that along with this, an estimate of Rs.35.81 lack was sent to the Additional Deputy Commissioner (Urban Development), Ludhiana after approval in the House for solving the sewage problem of Focal Point Khanna, which is his Letter No. ADC (UD)-S 3/2024/660 has been approved under wide Resolution No. 72, so the report is submitted for payment to the Sewerage Board.

Punjab Water Supply and Sewerage Division, Ludhiana

epwssdivlnhdh@gmail.com

To,

Joint Deputy Director,
Chandigarh.

No 3192

dated 16/8/2024

Subject:

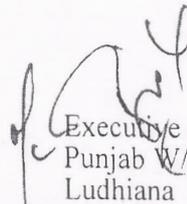
Notice in OA No. 47 of 2024 Gen Secretary Industrial Focal Point welfare Association
VS State of Punjab.

Ref.

ਏ.ਡੀ.ਸੀ.(ਜੂ.ਡੀ)- ਸ3/2024/ਮਿਤੀ 16.08.2024।

With Reference to subject cited above and letter under reference It is informed that the work includes Desilting/cleaning of existing sewer lines and 250 mm i/d DIK9 Rising main in various streets by mechanized system using Super Sucker/Drilling machine including, disposal of silt up to 5 Km and Dismantling of road, Providing Laying, jointing cutting and testing of 200 mm o/d UPVC Pipe and all other works Contingent there too at Focal Point Khanna Town, Ludhiana. For this work tenders opened on dt.- 11.06.2024 and allotted on dt.- 20/6/2024 with date of start as 20/06/2024. The work has been allotted to The K.H Co Op L&C Society Ltd. Bhagwan Pura, Tehsil Mallout Dist. Sh Muktsar Sahib Punjab.

It is already intimated to PPCB regarding the subject mentioned court case that the work will be completed in 6 months. Currently Work progress is 55% at site.


Executive Engineer
Punjab W/S and Sew. Division
Ludhiana

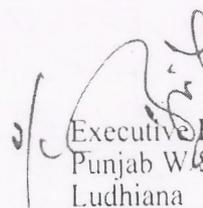
Endst No. 3193-94

Dated 16/8/2024

A copy of above said is forwarded to following for information and further necessary action please:-

- 1 Executive officer Municipal Council Khanna for their necessary action please.
2. Sub Divisional Engineer, Punjab Water Supply and Sewerage Sub-Division, Khanna as per their site report.




Executive Engineer
Punjab W/S and Sew. Division
Ludhiana

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O.A. NO. 47 OF 2024

IN THE MATTER OF:
Gen Secretary Industrial Focal Point Welfare Association

..... Applicants

Versus

State of Punjab

..... Respondents

KNOW ALL to whom these present shall come that I/We Sh. Charanjit Singh (EO) S/o Sh. Ajaib Singh R/o Municipal Council Amlah Road Khanna, District-Ludhiana-141401, Respondent No. 3 The above named do hereby appoint

KARAN SHARMA
D-1507/2012
E-1, JANGPURA EXTENSION,
NEW DELHI-110014
MOB:+91-9999777847
KARAN.SH70@GMAIL.COM

(herein after called the advocate/s) to be my/our Advocate in the above noted case authorized him:-p

To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/ us.

To sign, file verify and present pleadings, appeals cross objections or petitions for execution review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages.

To file and take back documents to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

The deposit, draw and receive money, cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner, authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think it to do so and to sign the Power of Attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I / we or my /our duly authorized agent would appear in the Court on all hearings and will inform the Advocates for appearance when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain himself.

And I /we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the Advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fee is paid. I /we will not be entitled for the refund of the same in any case whatsoever. If the case lasts for more than three years, the advocate shall be entitled for additional fee equivalent to half of the agreed fee for every addition three years or part thereof.

IN WITNESS WHEREOF I/We do hereunto set my /our hand to these presents the contents of which have been understood by me/us on this 25 day of August 2024

Accepted subject to the terms of fees.



Advocate

Client

KARAN SHARMA (AOR)
IDENTIFIED/CERTIFIED/
VERIFIED/ACCEPTED


Client


Executive Officer
Municipal Council
Khanna



The Office of Karan Sharma <officeofkaransharmaor@gmail.com>

Reply on behalf of R-3 in OA No. 47/2024

The Office of Karan Sharma <officeofkaransharmaor@gmail.com>
To: "VIKAS INDUSTRIAL CORPORATION." <vickhn38@gmail.com>

Mon, Aug 26, 2024 at 5:51 PM

Ref.: OA No. 47/2024 titled 'Gen Secretary Industrial Focal Point Welfare v. State of Punjab & Ors. (NGT)'

Dear Sir/Madam,

Please find attached the copy of Reply on behalf of the Respondent No. 3.

Regards,

**Office of Karan Sharma, AOR
(For Respondent No. 3)
Mob. No.: 9999777847**

 **Reply_Gen secretary Vs State of Punjab.pdf**
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