

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

In O.A. No. 861 of 2022

In the matter of:

Kuldeep Singh Khaira & ors. ....Applicants

Vs.

State of Punjab & ors. ....Respondent/s

**Affidavit of Kapil Dev (aged 47 years) S/o Shri Jagdish Chander, R/o #186-E, B.R.S. Nagar, Ludhiana, Punjab.**

**RESPECTFULLY SHOWETH:**

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



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1. That the deponent, who is Applicant No. 2 (in person) in O.A. No. 861 of 2022 filed with this Tribunal.

2. That the contents of para no. 1 to 6 of the accompanying Rejoinder dated 09-01-2024 along with Eight Photographs & One Videograph are true and correct to my knowledge.

Place: Ludhiana  
Dated: 09.01.2024

Verified that the affidavit SPA/GPA has been readover & explained to the deponent/executant who seemed directly 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: 09.01.2024

ATTESTED AS IDENTIFIED

NOTARY PUBLIC - LUDHIANA

*[Signature]*  
**DEPONENT**

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

09 JAN 2024

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

(In O.A. No. 861 of 2022)

In the matter of:

Kuldeep Singh Khaira & ors. .... Applicants

vs.

State of Punjab & ors. .. Respondents

**Rejoinder in O.A. No. 861 of 2022 depicting non-compliance to the orders of this Hon'ble Tribunal till date by MCL & Irrigation Department, resulting into continuous Water Pollution & environment damage.**

**Most respectfully sheweth:**

**It is humbly submitted as under:**

1. That the condition at Sidhwan canal Bank near Gill bridge has not changed and garbage is being dumped daily at this location by MCL. Further, encroachers of Sidhwan Canal Bank (no Activity Zone) are polluting the canal on daily basis and MCL as well as Irrigation department, both have failed to act on them. The garbage is not being segregated and processed scientifically resulting into increase in legacy waste at Primary dump site at Tajpur Road.
2. That despite various opportunities given by this Hon'ble Tribunal, the Municipal Corporation Ludhiana has deliberately not complying to the orders, and thus resulting into major damage to the Environment by dumping of Garbage on the Bank of Sidhwan Canal adjoining to

Gill Bridge. Further, the Irrigation department has also failed to submit any reply or act as per the orders of this Hon'ble Tribunal to for demarcation of No Activity Zone on the banks of Sidhwan Canal.

3. That the MCL is daily dumping garbage on prohibited area (against the directions in various orders by this Hon'ble Tribunal). It is pertinent to submit here that despite passing of more than one year of correspondence with the Mandi Board, the MCL has failed to relocate the impugned illegal Dump and further has failed to process the Garbage in a scientific manner. It is further submitted that the encroachers of Sidhwan Canal Bank area near the illegal impugned dump regularly wash their cloths and are also operating illegal fish market, dumping the waste and garbage directly into the Sidhwan Canal but MCL as well as Irrigation Department, both have failed to remove the polluters from the location. **Thus both MCL & Irrigation Departments have failed to comply with the directions of this Hon'ble Tribunal again and again, thus leading to Environment damage as well as contamination of Water on daily basis.** Six Photographs depicting dumping of garbage being done on Bank of Sidhwan Canal on 28-12-23 & two photographs clicked on 09-01-2024 are produced herewith as **Annexure PA-i**. One video made on 28-12-2023 is produced herewith as **Annexure PA-ii** (submitted via email).
4. That the MCL had submitted before this Hon'ble Tribunal in 2021 that they are going to install 42 Static Compactors for proper handling and processing of garbage in scientific manner, however despite repeated directions, the MCL has failed to process the garbage and legacy waste at primary dump is increasing on daily basis. It is further humbly submitted that in November 2023, the **Chatth Puja was performed at various location within Sidhwan Canal within MCL limits as well as outside MC limits coming under Irrigation Department** but both Departments had made no

arrangements to prevent water pollution. It is further submitted that some divers who use to sit near bridge constructed over Sidhwan Canal at Ferozepur Road, use to help people in throwing waste and religious material in Sidhwan Canal but MCL has never checked such pollution being caused on daily basis. Further despite planning, MCL has not installed any camera along Sidhwan Canal to keep check on polluters. Therefore, **in similar manner like Chandigarh and Delhi, artificial lakes/water-bodies should be made at some places in Ludhiana to perform rituals by people of all religions.**

Keeping in view of gross violation of various Environment laws as well as directions of this Hon'ble Tribunal by MCL & Irrigation Department, the Applicants humbly prays to this Hon'ble Tribunal to impose Environment Penalty under the provisions of the NGT Act 2010 and issue directions to PPCB for initiation of lawful proceedings against MCL under various Environment laws & accept out prayer as submitted in main petition. The Applicants further pray this Hon'ble Tribunal for directions to MCL to construct artificial lakes at some places for performance of rituals by people from all religions.

Date: 09-01-2024

Place: Ludhiana



Er. Kapil Dev

(Petitioner No. 2)

(Petitioner in Person)

## ANNEXURE P-i:

PHOTOGRAPHS CLICKED ON 28-12-2023 depicting dumping of Garbage on Sidhwan Canal Bank by MCL as well as encroachment on Sidhwan Canal Bank:







PHOTOGRAPHS CLICKED ON 09-01-2024 depicting falling of garbage from impugned illegal dump site into Sidhwan Canal:

