

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI**

Execution Appeal No. 04 of 2023

IN

Original Application No.289/2023

L. Col. Jasjit Singh Gill

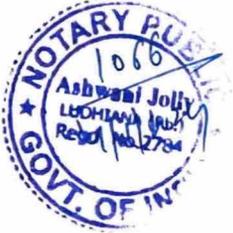
.....Applicant

Versus

State of Punjab

..... Respondent

Action taken report by Commissioner,
Municipal Corporation, Ludhiana in
compliance with Hon'ble National Green
Tribunal order dated 16.10.2023.



I, Sandeep Rishi working as Commissioner, Municipal Corporation, Ludhiana do hereby solemnly affirm and declare as under:-

Respectfully showth:-

1. That this Hon'ble Tribunal vide order dated 16.10.2023 was pleased to pass the following operative directions:-

"We find that the reply does not disclose adequate efforts to operationalize the plant which already exist. Therefore, at this stage, we deem it proper to issue notice to District Magistrate, Ludhiana, Secretary, Punjab PCB and Commissioner, Municipal Corporation Ludhiana. Let Notice be served to these respondents by the Registry of the Tribunal to enable them to file their response/further action taken report on or before the next date of hearing. "

2. It is humbly submitted that in the Action taken report dated 15.07.2023 already filed in this case by the deponent, it was submitted that after obtaining "consent to establish" from Punjab Pollution Control Board on 04.05.2017, approval from the "State Competent Authority(SCA) and site approval committee on 31.03.2017, The Municipal Corporation Ludhiana proceeded to set up "Modern and scientific Carcass disposal plant at Noorpur Bet, Ludhiana." The

setting up of plant was completed in the year 2021. Thereafter, it was decided to inaugurate the Plant on 13.07.2021 because the trial operation of plant was successful. However, the plant could not be operationalized on 13.07.2021 as protestors gathered at site forcing the Municipal Authorities to postpone the inauguration of plant. At that stage, the Municipal Authorities vide letter dated 22.07.2021 and 24.08.2021 requested the District Administration for providing police protection to make the plant functional without any obstruction. The Municipal Authorities again on 19.07.2022 and 12.12.2022 attempted to operationalize the plant but large number of protestors of the nearby Villages started agitating at site and became violent & attacked the man power deployed at plant by the concessionaire. Further, the agitators beat those workers as is evident from FIR no. 0159 dated 14.12.2022 registered U/s 323,341 and 149 of the IPC, 1860 on the complaint of Municipal Authorities in Police Station Ladowal, Police Commissionerate, Ludhiana.

That it is submitted that a meeting dated 20.06.2023 was convened by the Deputy Commissioner Ludhiana, where it was decided to make the plant functional with aid of Police protection. However, the concessionaire requested for grant of time to arrange for the labour because the labour earlier deployed for operation of the plant had fled away because of grievous law and order situation. Accordingly, the Municipal Authorities again attempted on 27.06.2023 to make the plant functional but protestors gathered at site and did not allow the labour to enter the plant.

4. That it is submitted that on 03.01.2024 the Commissioner, Municipal Corporation, Ludhiana, Additional Commissioner, Municipal Corporation, Ludhiana, Additional Deputy Commissioner (General), Ludhiana, Sub Divisional Magistrate, (as duty Magistrate) Ludhiana along with a Police Contingent of approximately 200 persons (male and females) under the command of Joint Commissioner of Police, Police Commissionerate, Ludhiana, visited the site of the plant and made every possible effort to make it functional. However, large number of Villagers, which included senior citizens, females & children gathered at site and started protesting on the ground that their religious sentiments shall be hurt by emission of foul-smell from the



plant. It is pertinent to mention that the officials were present on the spot from morning till evening and apprised the protestors that their apprehension of emission of foul-smell is putative because it is an ultra-modern and State of the Art carcass plant and there is no possibility of any emission of foul-smell. The protestors were even assured that let the plant may be operationalized on trial basis and if any deficiency is noticed, the same shall be addressed to the satisfaction of the Villagers and only thereafter, the plant shall be made functional. The meeting with protestors continued for approximately 5 hours, yet the protestors did not agree to the proposal of the Authorities and consequently the plant could not be operationalized on 03.01.2024. It is pertinent to mention that use of force might have triggered into a major law and order situation as weather conditions were very cold and harsh, and protestors included old and infirm, females and children. Therefore, the plan for making plant functional was deferred. Nevertheless, It is worthwhile to mention that the petitioner was duly informed about the plan of action to be carried on 3/1/2024, but as informed by the petitioner, he was unavailable and out of station on 3/1/2024. However, it submitted that the Municipal Authorities are in continuous liaison with the Villagers and hopeful of resolving their concerns. Simultaneously, the Municipal Authorities shall be planning the next course of action in consultation with the District Administrative Authorities and make all sincere efforts to operationalize the plant.



Place: Ludhiana

Dated: 4-1-2024

Certified that the affidavit SPA/GPA has been read over & explained to the deponent, executant who seemed correctly to understand the same at the time making above there of.

DEPONENT

Verification :-

Verified that the contents of para no. 1 to 4 are true and correct to my knowledge as derived from the official records. No part of it is false and nothing material has been concealed therein.

Place: Ludhiana

Dated: 4-1-2024

Attested as Identifies

Notary Public

DEPONENT

4 JAN 2024

Municipal Corporation, Ludhiana

To,

Deputy Commissioner

Ludhiana

No. 522/PSD/D

Dated 02.01.2024

Sub: Regarding NGT Case OA No. 289 of 2023 Lt. Col. Jasjit Singh Gill vs SOP & Ors. (regarding provision of police force)

It is requested to you regarding Case O.A no. 289 of 2023, Lt. Col. Jasjit Singh Gill vs SOP & Ors which is pending in the court of National Green House Terbunal and The next date has been fixed by the Hon'ble Court on 05.01.2024. Keeping in view the public interest and administrative concerns in this regard, Carkas Utilization Plot which is located at Noorpur Bet. It is very important to run, so it is requested to you that it has been decided to run this Carkas Utilization plot on 03.01.2024. In this regard you are requested to kindly provide Police Force (200 Police force including ladies force) on 03.01.2024 and for Nukas A Aman also taking note on 03.01.2024, Duty Magistrate should be appointed at the said place.

Commissioner

Municipal Corporation

Ludhiana

Ref no.: 523/PSD/D Dated-02.01.2024

A copy of this is sent to the Commissioner, Police, Ludhiana for information and prescription.

Commissioner

Municipal Corporation

Ludhiana







