

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**  
**PRINCIPAL BENCH, NEW DELHI**  
**Original Application No. 351 OF 2025**

In the matter of:

Akhilesh Chopra

Applicant

Vs.

State of Haryana & Ors.

Respondents

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1.	<b>Reply</b> on behalf of Respondent No. 3 i.e. Central Pollution Control Board (CPCB) in compliance to Hon'ble NGT order dated 21.07.2025 in O.A No. 351/2025.	
2.	<b>Annexure- I</b> A copy of Hon'ble NGT order dated 21.07.2025 in O.A No. 351/2025.	
3.	<b>Annexure- I</b> A copy of letters issued by CPCB to Haryana State PCB dated 26.08.2025 and reminder letter dated 10.09.2025.	



**(Filed by Adv. Saurabh Balwani)**

On behalf of Central Pollution Control Board

Place: Delhi

Dated: 13.10.2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH, NEW DELHI****Original Application No. 351 OF 2025**

In the matter of:

Akhilesh Chopra

Applicant

Vs.

State of Haryana & Ors.

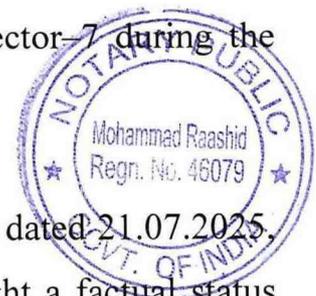
Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 03 i.e. CENTRAL POLLUTION CONTROL BOARD (CPCB)****MOST RESPECTFULLY SHEWETH:**

1. That the original application No. 351/2025 titled "*Akhilesh Chopra Versus State of Haryana & Ors*" has been filed, alleging that a pond on Khasra Nos. 260, 261, 266, 302/2, 303/2, 331, 333, 334, 335, 336, 337, 338 and 349 in the Sector 7, Urban Estate, Ambala City, Haryana is being filled-up on account of the inaction on the part of Respondents No. 7 to 9, who have illegally allowed the private persons to fill up the pond. The Copy of the Order dated 21.07.2025 passed by this Hon'ble NGT is annexed as **Annexure 1**.
2. That, at the outset, this answering respondent denies all claims, contentions, allegations and averments against answering respondent, CPCB in the above appeal contrary to anything stated or submitted in this reply. Nothing in the appeal may be deemed to have been accepted or admitted by the answering respondent for want of a specific denial, save any averment which has been expressly admitted hereinafter.



3. That, CPCB is a statutory Board constituted under Section 3 of The Water (Prevention and Control of Pollution) Act, 1974. It performs the functions under The Water (Prevention and Control of Pollution) Act, 1974, The Air (Prevention and Control of Pollution) Act, 1981, and The Environment (Protection) Act, 1986.
4. That, it is humbly submitted that the present matter pertains to the allegation of illegal filling up of a pond situated in Sector-7, Urban Estate, Ambala City, Haryana, which is recorded as a *Jhord* (water-holding area) in the revenue records. The issue raised by the Applicant primarily concerns the alleged encroachment and alteration of land use of the said pond area. The Applicant has relied upon a layout plan issued by Respondent No. 7 – Haryana Urban Development Authority (HUDA) – which depicts a 32.69-acre parcel of land earmarked as a “Proposed Site for Disposal Work.” It is averred by the petitioner that this disposal site functions as a natural rainwater harvesting zone and being a low-lying tract, the rainwater of Sector-7 accumulates in this area. The Applicant has also referred to information obtained under the Right to Information Act from the office of the District Town Planner, Ambala, to contend that no change of land use permission has been granted in respect of this 32.69-acre disposal site area. It is further alleged that certain unknown persons are dumping earth and sand in the said area with a view to construct buildings over the pond, which according to the Applicant may obstruct the natural drainage pattern and cause flooding in Sector-7 during the monsoon season.
5. That in compliance with the Hon’ble Tribunal’s Order dated 21.07.2025, the Central Pollution Control Board (CPCB) has sought a factual status report from the Haryana Pond and Waste Water Management Authority



and the Haryana State Pollution Control Board (HSPCB), vide its communications dated 26.08.2025 and 10.09.2025 respectively. Copies of the said letters are enclosed as Annexure-II (Colly) for ready reference.

6. That it is further submitted that this Respondent has not received any report from the aforesaid State authorities till date regarding the present allegations. Consequently, no specific factual inputs can presently be furnished by this Respondent in the absence of the requisite reports from the concerned agencies.
7. That the answering Respondent respectfully submits that the matter falls predominantly within the administrative and regulatory purview of the *Haryana Pond & Waste Water Management Authority* and the *Haryana State Pollution Control Board*, who are the competent agencies to examine, verify, and report upon the alleged encroachment or filling activity in question.
8. That without prejudice, it is submitted that this Respondent fully supports the implementation of the environmental safeguards prescribed under the *Haryana Pond and Waste Water Management Authority Act, 2018* and the *Water (Prevention and Control of Pollution) Act, 1974*. Any action found violative of the said provisions, upon verification by the competent local or State authorities, shall be duly acted upon in accordance with law.
9. That, the answering respondent herein craves leave of the Hon'ble NGT to file additional reply, if required, in future.



10. That, in the light of the above submissions, it is respectfully submitted that this Answering Respondent, i.e., CPCB, shall abide by any order(s) or direction(s) passed by this Hon'ble NGT in the instant OA.



**(Nazimuddin)**  
Scientist 'F'

Central Pollution Control Board  
13.10.2025



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**Original Application No. 351 OF 2025**

In the matter of:

Akhilesh Chopra

Applicant

Vs.

State of Haryana & Ors.

Respondents

**AFFIDAVIT**

I, **Nazimuddin** working as Scientist 'F' in Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm, declare on oath and state as under: -

1. That I, the deponent herein is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions and authority the contents thereof are true and correct on the basis of the record maintained during ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



**DEPONENT**

नाज़िमउद्दीन / Nazimuddin  
वैज्ञानिक 'एफ' / Scientist 'F'  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
Central Pollution Control Board  
(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)  
(Mo Environment, Forest And Climate Change, Govt. of India)  
परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032  
Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**VERIFICATION:**

Verified at New Delhi on this day of \_\_\_\_\_ 2025 that the contents of the above reply are correct and true on the basis of the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or mis-stated.

**DEPONENT****नाज़िमउद्दीन / Nazimuddin****वैज्ञानिक 'एफ' / Scientist 'F'****केंद्रीय प्रदूषण नियंत्रण बोर्ड****Central Pollution Control Board**

(पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार)

(M/o Environment, Forest And Climate Change, Govt. of India)

परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

**ATTESTED**  
NOTARY PUBLIC  
DELHI (India)

13 OCT 2025

Item No. 04

Court No. 1

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

Original Application No. 351/2025

Akhilesh Chopra

Applicant

Versus

State of Haryana &amp; Ors.

Respondent(s)

Date of hearing: 21.07.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Prakash Pandey, Adv. for Applicant (Through VC)

**ORDER**

1. In this original application, the plea of the Applicant is that there is a pond existing in Sector 7, Urban Estate, Ambala City, Haryana on Khasra Nos. 260, 261, 266, 302/2, 303/2, 331, 333, 334, 335, 336, 337, 338 and 349. The complaint of the Applicant is that the above pond is being filled-up on account of the inaction on the part of Respondents No. 7 to 9, who have illegally allowed the private persons to fill up the pond.

2. Learned Counsel for the Applicant has referred to the revenue record on page 22 to point out that old revenue entries exist showing the khasra numbers as pond. He has also referred to the google images filed on page 26 and 27 in support of the plea that the pond was existing and also relied upon old photographs on page 32 in support of the plea of existence of pond. He has referred to the photographs filed on page 33 to 35 to show the current status of the pond and pointed out that the pond has been filled up.

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3. The record reflects that the Applicant had made complaint to the concerned authority, but no action has been taken.
4. The OA raises substantial issue relating to compliance of the environmental norms.
5. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal. The Applicant is directed to serve the respondents and file affidavit of service atleast one week before the next date of hearing.
6. List on 15.10.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

July 21, 2025  
Original Application No. 351/2025  
dv



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST &amp; CLIMATE CHANGE, GOVT. OF INDIA.

Speed-post/ Email

Reminder-I

F. No. A-14011/2024-WQM-I/237

Dated: 10.09.2025

To

**The Member Secretary**  
**Haryana State Pollution Control Board**  
 Board C-11, Sector-6, Panchkula  
 Haryana -134109

**Sub:** Hon'ble NGT (PB) order dated 21.07.2025 in the matter of OA No. 351/2025; titled as "Akhilesh Chopra versus State of Haryana & Ors.

**Reference:** CPCB's letter F. No. A-14011/2024-WQM-I/246/4548-49 dated 26.08.2025

Sir,

Kindly refer to CPCB's letter dated 26.08.2025, wherein it has been requested to provide the status report in the above matter. (Copy enclosed for ready reference)

In this context, it is once again requested to kindly provide the aforesaid information at the earliest.

Yours faithfully

(Nazimuddin)

Divisional Head, WQM-I

Encl.: As above

‘परिवेश भवन’ पूर्वी अर्जुन नगर, दिल्ली - 110032.

Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.

दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in



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## केन्द्रीय प्रदूषण नियंत्रण बोर्ड

### CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Speed-post/ Email

Reminder-I

F. No. A-14011/2024-WQM-I/ 237

Dated: 10.09.2025

To

**The Member Secretary**  
**Haryana State Pollution Control Board**  
Board C-11, Sector-6, Panchkula  
Haryana -134109

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Encl.: As above

Copy to:

1. **Regional Director**  
**Central Pollution Control Board**  
**Regional Directorate (Chandigarh)**  
**BSNL Telephone Exchange, 2nd**  
**Floor, Sector 49 -C, Chandigarh-160**  
**047**

: For information and follow-up with HSPCB, please.

(Nazimuddin)

**'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली - 110032.**

**Parivesh Bhawan, East Arjun Nagar, Delhi - 110 032.**

**दूरभाष /Tel : 43102030, 22305792, वेबसाइट/Website: www.cpcb.nic.in**



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केन्द्रीय प्रदूषण नियंत्रण बोर्ड

CENTRAL POLLUTION CONTROL BOARD

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार.

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Speed-post/ Email

Reminder-I

F. No. A-14011/2024-WQM-I/ 1237

Dated: 10.09.2025

To

**The Member Secretary**  
**Haryana Pond & Waste Water Management Authority**  
Plot No-9 DHL Square, 3rd floor,  
IT Park Sector-22 Panchkula,  
Haryana, 134112

**Sub:** Hon'ble NGT (PB) order dated 21.07.2025 in the matter of OA No. 351/2025; titled as "Akhilesh Chopra versus State of Haryana & Ors.

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Divisional Head, WQM-I

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केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
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MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE, GOVT. OF INDIA.

Email

F. No. A-14011/2025-WQM-I /246

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Thanking you

Yours faithfully

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Divisional Head, WQM-I

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Yours faithfully

*hazim*  
*26/8/25*

(Nazimuddin)

Divisional Head, WQM-I

Encl.: As above

Item No. 04

Court No. 1

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PRINCIPAL BENCH, NEW DELHI**

Original Application No. 351/2025

Akhilesh Chopra

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Respondent(s)

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HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Prakash Pandey, Adv. for Applicant (Through VC)

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6. List on 15.10.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

July 21, 2025  
Original Application No. 351/2025  
dv

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

PRINCIPAL BENCH AT NEW DELHI

ORIGINAL APPLICATION NO /2025

IN THE MATTER OF:-

**AKHILESH CHOPRA****PETITIONER****VERSUS****STATE OF HARYANA & ORS****RESPONDENTS****INDEX**

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DATE 15/06/25

PLACE Ambala

  
**PRAKASH PANDEY**
**COUNSEL FOR THE APPLICANT**

E- MAIL –advprakashpande@gmail.com

Mobile No 7805008055

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

ORIGINAL APPLICATION NO /2025

IN THE MATTER OF-:

IN THE MATTER OF-:

**AKHILESH CHOPRA****PETITIONER****VERSUS****STATE OF HARYANA & ORS****RESPONDENTS****SYNOPSIS**

That Petitioner is filing present petition aggrieved by the inaction of respondent no 7,8,9 who illegally allowing private person to filing the pond which is located in Sector—7, Urban Estate, Ambala City Haryana having khasra no 260,261,266,302/2,303/2,331,333.334,335,336,337,338 and 349 which also mark as Jhord in revenue record. this pond is also registered in Haryana water pond authority having number as UID: 02HRAMBAMB0006AMBA001, satellite and Google image shown it as pond .

Recently Petitioner has seen that some person are filling the pond by way of dumping sand , he immediately complaint this to Haryana Pond Authority but authority has not taken any action.

The petitioner and other residents of Sector—7, Urban Estate, Ambala City have purchased residential plots in the area taking into account the adequate basic amenities and facilities of sanitation and drainage system in 1974 . respondent no-7 issued a drawing having number D.T.P(A) 2481/87 dated 15/06/1987 . A Proposed site for disposal work having area 32.69 acres was earmarked in D.T.P(A)2481/87 dated 15/06/1987 which land is used as pond and hold rain water also. this pond area is low lying area of Sector 7 Urban

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Estate so rainy water accumulated here , if pond is filled by sand then it would be cause of flooding, it can exacerbate flooding situation in certain circumstances, ,pond when filled act as temporary reservoirs holding back water . if ponds are filled with sand or debris then it would not be able to hold back water increasing the risk of flooding in Sector 7 Urban Estate Ambala City of Haryana.

DATE 15/06/25

PLACE Ambala



**PRAKASH PANDEY**

COUNSEL FOR THE APPLICANT

135

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

ORIGINAL APPLICATION NO /2025

IN THE MATTER OF-:

IN THE MATTER OF-:

**AKHILESH CHOPRA****PETITIONER****VERSUS****STATE OF HARYANA & ORS****RESPONDENTS****CHRONOLOGY OF EVENTS**

<b>Date</b>	<b>Particulars</b>
01/04/2025	Petitioner Seen that pond being filled by sand
5/04/2025	Petitioner Complaint to Authority


**PRAKASH PANDEY**

DATE 15/06/25

PLACE Ambala

COUNSEL FOR THE APPLICANT

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL****PRINCIPAL BENCH , NEW DELHI****OA NO**

IN THE MATTER OF

**AKHILESH CHOPRA**

S/O late Sudarshan Kumar Chopra  
Aged 51 Years R/O H No 342, Sector 7, Urban Estate,  
Ambala  
City Haryana 134003  
Mob No 9416028800

**PETITIONER****VERSUS****1. STATE OF HARYANA**

Through Chief Secretary

4th Floor, Haryana Civil Secretariat, Sector-  
1, Chandigarh Pin Code 160001  
cs@hry.nic.in

**2. MINISTRY OF ENVIRONMENT , FOREST AND CLIMATE CHANGE**

Through its secretary, New Delhi

Indira Paryavaran Bhawan, Jor Bag, New  
Delhi, 110003

E Mail Id: [secy-moef@nic.in](mailto:secy-moef@nic.in)**3. CENTRAL POLLUTION CONTROL BOARD**

Through its Chairman

Parivesh Bhawan , East Arjun Nagar , Delhi 11003

E Mail [ccb.cpcb@nic.in](mailto:ccb.cpcb@nic.in)**4. HARYANA STATE POLLUTION CONTROL BOARD**

Through Chairman for

C-11 , Sector -6, Panchkula Haryana, 134109

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[hspcbho@gmail.com](mailto:hspcbho@gmail.com), [hspcb@hry.nic.in](mailto:hspcb@hry.nic.in)

5. **HARYANA POND DEVELOPMENT AUTHORITY**  
Through Executive Vice Chairman  
Plot No 9, DHL Sqaure, 3<sup>rd</sup> Floor, IT Park,  
Sector 22, Panchkula, Haryana, 134112  
Email [IDms.haryanapondauthority@gmail.com](mailto:IDms.haryanapondauthority@gmail.com)
  
6. **DEPUTY COMMISSIONER**  
Ambala, Haryana  
Pin Code 134003  
  
Email ID [dcamb@hry.nic.in](mailto:dcamb@hry.nic.in)
  
7. **HARYANA URBAN DEVELOPMENT AUTHORITY**  
**Through Chief Administrator,**  
C-3, Sector-6, Panchkula, Haryana 134109  
  
Email [Cahsvp01@gmail.com](mailto:Cahsvp01@gmail.com)
  
8. **DISTRICT TOWN PLANNER**  
HSVP. Building, Sector-8  
Ambala City Haryana -134003  
Email [dtp.ambala@hry.nic.in](mailto:dtp.ambala@hry.nic.in)
  
9. **DEPARTMENT OF URBAN LOCAL BODIES**  
Director General of Urban Local Bodies,  
Bays 11-14, Sector-4,  
Panchkula, Haryana 134112  
Email [Dulbhry@hry.nic.in](mailto:Dulbhry@hry.nic.in)

## **ORIGINAL APPLICATION UNDER SECTION 14,15 READ WITH SECTION 18 OF THE NATIONAL GREEN TRIBUNAL ACT 2010**

It is humbly submitted by the petitioner as under

- A. **DETAILS OF THE PETITIONER**  
As mention above in cause title
  
- B. **DETAILS OF THE RESPONDENTS**  
As mention above in cause title

**C. FACTS OF THE CASE**

it is most humbly submitted by the applicant

1. That the Humble Applicant/Petitioner is Residents of sector-7 Ambala City (Formerly Known as Sector -2 at the Time Of allotment) of Haryana. He is a law abiding and public spirited citizens of india, enjoying his right under article 21 ,right to clean Environment.
2. The petitioner own his residential houses in Sector—7, Urban Estate, Ambala City and are residing there at. The petitioners and other residents of Sector—7, Urban Estate, Ambala City purchased residential plots in the area taking into account the adequate basic amenities and facilities of sanitation and drainage system in 1974 .
3. That After the passage of time the respondent no-7 issued a drawing having number D.T.P(A) 2481/87 dated 15/06/1987 Total admeasuring area of Ambala City is 105.35 Acre, out of this 32.69 acre piece of land as Proposed site for disposal work . That 32.69 acres of land , marked as disposal site in layout plan with drawing number D.T.P.(A) 2481/87 dated 15/06/1987. The mentioned layout plan received from D.T.P, Ambala under RTI Act-2005 on 25/7/2023 ,**ANNEXURE** A1 Page 15-16
4. That At the time of earmarked a proposed site for disposal having area 32.69 acres is low lying and khasra number 260, 261, 266, 302/2, 303/2, 331, 333, 334, 335, 336,337,338 and 349 marked as Jhord (Water holding Area) and other khasra nos which is adjoining above mentioned Jhord Kasara nos is Khadan,Nala,Path which works as catchment area for Jhord of Village Patti Mehar tehsil district Ambala.Copy Of Revenue Record Annexed As **ANNEXURE** A2 Page 17-23
5. That The respondent no-7 offer a plot to the owner Plot No 447 as it listuated in low lying area (**ANNEXURE** A3 Page 24-25
6. That disposal area having area of 32.69 acres is also used for rain water harvesting and this area is low lying area so rainy water of sector 7 accumulated here and this 32.69 acres is pond later this pond is also registered in haryana pond water authority portal having unique number of **02HRAMBAMB0006AMBA001** photo of this pond annexed as **ANNEXURE** A4 page 26-28

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7. That This pond is recorded as JHORD in revenue record , So Nature of land can not be changed, as Per Layout Plan it is proposed for disposal works, rain water accumulated in this pond , so this is catchment area.
8. That yet no change made in master plan for this particular area of of 32.69 ACS which is reserve for disposal works , factual status also confirm through RTI. Petitioner filed RTI Application before The SPIO O/o District Town Planner Ambala seeking 4 information , question no 4 is “Kindly provide the certified copy of any proposed change of land use regarding “A Proposed site for disposal works area 32.69 ACS” Up to till date in master plan sector -7 urban estate ,ambala City”in reply to this specific question District Town planner categorical stated that “as per office record there is no proposed change of land use Permission regarding disposal work area 32.69 ACS in HSVP Sector-7 Ambala City is received in this office. RTI Application and Reply annexed as **ANNEXURE** A6 Page 36-37
9. That Sector-7, Ambala City fall under low lying area, so specifically 32.69 acre of land and Area not planed status low lying and last lane of house no 265 to 469 for rain water harvesting so that water in rainy season can be stored in this dedicated 32.69 acre of area and adjoining area which is mentioned above , this 32.69 area is historically also used to hold rain water same.
10. That unknown person now filling the pond with the collusion of Respondent no 7,8 & 9 known as proposed site for disposal having area 32.69Acres by way of dumping sand material to construct building over pond , old Photographs of pond and latest photographs annexed As **ANNEXURE A** A5 page 29 to 35
11. That once this pond known as proposed site for disposal having area 32,69Acres would be filled it will lead to severe flooding in sector -7 during the upcoming rainy season, posing a threat to the safety and property of the resident.
12. That this pond is come under **The HARYANA POND AND WASTE WATER MANAGEMENT AUTHORITY ACT 2018** ,this act having objective of “to establish an authority in the State for development, protection, rejuvenation, conservation, construction and management of pond, utilization of pond water and treatment thereof and for management and utilization of treated effluent of sewage effluent treatment plants for the purpose of irrigation, thereby reducing stress of over

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exploitation of ground water and for matters connected therewith or incidental thereto”.

13. That Protection of such pond is essential to safeguard the fundamental right guaranteed by Article 21 of the Constitution. These common areas are the lifeline of communities, and often sustain various chores and provide resources necessary for life. Many areas of the country perennially face a water crisis and That Photographs showing that there is substantial water in the pond, which has not been controverted. Further, revenue records maintained by the Revenue Department themselves show that the land was ‘pond’ water.
14. That Petitioner also complaint this issue before Water Pond Authority but no action has been taken, Copy of Complaint annexed As **Annexure** A7 Page 38-39

## (D) **GROUND**S

The present application is filed on the following grounds :

15. That the act of Respondent No 7 to 9 is against the water (Prevention and control of pollution) Act 1974 As Per Section 24 of this Act it is prohibited to cause water pollution by the way of disposal of polluting matters in any stream or well, section 24 states that :

“Prohibition on use of stream or well for disposal of polluting matters,etc-(1) subject to the provision of this section –

**(a)** No Person shall knowingly cause or permit any poisonous ,noxious or polluting matter determind in accordance with such standards as may be laid down by the state board to enter(whether directly or indirectly) into any [stream or well or sewer on land ]

16. That as per above provision of Water (Prevention and control of pollution)Act ,1974 ,state having responsibility to protect water body but respondent fail to pay their responsibility.
17. That As Per THE HARYANA POND AND WASTE WATER MANAGEMENT AUTHORITY ACT, 2018

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14. No person shall,- (i) construct any structure on pond land, green belt and catchment area, occupy any pond land or part thereof or cause any obstruction in the natural or normal course of inflow or outflow of water into or from the pond on the upstream or down-stream without permission of the Authority;

So This is violation of this act also. **ANNEXURE A8 Page 40-50**

18. That in the present case, pond is being utilized for rain harvesting , and as per layout plan it reserve for disposal so if it filled there can be severe consequences , entire sector 7 area would be come in flood zone.
19. This, he contended, violated public trust and consequently the right to a wholesome environment guaranteed under Article 21 of the Constitution. Interpreting Article 48A and Article 51A(g) to place a duty on the State to protect the environment, including lakes and water-bodies, the appellant has sought intervention of this Court to save and restore the local ponds.
20. That In ***Hinch Lal Tiwari v. Kamala Devi***<sup>2</sup>, this Court settled that ‘ponds’ were a public utility meant for common use and held that they could not be allotted or commercialised. It had refused to give any weight to similar arguments of the pond having become levelled, with merely some portion getting covered during rainy season by water. Importantly, it emphasised that:

*“13. It is important to notice that the material resources of the community like forests, tanks, ponds, hillock, mountain etc. are nature’s bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enables people to enjoy a quality life which is the essence of the guaranteed right under Article 21 of the Constitution. The Government, including the Revenue Authorities i.e. Respondents 11 to 13, having noticed that a pond is falling in disuse, should have bestowed their attention to develop the same which would, on one hand, have prevented ecological disaster and on the other provided better environment for the benefit of the public at large. Such vigil is the best protection against knavish attempts to seek allotment in non-abadi sites.”*

21. Even otherwise, the action of the respondent-authorities contravenes their Constitutional obligations. Article 48-A of the Constitution casts a duty on the State

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to “endeavour to protect and improve the environment and to safeguard the forests and wild life of the country”, and Article 51-A(g) expects every citizen to perform his fundamental duty to “protect and improve the natural environment”. A perusal of the Constitutional scheme and judicial development of environmental law further shows that all persons have a right to a healthy environment. The State is nothing but a collective embodiment of citizens, and hence collective duties of citizens can constructively be imposed on the State. Therefore, it is the responsibility of the respondents to ensure the protection and integrity of the environment, especially one which is a source for livelihood for rural population and life for local flora and fauna. **(JITENDRA SINGH v. MINISTRY OF ENVIRONMENT & ORS.** (Civil Appeal No. 5109 of 2019)

22. That in case of *Susetha vs. State of Tamilnadu*, decided on 08.08.2006 by Hon'ble Supreme Court of India, Appeal (Civil) No. 3418 of 2006 (AIR 2006 SC 2893). The relevant portion are quoted below :

"Drawing our attention to a decision of the Division Bench of the Madras High Court in *L. Krishnan v. State of Tamil Nadu*, AIR (2005) Madras 311, it was argued that the State Government was enjoined with a duty to preserve the tank by taking all possible steps both by way of preventive measures as well as removal of unlawful encroachments and not to use the same for commercial purpose."

"Concededly, the water bodies are required to be retained. Such requirement is envisaged not only in view of the fact that the right to water as also quality life are envisaged under Article 21 of the Constitution of India, but also in view of the fact that the same has been recognized in Articles 47 and 48-A of the Constitution of India. Article 51-A of the Constitution of India furthermore makes a fundamental duty of every citizen to protect and improve the natural environment including forests, lakes, rivers and wild life.

23. That without the intervention of this Hon'ble Tribunal the applicant will not be able to safeguard the interest of the general public at large and prevent the respondents from causing irreversible damage to the environment.

## **(E) INTERIM RELIEF**

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That Hon'ble Tribunal May be Pleased to issue direction to Authority for Restraining to filling of This pond.

## **(F) LIMITATION**

That on dated 5/4/2025 applicant file complaint to pond authority but no one take action to protect pond ,cause of action is continuous in nature because still pond is filing illegally ,petition is filing within the limitation

## **(F) PRAYER**

In View of The above Fact and Submission ,The Hon'ble Tribunal May be please to Grant Following Relief as Under

1. Hon'ble Tribunal may be pleased to direct the respondent authority to undertake all necessary steps to ensure the restoration of pond
2. Hon'ble Tribunal may be pleased to direct respondent Authority to undertake all necessary steps to ensure the safeguarding of pond against such pollutants in the future
3. Hon'ble Tribunal may be pleased to direct respondent authority to remove encroachment and
4. Any other Relief Which the Hon'ble Tribunal deem Fit may also be accorded in favor of Petitioner

**(G) That ,an affidavit in support of the original application is filed along with.**

Date 15/06/25  
Place Ambala



Prakash pandey  
Counsel For The Applicant



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH AT NEW DELHI**

ORIGINAL APPLICATION NO /2025

IN THE MATTER OF:-

**AKHILESH CHOPDA**

**PETITIONER ..**

**VERSUS**

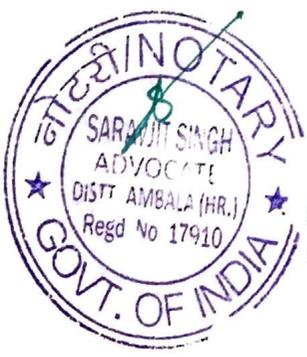
**STATE OF HARYANA & ORS**

**RESPONDENTS**

**AFFIDAVIT**

I Akhilesh Chopda S/O late Sudarshan Kumar Chopda Aged 51 Years R/O H No 342, Sector 7,Urban Estate, Ambala City Haryana 134003 do hereby solemnly affirm on oath as under

1. That ,I am the applicant in the instant case and fully conversant with the facts of the case , hence, competent to swear on this affidavit.
2. That ,i am filing the present Original Application Along with Annexure before the Hon'ble Tribunal the Contents from Para 1 to last have been drafted on my instruction and the same have been explained to me by my counsel.
3. That ,i have been read and understood the contents and based on the documents filed along with the application



*[Signature]*  
DEPONENT

**VERIFICATION**

I, The above named deponent do hereby verify that the contents of the paras above are true and correct and no material fact has been concealed.

Signed and verified on this Day of April 2025 at

*[Signature]*  
DEPONENT

**ATTESTED**  
**NOTARY PUBLIC**  
**AMBALA (Haryana)**

15 APR 2025

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

ORIGINAL APPLICATION NO /2025

IN THE MATTER OF:-

**AKHILESH CHOPRA**

**PETITIONER**

**VERSUS**

**STATE OF HARYANA & ORS**

**RESPONDENTS**

**LIST OF DOCUMENTS**

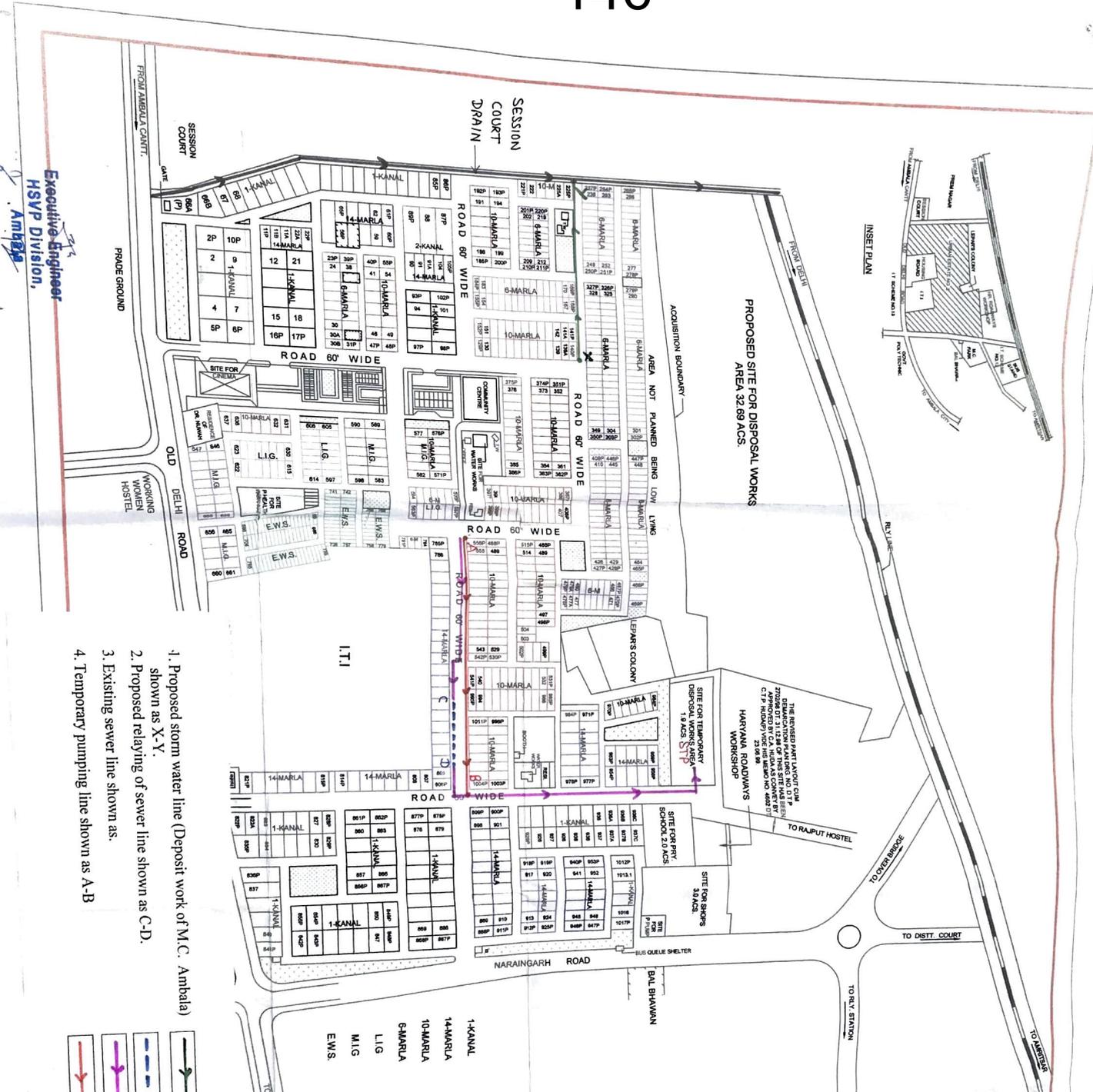
<b>S.NO.</b>	<b>PARTICULAR'S</b>	<b>ANNEXURE</b>	<b>PAGE NO</b>
1	Copy Of Layout Plan	A1	15-16
2	Copy Of Revenue Record	A2	17-23
3	Letter Regarding Low Lying area	A3	24-25
4	Photographs of Pond as Per google Satellite view	A4	26-28
5	Old and new photographs of pond	A5	29-35
6	RTI Reply Regarding no proposed changed in pond area	A6	36-37
7	Copy Of Complaint made by Petitioner	A7	38-39
8	Copy Of Haryana Pond and wastewater Management Authority Act ,2018	A8	40-50

**DATE** 15/06/25

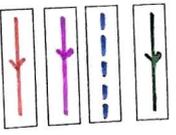
**Place** Ambala

*TS*  
**PRAKASH PANDEY**

**COUNSEL FOR THE PETITIONER**



1. Proposed storm water line (Deposit work of M.C. Ambala) shown as X-Y.
2. Proposed relaying of sewer line shown as C-D.
3. Existing sewer line shown as A.
4. Temporary pumping line shown as A-B.



**DETAIL OF AREAS:**  
 1. TOTAL AREA UNDER USE 106.33 ACS  
 2. AREA NOT PLANNED DUE TO LOW LYING 15.88 ACS  
 3. AREA UNDER INVESTIGATION 1.9 ACS  
 4. AREA UNDER INVESTIGATION FOR REMEDIAL USE 1.9 ACS  
 5. AREA UNDER INVESTIGATION FOR COMMERCIAL USE 4.75 ACS  
 6. AREA UNDER INVESTIGATION FOR SCHOOL 2.0 ACS  
 7. AREA UNDER INVESTIGATION FOR SHOPS 3.8 ACS  
 8. AREA UNDER INVESTIGATION FOR HEALTHY WORKING HOSTEL 1.9 ACS

**DETAIL OF AVAILABLE:**  
 1. TOTAL AREA AVAILABLE FOR DISPOSAL 70.45 ACS  
 2. AREA AVAILABLE FOR DISPOSAL 70.45 ACS  
 3. AREA AVAILABLE FOR DISPOSAL 70.45 ACS  
 4. AREA AVAILABLE FOR DISPOSAL 70.45 ACS

**SITES IN USE:**  
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**AMBALA CITY**  
 LVY OUT URBAN ESTATE NO. 2  
 REVISED



S/N	CATEGORY	SIZE	AREA (SQ. FT.)	NO. OF PLOTS
1	14-MARLA	13,260 SQ. FT.	520,000	122
2	10-MARLA	9,840 SQ. FT.	392,000	200
3	6-MARLA	6,510 SQ. FT.	260,000	213
4	1-KANAL	2,625 SQ. FT.	105,000	271
TOTAL			1,277,000	806

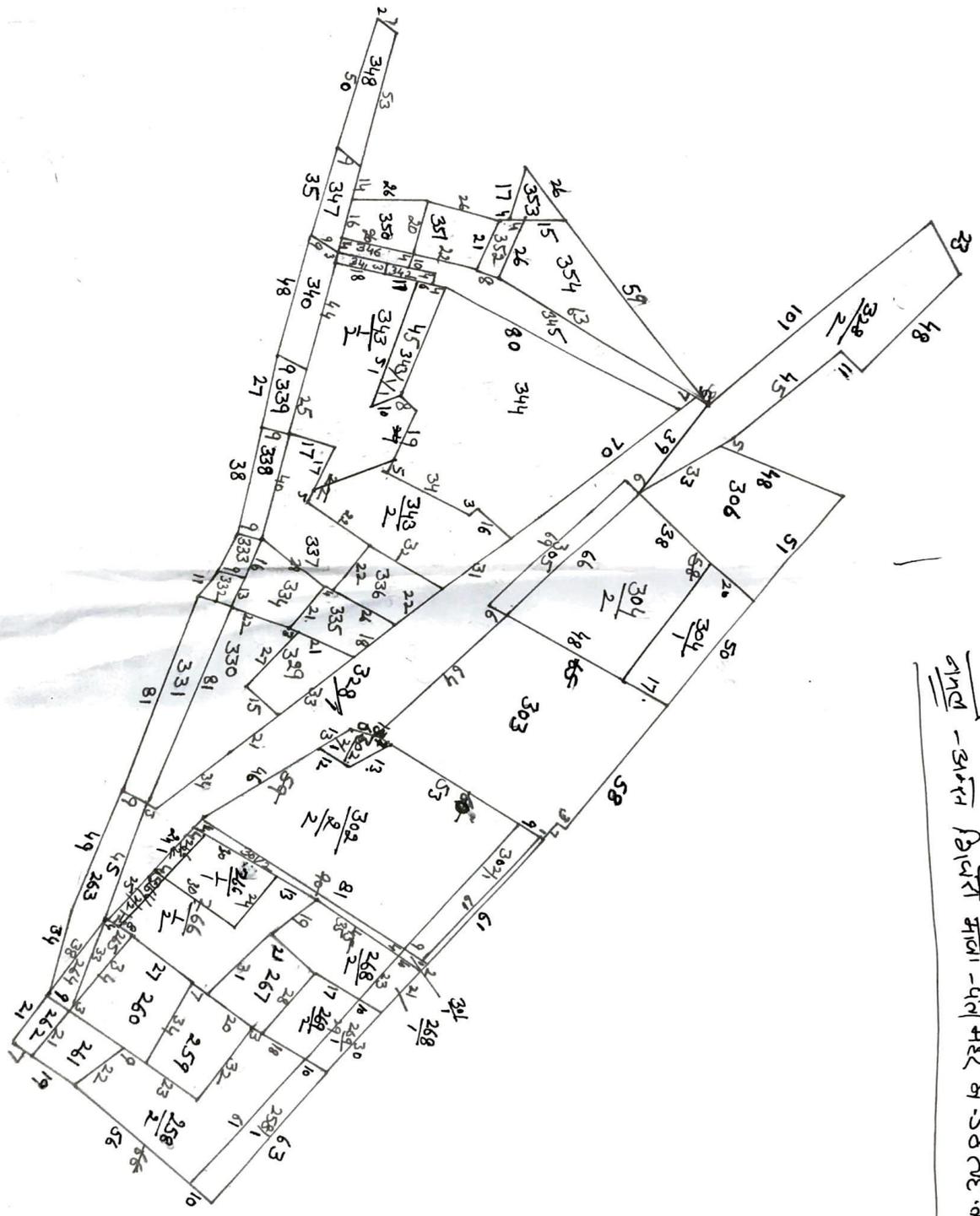
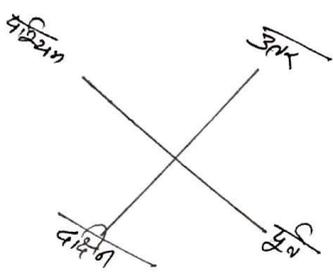
  

S/N	CATEGORY	NO. OF PLOTS
1	M.I.G.	51
2	L.I.G.	44
3	E.W.S.	150
TOTAL		245

DRG NO. D.T.P. (A) 2481/87 DT. 15.06.87  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_

PLANNING ASSTT.  
 ASSTT. TOWN PLANNER  
 DISTRICT TOWN PLANNER  
 SENIOR TOWN PLANNER  
 CHIEF TOWN PLANNER  
 DEPT. OF TOWN & COUNTRY PLANNING, H.R.

Annexure A-1



Attested under RTI

9/20/8/2024

गणेश - ३५११ डिप्लोमा मॉडल - ५११ मिटर का - ५५८ मीटर का मोला - ३१११११







आभादादी गांधी 447 258 258 258

राष्ट्रीय

जिला Ambala

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क्र. सं.	अतीनी नंबर	व्यक्ति (पिता) का नाम और विवरण	नंबरदार का नाम और जमा के सहित पत्नी या वरक का नाम	विद्यमान सहित मासिक प्रदाती (प्राप्तक) का नाम	विद्यमान सहित मासिक प्रदाती (प्राप्तक) का नाम	पुत्र का विवाह के पुत्र प्राप्तक का नाम	व्यक्ति का नाम							
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789	972		पिता	विद्यमान सहित मासिक प्रदाती (प्राप्तक) का नाम	विद्यमान सहित मासिक प्रदाती (प्राप्तक) का नाम	पुत्र का विवाह के पुत्र प्राप्तक का नाम	व्यक्ति का नाम							
417			पिता	विद्यमान सहित मासिक प्रदाती (प्राप्तक) का नाम	विद्यमान सहित मासिक प्रदाती (प्राप्तक) का नाम	पुत्र का विवाह के पुत्र प्राप्तक का नाम	व्यक्ति का नाम							

Attested under RTI

SPIO Ambala



24557 DLR-10, 4, 600, 20-3-64-C, P. O. 1974

जमावदी गांव जिला 1974

सहस्रील

नजीक नं 58

स. नं 32, P

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खतोनी नम्बर	उष (प्राभा) मालिक का नाम और विवरण	नम्बरदार का नाम और जमा के सहित पत्नी या तरफ का नाम	विवरण सहित मालिक भ्राती (प्रापक) का नाम	विवरण सहित कार्तकार भ्राती (प्रापक) का नाम	कुएं या सिंचाई के दूरे साधनों का नाम	खसरा नम्बर	रकबा	दर और सख्या के बारे के साथ लगान जो सुजारा देता है	माप या हकीकत का पैमाना और बाछ का हंग	माल और सवाई के व्यारे सहित मांग	शेम मामला जो कि बर्ष के अन्त तक नहीं दिया गया			
376	693	अन	कलशर - 44 पुन	मकगुन मालिक		332	13	अबम	अबम	11-32				
382		सिखान	जानवरा माल			333	16	अबम	अबम	7-30				
		बेगम	माल			334	3	अबम	अबम	4-02				
		मण्डल	माल			335	3	अबम	अबम	3-65				
			कलशर माल			336	3-12	अबम	अबम	3-65				
			कलशर माल			337	6-1	अबम	अबम	3-65				

Attested under RTI  
 SPIO-cum-Dehsildar  
 Ambala.

~~गुणित~~  
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 Attested under RTI Act 2005

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 340 2-8  
 187 22-16  
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-संजयराव मंगेशकर  
 पंचालाल कानकर  
 विश्वनाथ बोरकर  
 पु. मंगल राव  
 बालराम बोरकर  
 मंगलनाथ बोरकर  
 केशव बोरकर  
 सुभाष बोरकर

मंगलनाथ मंगेशकर

188 12  
 189 12  
 190 9  
 191 1-2

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Ann-3

From

The Estate Officer,  
Haryana Urban Development Authority,  
Ambala.

To

Sh./Smt./Km. Mulki Raj Kumar

He. No. 858 P/1

Kaith Majra Ambala city

Memo. No. E.O.(A)-90/57/4

Dated: 18-5-90

Sub.: - Exchange of plot.

\*\*\*

As you know plot No. 447P in Urban Estate No. II, Ambala, allotted to you falls in the low lying area. For technical/financial reasons, it has not been possible to get the area filled even on 50:50 basis. In these circumstances, it is now proposed to offer you plot of the same size in sector-9, Urban Estate, Ambala on the same price and same terms & conditions of allotment.

You are, therefore, requested to send your acceptance to this effect within 15 days failing which it will be presumed that you are not interested in getting an alternative plot and you approve of your plot in the low lying area Urban Estate No. II.

[Signature]  
Estate Officer,  
HUDA, Ambala

156

Regd

From

The Estate Officer,  
Harvana Urban Dev. Authority,  
Ambala.

To

Sh./Smt.

M. N. Raj Grover,  
H. No. 859 B/K  
Kaith Majori

Memo No. E.O. (A)-86/7058

Dated:- 29-10-86

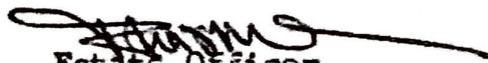
Sub:-

Exchange of plot.

\*\*\*\*

As you know Plot No. 447P in Urban Estate No. II, Ambala, allotted to you falls in the low lying area. For technical/financial reasons, it has not been possible to get the area filled over on 50:50 basis. In these circumstances, it is now proposed to offer you plot of the same size in Sector-9, Urban Estate, Ambala on the same price and same terms & conditions of allotment.

You are, therefore, requested to send your acceptance to this effect within 15 days failing which it will be presumed that you are not interested in getting an alternative plot and you approve of your plot in the low lying area Urban Estate No. II.

  
Estate Officer,  
HUDA, Ambala.

\*Sharma\*

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Annexure A4

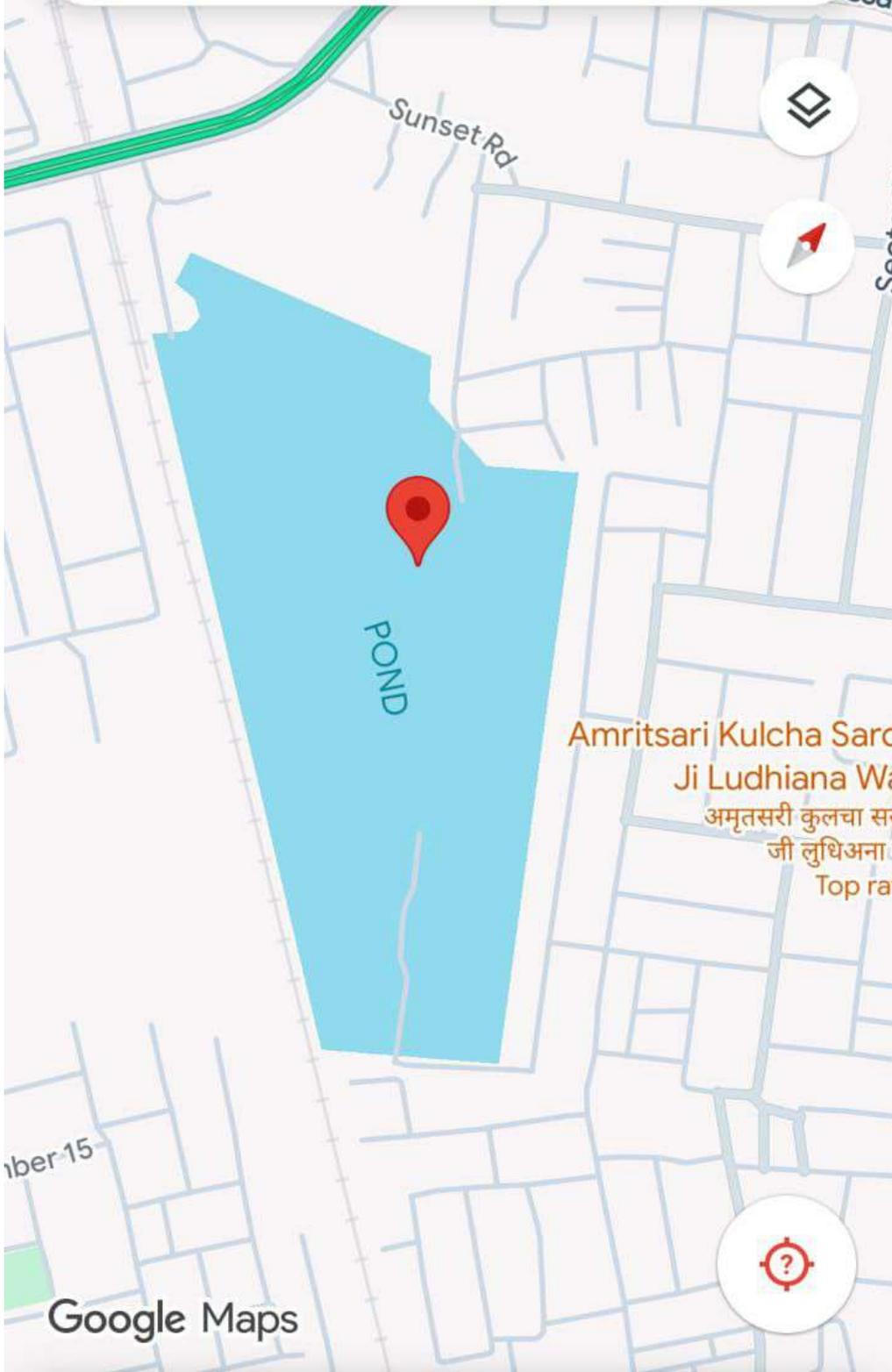


emapdepts.gmda.gov.in



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POND, Sector 7, Ambala, Ha... X



POND

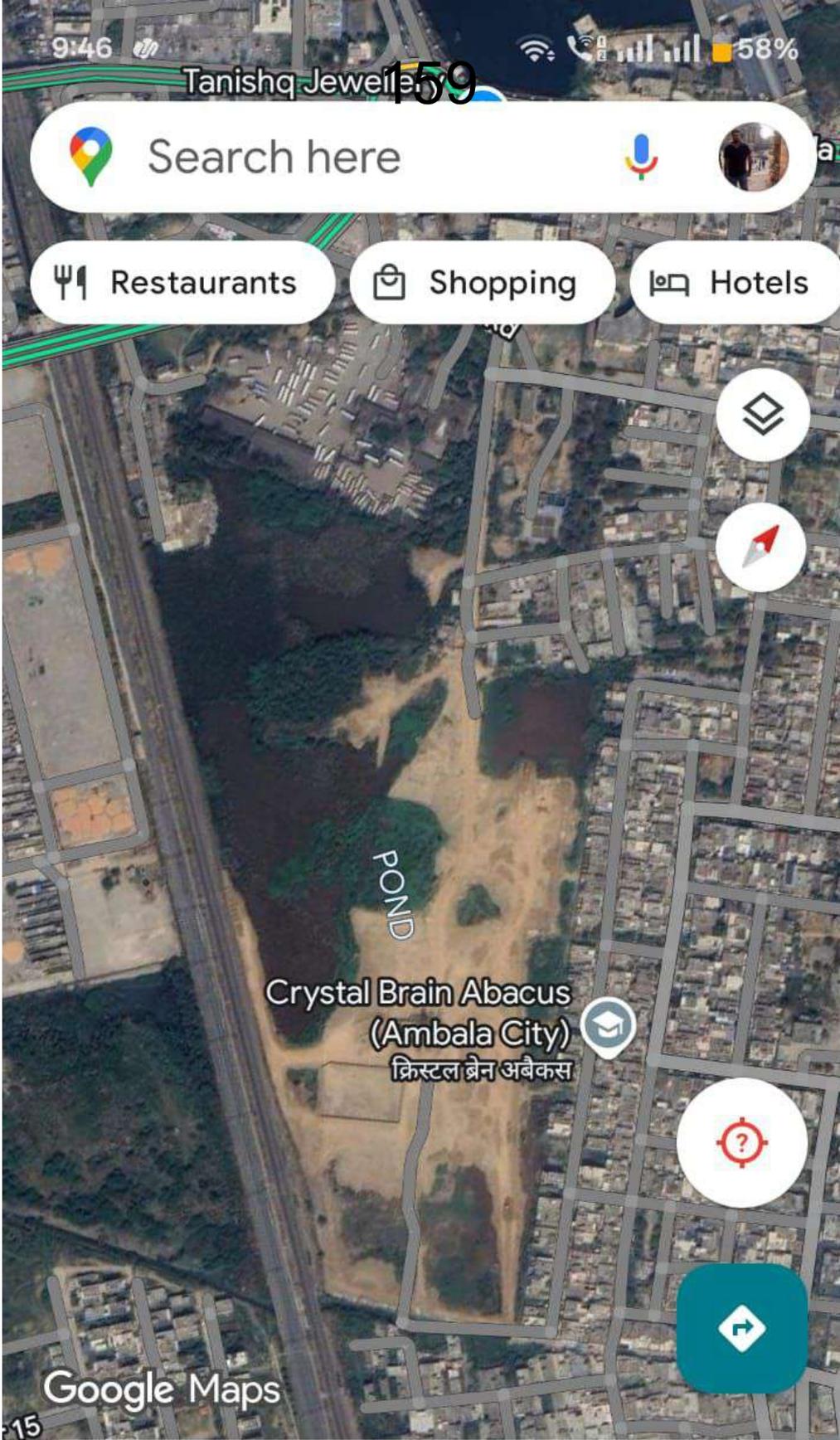


Directions

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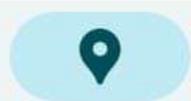
Share





Sector 7

29°  
NAQI



Explore



You



Contribute





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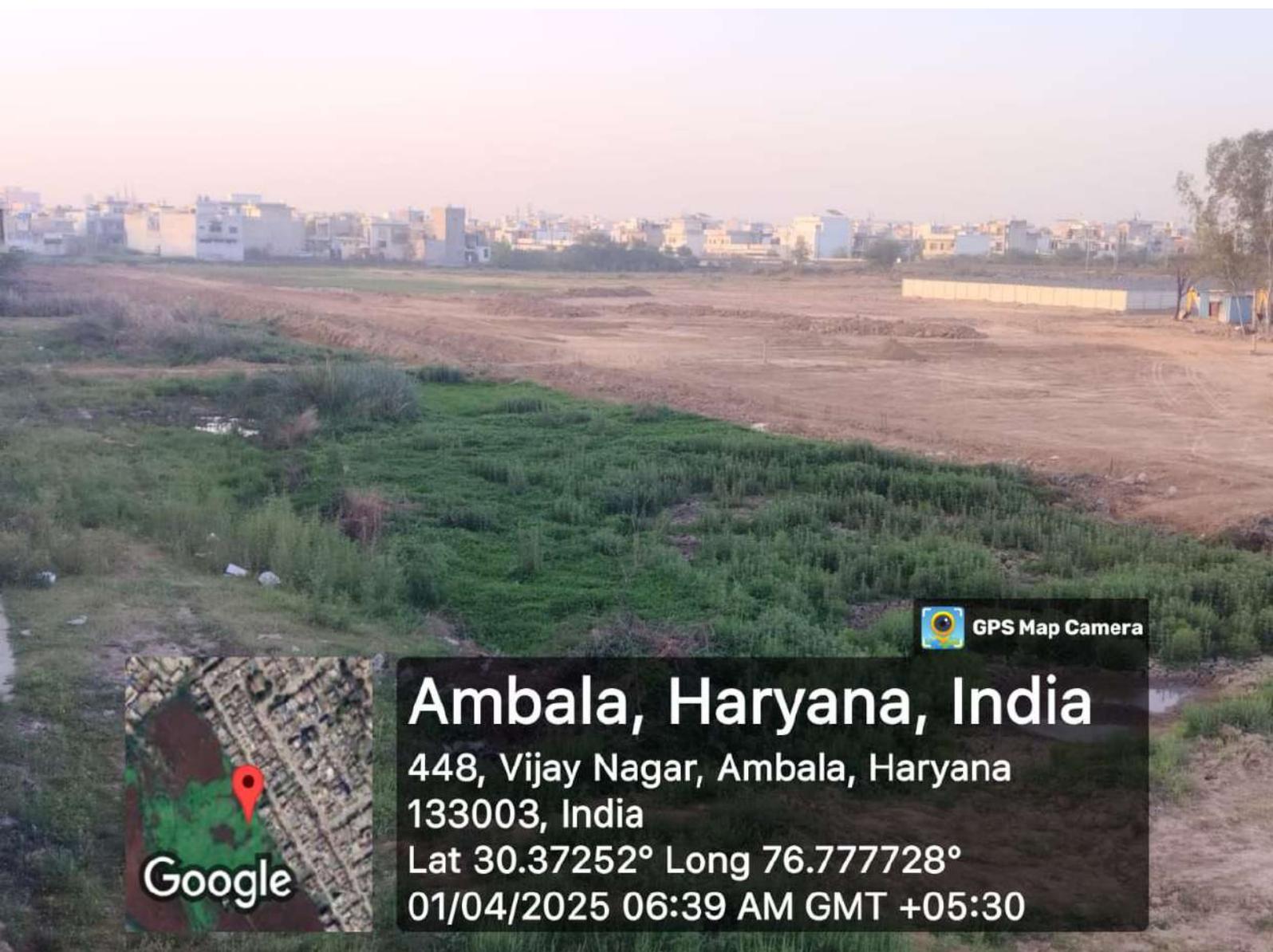


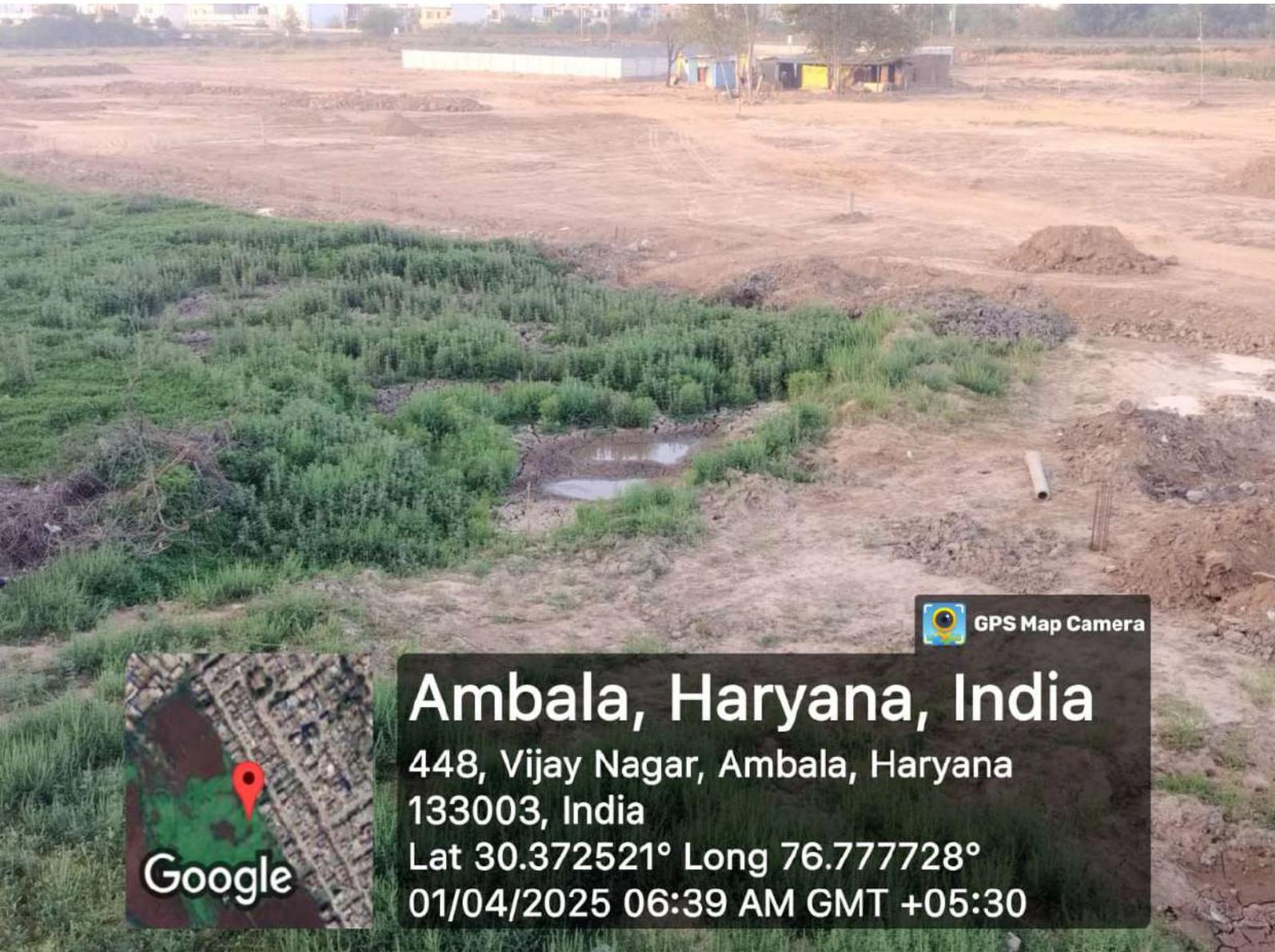


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165





 GPS Map Camera

# Ambala, Haryana, India

448, Vijay Nagar, Ambala, Haryana  
133003, India

Lat 30.372521° Long 76.777728°

01/04/2025 06:39 AM GMT +05:30



167

Date-19/6/2023

To

The SPIO  
O/o District Town Planner,  
Ambala

Subject: Application under RTI Act-2005.

Respected,

It is submitted that Kindly provide the information under the Act-2005 as given below:-

- 1) Kindly provide the certified copy of current Master Plan Of Sector-7, Urban Estate, Ambala City.
- 2) Kindly provide the certified copy of Gazette notification for all change of land use from 1978 to till date in master plan of sector-7, urban estate, Ambala City .
- 3) A copy of master plan which I received from HUDA under RTI-2005 is attached here with for your ready reference " A Proposed site for disposal works area 32.69ACS" shows in this master plan .Please provide the complete information regarding the ownership, khasara number and which year it was Acquired of 32.69ACS for disposal in master plan .
- 4) Kindly provide the certified copy of any proposed change of land use regarding" A Proposed site for disposal works area 32.69ACS" upto till date in master plan sector-7, urban estate, Ambala City .

A Postal order of Rs 10/- is also attached as RTI fee having no-61F-514610.

With Regards,

(AKHILESH CHOPRA)

342, SECTOR-7

URBAN ESTATE,

Ambala City-134003

Mobile-9416028800

[Ricky\\_chopra@rediff.com](mailto:Ricky_chopra@rediff.com)

Adhar Card no-823668890436



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From :-

State Public Information Officer - cum -  
District Town Planner,  
Ambala.

To

Sh. Akhilesh Chopra,  
R/o H.No. 342, Sector-7,  
Urban Estate, Ambala City.

Memo No. 2796 DTP(A)/2023/RTI-

Dated : 05/07/23

**Subject:- Application for information under Right to Information Act, 2005.**  
Ref. :- Your application dated 19.06.2023.

On the subject cited above, it is informed that the application under RTI Act, 2005 received in this office has been examined and the point wise reply of this office is as under :-

1. In reply of point no. 1, it is informed that you are requested to submit a postal order of Rs. 200/- in this office so that the copy of approved Demarcation plan of HSVP Sector-7, Ambala City could be provided to you.
2. In reply of point no. 2, it is informed that as per the office record there is no Change of Land Use Permission granted by this Department in HSVP Sector-7, Ambala City.
3. In reply of point no. 4, it is informed that as per the office record there is no proposed Change of Land Use Permission regarding disposal work area 32.69 ACS in HSVP Sector-7, Ambala City is received in this office.

  
State Public Information Officer - cum -  
District Town Planner,  
Ambala.

Endst no.

DTP(A)/2023/

Dated

A copy is forwarded to SPIO-cum-Estate Officer, HSVP, Ambala under section 6(3) of the RTI Act, 2005 alongwith the application dated 19.06.2023 with the request to provide the information regarding point no. 3 directly to the applicant under intimation to this office, please.

1  
State Public Information Officer - cum -  
District Town Planner,  
Ambala.

To  
The Haryana Pond Authority,  
Panchkula.

Subject: Request to Stop the Illegal Filling of Pond in Sector-7, Ambala

Respected Sir,

We, the residents of Sector-7, Ambala City (formerly known as Sector-2 at the time of allotment), would like to bring to your kind attention the illegal filling of the pond situated in Sector-7, having an area of 32.69 acres. This land is marked as a disposal site in the Layout Plan, with drawing number D.T.P(A) 2481/87 dated 15/06/1987, which was also submitted to the Hon'ble High Court in the year 2024 under CWP No. 15218 of 2024 (Copy Attached as annexure-1)

It is submitted that the Designing Authority had left 7.23 acres of land as an unplanned low-lying area located behind house numbers 265 to 479. The HUDA Department charged the enhancement price for this land from the residents of Sector-7, as annexure-2 detailed in the attached calculation sheet.

Furthermore, the HUDA Department had offered the residents of the last lane (house numbers 265 to 469) the option to change their plots to another sector due to the low-lying nature of the area. A copy of the HUDA offer is attached as Annexure-3, which clearly proves that the entire area is low-lying.

The 32.69 acres of land, marked as a disposal site adjoining 7.23 Acres low laying Area, has been historically used to hold rainwater. This is evident from the attested revenue records of Khasra numbers 260, 261, 266, 302/2, 303/2, 331, 333, 334, 335, 336, 337, and 338 as Jhord by Competent Authority under RTI Act-2005 (copies attached as Annexure-4). The land has been consistently used as a Jhord (water-holding area) for rainwater management because above mentioned khasra number located in 32.69 Acrs as per Akshejra (अक्षेत्र ) of Disposal land having area 32.69Acres.

Additionally, the Hon'ble High Court of Punjab and Haryana has acknowledged this in its order dated 7 April 1994 under point number 22, where HUDA admitted

that the land is used for rainwater retention. (Copy Attached as Annexure-5)

However, we have observed that for the past few months, this pond is being illegally filled with sand and it is in the knowledge of higher Authorities. This activity is in direct violation of Section 14 of the Haryana Pond and Wastewater Management Authority Act, 2018 (copy attached as Annexure-6).

In light of the above, we respectfully request that you take immediate action to stop this illegal filling of the pond. it will lead to severe flooding in Sector-7 during the upcoming rainy season, posing a threat to the safety and property of the residents.

We hope for your prompt intervention in this matter.

Yours sincerely,

(G.P Vij)

140, SECTOR-7

Ambala City

9996147340

(AKHILESH CHOPRA)

342, SECTOR-7

Ambala City

9416028800

(GAGAN DEEP GROVER)

447-P, SECTOR-7

Ambala City

7015893316

Attachments:

1. Layout Plan D.T.P(A) 2481/87 dated 15/5/87 (Annexure-1)
2. Calculation Sheet (Annexure-2)
3. HUDA Offer Copy (Annexure-3)
4. Revenue Record of Khasra Numbers (Annexure-4)
5. High Court Order Copy (Annexure-5)
6. Copy of Haryana Pond and Wastewater Management Authority Act, 2018 (Annexure-6)

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# Haryana Government Gazette

## EXTRAORDINARY

Published by Authority

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No. 180-2018/Ext.]

CHANDIGARH, TUESDAY, OCTOBER 23, 2018  
(KARTIKA 1, 1940 SAKA )

### LEGISLATIVE SUPPLEMENT

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**PART-I****HARYANA GOVERNMENT****LAW AND LEGISLATIVE DEPARTMENT****Notification**

The 23rd October, 2018

**No.Leg.38/2018.**— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 15th October, 2018 and is hereby published for general information:-

**HARYANA ACT NO. 33 OF 2018.****THE HARYANA POND AND WASTE WATER MANAGEMENT AUTHORITY  
ACT, 2018**

**AN**

**ACT**

*to establish an authority in the State for development, protection, rejuvenation, conservation, construction and management of pond, utilization of pond water and treatment thereof and for management and utilization of treated effluent of sewage effluent treatment plants for the purpose of irrigation, thereby reducing stress of over exploitation of ground water and for matters connected therewith or incidental thereto.*

Be it enacted by the Legislature of the State of Haryana in the Sixty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Haryana Pond and Waste Water Management Authority Act, 2018. Short title, commencement and application.
- (2) It shall come into force on such date, as the Government may, by notification, appoint and different dates may be appointed for different provisions of the Act.
- (3) It applies to all ponds in the State but shall not apply to a pond-
  - (i) having an area of less than 0.5 acres;
  - (ii) located in an area notified as forest; and
  - (iii) located on private land.
2. In this Act, unless the context otherwise requires,- Definitions.
  - (a) "Authority" means the Haryana Pond and Waste Water Management Authority constituted under section 3;
  - (b) "Chairperson" means the Chairperson of the Authority;
  - (c) "district level committee" means District Consultation and Monitoring Committee constituted under section 12;
  - (d) "District Pond Management Officer" means an officer of Group A service at the district level, to be nominated by the Government;
  - (e) "Executive Vice-Chairperson" means the Executive Vice- Chairperson of the Authority;
  - (f) "Government" means the Government of the State of Haryana in the administrative department;
  - (g) "Gram Panchayat" means a Panchayat constituted at village level under the Haryana Panchayati Raj Act, 1994 (11 of 1994);
  - (h) "member" means a member of the Authority and includes the Chairperson, Senior Vice-Chairperson and Executive Vice-Chairperson;

- (i) "Member Secretary" means the Member Secretary of the Authority;
- (j) "municipality" means an institution of self-Government which may be Municipal Committee or a Municipal Council or a Municipal Corporation;
- (k) "pond" means a tank or lake or any other inland water body having an area of 0.5 acre or more, whether it contains water or not, and mentioned in revenue records as talab, johar, tank or by any other name and includes green belt and the peripheral catchments areas, main feeder inlet and other inlets, bunds, weirs, sluices etc but does not include wet lands as notified by the Government from time to time;
- (l) "prescribed" means prescribed by the rules made under this Act;
- (m) "protected area" means the area declared as such under section 16;
- (n) "State" means the State of Haryana;
- (o) "village level committee" means the Village Pond and Waste Water Management Committee constituted under section 19.

Constitution  
of Authority.

3. (1) The Government shall, by notification in the Official Gazette and with effect from such date, as may be specified in the notification, constitute, for the purposes of this Act, an Authority to be called the Haryana Pond and Waste Water Management Authority with headquarter at such place, as the Government may, specify.

(2) The Authority shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power to acquire, hold and dispose of property both moveable and immovable and to contract and shall by the said name, sue or be sued.

(3) The Authority shall consist of the following members, namely:-

- |        |  |                            |
|--------|--|----------------------------|
| (i)    | Chief Minister, Haryana  | Chairperson                |
| (ii)   | Minister In-charge, Irrigation and Water Resources Department  | Senior Vice-Chairperson    |
| (iii)  | Minister In-charge, Development and Panchayats Department  | Senior Vice-Chairperson    |
| (iv)   | A person of eminence in the field of water resources management with proven track record having minimum qualification of graduation, to be appointed by the Government | Executive Vice-Chairperson |
| (v)    | Additional Chief Secretary/Principal Secretary to Government, Haryana, Finance Department  | Member                     |
| (vi)   | Additional Chief Secretary /Principal Secretary to Government, Haryana, Irrigation and Water Resources Department  | Member                     |
| (vii)  | Additional Chief Secretary/Principal Secretary to Government, Haryana, Development and Panchayats Department   | Member                     |
| (viii) | Additional Chief Secretary/Principal Secretary to Government, Haryana, Rural Development Department  | Member                     |
| (ix)   | Additional Chief Secretary/Principal Secretary to Government, Haryana, Urban Local Bodies Department   | Member                     |
| (x)    | Additional Chief Secretary/Principal Secretary to Government, Haryana, Agriculture and Farmers' Welfare Department   | Member                     |
| (xi)   | Additional Chief Secretary/Principal Secretary to Government, Haryana, Public Health Engineering Department  | Member                     |

- |        |  |                      |
|--------|--|----------------------|
| (xii)  | Additional Chief Secretary/Principal Secretary to Government, Haryana, Environment and Climate Change Department   | Member               |
| (xiii) | Vice Chancellor, Deenbandhu Chhotu Ram University of Science and Technology, Murthal (Sonapat)   | Member               |
| (xiv)  | Director, National Institute of Technology, Kurukshetra  | Member               |
| (xv)   | An officer, who is or has been working on the post not below the rank of Engineer-in-Chief or equivalent in the Irrigation and Water Resources Department or Public Health Engineering Department of the State or Central Government, to be appointed by the Government as Technical Advisor | Member               |
| (xvi)  | Two persons from amongst experts/social workers in the field of environment, ecology or pond development and conservation, to be appointed by the Government   | Non-Official Members |
| (xvii) | An officer who is or has been working on the post not below the rank of Chief Engineer or equivalent in the Irrigation and Water Resources Department, Public Health Engineering Department or Development and Panchayats Department of the State or Central Government.                     | Member Secretary     |

4. (1) The salaries, allowances and other conditions of service of the Executive Vice-Chairperson, Technical Advisor and Member Secretary shall be such, as may be prescribed and shall hold the office for a period of three years or till attaining the age of sixty-five years, whichever is earlier. Salary, allowances and conditions of service.

(2) The tenure of the non-official members shall be for a period of two years and shall not be eligible for re-appointment beyond two terms.

(3) A member, other than ex-officio member may, at any time, by writing under his hand, addressed to the Chairperson, resign from his office.

(4) The non-official members shall receive such allowances for attending the meeting of the Authority, as may be prescribed.

5. (1) The Authority shall meet at such time, at such place and observe such rules of procedure for conduct of meetings and transaction of business, as may be prescribed. Meetings of Authority.

(2) The Chairperson and in his absence, the Senior Vice-Chairperson shall preside over the meetings of the Authority.

(3) The quorum for a meeting shall be one-third of the total number of members.

6. The Authority shall perform the following functions, namely:- Functions of Authority.

- (i) to survey and study pond, its boundaries and protected area;
- (ii) to analyze water of pond for ascertaining its suitability for irrigation and other uses;
- (iii) to take steps for regulation, control, protection, cleaning, beautification, conservation, reclamation, regeneration, restoration and construction of pond;
- (iv) to make environmental impact assessment of pond;
- (v) to prepare integrated plan for development of pond and removal of encroachment;
- (vi) to promote community participation and awareness in cleaning, conservation, tourism and beautification of pond by organizing awareness programmes, workshops and seminars;
- (vii) to develop infrastructure such as pumping machinery, channels and pipe systems for utilization of pond water and effluent of sewage effluent treatment plants for the purpose of irrigation;
- (viii) any other function, as may be directed by the Government.

- Powers of Authority.
- 7.** The Authority while performing its functions under this Act shall have the following powers, namely:-
- (i) to enter into pond land, green belt and catchment area to perform its functions;
  - (ii) to receive grants, donations, contributions and rents;
  - (iii) to levy fee or charges;
  - (iv) to receive Corporate Social Responsibility funds from private organizations;
  - (v) to grant administrative approval for execution of projects;
  - (vi) to release funds to village level committee on the recommendation of the district level committee;
  - (vii) any other power, as may be assigned by the Government.
- Powers and duties of Executive Vice-Chairperson.
- 8.** (1) The Executive Vice-Chairperson shall give administrative approval to all project estimates and accept tenders subject to concurrence of the Authority:  
Provided that no such concurrence shall be necessary upto such amount, as may be prescribed.
- (2) The Executive Vice-Chairperson shall exercise such other powers and perform such other duties, as may be prescribed.
- Powers and duties of Technical Advisor.
- 9.** The Technical Advisor shall exercise the following powers and perform the following functions, namely:-
- (i) to prepare proposals and project estimates for development of pond;
  - (ii) to prepare irrigation schemes from pond and sewage/effluent treatment plant and other works connected thereto;
  - (iii) to accord technical sanction to estimates after administrative approval of the project;
  - (iv) to give technical advice to the Authority;
  - (v) to monitor execution of schemes and works of the Authority;
  - (vi) to authenticate such technical permissions, orders, notices and other documents of the Authority, as may be prescribed;
  - (vii) to exercise control over such officers and officials of the Authority, as may be prescribed.
- Powers and duties of Member Secretary.
- 10.** The Member Secretary shall exercise the following powers and perform the following duties, namely:-
- (i) to carry into effect the resolutions of the Authority;
  - (ii) to conduct affairs of the Authority;
  - (iii) to draw and disburse monies out of the fund of the Authority as delegated to him;
  - (iv) to authenticate such permissions, orders, decisions, notices and other documents, as may be prescribed;
  - (v) to exercise such other powers, discharge such other functions and perform such other duties, as may be prescribed.
- Organizational Structure of Authority.
- 11.** (1) The organization of the Authority shall have establishment, engineering, accounts and legal sections.
- (2) The Authority with the prior approval of the Government may appoint such officers and staff, in such manner and with such qualifications and conditions of service, as may be prescribed.

(3) The Authority may recruit or engage officers and officials on deputation or through contractual engagements, as it may deem necessary for discharge of its functions.

(4) The Authority may get its works executed as deposit work from any other department or organization of the State.

**12.** (1) The Government shall, by notification in the Official Gazette, constitute a committee at each district level to be called the \_\_\_\_\_ (name of district) District Consultation and Monitoring Committee consisting of the following members, namely:-

District  
Consultation  
and  
Monitoring  
Committee.

(i)	Minister In-charge, District Grievances Committee	Chairperson
(ii)	Chairperson, Zila Parishad	Member
(iii)	Mayors/Presidents of the concerned Municipalities	Member
(iv)	Deputy Commissioner	Member
(v)	Additional Deputy Commissioner-cum-CEO (District Rural Development Authority)	Member
(vi)	Superintending Engineer, Irrigation and Water Resources Department	Member
(vii)	Superintending Engineer, Public Health Engineering Department	Member
(viii)	District Development and Panchayat Officer	Member
(ix)	Deputy Director, Agriculture and Farmers' Welfare Department	Member
(x)	District Horticulture Officer	Member
(xi)	District Forest Officer	Member
(xii)	District Fisheries Officer	Member
(xiii)	Two persons from amongst experts/social workers in the field of environment, ecology or pond development and conservation, to be appointed by the Government	Non-Official Members
(xiv)	District Pond Management Officer	Member Secretary

(2) The non-official members shall receive such allowances for attending the meetings of the district level committee, as may be prescribed.

(3) The tenure of the non-official members shall be for a period of two years and shall not be eligible for re-appointment beyond two terms.

**13.** The District Pond Management Officer shall exercise the following powers and perform the following duties, namely:-

Functions and  
duties of District  
Pond  
Management  
Officer.

- (i) to give effect to the resolutions of the district level committee;
- (ii) to conduct affairs of the district level committee;
- (iii) to monitor execution of schemes and works of the district level committee;
- (iv) to exercise control over the officers and officials of the district level committee;
- (v) to exercise such other powers and discharge such other functions and perform such other duties, as may be prescribed.

**14.** No person shall,-

Acts  
prohibited in  
pond.

- (i) construct any structure on pond land, green belt and catchment area, occupy any pond land or part thereof or cause any obstruction in the natural or normal course of inflow or outflow of water into or from the pond on the upstream or down-stream without permission of the Authority;

- (ii) dump debris, municipal or industrial waste, mud or earth soil into and around pond, green belt or catchment areas;
- (iii) discharge untreated municipal waste or industrial effluent into pond directly or indirectly;
- (iv) construct roads, bridges or other structures within the pond area including the pond bund without permission of the Authority;
- (v) breach bund, waste weir including lowering or raising the height of the waste weir from its original height or remove fence, boundary stones or any hoarding or any sign board erected by the Authority;
- (vi) do any other act which is detrimental, directly or indirectly to pond:

Provided that nothing in this Act shall prohibit the Authority to redefine water uses of pond or treated effluent of sewage treatment plant or effluent treatment plant, from time to time:

Provided further that the Authority may grant permission for any of the above prohibited uses, in public interest with the prior concurrence of the Government.

Construction and development of pond to vest in Authority.

**15.** (1) Notwithstanding anything contained in any State law, instrument or order, the construction and development of pond with effect from the commencement of this Act shall, vest in the Authority. No person shall undertake any activity, whatsoever, within the boundary of a pond otherwise than in accordance with the permission granted by the Authority:

Provided that the Authority shall not grant any permission unless it is satisfied that such permission shall not have adverse impact on construction and development of pond:

Provided further that the Government may, by order in writing, allow withdrawal and use of the water of pond for the purposes for which it was withdrawn and used immediately before the commencement of this Act to the extent such withdrawal does not affect adversely the conservation and development of pond.

(2) Notwithstanding anything contained in any other State law, the Authority may direct the Gram Panchayat or municipality to remove any building, structure or any other object of obstruction within the protected area and pond land:

Provided that no building, structure or any other object of obstruction shall be removed, without following such procedure, as may be prescribed.

Declaration of protected area.

**16.** (1) The Government may, by notification in the Official Gazette, either suo-moto or on the recommendation of the Authority, declare a geographical area, green belt or catchment area around the pond to be a protected area.

(2) Any person aggrieved by the notification under sub-section (1) may, within two months from the date of publication of such notification in the Official Gazette, file his objections or suggestions before the Government in such manner, as may be prescribed.

(3) On the expiry of the period specified in sub-section (2), the Government may, after considering the objections and suggestions received by it under sub-section (2), either withdraw or modify the notification issued under sub-section (1) or reject the objections or suggestions, as the case may be. The decision of the Government shall be final.

Reularation of activities in protected area.

**17.** (1) The Authority shall be consulted at the time of preparation of spatial or development plan of any area comprising a pond or protected area and no spatial or development plan in respect of such area shall be approved or enforced without prior approval of the Authority.

(2) No construction shall be undertaken in the protected area without obtaining prior permission of the Authority. The Authority may grant permission in such manner, as may be prescribed.

(3) The Government may, by notification in the Official Gazette, either suo-moto on the basis of information available with it or on the recommendation of the Authority, specify, such other activities in the protected area, as it considers expedient for the construction and development of pond, which shall be prohibited or be undertaken after obtaining prior permission of the Authority.

(4) The Authority shall not grant any permission under sub-sections (2) or (3) if it is satisfied that such permission is likely to have adverse impact on construction and development of pond.

**18.** (1) When an offence under sections 14, 15 or 17 has been committed, any instrument, implement, machinery, device, tool, boat, vehicle or any other material or object used in committing any such offence, shall be seized by the Gram Panchayat or Municipality. Power to seize.

(2) The Gram Panchayat or Municipality seizing any property, vehicle, material or object under sub-section (1) shall place on them a mark indicating that the same has been so seized and shall, as soon as may be, make a report of such seizure to the police station having jurisdiction to try the offence on account of which the seizure is made.

**19.** (1) The Government may, if deemed necessary, constitute a village level committee to be called \_\_\_\_\_ (name of village) Pond and Waste Water Management Committee to carry out the objects of this Act. The committee shall be headed by the Sarpanch and shall consist of village level workers i.e. members from Village Water and Sanitation Committee (VWSC), Asha worker, member of self-help group, Swachhta Doot, representative of farmers to be benefitted and other volunteer social worker from village, as deemed fit. Village pond and Waste Water Management Committee.

(2) The district level committee shall review the achievements of village level committee.

**20.** Whoever contravenes the provisions of sections 14, 15 or 17 shall be liable for fine not exceeding twenty-five thousand rupees or to imprisonment not exceeding three months or both Penalty for contravention.

**21.** Whoever,-

- (i) obstructs the Gram Panchayat, Municipality, District Pond Management Officer or any person acting under the orders or directions of the Authority, from exercising powers, discharging function or performing duties under this Act or the rules made thereunder; or
- (ii) damages any work or property of the Authority; or
- (iii) destroys, pulls down, removes, injures or defaces any pillar, post or stake fixed in the ground or any notice or other matter put up, inscribed or placed, by or under the directions of the Authority, shall be liable on conviction to a fine not exceeding ten thousand rupees or to imprisonment not exceeding one month or both.

Penalty for causing obstruction.

**22.** If any person, who has been convicted of any offence under section 20 is again found guilty of an offence involving a contravention of the same provision, shall on the second and on every subsequent conviction be liable to a fine not exceeding fifty thousand rupees or to imprisonment not exceeding six months or to both. Enhanced penalty for subsequent offence.

**23.** Where an offence under this Act has been committed by a company or residents association, every person who, at the time, the offence was committed was in charge of, and was responsible to the conduct of the business of the company or residents association shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly: Offences by company.

Provided that nothing contained in this section shall, render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge.

**Explanation.-** For the purposes of this section "company" means any body corporate and includes a firm or other association of individuals.

**24.** (1) The fund of the Authority shall consist of the amount to be paid to it by the Government and all other receipts by way of gift, grant, penalties, fee, user charges or otherwise and shall be utilized for making payments and for performing its duties and discharging its functions under this Act. Fund of Authority.

(2) The Authority may receive Corporate Social Responsibility funds from private organizations. The Authority may release funds to or receive funds from any other Department or any organization of State for implementation of the scheme or programme as a deposit work in such manner, as may be prescribed.

(3) The Authority may keep in saving or deposit account with any scheduled bank or co-operative or other bank approved by the Government in this behalf, such sum of money out of its fund, as it may determine and any money in excess of the said sum shall be invested in such manner, as may be prescribed.

(4) The accounts shall be operated in such manner and by such officer, as may be prescribed.

- Accounts and audit. **25.** (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form and manner, as may be prescribed.
- (2) The accounts of the Authority shall be subject to audit annually by the Accountant General, Haryana and any expenditure incurred in connection with such audit shall be payable by the Authority.
- (3) The Accountant General, Haryana and any person appointed by him in connection with the audit of accounts of the Authority shall have the same rights, privileges and authority in connection with such audit as the Accountant General, Haryana has in connection with the audit of the Government accounts and in particular, shall have right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Authority.
- (4) The accounts of the Authority as certified by the Accountant General, Haryana or any person appointed by him in this behalf together with the audit report thereon and an explanatory memorandum on the action so taken or proposed to be taken shall be forwarded annually to the Government and the Government shall cause a copy of the same to be laid before the State Legislature.
- (5) The Member Secretary shall cause the accounts of the Authority together with the audit report and the explanatory memorandum to be placed on the website of the Authority after the report has been laid before the State Legislature under sub-section(4).
- Annual Report. **26.** (1) The Member Secretary shall prepare for every year a report of its activities during that year and submit the annual report to the Government in such form and on or before such date, as may be prescribed and the Government shall cause the report to be laid before the State Legislature.
- (2) The report referred to in sub-section (1) shall include an explanatory memorandum on the status of implementation of the annual plan of action on relief measures, schemes implemented alongwith gaps and shortfalls, if any, in implementation and reasons for such shortfall.
- (3) The Member Secretary shall cause the report together with the explanatory memorandum to be placed on the website of the Authority after the report has been laid before the State Legislature under sub-section (1).
- Budget. **27.** (1) The Member Secretary shall submit, in such form and manner and at such time every year, as may be prescribed, a budget in respect of the financial year next ensuing , showing the estimated receipts and disbursement of the Authority.
- (2) The Authority shall, subject to such modifications and revisions, as it may decide, approve the budget submitted under sub-section (1).
- (3) The budget as modified or revised by the Authority shall be forwarded to the Government alongwith such number of authenticated copies, as may be required by the Government and the Government shall cause the report to be laid before the State Legislature.
- (4) The Member Secretary shall cause the budget as modified or revised by the Authority, to be placed on the website of the Authority after the report has been laid before the State Legislature under sub-section (3).
- Officers to be public servants. **28.** The Chairperson, the Senior Vice-Chairperson, the Executive Vice-Chairperson, Technical Advisor, Member Secretary, Members, officers and other employees of the Authority and every other officer exercising any of the powers conferred by this Act or the rules made thereunder shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860).
- Protection of action taken in good faith. **29.** No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule made thereunder.

- 30.** (1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force. Effect of other laws.
- (2) The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.
- 31.** (1) If any difficulties arise in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provision, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulties: Power to remove difficulties.
- Provided that no order shall be made under this section after the expiry of two years from the date of commencement of this Act.
- (2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.
- 32.** Nothing in this Act shall restrict or be construed as restricting any religious rights of any section of the society in respect of a pond having religious importance. Saving of religious rights.
- 33.** The Government may issue administrative orders and guidelines not inconsistent with the provisions of this Act to carry out the objects of this Act until the rules are made. Transitory provisions.
- 34.** (1) The Government may, by notification after previous publication, make rules to carry out any or all the purposes of this Act. Power to make rules.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following, matters, namely:-
- (i) salary, allowances and other conditions of service for the Executive Vice-Chairperson of the Authority;
  - (ii) salary, allowances and other conditions of service for the Technical Advisor;
  - (iii) salary, allowances and other conditions of service for the Member Secretary;
  - (iv) allowance to be paid to non-official members for attending meeting;
  - (v) procedure for conduct of business at the meeting of the Authority;
  - (vi) the amount upto which the Executive Vice-Chairperson shall have the power to administratively approve the project estimates and accept tenders without concurrence of the Authority;
  - (vii) such other powers as may be exercised by the Executive Vice-Chairperson;
  - (viii) powers of the Technical Advisor to exercise control over the officers and officials of the Authority;
  - (ix) powers of the Technical Advisor to authenticate by his signatures all technical permissions, orders, notices and other documents of the Authority;
  - (x) powers of the Member Secretary to authenticate by his signatures all permissions, orders, decisions, notices and other documents of the Authority;
  - (xi) powers of the Member Secretary to exercise other powers and discharge other functions and perform other duties of the Authority;
  - (xii) manner, qualifications and conditions of service of officers and staff of the Authority;
  - (xiii) the allowances of non-official members of the district level committee for attending the meeting;
  - (xiv) other powers, functions and duties of the District Pond Management Officer;
  - (xv) the procedure to be followed for removing buildings, structure or any other object of obstruction;
  - (xvi) the manner for filing objections or suggestions declaring pond boundaries and protected area;
  - (xvii) the manner for obtaining prior permission for undertaking construction in the protected area;

- (xviii) the manner to release or receive funds from any other department or any other organization of Government for implementation of scheme or programme as a deposit work;
- (xix) the manner for investment of excess funds with the Authority;
- (xx) manner for operation of accounts;
- (xxi) the form and manner for maintaining proper accounts and other records and for preparation of annual statement of accounts of the Authority;
- (xxii) the form and manner for preparation of annual report of full accounts of activities of the Authority;
- (xxiii) the form and the date for submission of annual report;
- (xxiv) the form, manner and time for preparation of budget;
- (xxv) any other matter which has to be or may be prescribed.

(3) Every rule made under this Act shall be laid down, as soon as may be possible, before the State Legislature.

Repeal and saving.

**35.** (1) The Haryana Pond and Waste Water Management Authority Ordinance, 2018 (Haryana Ordinance No.4 of 2018), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

MEENAKSHI I. MEHTA,  
Additional Legal Remembrancer & Special Secretary  
to Government Haryana,  
Law and Legislative Department.

## VAKALATNAMA

IN THE HON'BLE COURT OF NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH AT NEW DELHI

Case No.....

**Applicant/Petitioner**      AKHILESH CHOPDA

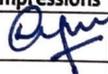
Versus

**Non Applicant/Respondent**      STATE OF HARYANA & ORS

I, the Applicant/Appellant or Respondent/Non Applicant named below do hereby appoint, engage and authorize advocate(s) named below to appear, act and plead in aforesaid case proceedings which shall include applications for restoration, setting aside of ex-parte orders, corrections, modifications, review and recall of orders passed in these proceedings, in this Court or in any other court in which the same may be tried/heard/proceeded with and also in the appellate, revisioner or executing court in respect of proceedings arising from this case/proceedings as per agreed terms and conditions and authorize them to sign and file pleadings, appeal, cross objection of the above said case in all its stages and also agree to ratify and confirm acts done by them as if done by us:

In witness whereof we do hereunto set our hand to these presents, the contents of which have been duly understood by us, this      day of      , 2024.

**Particulars of each party executing Vakalatnama**

Sr.N	Name & Father's/ Husband's Name & Age	E-mail	Tel No.	Registered Address	Status in the Case	Full Signature/ Thumb Impressions
1	AKHILESH CHOPDA					
2						

**Particulars of each advocate accepting Vakalatnama**

Sr. N	Full Name of Advocate	Address for Service	E-mail Address	Telephone Number	Full Signature
1	<b>Prakash Pandey (MP/1611/2018)</b>	B 81, Ratan Nagar, Madan Mahal Jabalpur 482001	advprakashpande@gmail.com	8871849683 7805008055	
2	<b>Arun Goswami</b>				
3	Swechha Prakash				