

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**NEW DELHI (PRINCIPAL BENCH)**

**Original Application No. 459/2023**

**In the matter of:**

**Charan Singh**

**.....Applicant**

**V/S**

**State of Punjab**

**....Respondent**

**Reply in the form of Affidavit by Surabhi Malik, IAS, Deputy  
Commissioner, Ludhiana**

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It is most respectfully showeth:

1. That undersigned is posted as District Magistrate, Ludhiana and thus filing the reply.
2. That Hon'ble National Green Tribunal vide orders dated 02.08.2023 has directed as follows:-

“ 3. *Prima facie*, the averments made in the application raise questions relating to environment arising out of the implementation of the enactments specified in Schedule I to the National Green Tribunal Act,2010.

4. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Ministry of Environment, Forest and Climate Change (MoEF&CC), Integrated Regional Office at Chandigarh, Punjab State Pollution Control Board (PSPCB) and District Magistrate (DM), Ludhiana and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant, verify the factual position and take appropriate remedial action including identification of the encroachers, removal of encroachments and rejuvenation of the ponds by following due course of law. The Committee shall also look into the aspects of compliance with order dated 18.11.2020 passed by this Tribunal in OA No. 325/2015, Lt. Col. Sarvadaman Singh Oberoi vs. Union of India & Ors., regarding rejuvenation of ponds and also implementation of ‘The Mission Amrit Sarovar’, launched by Government of India. The PSPCB will be the nodal agency for coordination and compliance.

5. Factual and Action taken Report may be submitted within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF..”

3. That in compliance to the orders of Hon'ble NGT, New Delhi the following joint committee Comprising of Asst. Commissioner (Forestry) on behalf of Ministry of Environment, Forest and Climate Change, Environmental Engineer on behalf of Integrated Regional Office-4 at Ludhiana, Punjab State Pollution Control Board (PSPCB) and District Development and Panchayat Officer, Ludhiana on behalf of undersigned visited the site to submit factual report on the directions of Hon'ble National Green Tribunal and the Status report of the Joint Committee is **Attached at Annexure-A** .
4. That in view of the joint status report, it is clear that all the points have been visited by the concerned departments and remedial action has been taken and compliance has been made and directions have been issued to all the concerned departments to ensure strict vigilance and to comply with the rules and regulations.
5. The undersigned has followed the instruction passed earlier by Hon'ble National Green Tribunal. That in the view of the compliance of factual report is submitted made herein above, with request to Original Application No 459 of 2023 may be disposed-off with appropriate orders. Any instructions passed by the Hon'ble Tribunal shall be complied in letter and spirit.



It is, therefore, prayed that the Original Application No. 459 of 2023 may kindly be disposed of with appropriate orders.

**Submitted by**



(Surabhi Malik, IAS)

District Magistrate, Ludhiana

**Verification:-**

Verified that the contents of para no.1 to 5 of the above reply are true and correct to my knowledge as derived from the official record. No part of the above reply is false and nothing material has been kept concealed therein.

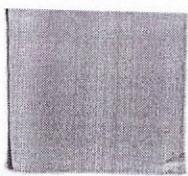
Dated:-

Place:-



(Surabhi Malik, IAS)

District Magistrate, Ludhiana



**Report of the Joint Committee**

**In the matter of Original Application, No 459/2023 Charan Singh V/s State of Punjab, compliance of Hon'ble NGT orders dated 02.08.2023**

**1.0 Background:**

The applicant Charan Singh has filed letter petition before the Hon'ble NGT vide email there by praying to save the villagers of village Alamgir from the clutches of polluted atmosphere so that they may live healthy and dignified life. The applicant has apprised the Hon'ble Tribunal that there are five ponds in village Alamgir of District Ludhiana, which is a historical village and these ponds are causing unhygienic conditions for the residents living around the ponds. It is also alleged by the applicant that pond area has been encroached by the villagers and is filled with black dirty water, dump of garbage and American grass.

**2.0 Orders and Directions dated 02.8.2023 issued by the Hon'ble NGT:**

After consideration of the matter the Hon'ble NGT was pleased to constitute a Joint Committee vide order dated 02.08.2023 comprising of the MoEF&CC, PSPCB and the District Magistrate (DM), Ludhiana to verify the factual position and take appropriate remedial measures. The relevant extract of paragraph 4 of the order dated 02.08.2023 is reproduced herein below for kind perusal and reference.

“4. In view of the averments made in the application, we consider it appropriate that a Joint Committee be constituted to verify the factual position and take appropriate remedial action. Accordingly, we constitute a Joint Committee comprising of Ministry of Environment, Forest and Climate Change (MoEF&CC), Integrated Regional Office at Chandigarh, Punjab State Pollution Control Board (PSPCB) and District Magistrate (DM), Ludhiana and direct the same to meet within one week, undertake visits to the site, look into the grievances of the applicant, associate the applicant, verify the factual position and take appropriate remedial action including identification of the encroachers, removal of encroachments and rejuvenation of the ponds by following due course of law, The Committee shall also look into the aspects of compliance with order dated 18.11.2020 passed by this Tribunal in OA No. 325/2015, Lt. Col. Sarvadaman Singh 4 Oberoi vs. Union of India & Ors., regarding rejuvenation of ponds and also implementation of The Mission Amrit Sarovar', launched by Government of India. The PSPCB will be the nodal agency for coordination and compliance. Factual and Action taken Report may be submitted within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF”

**3.0 Compliance of order dated 02.08.2023 of the Hon'ble NGT**

In compliance to the order dated 02.08.2023, officers were nominated by the departments for representation in the Joint Committee to carry out visits to the site, look into the grievances of the applicant, associate the applicant, verify the factual position and take appropriate remedial action including identification of the encroachers, removal of encroachments and rejuvenation of the ponds by following due course of law. The name of the Joint Committee members are mentioned herein below:

- (i) Sh. Ravinder Singh, Asstt. Commissioner (Forestry) MoEF& CC, GoI.
- (ii) Smt. Navdeep Kaur, District Development and Panchayat Officer (DDPO) Ludhiana
- (iii) Sh. Kuldeep Singh, Environmental Engineer, Punjab Pollution Control Board (PPCB), Ludhiana.

**4.0 Consideration of the order dated 02.08.2023 (O.A No 459/2023) and order dated 10.05.2019 (MA no. 26 of 2019 in OA no. 325 of 2015)**

The members of the Joint Committee have examined and considered the order dated 02.08.2023 passed by the Hon'ble NGT in O.A no. 459/2023 and order dated 18.11.2020 passed in OA no. 325 of 2015 titled as Lt. Col. Sarvadaman Singh Oberoi Vs Union of India and Others. The Hon'ble NGT vide order dated 18.11.2020 passed in OA no. 325 of 2015 (Lt. Col. Sarvadaman Singh Oberoi Vs Union of India and Others) had directed all the States and UTs to monitor remedial action for 351 polluted river stretches and restoration of water bodies and designation of nodal agency for restoration of water bodies.

In compliance to the orders of the Hon'ble NGT, it has been decided by the State of Punjab that the Department of Rural Development and Panchayats and the Department of Local Government shall prepare draft Action Plan for restoration of ponds falling in rural and urban areas as per CPCB guidelines for submissions to the CPCB. The Directorate of Environment and Climate Change has accordingly submitted the Action Plan for rejuvenation of ponds. In the said Action Plan, the responsibilities of the various stakeholder departments have been defined and the Department of Rural Development and Panchayat has been assigned with the following responsibilities:

- (i) Identification, restoration and management of village ponds in a timebound manner
- (ii) Finalization of appropriate technology
- (iii) Arrangement of funds for treatment technology in various villages
- (iv) Reuse of ponds water for agriculture purpose and for any other use as per local conditions
- (v) Proper operation and maintenance of treatment facilities installed in village ponds
- (vi) Create awareness among local population for keeping rural ponds pollution free
- (vii) Any other action as directed by Government from time to time.

The Department of Rural Development and Panchayat has identified 15,466 village ponds having total area of 23450 acres catering to 1.67 crore human population and 34 Lacs cattle population.

The Punjab Pollution Control Board has been assigned with the following responsibilities:

- (i) Laying down discharge standards for rural and urban ponds as per CPCB Guidelines
- (ii) Monitoring of water quality of ponds

In compliance to the provisions of the Action Plan for rejuvenation of ponds, the following standards have been prescribed by the Punjab Pollution Control Board laid down:

S. No.	Standard Parameters	Standard to be achieved
1	BOD	30 mg/l.
2	Dissolved Oxygen (DO)	More than 5.0 mg/l.
3	Feecal Coliform, MPN/ 100mls	Less than 1000/100mls

### 5.0 Consideration of the matter by the Hon'ble Punjab and Haryana High Court

It is relevant to mention here that the Hon'ble Punjab and Haryana High Court has also considered the matter relating to the disposal of sewage in the villages in CR-4150 of 2018 titled as Gram Panchayat Bimri and Others V/s Resham Singh. The Hon'ble Punjab and Haryana High Court had directed the State to immediately make a proper policy. A technical committee comprising of the Chairman, PPCB, representatives of the Department of Rural Development and Panchayats, Department of Water Resources and the Department of Water Supply and Sanitation to assess the treatment efficiency of the Waste Stabilization Ponds (WSPs) already provided in the villages.

The Technical Committee studied various existing prevalent models regarding treatment of wastewater of villages and recorded in writing the facts that are to be taken care of with recommendation of the new models of treatment technologies as under:

Based on the analysis results of PPCB Model & Thapar Model and different treatment technologies already in use in different parts of the State and their techno-economic viability, the State should adopt one of the following two models for treatment of wastewater (especially village ponds):

- a) PPCB Model
- b) Thapar Model
- c) Availability of land and the site conditions.
- d) Collection of data of each village w.r.t. population, milch cattles, conveyance system for sewage and sullage, size of the existing pond, quantum of sewage/ sullage generated and agricultural land available along with contour plan for utilization of treated wastewater.
- e) Engineering design of screens, grit chamber, settling tank, WSP & polishing pond to meet the end use requirements as per intended use of treated waste water.

### 6.0 04.09.2023: Site Visit of village Alamgir by the Joint Committee:

In compliance to the orders dated 2.08.2023, of the Hon'ble NGT, the site of the village Alamgir was visited and inspected by the members of the joint committee along with following officers of the concerned departments in accordance with the mandate of the orders of the Hon'ble National Green Tribunal.: -

- (i) Sh. Ravinder Singh, Asst Commissioner (forestry) MoEF& CC.
- (ii) Smt. Navdeep Kaur, DDPO Ludhiana.
- (iii) Sh. Kuldeep Singh, EE, RO-4, PPCB, Ludhiana.
- (iv) Sh. Harpreet Singh, AEE, RO-4, PPCB, Ludhiana.
- (v) Sh. Rajesh Kumar Chadda, BDPO Ludhiana-1.
- (vi) Sh. Gurmail Singh, JE, Block Ludhiana-1.
- (vii) Sh. Kiranpal Singh, Panchayat Sectary.
- (viii) Sarpanch Gram Panchayat, Alamgir.

### 7.0 Observations of the Joint Committee Members

During visit to the site on 04.09.2023, the team officers have repeatedly contacted the applicant complainant Sh. Charan Singh and requested him to join the team members for carrying out the visit of the ponds, but the applicant complainant did not agree and had not accompanied the team members. After visiting the site, it is observed by the team members that there are five ponds in Village Alamgir. The ponds were numbered by the team members and effluent samples were collected for analysis in the following sequence:

- (i) Pond on Alamgir Dulay Road (1st pond), near cremation ground.
- (ii) Pond near Bhagat- Ravidas Dharam Shala (2nd Pond).
- (iii) Pond near Bhai Naghaya Singh Hall (3rd pond).
- (iv) Pond near Alamgir Village Road (4th pond).
- (v) Pond near Govt. Senior Secondary School (5th pond).

During the site visit, it was observed by the team member that at location no. 2 i.e., Pond near Bhagat- Ravidas Dharam Shala (2nd Pond), plastic waste was found floating on the pond. At location no. 4 i.e., Pond near Alamgir Village Road (4th pond), plastic wastes was also found floating on the pond. All the five samples collected from the five number ponds of Village Alamgir were dispatched to the laboratory of the Punjab Pollution Control Board situated at Focal Point, Ludhiana for analysis through the officer of the Board. The wastewater samples of the ponds were analysis for BOD, DO & Fcoli. The analysis results of the effluent samples as received from the laboratory of the Punjab Pollution Control Board on 13.09.2023 are reproduced herein below:

Sr. no.	Point of Sample Collection	BOD (mg/l)	DO (mg/l)	F.Coli (MPN/100 ml)
1	Pond on Alamgir, Dulay Road	42	2.2	35,000
2	Pond near Bhagat- Ravidas Dharam Shala	70	1.2	11,00,000
3	Pond near Bhai Naghaya Singh Hall	24	6.1	21,000
4	Pond near Alamgir Village Road	50	BDL	70,000
5	Pond near Govt. Senior Secondary School	58	1.0	7,90,000

The analysis results have revealed that the quality of water of all ponds of Village Alamgir were not achieving the prescribed standards laid down in reference to the provisions of the Action Plan prepared by the State for rejuvenation of village ponds. However the wastewater was not even used for irrigation purposes by the people of the area.

### 8.0 Recommendations of the Joint Committee

After considering all the facts and circumstances of the case, in the background of the analysis results and also keeping in view the fact that village Alamgir is having historical importance, an immediate action is required to be carried out to revive the village ponds which are in a status of neglect. The team member of the joint committee has directed to the Block Development and Panchayat Officer (BDPO), Ludhiana-1 to immediately draw an action plan to revive and rejuvenate all the five ponds of village Alamgir in consultation with the line departments and in the first instance to remove the waste

plastic material from the site for disposal in scientific manner. The Department of Rural and Development Panchayats was also directed through the BDPO, Ludhiana-1 to adopt one of the models (PPCB or Thapar model) for treatment of wastewater of village ponds of Village Alamgir with further direction to carry out the fencing of the ponds so as to rule out the possibility of drinking of the dirty water of the ponds by the animals. The BDPO, Ludhiana-1 was further directed to resolve the issue of disposal of solid waste of the village in scientific manner.

Accordingly, BDPO, Ludhiana-1 vide its letter no. 4624 dated 23.10.2023 has informed that ponds of villages Alamgir were inculcated in the Action Plan prepared by the Govt. for Rejuvenation of the ponds and as per Action Plan the time limit for rejuvenation of rural ponds are 2029-30. BDPO, Ludhiana-1 through its technical wing has prepared the estimate for rejuvenation of pond which are reproduced as under:-

Sr. no.	Ponds	Description of Work	Estimated Cost (in Lacs)
1	Pond on Alamgir, Dulay Road	Desilting Chamber	0.85
		Dewatering and Desilting of Pond	4.00
2	Pond near Bhagat- Ravidas Dharam Shala	Desilting Chamber 3 No.	2.55
		Dewatering and Desilting of Pond	6.00
		Toe wall and Fencing (5' Height) (700 Rft)	10.50
3	Pond near Bhai Naghaya Singh Hall	Toe wall and Fencing (5' Height) (650 Rft)	9.75
		Thapar Model for Renovation of Pond	32.50
4	Pond near Alamgir Village Road	Desilting Chamber 2 No.	1.70
		Dewatering and Desilting of Pond	2.50
		Toe wall and Fencing (5' Height) (240 Rft)	3.60
5	Pond near Govt. Senior Secondary School	Desilting Chamber	0.85
		Dewatering and Desilting of Pond	3.00
		<b>Total</b>	<b>77.80</b>

BDPO, Ludhiana-1 vide his report No 4624 dated 23.10.2023 has ensured that construction of desilting chambers and desilting of ponds would be done under MGNREGA scheme. Dewatering of the said ponds shall be done using funds under the 15th Finance Commission grant. Rest of renovation work of the ponds shall be done by seeking funds from the Government

#### 9.0 Submission of report

The report of the Joint Committee is hereby submitted in compliance to order dated 02.08.2023 for kind consideration and appropriate orders of the Hon'ble National Green Tribunal.

EE, PPCB R021/23  
Ludhiana

Assistant Commissioner (Forestry)  
MoEF&CC

DDPO  
Ludhiana