

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

ORIGINAL APPLICATION No. 209 OF 2023

IN THE MATTER OF:

KAPIL DEV & ANR

...APPLICANT

VERSUS

MUNICIPAL CORPORATION, LUDHIANA & ORS

...RESPONDENT

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Filed Through

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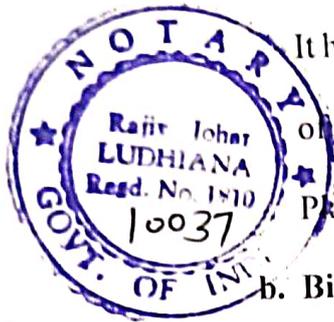
REPLY ON BEHALF OF MUNICIPAL CORPORATION, LUDHIANA IN
COMPLIANCE OF ORDER DATED 20.03.2024

IT IS MOST RESPECTFULLY SHOWETH:

1. That I Sandeep Rishi, Commissioner, Municipal Corporation Ludhiana is filing this reply on behalf of Municipal Corporation, Ludhiana.
2. That this Hon'ble Tribunal vide order dated 20.03..2024 had directed:
 - 2.1. Learned Counsel for respondents no. 1 and 2 also seeks time for filing of their reply/response.
 - 2.2. Report of the Joint Committee and reply/response by respondents no. 1 and 2 be filed within one month by e-mail at judicialngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.
3. That the applicants herein have alleged that Sarabha Nagar and Model Town Extension, Ludhiana have been developed under the Municipal Town Planning Scheme and the impugned areas are Green Belts/Leisure Valley as per TP scheme as well as Master Plan of Ludhiana. It has also been alleged that Municipal Corporation, Ludhiana has constructed extension office along with approach road as well as Scrap Yard/Dump Yard/Store in land of green belt (Leisure Valley). Some private persons have also done encroachment by raising constructions on green belts at Model Town Extension Funeral Ground Road in violation of law.

4. That as ordered by Hon'ble Tribunal, Joint committee constituting of Forest Range officer, Department of Forests and Wildlife Preservation, Punjab Environmental Engineer, Punjab Pollution Control Board and Technical officer (G), Ministry of Environment, Forest and Climate change Submitted the status report on 09/02/2024. Thereafter, on the observations made by Joint Committee, Following actions have been done by Municipal Corporation, Ludhiana.

a. Office of Municipal Corporation Zone-D, Ludhiana



It has been submitted by the Joint Committee that there is no encroachment of green belt (Leisure Valley) as the site is earmarked in the notified Master Plan, Ludhiana. Hence, no action is required.

b. Birth & Death Registration Office, Ludhiana

It has been submitted by the Joint Committee that there is encroachment of green area (Leisure Valley) as the site is not earmarked in the notified Master Plan. However, this office was setup prior to adoption of master plan and the purpose of this office is solely to provide all Municipal Services at one point and this office is working in public interest.

c. Scrap Yard and office of Junior Engineer, Municipal Corporation, Ludhiana

It has been submitted by the Joint Committee that there is encroachment of green area (Leisure Valley) as the site is not earmarked in the notified Master Plan, Ludhiana. However, It is submitted that this office was also setup much prior to year 2008 in which the final master plan of Ludhiana was notified. Moreover, it is pertinent to mention that this office is spread over approx. 500 yards, out of which 350 yards is an open space. Further, this office is working in larger public interest and redresses public grievances.

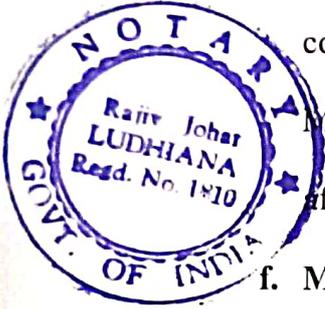
AN

d. Lord Shiva statue in the Leisure Valley, Near model town extension

It has been submitted by the Joint Committee that there is encroachment of green area (Leisure Valley) as the site is not earmarked in the notified Master Plan, Ludhiana. It is submitted that it is a small religious statue and was installed much prior to the finalization of Master Plan.

e. M/S Urban Tikka Restaurant, Model Town Extension, Ludhiana

It has been submitted by the Joint Committee that the restaurant has constructed temporary shed beyond its premises in the green belt area of Model Town extension resulting in encroachment. It is submitted that the aforementioned building has been sealed by MC, Ludhiana on 25/06/2024.



f. M/s D.S. Enterprises, Model Town Extension, Ludhiana

It has been submitted by the Joint Committee that the afore-mentioned enterprise has made path in the green belt area of Model Town Extension in order to approach main road resulting in encroachment. It is submitted that this enterprise has been sealed by MC, Ludhiana on 25/06/2024.

g. M/S M. P. Ply Palace, Model Town Extension, Ludhiana

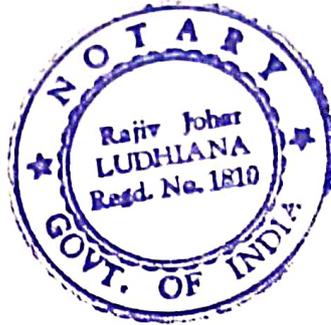
It has been submitted by the Joint Committee that the afore-mentioned has made path in the green belt area of Model Town Extension in order to approach main road resulting in encroachment. It is submitted that it has been sealed by MC, Ludhiana on 25/06/2024.

h. M/s A. B. Wines, Model Town Extension, Near Block-C, Ludhiana

It has been submitted by the Joint Committee that the establishment has made path in the green belt area of Model Town Extension in order to approach main road resulting in encroachment. It is submitted that it has been sealed by MC, Ludhiana on 25/06/2024.

A handwritten signature in blue ink, appearing to be 'A.B.' or similar, located to the left of the text for item h.

5. That Municipal Corporation, Ludhiana has always been very diligent in taking steps towards creation of Green Belts for benefiting the residents of the city by providing better environment conditions.



[Signature]

DEPONENT

Commissioner
Municipal Corporation
Ludhiana

VERIFICATION

Verified at Ludhiana of the 28th day of June, 2024 that the contents of the above reply in so far as they relate to factual position are true upon the information derived from the official record and in so far as they relate to the legal submissions are true upon the advice received and believed by me to be true. Rest is by way of submissions before this Hon'ble Tribunal.

[Signature]

DEPONENT

Commissioner
Municipal Corporation
Ludhiana

DATE: 28-06-2024

I know the deponent and he has signed in my presence.

PLACE: Ludhiana

Certified that the affidavit/S.P.A./GPA has been read over and explained to the deponent executant who seemed directly to understand the same at the time making thereof.

[Signature]
UID No. 854621182408

Attested as Identified
[Signature]
Notary Public
Ludhiana (Dist. Pb)

29 JUN 2024