

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

Original Application No. 383 of 2023

IN THE MATTER OF:

President Garden City Residential Welfare Society	APPLICANT
Versus	
State of Punjab	RESPONDENT

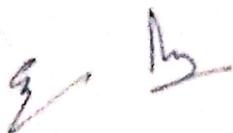
Reply of Punjab Pollution Control Board i.e. respondent
no.1 through Environmental Engineer, Regional Office-2, Ludhiana.

Respectfully Showeth:

1. That briefly submitted, the Hon'ble National Green Tribunal was pleased to take cognizance of a letter 27.3.2023 sent by Garden City, Residential Welfare Society, Dehlon Road, Dharour, Sahnewal, Ludhiana and O.A No. 383 of 2023 was registered under Section 14 & 15 of National Green Tribunal Act, 2010. Considering the grievances of the applicant, the Hon'ble Tribunal vide order dated 30.5.2023 had constituted a Joint Committee comprising of State PCB, District Magistrate, Ludhiana and CPCB to obtain a factual report for the purpose. The State PCB was made the nodal agency for co-ordination and compliance.



2. That the Joint Committee comprising of Scientist-D, Regional Directorate-Chandigarh of Central Pollution Control Board; Environmental Engineer and Assistant Environmental Engineer, Punjab Pollution Control Board and Naib Tehsildar, Sahnewal of behalf of District Administration visited the site on 07.07.2023 and submitted the Status Report dated 30.10.2023 to Hon'ble National Green Tribunal. The observations of the Joint Committee and action taken by the Punjab Pollution Control Board at that time has been mentioned in the order dated 31.10.2023.
3. That after considering the Joint Committee Report, the Hon'ble National Green Tribunal was pleased to implead the Member Secretary, Punjab Pollution Control Board; District Magistrate, Ludhiana; Member Secretary, Central Pollution Control Board and Garden City Sahnewal, Ludhiana as party respondents in the case vide order dated 31.10.2023
4. That in compliance to the order dated 31.10.2023, it is respectfully submitted that the project proponent of M/s Garden City has developed residential project in about 41 acres of land at Village Dharour, Dehlon Road, Sahnewal, Ludhiana. Out of the total land area of 41 acres, 9.5 acre project has been approved by Greater Ludhiana Area Development Authority (GLADA) and the remaining project in about 32 acre of land is unapproved. The project proponent has neither provided separate sewage

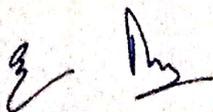


treatment plant for the adjoining project of 32 acre nor has taken separate permission for the development of the colony which may be termed as unauthorized. The sewage treatment plant provided for the approved project of 9.5 acre was also lying defunct at the time of visit by the officer of the Board on 7.7.2023 and the condition of the sewage treatment plant revealed that the same has not been operated since long.

5. That it is relevant to mention here that the Punjab Pollution Control Board has taken following actions in the matter.

a) Punjab Pollution Control Board, after issuing numerous notices to the project proponent for making compliance, had already taken appropriate action by filing criminal prosecution against the Promoters of the above project and the responsible persons under the relevant provisions of Water (Prevention and Control of Pollution) Act, 1974 in 2016. The complaint case bearing no. COMA/9726/2016 was filed in court of Ld. Chief Judicial Magistrate, Ludhiana and the case is pending.

b) For continued violations, the Punjab Pollution Control Board has issued notice bearing no. 5479 dated 28.9.2023 to the project proponent u/s 33-A of Water (Prevention and Control of Pollution) Act, 1974 with opportunity of personal hearing before the Chairman of the Board on 09.10.2023.

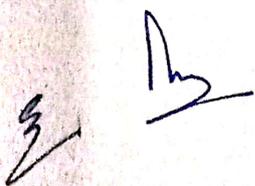


A copy of notice no.5479 dated 28.9.2023 is enclosed herewith as **Annexure R-1/A**.

6. That in compliance to the notice issued by the Board, Sh. Shubham Malhotra, Advocate appeared for hearing on behalf of the project proponent on 9.10.2023 before the Chairman of the Board. However, the Advocate was neither having any authority letter to appear in the hearing nor was having any status report on the violations mentioned in the notice. After, hearing the representative of the project proponent and the officers of the Board, the Chairman of the Board has taken certain decisions in the case. The proceedings of the hearing were conveyed to the project proponent M/s Garden City vide letter no. 6325 dated 1.11.2023 and a copy of the same is enclosed herewith as **Annexure R-1/B**.

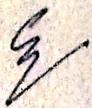
7. That in compliance to the decisions taken by the Chairman of the Board during the hearing held on 9.10.2023 as conveyed to the project proponent vide letter no. 6325 dated 1.11.2023, the Board has taken the following actions:

- a) The Additional Chief Administrator, GLADA was requested vide letter no. 1137 dated 31.10.2023 to take action against the project proponent under the provisions of PAPRA Act for the violations as already requested earlier vide letter no. 4589 dated 1.10.2018. A



copy of letter no. 1137 dated 31.10.2023 is enclosed herewith as **Annexure R-1/C**.

- b) A reminder letter was issued to Additional Chief Administrator, GLADA, Ludhiana vide letter no. 1380 dated 22.12.2023 to take action against the project proponent under the provisions of the PAPRA Act. A copy of letter no. 1380 dated 22.12.2023 is enclosed herewith as **Annexure R-1/D**.
- c) The authorities of Punjab State Power Corporation Ltd, Ludhiana were requested vide letter no. 1382-83 dated 22.12.2023 to submit the compliance of directions already issued by the Board on 14.7.2016 and 1.10.2018. A copy of letter no. 1382-83 dated 22.12.2023 is enclosed herewith as **Annexure R-1/E**.
- d) The Registrar-cum-Tehsildar, Revenue Department, Ludhiana was requested vide letter no. 1385 dated 22.12.2023 was requested to submit compliance of the directions already issued by the Board on 14.7.2016 and 1.10.2018 and to submit the details of sale deeds and other establishment in unapproved land. A copy of letter no. 1385 dated 22.12.2023 is enclosed herewith as **Annexure R-1/F**.



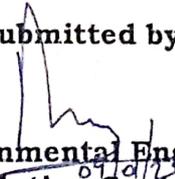
8. That apart from the above, the Board has written following letters to various authorities for taking action against the project proponent:

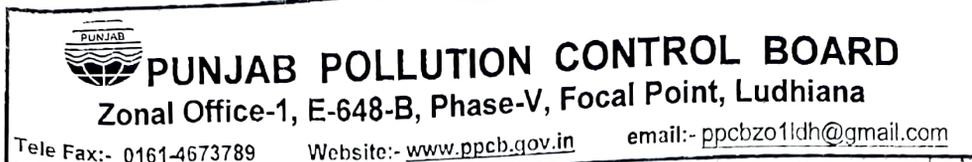
- a) Letter no. 183-184 dated 8.1.2024 was written to Chief Administrator, GLADA, Ludhiana not to approve the project of the project proponent. A copy of Letter no. 183-184 dated 8.1.2024 is enclosed herewith as **Annexure R-1/G.**
- b) The Member Secretary, State Level Environment Impact Assessment Authority, Punjab was apprised about the violations of the project vide letter no. 185-186 dated 8.1.2024 and a copy of the same is enclosed herewith as **Annexure R-1/H.**
- c) The authorities of Punjab State Power Corporation Ltd were issued directions under section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 vide letter no. 192-193 dated 8.1.2024 not to release any new electricity connection in the project of M/s Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana. A copy of Letter no. 192-193 dated 8.1.2024 is enclosed herewith as **Annexure R-1/I.**
- d) The Sub Divisional Magistrate (East) Ludhiana was issued directions under Section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 vide

letter no. 196-198 dated 8.1.2024 not to execute the sale deeds in the project of M/s Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana. A copy of Letter no. 196-198 dated 8.1.2024 is enclosed herewith as **Annexure R-1/J**.

9. That in keeping in view the violations of the Environmental Laws committed by the project proponent, Environmental Compensation amounting to Rs. 3,55,23,438/- (Three Crore Fifty-Five Lakh Twenty-three thousand Four Hundred Thirty Eight) has been imposed upon the project proponent M/s Dynamic Infradeveloper Private Limited, Garden City Colony, Sahnewal Ludhiana, 30/27, Ist Floor, East Patel Nagar, New Delhi vide letter no. 205 dated 8.1.2024. A copy of Letter no. 205 dated 8.1.2024 is enclosed herewith as **Annexure R-1/K**.
10. That the Punjab Pollution Control Board is taking appropriate action against the project proponent for violations of the Environmental Laws.
11. That the reply on behalf of respondent Punjab Pollution Control Board is hereby submitted in compliance of order dated 31.10.2023.

Submitted by


**Environmental Engineer
Punjab Pollution Control Board,
Regional Office-2, Ludhiana.**



PUNJAB POLLUTION CONTROL BOARD

Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana

Tele Fax:- 0161-4673789

Website:- www.ppcb.gov.inemail:- ppcbzo1ldh@gmail.com

No. 5479-8/

Speed post/Online

Dated 28/9/23

To
M/s Garden City,
Village Dharour, outside Octari, Dehlon Road, Sahnewal,
Ludhiana.

Sub:- Notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC).

Whereas, it is mandatory on the part of the project proponent to obtain consent to establish of the Board u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 of Air (Prevention & Control of Pollution) Act 1981 before the establishment/ expansion of the unit.

And whereas, it is mandatory on the part of the project proponent to obtain consent to operate of the Board to operate an outlet u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 & industrial plant u/s 21 of Air (Prevention & Control of Pollution) Act 1981 for discharging of effluent/ emissions from its premises.

And whereas, the project proponent has developed a project of around 49.5 Acre. The directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 were issued to PSPCL authorities "Electric connection shall not be released in future from the date of issue of these directions at the project site of Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide letter no. 5676 dated 14.07.2016.

And whereas, directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed not to register any sale deed (title deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board" vide letter endst. No. 5681 dated 14.07.2016.

And whereas, only 9.5 Acres has been approved and the rest 40 acre project is unapproved.

And whereas, the project proponent was granted consent vide no. ZO-I/LDH/RO-2/WPC/2012/F-3987 dated 15.05.2012 expired on 10.11.2012 under Water Act, 1974 for the 9.56 Acre project only.

And whereas, the directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 were issued to PSPCL authorities "That the authorities concerned may release electric connection in 9.56 Acre approved Colony only developed by M/s Garden City, Village Dharour, outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide no. 4583-86 dated 01.10.2018.

And whereas, directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed to allow registration of sale deed (title deed) / mutation etc of any plot/house SCO/other establishment in the approved colony measuring 9.56 acres area only developed by M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide no. 4587-91 dated 01.10.2018.

And whereas, the colony was visited by the officer of the Board on 07.07.2023 and it was observed as per following:-

1. The electric connection of the houses located in the 40 acres unapproved land were found intact which is in violation with the directions issued by the Board vide letter no. 4583-84 dated 01.10.2018 as the electric connection has been released in-spite of directions issued by Board to PSPCL.
2. The STP has been provided only for the approved project 9.5 Acres and the same was also lying defunct and in non-operational / idle conditions as observed during the visit. The condition of STP revealed that it has not been operated since long. No proper land for plantation has been provided for disposal of the effluent.
3. The project proponent has neither provided separate STP for the adjoining colony of 40 acres nor has taken separate permission for the unauthorized colony measuring 40 acres. Also no separate entry has been provided for the 40 acres colony as per the conditions imposed by PPCB while granting last consent.
4. There are three deep soakage pits provided by the project proponent wherein the domestic effluent carried through sewerage line is disposed.

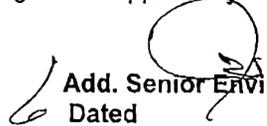
6. The domestic effluent was seen oozing out from one manhole as observed during the visit.
7. Stagnated effluent was seen in other manholes indicating that the same is not being carried for treatment and is rather disposed off at some unknown locations through tankers.
8. The project proponent has not submitted the bank guarantee of Rs. 50000/- which was valid upto 14.05.2018.

And whereas, the matter has been considered by the Competent Authority and it has now been proposed to impose Environmental Compensation on the colony for degrading the environment and to issue following directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 to the industry, after giving an opportunity of personal hearing before Chairman of the Board:-

1. That the project proponent will dismantle and remove all outlets and stop forthwith discharging its trade effluent into Sewer or drain or through any other mode.
2. That the project proponent will not restart any process unless all necessary water pollution control measures are taken and concentration of various pollutants in its treated trade effluent conforms to the effluent standards laid down by the Board for such discharges.
3. That the project proponent will not restart discharging effluent until it obtains the consent of the Board u/s 25/26 of the Water (Prevention & control of Pollution) Act, 1974 as amended in 1988.
4. That Punjab State Power Corporation Limited (PSPCL) authorities will be directed to disconnect the supply of electricity available to the colony.
5. Legal action under the provisions of the Water Act, 1974 will be initiated against the project proponent.
6. Environmental Compensation will be imposed on the project proponent for the damage caused to the environment.

As such, some responsible person like Proprietor/Director/ Partner from the industry, who is in a position to take decisions, regarding compliance of the provisions of Pollution Control Laws, should appear before the **Chairman of the Board at Vatavaran Bhawan, Nabha Road, Patiala on 09.10.2023 at 12:00 noon.** to explain the position in this regard, in person, failing which the proposed directions shall be confirmed, without giving further opportunity/ notice.

Endst. No.

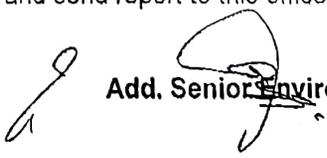

Add. Senior Environmental Engineer
Dated

A copy of the above is forwarded to the Chief Administrator GMADA with request to depute a responsible person during the hearing to explain the details of the approvals granted to the Project Proponent for information & necessary action.

Endst. No.


Add. Senior Environmental Engineer
Dated

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information & necessary action. He is requested to inform the project proponent regarding date of hearing and send report to this office.


Add. Senior Environmental Engineer

61
 C.O. Office
 20/9/23
 8/11/23

ANNEXURE R-I/B

**PUNJAB POLLUTION CONTROL BOARD**
 Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana
 Tele Fax:- 0161-4673789 Website:- www.ppcb.gov.in email:- ppcbzo1ldh@gmail.com

No. 6325 To Speed post/Online Date 11/11/23

M/s Garden City,
 Village Dharour, outside Octari, Dehlon Road, Sahnewal,
 Ludhiana

Sub: Proceedings of personal hearing given before the Chairman of the Board w.r.t. notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC) on 09.10.2023.

The following were present:

On behalf of Punjab Pollution Control Board

- Er. G. S. Majithia, Member Secretary, Punjab Pollution Control Board
- Er. Pardeep Gupta, Chief Environmental Engineer, Ludhiana
- Er. Paramjeet Singh, Senior Environmental Engineer, Zonal Office-1, Ludhiana

On behalf of the industry

Sh. Shubham Malhotra, Advocate

The Environmental Engineer, Zonal Office-1, Ludhiana brought out that the project proponent has developed a project of around 49.5 Acre. The directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 were issued to PSPCL authorities "Electric connection shall not be released in future from the date of issue of these directions at the project site of Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide letter no. 5676 dated 14.07.2016.

Directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed not to register any sale deed (title deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board" vide letter endst. No. 5681 dated 14.07.2016.

Only 9.5 Acres has been approved and the rest 40 acre project is unapproved.

The project proponent was granted consent vide no. ZO-ILDH/RO-2/WPC/2012/F-3987 dated 15.05.2012 expired on 10.11.2012 under Water Act, 1974 for the 9.56 Acre project only.

The directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 were issued to PSPCL authorities "That the authorities concerned may release electric connection in 9.56 Acre approved Colony only developed by M/s Garden City, Village Dharour, outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide no. 4583-86 dated 01.10.2018.

Directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed to allow registration of sale deed (title deed) / mutation etc of any plot/house SCO/other establishment in the approved colony measuring 9.56 acres area only developed by M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide no. 4587-91 dated 01.10.2018.

The colony was visited by the officer of the Board on 07.07.2023 and it was observed as per following:-

1. The electric connection of the houses located in the 40 acres unapproved land were found intact which is in violation with the directions issued by the Board vide letter no. 4583-84 dated 01.10.2018 as the electric connection has been released in spite of directions issued by Board to PSPCL.
2. The STP has been provided only for the approved project 9.5 Acres and the same was also lying defunct and in non-operational / idle conditions as observed during the visit. The condition of STP revealed that it has not been operated since long. No proper land for plantation has been provided for disposal of the effluent.
3. The project proponent has neither provided separate STP for the adjoining colony of 40 acres nor has taken separate permission for the unauthorized colony measuring 40 acres. Also no separate entry has been provided for the 40 acres colony as per the conditions imposed by PPCB while granting last consent.
4. There are three deep soakage pits provided by the project proponent wherein the domestic effluent carried through sewerage line is disposed.

5. 13 manholes have been provided with manhole covers and 45 manholes are provided without manhole covers in the entire project.
6. The domestic effluent was seen oozing out from one manhole as observed during the visit
7. Stagnated effluent was seen in other manholes indicating that the same is not being carried for treatment and is rather disposed off at some unknown locations through tankers.
8. The project proponent has not submitted the bank guarantee of Rs. 50000/- which was valid upto 14.05.2018.

In view of above, the project proponent was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC) with hearing before Chairman of the Board on 09.10.2023

Sh. Shubham Malhotra appeared on behalf of project proponent. He was neither having any authority letter to appear in the hearing nor was having any status report on the violations mentioned in the above.

After hearing the representative of the project proponent, officers of the Board, the Chairman of the Board decided as under:-

1. Environmental Compensation for the damage caused to the environment shall be imposed to the Project Proponent. The Environmental Engineer, Regional Office shall calculate the Environmental Compensation to be imposed, for approval.
2. Fresh directions u/s 33-A of the Water Act, 1974 be issued to the authorities of Revenue Department and PSPCL so as not to execute the sale deeds & not to release electric connections, respectively in the existing project of 9.56 acres and proposed project of 40 acres.
3. The Chief Administrator, GLADA be requested not to approve the project till it comply with the environmental laws.
4. The State Level Environment Impact Assessment Authority (SEIAA) may be apprised about the violations being made by the project proponent.
5. The Environmental Engineer, Regional Office shall visit the offices Revenue Authority and PSPCL and shall confirm the compliance of earlier directions issued by the Board on 1.10.2018. He shall send further recommendations in the matter after verification.

You are, therefore, requested to ensure the compliance of the hearing decisions within stipulated period and submit compliance to the Regional Office, failing which action under the provisions of Pollution Control Laws shall be taken against the project proponent and its responsible person.

Endst. No. 6326

A copy of the above is forwarded to the Chief Administrator GLADA for information and necessary action.

Add. Senior Environmental Engineer

Dated 11/11/23

Endst. No. 6327

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information and necessary action. He is requested to send the compliance of hearing decisions in stipulated time period.

Add. Senior Environmental Engineer

Dated 11/11/23

Add. Senior Environmental Engineer



Punjab Pollution Control Board

Regional Office-II

E-648-B, 3rd Floor, Phase-5, Focal Point, Ludhiana

Tel. 0161-2672055

Eeroldh2@yahoo.co.in

No. 1137

Dated 21/10/23

To

The Additional Chief Administrator,
GLADA,
Ludhiana.

Subject :- Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988- illegal establishment of residential colony – M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana.

Ref :- The Board letter no. 5678-82 dated 14.07.2016 and 4589 dated 01.10.2018

It is submitted that vide above referred letters Board has issued direction u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 :-

“That the Registrar-cum Tehsildar, Revenue Department Dehlon be directed not to register any sale deed (title deed) / mutation etc of any plot / house SCO /other establishment in the colony till the written permission of the Board”

The copy of the above referred letter was also sent to GLADA with direction that the GLADA Ludhiana will initiate action for violations against the unauthorized colony developed by the project proponent in 40 Acres immediately.

It is requested that the case against the subject cited project proponent has been lodged by President Garden city welfare society in the Hon'ble National Green Tribunal through O.A. no. 383 of 2023.

Hon'ble NGT has constituted a joint committee consisting of State PCB, District Magistrate, Ludhiana and CPCB to submit report. The Joint Committee visited the project on 07.07.2023 and has submitted the report to the Hon'ble NGT.

It is requested to take action against the project proponent of the subject cited project proponent under the provisions of PAPRA Act as already requested vide above referred letters, please.

Environmental Engineer

Dated 21/10/23

Endst. No. 1138

A copy of the above is forwarded to the Senior Environmental Engineer, Punjab Pollution Control Board, Zonal Office-1, Ludhiana for information, please.

Environmental Engineer



Punjab Pollution Control Board

Regional Office-II,

E-648-B, 3rd Floor, Phase-5, Focal Point, Ludhiana

Tel. 0161-2672055

e-mail: eeroldh2@yahoo.co.in

No. 1380

E mail/Registered

Dated 22/12/23

To

The additional Chief Administrator,
GLADA,
Ludhiana.

Subject:

Direction u/s 33-A of the Water (prevention & Control of Pollution) Act, 1974 as amended in 1988 – M/s Garden City, Village Dharaur, outside Octroi, Dehlon Road, Sahnewal, Ludhiana.

Reference:-

Board's Letter no. 5678-82 dated 14.07.2016 and 4587-91 dated 01.10.2018.

It is intimated that in the case of M/s Garden City, Village Dharaur, outside Octroi, Dehlon Road, Sahnewal, Ludhiana, the revenue authorities were issued Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 vide Boards letter no. 5678-82 dated 14.07.2016. (copy attached) to comply with the following directions:

"That the Registrar-cum Tehsildar, Revenue Department Dehlon to be directed not to register any sale deed (Title deed)/ mutation etc of any plot/house SCO/other establishment in the colony till the written permission of the Board."

The Revenue authorities were again requested to send the compliance of the above said directions vide Board's letter no. 3482-83 dated 11.09.2017 (copy attached).

Thereafter, the Competent Authority of the Board issued directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 vide Boards letter no. 4587-91 dated 01.10.2018 (copy attached) to comply with the following directions to allow registrations of sale deed (Title deed)/ mutation etc to the 9.56 acre approved colony as under:-

"That the Registrar-cum Tehsildar, Revenue Department Dehlon to be directed to allow to allow registrations of sale deed (Title deed)/ mutation etc of any plot/house SCO/other establishment in the approved colony measuring 9.56 acre area only developed by M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana."

The directions earlier issued vide letter under reference will remain applicable for the adjoining unauthorized colony measuring 40 acres."

The colony was visited by the officer of the Board on 07.07.2023 and it was observed that the construction of 40 acres unapproved land is going on which is in violation of the directions issued by the Board vide Board's Letter no. 5678-82 dated 14.07.2016 and 4587-91 dated 01.10.2018 in spite of directions issued by Board to revenue authorities.

The project proponent of colony was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of environmental compensation with an opportunity of the personal hearing before the Chairman of the Board on 09.10.2023 in which it was decided that revenue authorities shall confirm the compliance of earlier directions issued by the Board on 01.10.2018. In addition to the above, it was also requested to your office to take action against the project proponent under the provisions of PAPRA Act vide Board's letter no. 1137 dated 31.10.2023 (copy attached).

It is, therefore, once again requested to take action against the project proponent under the provisions of PAPRA Act, as already requested as above referred letters.

It be treated as Most Urgent.

DA/- As Above

Endst.No.....1381/

Environmental Engineer,
Regional Office-2, Ludhiana
Dated 22/12/23

A copy of the above is forwarded to the Senior Environmental Engineer, Punjab Pollution Control board, Zonal office-I, Ludhiana for information and necessary action, please.

Environmental Engineer,
Regional Office-2, Ludhiana



Punjab Pollution Control Board

Regional Office-II,

E-648-B, 3rd Floor, Phase-5, Focal Point, Ludhiana

Tel: 0161-2672055

e-mail: eeroldh2@yahoo.co.in

No. 4583-86

E-mail/Registered

Dated: 22/12/23

To

1. The Chief Engineer (Operation),
Punjab State Power Corporation Ltd,
Ludhiana.
2. The Superintending Engineer (Distribution),
Punjab State Power Corporation Ltd,
Ludhiana.

Subject: Direction u/s 33-A of the Water (prevention & Control of Pollution) Act, 1974 as amended in 1988 – M/s Garden City, Village Dharaur, outside Octroi, Dehlon Road, Sahnewal, Ludhiana.

Reference:- Board's Letter no. 5674-77 dated 14.07.2016 and 4583-86 dated 01.10.2018.

It is intimated that in the case of M/s Garden City, Village Dharaur, outside Octroi, Dehlon Road, Sahnewal, Ludhiana, the PSPCL authorities were issued directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 vide Boards letter no. 5674-77 dated 14.07.2016. (copy attached) to comply with the following directions:

"Electric connection shall not be released in future from the date of issue of these directions at the project site of Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana."

The PSPCL authorities were again requested to send the compliance of the above said directions vide Board's letter no. 3851-52 dated 20.09.2017 (copy attached).

Thereafter, the Competent Authority of the Board issued directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 vide Boards letter no. 4583-86 dated 01.10.2018 (copy attached) to comply with the following directions to release new electric connection to the 9.56 acre approved colony as under:-

"That the authorities concerned may release electric connection in the 9.56 acre approved colony only developed by M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana."

The directions earlier issued vide letter under reference will remain applicable for the adjoining unauthorized colony measuring 40 acres."

The colony was visited by the officer of the Board on 07.07.2023 and it was observed that the electric connection of the houses located in the 40 acres unapproved land were found intact which is in violation with the directions issued by the Board vide Board's Letter no. 5674-77 dated 14.07.2016 and 4583-86 dated 01.10.2018 as the electric connections have been released in spite of directions issued by Board to PSPCL.

The project proponent of colony was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of environmental compensation with an opportunity of the personal hearing before the Chairman of the Board on 09.10.2023 in which it was decided tht PSPCL shall confirm the compliance of earlier directions issued by the Board on 14.07.2016 and 01.10.2018.

It is, therefore, requested to submit the compliance of the directions issued by the Board vide letter no. 5674-77 dated 14.07.2016 and 4583-86 dated 01.10.2018 and submit the details of electric connection released in unapproved land of 40 acres after issue of directions by the Board on 14.07.2016 and 01.10.2018, within 3 days.

It be treated as Most Urgent.

DA/- As Above.

Endst.No...../

1384

Environmental Engineer,
Regional Office-2, Ludhiana.

Dated22/12/23

A copy of the above is forwarded to the Senior Environmental Engineer, Punjab Pollution Control board, Zonal office-I, Ludhiana for information and necessary action, please.

Environmental Engineer,
Regional Office-2, Ludhiana.

ANNEXURE R-7/F



Punjab Pollution Control Board

Regional Office-II,

E-648-B, 3rd Floor, Phase-5, Focal Point, Ludhiana

e-mail: eeroldh2@yahoo.co.in

Tel. 0161-2672055

No. 1385

E-mail/Registered

Dated. 22/12/23

To

The Registrar-cum-Tehsildar,
Revenue Department, Punjab,
Ludhiana.

Subject: Direction u/s 33-A of the Water (prevention & Control of Pollution) Act, 1974 as amended in 1988 – M/s Garden City, Village Dharaur, outside Octroi, Dehlon Road, Sahnewal, Ludhiana.

Reference:- Board's Letter no. 5678-82 dated 14.07.2016 and 4587-91 dated 01.10.2018.

It is intimated that in the case of M/s Garden City, Village Dharaur, outside Octroi, Dehlon Road, Sahnewal, Ludhiana, the revenue authorities were issued Directions u/s 33-A of the Water (prevention & Control of Pollution) Act, 1974 as amended in 1988 vide Boards Letter no. 5678-82 dated 14.07.2016. (copy attached) to comply with the following directions:

"That the Registrar-cum Tehsildar, Revenue Department Dehlon to be directed not to register any sale deed (Title deed)/ mutation etc of any plot/house SCO/other establishment in the colony till the written permission of the Board."

The Revenue authorities were again requested to send the compliance of the above said directions vide Board's letter no. 3482-83 dated 11.09.2017 (copy attached).

Thereafter, the Competent Authority of the Board issue directions to revenue authorities u/s 33-A of the Water (prevention & Control of Pollution) Act, 1974 as amended in 1988 vide Boards Letter no. 4587-91 dated 01.10.2018 (copy attached) to comply with the following directions to allow registrations of sale deed (Title deed)/ mutation etc to the 9.56 acre approved colony as under:-

"That the Registrar-cum Tehsildar, Revenue Department Dehlon to be directed to allow to allow registrations of sale deed (Title deed)/ mutation etc of any plot/house SCO/other establishment in the approved colony measuring 9.56 acre area only developed by M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana."

The directions earlier issued vide letter under reference will remain applicable for the adjoining unauthorized colony measuring 40 acres."

The colony was visited by the officer of the Board on 07.07.2023 and it was observed that the construction of 40 acres unapproved land is going on which is in violation of the directions issued by the Board vide Board's Letter no 5678-82 dated 14.07.2016 and 4587-91 dated 01.10.2018 in spite of directions issued by Board to revenue authorities.

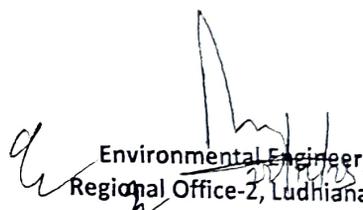
The project proponent of colony was issued notice to issue directions u/s 33-A of the Water (prevention & Control of Pollution) Act, 1974 as well as notice for imposition of environmental compensation with an opportunity of the personal hearing before the Chairman of the Board on 09.10.2023 in which it was decided revenue authorities shall confirm the compliance of earlier directions issued by the Board on 01.10.2018.

It is, therefore, requested to submit the compliance of the directions issued by the Board vide letter no. 5678-82 dated 14.07.2016 and 4587-91 dated 01.10.2018 and submit the details of sale deed (Title deed)/ mutation etc of plot/house SCO/other establishment in unapproved land of 40 acres after issue of directions by the Board on 14.07.2016 and 01.10.2018, within 3 days.

It be treated as Most Urgent.

DA/- As Above

Endst.No.....1386...../

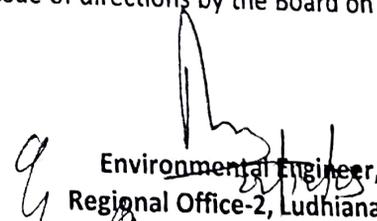

Environmental Engineer,
Regional Office-2, Ludhiana

Dated22/12/23.....

A copy of the above is forwarded to the Sub Registrar-cum-Tehsildar, Sahnewal, Distt.Ludhiana, for information and necessary action. It is, requested to submit the compliance of the directions issued by the Board vide letter no.5678-82 dated 14.07.2016 and 4587-91 dated 01.10.2018 (copies attached) in Toto and submit the details of sale deed (Title deed)/ mutation etc of plot/house SCO/other establishment in unapproved land after issue of directions by the Board on 14.07.2016 and 01.10.2018, within 3 days.

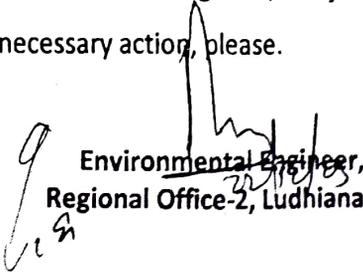
DA/As Above

Endst.No.....1387...../


Environmental Engineer,
Regional Office-2, Ludhiana

Dated22/12/23.....

A copy of the above is forwarded to the Senior Environmental Engineer, Punjab Pollution Control board, Zonal office-I, Ludhiana for information and necessary action, please.


Environmental Engineer,
Regional Office-2, Ludhiana

ANNEXURE R-1/G

 PUNJAB POLLUTION CONTROL BOARD Vatavaran Bhawan, Nabha Road, Patiala		
Tele Fax:- 0175-2215802	Website:- www.ppcb.gov.in	email:- msppcb@gmail.com
No. 183-184	Regd.	Date 27/1/24

To
Chief Administrator,
GLADA, Ludhiana.

**Sub:- Violation of provisions under the Water (Prevention & Control of Pollution) Act, 1974-
M/s Garden City, Village Dharour, outside Octroi, Dehlon Road, Sahnewal, Ludhiana.**

It is intimated that the project proponent has developed a project of around 49.5 Acre. Due to the violations made by it, the directions u/s 33-A of Water Act, 1974 were issued to PSPCL authorities that Electric connection shall not be released in future from the date of issue of these directions at the project site of Garden City, Village Dharaur, Outside Octroi, Deh on Road, Sahnewal, Ludhiana" vide letter no. 5676 dated 14.07.2016.

Directions u/s 33-A of Water Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana, that the Registrar-Cum-Tehsildar, Revenue Department, Punjab be directed not to register any sale deed (title deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board" vide letter endst. No. 5681 dated 14.07.2016.

Due to compliance made by the project proponent, the revised directions u/s 33-A of Water Act, 1974 were issued to PSPCL authorities "That the authorities concerned may release electric connection in 9.56 Acre approved Colony only, developed by M/s Garden City, Village Dharour, outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide no. 4583-86 dated 01.10.2018.

Revised directions u/s 33-A of Water Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-Cum-Tehsildar, Revenue Department, Punjab be directed to allow registration of sale deed (title deed) / mutation etc. of any plot/house SCO/other establishment in the approved colony measuring 1.56 acres area only, developed by M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide no. 4587-91 dated 01.10.2018.

As per record of this office, only 9.5 Acres has been approved and the rest 10 acre project is unapproved.

The project proponent was granted consent under Water Act, 1974 for the 9.56 Acre project only, which has expired on 10.11.2012.

The colony was visited by the officer of the Board on 07.07.2023 and it was observed as per following:-

1. The electric connection of the houses located in the 40 acres unapproved land were found intact which is in violation with the directions issued by the Board vide letter no. 4583-84 dated 01.10.2018 as the electric connection has been released in spite of directions issued by Board to PSPCL.
2. The STP has been provided only for the approved project 9.5 Acres and the same was also lying defunct and in non-operational / idle conditions as observed during the visit. The condition of STP revealed that it has not been operated since long. No proper land for plantation has been provided for disposal of the effluent.
3. The project proponent has neither provided separate STP for the adjoining colony of 40 acres nor has taken separate permission for the unauthorized colony measuring 40 acres. Also no separate entry has been provided for the 40 acres colony as per the conditions imposed by PPCB while granting last consent.
4. There are three deep soakage pits provided by the project proponent wherein the domestic effluent carried through sewerage line is disposed.
5. 13 manholes have been provided with manhole covers and 45 manholes are provided without manhole covers in the entire project.

6. The domestic effluent was seen oozing out from one manhole as observed during visit.
7. Stagnated effluent was seen in other manholes indicating that the same is not being carried for treatment and is rather disposed off at some unknown locations through tankers.
8. The project proponent has not submitted the bank guarantee of Rs. 50000/- which was valid upto 14.05.2018.

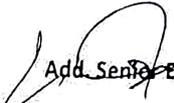
The project proponent is again found not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 for projects of 40 acres and 9.5 acres.

In view of the above, the Competent Authority of the Board has directed to request you not to approve the project of 40 acres, till it complies with the Environmental Laws.

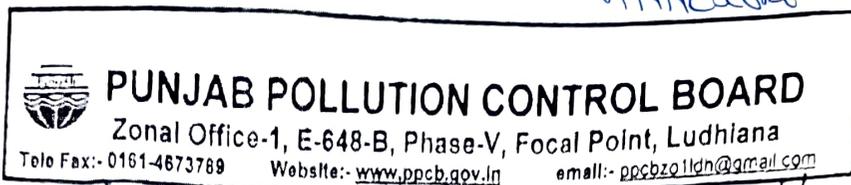
Endst. No.


Add. Senior Environmental Engineer
Date

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information and necessary action.


Add. Senior Environmental Engineer

ANNEXURE R-4/H



No. 123-126

Date 8/1/24

To

The Member Secretary,
 State Environment Impact Assessment Authority,
 MGSIPA Complex, Sector 26,
 Chandigarh.

Sub: Violation of provisions under the Water (Prevention & Control of Pollution) Act, 1974-
 M/s Garden City, Village Dharour, outside Octari, Dehlon Road, Sahnewal, Ludhiana.

It is intimated that the project proponent has developed a project of around 49.5 Acre. The directions u/s 33-A of Water Act, 1974 were issued to PSPCL authorities "Electric connection shall not be released in future from the date of issue of these directions at the project site of Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide letter no. 5676 dated 14.07.2016.

The Directions u/s 33-A of Water Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed not to register any sale deed (tittle deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board" vide letter endst. No. 5681 dated 14.07.2016.

The revised directions u/s 33-A of Water Act, 1974 were issued to PSPCL authorities "That the authorities concerned may release electric connection in 9.56 Acre approved Colony only developed by M/s Garden City, Village Dharour, outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide no. 4583-86 dated 01.10.2018.

The revised directions u/s 33-A of Water Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed to allow registration of sale deed (title deed) / mutation etc of any plot/house SCO/other establishment in the approved colony measuring 9.56 acres area only developed by M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide no. 4587-91 dated 01.10.2018.

Only 9.5 Acres has been approved and the rest 40 acre project is unapproved.

The project proponent was granted consent under Water Act, 1974 for the 9.56 Acre project only, which has been expired on 10.11.2012.

The colony was visited by the officer of the Board on 07.07.2023 and it was observed as per following:-

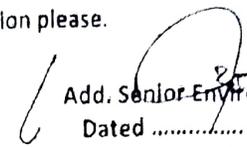
1. The electric connection of the houses located in the 40 acres unapproved land were found intact which is in violation with the directions issued by the Board vide letter no. 4583-84 dated 01.10.2018 as the electric connection has been released in spite of directions issued by Board to PSPCL.
2. The STP has been provided only for the approved project 9.5 Acres and the same was also lying defunct and in non-operational / idle conditions as observed during the visit. The condition of STP revealed that it has not been operated since long. No proper land for plantation has been provided for disposal of the effluent.
3. The project proponent has neither provided separate STP for the adjoining colony of 40 acres nor has taken separate permission for the unauthorized colony measuring 40 acres. Also no separate entry has been provided for the 40 acres colony as per the conditions imposed by PPCB while granting last consent.
4. There are three deep soakage pits provided by the project proponent wherein the domestic effluent carried through sewerage line is disposed.

5. 13 manholes have been provided with manhole covers and 45 manholes are provided without manhole covers in the entire project.
6. The domestic effluent was seen oozing out from one manhole as observed during visit
7. Stagnated effluent was seen in other manholes indicating that the same is not being carried for treatment and is rather disposed off at some unknown locations through tankers.
8. The project proponent has not submitted the bank guarantee of Rs. 50000/- which was valid upto 14.05.2018.

The project proponent is not complying with the provisions of the Water (Prevention & Control of Pollution) Act, 1974 for projects of 40 acres and 9.5 acres.

In view of the above, the Competent Authority of the Board has directed to apprise your good office regarding the violations made by the project proponent.

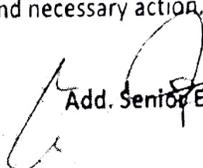
This is for your information and necessary action please.


Add. Senior Environmental Engineer

Dated

Endst. No.

A copy of the above is forwarded to Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information and necessary action.


Add. Senior Environmental Engineer

ANNEXURE-R-7/I



PUNJAB POLLUTION CONTROL BOARD

Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana

Tele Fax:- 0161-4673789

Website:- www.ppcb.gov.in

email:- ppcbzo1ldh@gmail.com

No. 192-193

Speed post/Regd.

Date 8/1/24

To

1. The Chief Engineer (Operation),
Punjab State Power Corporation Ltd.,
Ludhiana.
2. The Superintending Engineer (Distribution),
Punjab State Power Corporation Ltd.,
Ludhiana.

Sub: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 - M/s Garden City, Village Dharour, outside Octari, Dehlon Road, Sahnewal, Ludhiana (In the existing project of 9.56 acres and 40 acres).

The Competent Authority of Board has decided to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 to not to release any new electricity connection in subject cited project. You are, therefore, directed to comply with the following:-

"That the authorities concerned shall not release any new electricity connection in the subject cited project."

Endst No. 194.....

Senior Environmental Engineer
Dated... 8/1/24

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information & necessary action. He is requested to submit compliance of directions, within 07 days.

Endst No. 195.....

Senior Environmental Engineer
Dated... 8/1/24

A copy of the above is forwarded to M/s Garden City, Village Dharour, outside Octari, Dehlon Road, Sahnewal, Ludhiana for information.

Senior Environmental Engineer

ANNEXURE 2-1/3



PUNJAB POLLUTION CONTROL BOARD

Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana

Tele Fax:- 0161-4673789

Website:- www.ppcb.gov.in

email:- ppcbzo1dh@gmail.com

No. 196-98

Speed post/Regd.

Dated 8/1/24

To

The Sub-Divisional Magistrate (East),
Mini Secretariat, Ferozpur Road,
Ludhiana.

Sub: Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 - M/s Garden City, Village Dharour, outside Octari, Dehlon Road, Sahnewal, Ludhiana (In the existing project of 9.56 acres and 40 acres).

The Competent Authority of Board has decided to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 not to execute the sale deeds in the subject cited project. You are, therefore, directed to comply with the following:-

"That the authorities concerned shall not execute the sale deeds in the subject cited project."

Endst No.....

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information & necessary action. He is requested to submit compliance of directions, within 07 days.

Senior Environmental Engineer

Dated.....

Endst No.....

A copy of the above is forwarded to M/s Garden City, Village Dharour, outside Octari, Dehlon Road, Sahnewal, Ludhiana for information.

Senior Environmental Engineer

Dated.....

Senior Environmental Engineer

ANNEXURE-R-176



Punjab Pollution Control Board

Zonal Office-I

E-648 B, Focal Point, Phase-5, Ludhiana

E-mail-ppcbzoi@gmail.com

Tel.0161-

4673789

No. 205

Regd.

Date 8/1/24

To

M/S Dynamic Infradeveloper Private Limited
Garden City Colony, Sahnewal Ludhiana
30/27, 1st Floor, East Patel Nagar, New Delhi-08

Sub:- Imposition of Environmental Compensation for violations of the Provisions of Water (Prevention and Control of Pollution) Act, 1974.

Ref:- This office letter no. 6325-27 dated 1.11.2023

It is intimated that the above said colony was issued notice to issue directions u/s 33-A of the water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC) with an opportunity of personal hearing before Worthy Chairman of the Board on 09.10.2023 and proceeding of the same were conveyed vide above referred letter. The following decision w.r.t. Environmental Compensation amongst other decisions was taken in the said hearing:-

Environmental Compensation for the damage caused to the environment shall be imposed to the Project Proponent. The Environmental Engineer, Regional Office shall calculate the Environmental Compensation to be imposed, for approval.

In the light of above said decision, the matter was considered by the Competent Authority of the Board and it has been decided to impose **Rs.3,55,23,438/- (Rs. Three Crore Fifty Five Lakhs Twenty Three Thousand Four Hundred and Thirty Eight)** as Environmental Compensation as per the formula prescribed Central Pollution Control Board for the damage caused to the Environment by the Project Proponent

As such, it is requested to deposit the above amount as Environmental Compensation immediately to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana

This issues with the approval of the Competent Authority of the Board.

Addl. Senior Environmental Engineer

Endst No

Dated

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information and necessary action please

Addl. Senior Environmental Engineer