

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

Original Application No. 49/2024

IVM Realtors Pvt. Ltd.

Applicant

Versus

State of Punjab & Ors.

Respondent

Reply by way of Short Affidavit on behalf of Respondent No.4 & 5.

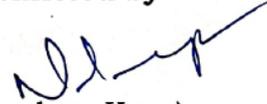
It is most respectfully showeth:

1. That, the matter as contained in O.A No. 49 of 2024 titled as IVM Realtors Pvt. Ltd. V/s State of Punjab is listed before this Hon'ble Tribunal.
2. It is submitted that the rain water drain mentioned in the petition is located in the village Chhole Patti and continues further into Kutbewal Gujran. It is worthwhile to mention here that Chhole Patti was earlier part of Gram Panchayat Kutbewal Gujran and was carved out of it in the year 2013.
3. That sewage water of some houses of village Chhole Patti is being drained into this rain water drain. Due to which dirty water has accumulated on the side of road. This has been mentioned in the report of the Junior Engineer who was instructed to report after spot visit of the place. It has been reported that presently sewage water of some residential houses of village Chhole Patti is being disposed off into it. It is reported that a 'Puli' adjoining to a nearby palace named Taneja Palace, needs to be cleaned as due to overgrowth of plantation and mud the water flow has been obstructed. The BDPO Ludhiana-1, has been instructed to coordinate with the concerned department and get the needful done to ensure proper flow of water.(Annexure-1)

4. That IVM Pvt. Ltd. vide their application had requested the BDPO that they shall clean the said drain and lay pipe line. The company shall get the necessary approvals for laying of pipeline and that the gram Panchayat may be instructed to cooperate for the same.
5. That Gram Panchayat Chhole Patti vide its resolution dated 20.09.2022 has accepted that sewage water is being disposed off in the rainwater drain going through the village and that dead animals are lying in the dirty water which is causing a health concern. They have asserted that the drain should be closed and cleaned. The Panchayat has cited lack of funds for laying of sewage pipeline and had considered the proposal put forth by IVM Realtors through Sh. Gagan Jindal S/o Ramesh Chand vide which the company has proposed to clean the drain and arrange for the disposal of sewage water. This proposal by the company to put sewage from Sardar Colony to pond at Gatta Factory and further connecting the disposal water of residential houses of Village Chhole Patti shall be made from Main Chowk to Theka (wine Shop) was accepted and approved by the Gram Panchayat Chhole Patti. (Annexure-2)
6. After the approval of the Gram Panchayat, the Company tried to start the work with the help of Gram Panchayat. That vide report of BDPO Ludhiana-1, it is on record that when the company tried to initiate the work, there was some resistance from some of the villagers and to maintain the law and order, the work was not executed.
7. That now again, a resolution by Administrator of village Chhole Patti has been passed vide which, the administrator has proposed to get the work done as proposed by the company since there is a lack of funds at the level of Panchayat. The BDPO Ludhiana-1 through his letter no

- 5964 dated 13.03.24 had requested for police help to be provided during the execution of the work.(Annexure-3)
8. That request for police help for the said work has been accorded by the Deputy Commissioner, Ludhiana vide letter no. 2085/P.B dated 16.04.24 of her office. (Annexure-4)
 9. The IVM Realtors Pvt Ltd. through its proprietor has made a written request that they want to execute to work with an estimated cost of about 12 lakhs and that necessary administrative support be provided to them. (Annexure-5)
 10. Since, due to Lok Sabha Elections the MCC is in force, the said work of laying of pipeline shall be got executed by providing police help and administrative support to the Company immediately within one week after the MCC is withdrawn.

Submitted by



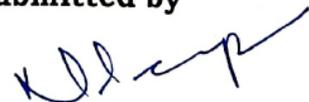
(Navdeep Kaur)

District Development and Panchayat Officer,
Ludhiana

Verification:-

Verified that the contents of para no.1 to 9 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.

Submitted by



(Navdeep Kaur)

Dated
Place :

District Development and Panchayat Officer,
Ludhiana.

Subject: Spot Visit report of Gram Panchayat, Chhole Patti

With reference to the disposal of sewage water of Gram Panchayat Chhohle Patti (Kutbewal Gujran), the spot was visited. It was found that a khaal runs parallel to the road from Chhohle Patti to Kutbewal Gujran. The sewage water of some houses of Chhohle Patti is being disposed off in this khaal. Due to which this khaal is filled with dirty water. As per directions of the National Green Tribunal, no sewage water can be disposed off in any rain water drain. Also there is a 'Puli' adjoining the Taneja Palace nearby, this puli is filled with mud and due to overgrowth of plants the water flow through it is being obstructed. It needs to be cleaned . Concerned department may be told to do the needful. This report is submitted for further necessary action .

(Vipan Sharma, J.E)
Block Ludhiana-1

TRUE TRANSLATION FROM PUNJABI TO ENGLISH

Sr. No.:

Form No. 1

Logo of Punjab Government

(Refer Rule 8)

(Page No. 074)

Register of Minutes

Register No. 1

Name of Village Panchayat: Patti Chhole Block: Ludhiana-1 Distt. Ludhiana

Name of Sarpanch: Smt. Harbans Kaur

Name of Panchayat Secretary: Sh. Ramandeep Singh

Names of Sarpanch and Panch- present		Names of officials - present
1	8	1
2	9	2
3	1	3
4	11	4
5	12.	5
6		6
7		
Resolution No., Dated and Resolution	Minutes	
	<p>Today dated 20.09.2022, meeting of Village Panchayat Patti Chhole was held under the chairmanship of Sarpanch Smt. Harbans Kaur. Quoram is full. Minutes of the meeting are as under;</p> <p>Resolution No. 1: It was presented. Whereas in Village Panchayat Patti Chhole, there is a water</p>	

	channel alongside the road, which is used for disposal of filthy water of the village and its Khasra No. is 46. It remains full with dirty water. Dead animals are lying in it. Hence, there is fear of spread of diseases in the villages. Continued on next page No. 075	
Votes cast in favour of resolution and signatures (Panch) Rani-Sd, (Panch) Gagandeep Singh-Sd, (Panch) Kulwinder Singh-Sd, (Panch) RTI Swaran Kaur	Votes cast against resolution and signatures Nil	

Remarks of Panchayat Secretary (if any) :

Signatures of Sarpanch: Sd/-

Seal of Sarpanch, Village Panchayat, Patti Chhole affixed

Signatures of Panchayat Secretary: Sd/-

TRUE TRANSLATION FROM PUNJABI TO ENGLISH

Sr. No.:

Form No. 1

Logo of Punjab Government

(Refer Rule 8)

(Page No. 075)

Register of Minutes

Register No. 1

Name of Village Panchayat: Patti Chhole Block: Ludhiana-1 Distt. Ludhiana

Name of Sarpanch: Smt. Harbans Kaur.

Name of Panchayat Secretary: Sh. Ramandeep Singh

Names of Sarpanch and Panch- present		Names of officials - present
1	8	1
2	9	2
3	1	3
4	11	4
5	12.	5
6		6
7		
Resolution No., Dated and Resolution	Minutes	
	Continued from page No. 074.- Village residents and Village Panchayat have discussed that the above said drain should be closed and it should be cleaned. Some other arrangement should be made for disposal of filthy water. Accordingly, for disposal of filthy sewerage should be arranged till the pond. But the Village Panchayat does not have adequate	


 TRUE TRANSLATION

TRUE TRANSLATION FROM PUNJABI TO ENGLISH

Sr. No.:

Form No. 1

Logo of Punjab Government

(Refer Rule 8)

(Page No. 075)

Register of Minutes

Register No. 1

Name of Village Panchayat: Patti Chhole Block: Ludhiana-1 Distt. Ludhiana

Name of Sarpanch: Smt. Harbans Kaur

Name of Panchayat Secretary: Sh. Ramandeep Singh

Names of Sarpanch and Panch- present		Names of officials - present
1	8	1
2	9	2
3	1	3
4	11	4
5	12.	5
6		6
7		
Resolution No., Dated and Resolution	Minutes	
	Continued from page No. 074.- Village residents and Village Panchayat have discussed that the above said drain should be closed and it should be cleaned. Some other arrangement should be made for disposal of filthy water. Accordingly, for disposal of filthy sewerage should be arranged till the pond. But the Village Panchayat does not have adequate	

<p>funds to build sewerage. Hence, Panchayat is unable to build sewerage. Accordingly, Village Panchayat has made a request to general public to prepare a proposal for construction of sewerage. Regarding the above, we have received a letter (Continued on next page No. 076)</p>	
<p>Votes cast in favour of resolution and signatures (Panch) Rani-Sd, (Panch) Gagandeep Singh-Sd, (Panch) Kulwinder Singh-Sd, (Panch) RTI Swaran Kaur</p>	<p>Votes cast against resolution and signatures Nil</p>

Remarks of Panchayat Secretary (if any) :

Signatures of Sarpanch: Sd/-

Seal of Sarpanch, Village Panchayat, Patti Chhole affixed

Signatures of Panchayat Secretary: Sd/-

TRUE TRANSLATION FROM PUNJABI TO ENGLISH

Sr. No.:

Form No. 1

Logo of Punjab Government

(Refer Rule 8)

(Page No. 076)

Register of Minutes

Register No. 1

Name of Village Panchayat: Patti Chhole Block: Ludhiana-1 Distt. Ludhiana

Name of Sarpanch: Smt. Harbans Kaur

Name of Panchayat Secretary: Sh. Ramandeep Singh

Names of Sarpanch and Panch- present		Names of officials - present
1	8	1
2	9	2
3	1	3
4	11	4
5	12.	5
6		6
7		
Resolution No., Dated and Resolution	Minutes	
	(Continued from page No. 075).- No. 3259 dated 04/08/2022 from Block Development and Panchayat Officer Ludhiana-1 that Sh. Gagan Jindal S/o Sh. Ramesh Chand has submitted an application to him regarding water channel located in Khasra No. 46, and which is located along with the 50 acre land of M/s IVM	

<p>Realtors Pvt. Ltd. who want to prepare a proposal for cleaning of the water channel. Regarding the above matter, discussion was held with Village Panchayat and thereafter Village Panchayat has decided that the above said Company will arrange cleaning of the water channel, and build a park over the same. And, it will arrange disposal of filthy water of houses of Village Chhole Patti by (Continued on next page No. 077)</p>	
<p>Votes cast in favour of resolution and signatures (Panch) Rani-Sd, (Panch) Gagandeep Singh-Sd, (Panch) Kulwinder Singh-Sd, (Panch) RTI Swaran Kaur</p>	<p>Votes cast against resolution and signatures Nil</p>

Remarks of Panchayat Secretary (if any) :

Signatures of Sarpanch: Sd/-

Seal of Sarpanch, Village Panchayat, Patti Chhole affixed

Signatures of Panchayat Secretary: Sd/-

TRUE TRANSLATION FROM PUNJABI TO ENGLISH

Sr. No.:

Form No. 1

Logo of Punjab Government

(Refer Rule 8)

(Page No. 077)

Register of Minutes

Register No. 1

Name of Village Panchayat: Patti Chhole Block: Ludhiana-1 Distt. Ludhiana

Name of Sarpanch: Smt. Harbans Kaur

Name of Panchayat Secretary: Sh. Ramandeep Singh

Names of Sarpanch and Panch- present		Names of officials - present
1	8	1
2	9	2
3	1	3
4	11	4
5	12.	5
6		6
7		
Resolution No., Dated and Resolution	Minutes	
	(Continued from page No. 076).- building sewerage from Sardar Colony to pond at Gatta Factory. Further, connection of the Village Chhole Patti residential houses' filthy water will be made from Main Chowk to Theka (Wine Shop) well. To make the said connection, approval regarding road will be arranged by the said Company. The proposal	

<p>prepared by the said Company has been approved by the Village Panchayat. Village Panchayat Chhole Patti approves the said proposal vide this resolution unanimously. A copy of the Resolution will be sent to concerned Department and Hon'ble B.D.P.O. . APPROVED.</p>	
<p>Votes cast in favour of resolution and signatures (Panch) Rani-Sd, (Panch) Gagandeep Singh-Sd, (Panch) Kulwinder Singh-Sd, (Panch) RTI Swaran Kaur</p>	<p>Votes cast against resolution and signatures Nil</p>

Remarks of Panchayat Secretary (if any) :

Signatures of Sarpanch: Sd/-

Seal of Sarpanch, Village Panchayat, Patti Chhole affixed

Signatures of Panchayat Secretary: Sd/-

Proceeding Book (Patti Chohle)

Today dated 13/3/2024, A Meeting of Gram Panchayat Patti Chohle was held under the chairmanship of Administrator Sh. Gurmail Singh JE.

Resolution No. 1- In Continuation of the resolution dated 20/9/2022 of the gram Panchayat it is proposed and passed that there is a rainwater drain running parallel to the road at khasra no. 46 which is filled with dirty water because the sewage water of some houses is being disposed off in this drain, which is not correct as per norms. A property of 50 acres belonging to IVM Pvt. Ltd. is adjoining to this rain water drain. The dirty water overflows from the drain into the company's land. The Company has taken approval from PWD department for road cutting vide letter no 1659 dated 15/9/2022, But due to some reason the work could not be started. The company has filed OA no. 49/2024 with Hon'ble NGT vide its order dated 11/3/2024 has seeked action taken report before 16/5/2024. It has also been written that the problem of sewage water disposal has to be solved by laying down pipeline and connecting them to previously laid pipes but there is an apprehension of law and order issues arising at the time of execution of work. So, it is requested to BDPO Ludhiana-1 to provide police help (Gents & Ladies) through DDPO Ludhiana. The expenditure to get this work executed will be borne by the IVM Realtor pvt ltd as was decided previously.

Signed by
Gurmail singh (Administrator)
Rajinder Singh (Panchayat Secretary)

**OFFICE OF DISTRICT MAGISTRATE LUDHIANA
(PESHI BRANCH)**

To

Commissioner of Police,
Ludhiana.

No. /PB. Date

Subject:- Regarding Police protection at Patti Chohle for disposal of sewage water

Regarding above mentioned subject DDPO Ludhiana vide letter no. 2249/steno dated 4/4/2024 has requested that BDPO Ludhiana-1 has forwarded a resolution dated 13/3/2024 of Gram Panchayat Patti Chhole . According to this a rain water drain khasra no. 46 is filled with dirty water because the sewage water of some houses is being disposed off in this drain , which is not correct as per norms. A property of 50 acres belonging to IVM Pvt. Ltd. is adjoining to this rain water drain. The dirty water overflows from the drain into the company's land. The Company has taken approval from PWD department for road cutting vide letter no 1659 dated 15/9/2022 , But due to some reason the work could not be started. The company has filed OA no. 49/2024 with Hon'ble NGT vide its order dated 11/3/2024 has seeked action taken report before 16/5/2024. It has also been written that the problem of sewage water disposal has to be solved by laying down pipeline and connection them to previously laid pipes but there is an apprehension of law and order issues arising at the time of execution of work. So, it is requested to provide police help (Gents & Ladies) to BDPO Ludhiana-1 to get this work executed.

The letter received from DDPO Ludhiana along with annexures is sent requesting for providing police help to BDPO Ludhiana-1. In case any court orders/stay is presented they shall be complied with.

Assistant Commissioner
for Deputy Commissioner Ludhiana

No. 2085/PB dated 14/04/2024

Copy of the above sent to DDPO Ludhiana instructing that due process of law shall be followed during the execution of the work. SHO may be contacted to take required police force. It is sent for your information and necessary action.

Assistant Commissioner
for Deputy Commissioner Ludhiana

To,

Hon'ble District Development and Panchayat Officer,

Ludhiana.

Subject: Estimated amount of expenses incurred by the company for laying sewerage pipe in 11 feet wide rain drain adjacent to the land of IVM Realtors Private Limited Rs. 11,77,975/- approx.

Sir,

It is requested that Mess: IVM Realtors Pvt Ltd registered office Surya Commercial complex, 3rd Floor, opposite PAU Gate no. 1. village Kutbewal Gujran of Ferozepur Road, Ludhiana, Hadbast no. 110. About 54 acres of land owned at Tehsil Ludhiana (West), District Ludhiana. On the above ground, there is a rain drain next to the road in which the residents of village Chhohle Patti release sewage water and there is a possibility of a dispute by the villagers, so the administration is requested to provide police help and to operate with us to carry out this work. Regarding the above subject, a case at National Green Tribunal (NGT), New Delhi is under consideration which is yet to be decided. In relation to this case, the company is ready to carry out work of laying pipelines at its own expense to stop the sewage water disposal. The resolution of which has already been given by the panchayat of village Chhole Patti. The village panchayat has no objection regarding this. The estimated cost of which is approximately Rs.11,77,975/-. A copy of the estimate is enclosed.

Thanks

signed by

(Mess: IVM Realtors Pvt Ltd)