

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI

Original Application No 299/2023

Mrs. Tamanna Maini

Versus

State of Punjab and others

In Re: Petition Under the Provisions of
National Green Tribunal Act 2010

Reply on behalf of respondent no.4

Sir,

The respondent respectfully submits as
under:-

PRELIMINARY OBJECTIONS:-

1. That the present petition is not maintainable and merits dismissal. The applicant has suppressed the material facts from this Hon'ble Tribunal for this reason the present petition is liable to be dismissed. The true facts are that the answering respondent has acted in accordance with the rules and regulations. The respondent no.5 applied for the shifting of transformer abutting her property and the said application was processed in accordance with the rules and regulations of the Department and in pursuance of the same the Transformer was shifted to the site inside the park where three other transformers were already lying installed and during this



process no plant or tree has been cut as alleged by the applicant in para no.7 of the petition. The applicant respondents have acted in accordance with the rules and regulations of the department.

ON MERITS:-

1. Para No.1 of the petition is matter of record.
2. Para No.2 of the petition does not relate to the answering respondent.
3. Para No.3 of the petition does not relate to the answering respondent.
4. Para No.4 of the petition does not relate to the answering respondent.
5. Para No.5 of the petition does not relate to the answering respondent.
6. Para No.6 of the petition does not relate to the answering respondent.
7. As per intimation of AEE/Tech-1, City West Division (spl), Ludhiana Memo No:548 dated 04/08/2023 Para No.7 of the petition is wrong and denied. It is wrong and denied that there was an electricity transformer in front of the impugned hotel which was not creating any problem but

taking undue advantage of the political links, the respondent no.5, without getting any permission from respondent no.2 and from District Forest Office, through respondent no.4 shifted the transformer in the land of park after illegally cutting two trees as well as dismantling boundary wall of park for the movement of hydraulic crane. It is wrong and denied that despite filing the complaint by spouse of applicant, the respondent no.2 has not taken lawful action against the respondent no.4 & 5. However it is pertinent to mention here that the respondent No.4 has acted in accordance with the rules and regulations of the PSPCL Department and has shifted the transformer on the application of the respondent no.5 on the payment of the requisite charges to site where three other transformers were already lying installed and no tree has been damaged or cut in the process of shifting of transformer.

8. Para No.8 of the petition is wrong and denied. It is wrong and denied that the Punjab Pollution Control Board has never cross verified the provisions of guidelines issued by PPCB and the Hotel building is operational causing noise,



air & water pollution in the locality. It is wrong and denied that overall, the Municipal Corporation, Ludhiana, its Building Branch, its Fire Department, Punjab Pollution Control Board, Punjab State Power Corporation Limited, all have deliberately and intentionally in active connivance saving the respondent no.5 and the applicant and her family is suffering from physical and mantle harassment.

9. Para No.9 of the petition does not relate to the answering respondent.

10. Para No.10 of the petition is matter of record.

11. Para No.11 of the petition is matter of record.

Last para of the application is the prayer clause which is wrong and denied.

It is, therefore, prayed that the petition under reply may kindly be dismissed with costs.

Ludhiana

Dated: 7/8/2023


Sr. Executive Engineer
City West Div. (Spl) Ludhiana
Respondent

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL ,NEW DELHI

Original Application No 299/2023

Mrs Tamanna Maini

... Petitioner

VERSUS

Punjab State Power Corporation Limited and Others

...Respondents

AFFIDAVIT

I, Er. Rajesh Kumar, S/o. Sh. Raj Kumar aged about 41 years is working as Senior Executive Engineer in PSPCL having office at City West Division (Spl.), Ludhiana do solemnly affirm and state as follows:-

1. That I am as of Punjab State Power Corporation Ltd., the Respondent in the above matter, make affidavit in this behalf.

2. I have gone through the contents of the accompanying reply and I say that the contents stated therein are based on the records of the PSPCL maintained in the normal course of business and believed by the deponent to be true.

3. I say that the Annexure are true and correct copies of the original.

VERIFICATION


Sr. Executive Engineer
City West Div. (Spl) Ludhiana
DEPONENT

I, the deponent above-named, do hereby verify that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed there from.

Date: 07.08.2023


Sr. Executive Engineer
City West Div. (Spl) Ludhiana
DEPONENT