

**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.7

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. That the deponent has been appointed as the Administrator for Gram Panchayat, Chhole Patti vide notification of the Government D.P.E-2024/557 dated 28.02.24 after the expiry of the term of the earlier Panchayat.
3. That Chhole Patti was earlier part of Kutbewal Gujran Panchayat and was carved out of it in 2013.
4. That the said rainwater drain runs through Chhole Patti and Kutbewal Gujran and sewage water of some residential houses is being disposed off in this drain. The Junior Engineer, BDPO Ludhiana-1 has also ascertained the same in his report. (Annexure-1)
5. That the IVM Realtors Pvt Ltd had earlier requested through the office of the Block Development and Panchayat Officer Ludhiana-1 that they want to clean the drain and lay down pipeline as they wanted to develop the land as per the Master Plan, for which the cooperation of the Panchayat was sought.

6. The BDPO Ludhiana-1 vide its letter no 3259 dated 4.8.22 had instructed the Panchayat for the same.
7. 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 cleaned. They have cited lack of funds for laying of sewage pipeline and also 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 the 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)
8. 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.
9. That now vide resolution dated 13.3.24. (Annexure-3) Police help has been sought to execute the work of laying down of the pipelines so that disposal of sewage water into the rain water drain can be stopped . The same has been granted vide Letter no 2085 dated 16.4.24 from the Deputy Commissioner, Ludhiana.(Annexure-4)

10. Since due to Lok Sabha elections, the MCC is in force, the said work shall be completed within one week after MCC is withdrawn after the Elections.

Gurmail Singh
(Gurmail Singh)
Administrator
Gram Panchayat, Chhole Patti
Block Ludhiana-1

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.

Dated

Gurmail Singh
(Gurmail Singh)
Administrator
Gram Panchayat, Chhole Patti
Block Ludhiana-1

Subject: Spot Visit report of Gram Panchayat, Chhohle 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>	

	<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</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/-

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	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	

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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)

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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	

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)

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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. .</p> <p>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>

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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