

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

Original Application No. 91/2026

IN THE MATTER OF:

Gram Panchayat, Village Tehang.

...Applicant

VERSUS

Union of India and others

....Respondents

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10

Place: Chandigarh

Dated: 27 APR 2026

Submitted by: 

(Krishan Kumar)
Principal Secretary to
Government of Punjab,
Department of Water Resources,
Chandigarh.

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

Original Application No. 91/2026

IN THE MATTER OF:

Gram Panchayat, Village Tehang. Tehsil Phillaur, District Jalandhar, Punjab Through its elected Sarpanch, Sh. Nirmal Singh, aged about 53 years, resident of Village Tehang. Tehsil Phillaur, District Jalandhar, Punjab. Aadhar no. 523392059412 Mobile No. 9855165672.

...Applicant

VERSUS

1. Union of India through the Chief Secretary, Haryana Civil Secretariat, Punjab Secretariat, Sector- 1, Chandigarh for Ministry of Environment, Forest and Climate Change.

2. State of Punjab through the Chief Secretary, Punjab Civil Secretariat, Sector- 1, Chandigarh
3. Sub-Divisional Magistrate, Tehsil Phillaur. District Jalandhar, Phillaur Nawanshahr Rd, Police Colony, Phillaur, Punjab 144410
4. Punjab Pollution Control Board (PPCB), Jalandhar, through Superintending Engineer SCF 1617, Ajit Nagar, Jalandhar Nakodar Road, Jalandhar-144001.
5. Department of Water Resources, Punjab through its Principal Secretary, Sector 188, Madhya Marg. Chandigarh
6. Mr. Jaspreet Singh, Assistant Environment Engineer, PPCB Jalandhar SCF 1617, Ajit Nagar, Jalandhar Nakodar Road, Jalandhar - 144001;
7. M/S Dhingra Brothers. Dhadha Industrial Area. PO Hazara. Old Hoshiarpur Road, Jalandhar
8. Mr. Jatinder Dhingra s/o Kamal Kishore Dhingra r/o # 473-R, Model Town, Jalandhar-144003;
9. Mr. Anoop Dhingra s/o Kamal Kishore Dhingra r/o # 473-R, Model Town, Jalandhar-144003.



...Respondents

Reply by the way of short affidavit of Krishan Kumar, Principal Secretary to Government of Punjab, Department of Water Resources, Chandigarh for and on the behalf of Respondents No. 5.

MOST RESPECTFULLY SHOWETH:-

I, the above named deponent, do hereby solemnly affirm and declare as under:-

1. That the present Original Application is pending adjudication before this Hon'ble Tribunal and is listed for hearing on 29.04.2026.
2. That through the present Original Application, the applicants have sought directions to the respondents to take all necessary steps to restrain, prohibit and prevent the operation of a Bitumen Hot Mix Plant in Village Tehang, Tehsil Phillaur, District Jalandhar, Punjab.
3. That it is respectfully submitted that the present matter pertains to the installation of a Hot Mix Plant at the said site. It is submitted that the location of the said unit is situated at a substantial distance from the boundaries/right of way of the canal land and does not fall within any prohibited, controlled, or notified area under the jurisdiction of the Department of Water Resources. As such, no prior permission, approval, or No



Objection Certificate was required from the answering respondent for the installation of the Hot Mix Plant at the said site.

4. That it is further respectfully submitted that the powers, duties, and functions of the answering respondent/department are confined to the protection, maintenance, regulation, and management of canal property, water channels, distributaries, water courses, and other allied irrigation infrastructure falling within its jurisdiction. It is further submitted that there is no statutory requirement for obtaining any prior permission, approval, or No Objection Certificate from this department for the establishment of an industrial unit on private land situated beyond the canal boundaries or outside departmental property. However, in cases where there is any encroachment upon canal land, obstruction in the free flow of water, unauthorized use or occupation of canal property, damage to irrigation infrastructure, or discharge of any waste, effluent, or polluting material into the canal system, the answering respondent is fully empowered to take necessary action in accordance with law.

5. That it is further submitted that, as alleged in the Original Application, no material has been placed on record to establish that the said factory has discharged, or is presently discharging, any liquid waste, effluent, soot, sludge, chemical residue, or any untreated water into the canal supplying water to nearby villages. As per the record available with the answering respondent, no such unauthorized outlet, pipeline, drain



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connection, or direct discharge into the canal has been found from the said premises. Mere apprehension that smoke, soot, gases, or industrial activity may affect canal water cannot by itself constitute a proven violation in the absence of any scientific test report, inspection report, or physical evidence showing contamination of canal water.

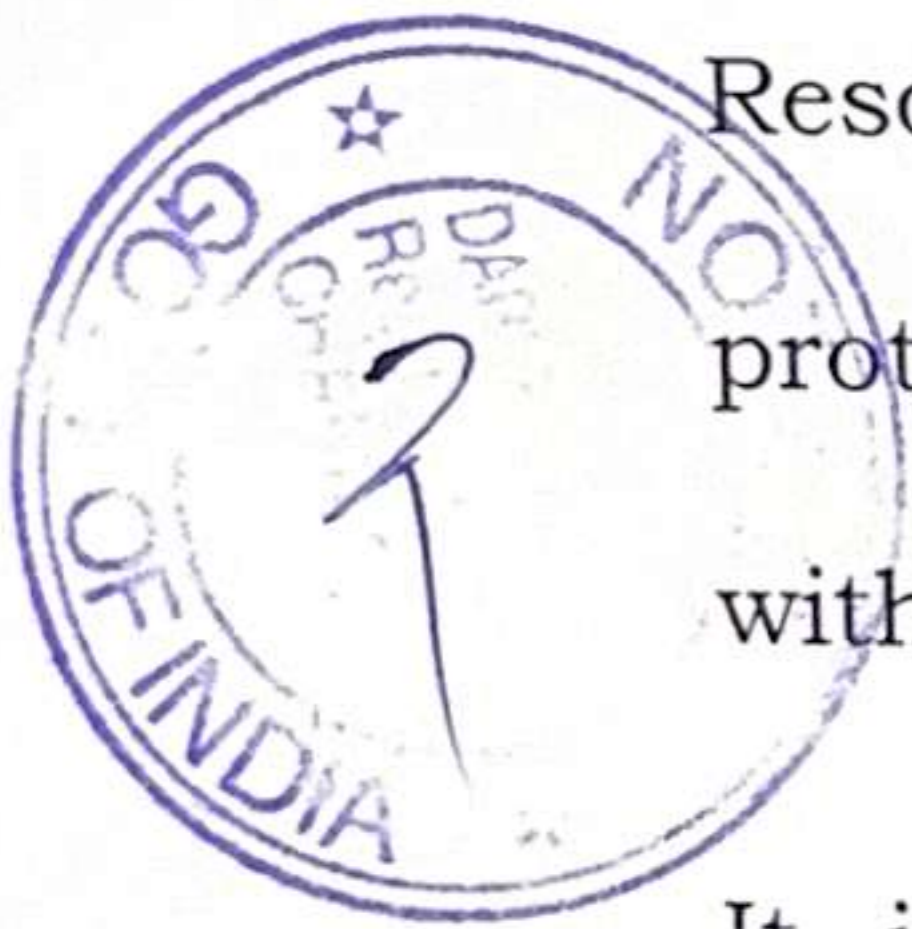
6. That it is respectfully submitted that the answering respondent is under a statutory duty to protect, preserve, and safeguard canal water, which is being utilized for irrigation and other allied purposes by the surrounding villages. It is further submitted that the department remains vigilant to ensure that no activity is carried out which may adversely affect canal land, water flow, or the quality of canal water. Therefore, in the event that at any stage the said unit is found to have caused any encroachment upon canal land, obstruction in the smooth functioning of the canal system, unauthorized use of departmental property, or discharge of any liquid waste, effluent, sludge, or other polluting substance into the canal water, the answering respondent shall immediately initiate appropriate action strictly in accordance with law, including removal of illegal encroachments/connections, restoration of the canal system, and commencement of proceedings before the competent authority against the erring party.

7. That it is further submitted that a representation dated 22.09.2025 was received by the answering respondent from the applicant, which was duly considered and replied to by the



department in accordance with the applicable procedure. A copy of the reply is annexed herewith as **Annexure R-1**.


8. That the present original application is not maintainable against the answering respondent as the answering respondent has been unnecessary and wrongly impleaded as party in present application.
9. That the answering respondent has no concern whatsoever with the present Original Application, as the subject matter involved herein does not pertain to or lie against the answering respondent. The present application has been filed solely with an intent to harass and unnecessarily implicate the answering respondent.
10. That it is humbly submitted that the Department of Water Resources, Punjab remains committed to environmental protection, sustainable river management and full compliance with the orders passed by this Hon'ble Tribunal.



It is, therefore, most respectfully prayed that this Hon'ble Tribunal may kindly consider the above submissions and facts and further, the present OA may kindly be dismissed, in the interest of justice.

Place: Chandigarh

Dated: 27 APR 2026

Deponent 
 (Krishan Kumar)
 Principal Secretary to
 Government of Punjab,
 Department of Water Resources,
 Chandigarh.

VERIFICATION:-

Verified that the contents of para No. 1 to 10 of the above affidavit are true and correct to my knowledge and as per information derived from the official record. No part of it is false and nothing has been concealed therein.



Deponent
Place: *Chandi Jorhi*

Dated: *27 APR 2026*

KS
(Krishan Kumar)
Principal Secretary to
Government of Punjab,
Department of Water Resources,
Chandigarh.

I identify the deponent
who has signed/thumb
marked in my presence
A
Signature

3 *343*
ATTESTED
DARSHAN SINGH
NOTARY CHANDIGARH
27 APR 2026

Angesure R-1 (7)

https://connect.punjab.gov.in/official/panel/grievance/pendency-details...

ID:20250538756 Grievance

RESOLVED

Citizen Name
NIRMAL SINGH

Complainant Category
Canal

Complainant Sub Category
Canal miscellaneous complaints

Contact No.
9463089066

Address
VPO TEHANG , TEHANG (142) ,
Phillaur , JALANDHAR , PUNJAB

Initial Complaint Date
22 September 2025

DENIE INSTALLATION OF BITUMEN PLANT APPROVAL WHICH IS WITH OF CANAL OF BIST DOAB CANEL AT VPO TEHANG TEHSIL PHILLAUR, JALANDHAR

ਸਤਿਕਾਰਯੋਗ ਨਹਿਰੀ ਵਿਭਾਗ ਜੀਓ ਸਾਡੇ ਪਿੰਡ ਤੇਗ ਤਹਿਸੀਲ Phillaur ਜਿਲਾ ਜਲੰਧਰ ਵਿਖੇ ਨਹਿਰ ਦੇ ਨਾਲ ਬਿਲਕੁਲ ਲੁੱਕ ਦੀ ਫੈਕਟਰੀ ਲੱਗ ਰਹੀ ਹੈ ਜਿਸ ਦਾ ਧੂਆ ਅਤੇ ਜੇ ਵਿੱਚੋਂ ਕਾਲਖ ਜਾਂ ਗੈਸਾਂ ਨਿਕਲੀਆਂ ਹਨ ਉਹ ਨਹਿਰ ਦੇ ਪਾਣੀ ਨੂੰ ਬਹੁਤ ਹੀ ਜਿਆਦਾ ਪ੍ਰਦੂਸ਼ਤ ਕਰਨਗੀਆਂ ਇਸ ਨਹਿਰ ਦਾ ਪਾਣੀ ਤਕਰੀਬਨ 40-45 ਕਿਲੋਮੀਟਰ ਪਿੰਡਾਂ ਵਿੱਚ ਜਾਂਦਾ ਹੈ ਇਥੇ ਬਹੁਤ ਸਾਰੇ ਜਾਨਵਰ ਪਾਣੀ ਪੀਂਦੇ ਹਨ ਤੇ ਬਹੁਤ ਸਾਰੇ ਲੋਕ ਇਹ ਪਾਣੀ ਸਬਜੀਆਂ ਨੂੰ ਵੀ ਲਾਉਂਦੇ ਹਨ ਸੇ ਇਸ ਦੇ ਬਹੁਤ ਹੀ ਮਾੜੇ ਪ੍ਰਭਾਵ ਪੈਣਗੇ ਅਤੇ ਫਸਲਾਂ ਤੇ ਵੀ ਪਾਣੀ ਦਾ ਬਹੁਤ ਨੁਕਸਾਨ ਹੋਵੇਗਾ ਸੇ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਹੈ ਕਿ ਇਹ ਗੱਲਾਂ ਨੂੰ ਧਿਆਨ ਵਿੱਚ ਰੱਖਦਿਆਂ ਹੋਇਆਂ ਇਸ ਫੈਕਟਰੀ ਨੂੰ ਲੱਗਣ ਲਈ ਮਨਜ਼ੂਰੀ ਨਾ ਦਿੱਤੀ ਜਾਵੇ ਅਸੀਂ ਆਪ ਜੀ ਦੇ ਧਿਆਨ ਹਿਤ ਪਹਿਲਾਂ ਹੀ ਲਿਆ ਰਹੇ ਹਾਂ ਕਿਰਪਾ ਕਰਕੇ ਆਪ ਜੀ ਸਾਡੀ ਬੇਨਤੀ ਮਨਜ਼ੂਰ ਕਰਦੇ ਹੋਏ ਇਸ ਬਹੁਤ ਹੀ ਪ੍ਰਦੂਸ਼ਣ ਵਾਲੀ ਫੈਕਟਰੀ ਨੂੰ ਪਾਣੀ ਗੰਦਾ ਕਰਨ ਤੋਂ ਰੋਕਿਆ ਜਾਵੇ ਆਪ ਜੀ ਦੇ ਧੰਨਵਾਦੀ ਹੋਵਾਂਗੇ

Department
Department of Water Resources

Pertains to
JALANDHAR

Platform
Citizen Panel

Grievance History

27 OCTOBER, 2025 11.45 AM

<https://connect.punjab.gov.in/official/panel/grievance/pendency-details...>

ACTION TAKEN BY

SUB DIVISIONAL OFFICER(Sh. JATINDER)Department of Water Resources

Contact: 8283940245

**ACTION
RESOLVED**

Officer Comments:

ਉਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਸੂਚਿਤ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਨਹਿਰੀ ਜਮੀਨ ਤੇ ਪਲਾਂਟ ਮਾਲਕ ਵੱਲੋਂ ਨਾ ਤਾਂ ਕੋਈ ਉਸਾਰੀ ਕੀਤੀ ਗਈ ਹੈ ਨਾ ਹੀ ਕਿਸੇ ਤਰ੍ਹਾਂ ਦਾ ਡਿਸਚਾਰਜ ਨਹਿਰ ਵਿੱਚ ਪਾਇਆ ਗਿਆ ਹੈ ਇੱਥੇ ਇਹ ਵੀ ਦੱਸਣਯੋਗ ਹੈ ਕਿ ਇਹ ਸ਼ਿਕਾਇਤ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਵਿਭਾਗ ਨਾਲ ਸਬੰਧਤ ਹੈ

25 SEPTEMBER, 2025 11.30 AM

ACTION TAKEN BY

EXECUTIVE ENGINEER(Sh. DEVINDER SINGH)Department of Water Resources more...

Contact: 8146818685

ACTION

FORWARDED TO SUB DIVISIONAL OFFICER(Sh. JATINDER) OF EXECUTIVE ENGINEER BIST DOAB CANAL AND
GROUND WATER DIVISION WRD PUNJAB JALANDHAR

Contact: 8283940245

Officer Comments:

for further necessary action

24 SEPTEMBER, 2025 09.27 PM

ACTION TAKEN BY

SUPERINTENDING ENGINEER(Sh. Amrinder Singh)Department of Water Resources more...

Contact: 8968600608

ACTION

FORWARDED TO EXECUTIVE ENGINEER(Sh. DEVINDER SINGH) OF EXECUTIVE ENGINEER BIST DOAB CANAL
AND GROUND WATER DIVISION WRD PUNJAB JALANDHAR

Contact: 8146818685

Officer Comments:

ਸ਼ਿਕਾਇਤ ਦੁਬਾਰਾ ਅਗਲੇਰੀ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ ।

24 SEPTEMBER, 2025 10.44 AM

9

<https://connect.punjab.gov.in/official/panel/grievance/pendency-details...>

ACTION TAKEN BY

EXECUTIVE ENGINEER(Sh. DEVINDER SINGH)Department of Water Resources more...

Contact: 8146818685

ACTION

**FORWARDED TO SUPERINTENDING ENGINEER(Sh. Amrinder Singh) OF SUPERINTENDING ENGINEER
JALANDHAR DRAINAGE CUM MINING AND GEOLOGY CIRCLE WRD PUNJAB**

Contact: 8968600608

Officer Comments:

Not related to this division. this application related to sub Division Phillaur under SBS Drainage Division

23 SEPTEMBER, 2025 09.45 AM

ACTION TAKEN BY

SUPERINTENDING ENGINEER(Sh. Amrinder Singh)Department of Water Resources more...

Contact: 8968600608

ACTION

**FORWARDED TO EXECUTIVE ENGINEER(Sh. DEVINDER SINGH) OF EXECUTIVE ENGINEER BIST DOAB CANAL
AND GROUND WATER DIVISION WRD PUNJAB JALANDHAR**

Contact: 8146818685

Officer Comments:

ਮੇਕੇ ਤੇ ਨਿੱਜੀ ਪੱਧਰ ਤੇ ਨਿਰੀਖਣ ਕਰਕੇ ਰੂਲਾਂ ਅਨੁਸਾਰ ਬਣਦੀ ਯੋਗ ਕਾਰਵਾਈ ਕਰਨੀ ਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ ਅਤੇ ਸ਼ਿਕਾਇਤ ਦਾ ਨਿਪਟਾਰਾ ਕੀਤਾ ਜਾਵੇ ।

22 SEPTEMBER, 2025 03.33 PM

GRIEVANCE ASSIGNED TO

SUPERINTENDING ENGINEER(Sh. Amrinder Singh)Department of Water Resources

Contact: 8968600608

ACTION

PENDING

Officer Comments:

Assigned To Nodal Officer



< 88



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

Original Application No. 91/2026



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