

The contents of this Affidavit/Document has been explained to the deponent/executants. He/She has admitted the same to be correct. The deponent/executant has signed Register at Sr. No. 184 P. No. 3 Date 19-6-25

631

REJOINDER FILED BY THE APPLICANT  
IN THE HON'BLE NATIONAL GREEN TRIBUNAL  
(PRINCIPAL BRANCH) NEW DELHI

ORIGINAL APPLICATION NO. 1084/2024

IN THE MATTER OF VIJAY KUMAR PATHANIA

APPLICANT

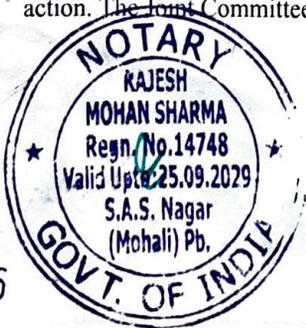
VERSUS

STATE OF PUNJAB & OTHERS

RESPONDENTS

I, Vijay Kumar Pathania resident of GL-200, TDI City, Sector-118, Mohali, Punjab submits my rejoinder on some of the comments raised by various respondents.

- 1) That the Joint Committee Report dated 10/1/25 of officials of Central Pollution Control Board, Punjab State Pollution Control Board & district administration itself explains the seriousness of the issue itself and suggestions and recommendations are remarkable.
- 2) That keeping in view the nature of the issue of diversion of untreated sewerage water from Green Enclave colony towards Emaar Group land and then to TDI was also brought to the notice of Project and Maintenance Department of TDI alongwith office of GMADA Mohali, RERA (Punjab) at Chandigarh and office of Chief Minister Punjab in Jan & Feb 24 by emails, verbal communications and personal meetings several times held with TDI officials.
- 3) That the issue was also raised with Additional Administrator GMADA, Mohali in two personal meetings with him in Jan & Feb 2024 as well when he called the residents of Golf Link area TDI and TDI Maintenance Deptt (Magnus) officials. Further GMADA got the matter of sewerage flow from Green Enclave investigated by sending their team of two officials two times but GMADA fell short and failed to issue suitable orders either to TDI or Green Enclave in this regard and or involving district administration to take some suitable action.
- 4) That TDI always remained adamant in their view that the sewerage flow in their area from the territory of others on which they can not do anything. On the contrary they stopped the natural flow of water by way of accumulating additional soil near and around the boundary with Emaar Group's land. Thus a huge pond of dirty water was created on account of this action. The Joint Committee's Report explains the details very well in this regard.

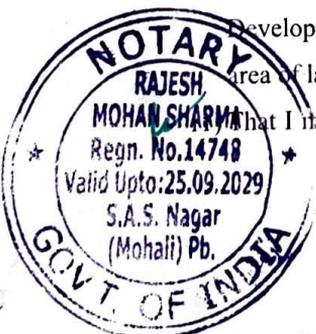


*Vijay Kumar*

19 JUN 2025

- 5) That I am of the firm view that when a normal TDI resident like me can knock the doors of district administration & other forums on such serious issue, how TDI can shirk their responsibility and accountability to provide basic clean environment to their residents for which the residents pay them huge maintenance charges on regular basis. Therefore, the TDI is clearly irresponsible on their casual view for which they can not be relinquished from their responsibility and thus liable for further punitive action as per rules.
- 6) That in addition to TDI & GMADA, the residents also filed complaints online with Punjab Govt Services (Customer care) and also talked with officials of Rural Deptt (Block Development Officer) and also visited his office in Jujharnagar, Mohali and met area Panchayat Officer Mr Jaspal Masih in Jan & Feb 2024 since the jurisdiction of Green Enclave & Emaar Group falls with Rural Department. But nothing was done at their end.
- 7) That the above online application was sent to Deputy Commission(Rural) Mohali and on his instructions area Block Development Officer deputed Mr Jaspal Masih panchayat officer for spot inspection in Feb 2024 along with two lady Panchayat Secretaries.
- 8) That Panchayat Officer straightway refused to entertain our application on false ground that no sewerage water is seen flowing even after looking the ground realities since he was biased in his view as this action of Green Enclave could trap him in trouble as its responsibility lies upon him. Therefore, some biased report must have been sent to Deputy Commissioner (Rural) Mohali by Block Development Office Jujharnagar at that time and our case must have been closed without going into the merits of the case. Though the Panchayat Officer personally assured us that he will definitely stop the flow of sewerage water and make some concrete arrangements at the source where sewerage water is kept open for flowing. But nothing happened later on.
- 9) That Joint Committee has given responsibility to Punjab State Pollution Control Board to resolve the issue of flow of untreated sewerage water. The PSPCB has certainly taken some steps and imposed some fine on TDI for non-compliance on environmental issues.
- 10) That a period of more than one and half year has elapsed but on ground nothing is done either by district administration including Deputy Commissioner (Rural), Block Development Officer as they have direct jurisdiction on Green Enclave Panchayat including area of land of Emaar Group.

That I make humble request on behalf of all the residents of Golf Link area of TDI, Sector



*V Kumar*

19 JUN 2025



118 Mohali that all the concerned authorities be suitably held responsible and accountable for not taking suitable action as the residents are still suffering from polluted environment on account of uncontrolled sewerage water flow. Last year during and after rainy season many residents including myself had suffered dengue and this year situation has further aggravated.

- 12) That current scenario on the ground is bad to worse. I am attaching few photographs of the area along with letter written to TDI, GMADA, RERA & Chief Minister office.
- 13) That Punjab State Pollution Control Board has recently issued notices to Green Enclave & GMADA officials which is appreciable. However, I am of the view that Green Enclave Panchayat, Emaar Group, Block Development Officer/Panchayat Officer and Deputy Commissioner (Rural) Mohali be also be included as respondents in this case and held liable and responsible for contributing damage to environment and also not taking any steps for stopping free flow of sewerage water from Green Enclave to Emaar Group land and then to TDI area.
- 14) That all the above information and documents be considered on records before passing some strict order and some time bound action be taken to resolve this issue including punitive action.

Dt:

Place:

*Vijay*  
VIJAY KUMAR PATHANIA



Verification:

Verified that the contents of paragraphs 1 to 14 of the above affidavit are true and correct to my best of knowledge and no part of above affidavit is false and nothing material has been kept concealed or suppressed therein.

Dt:

Place:

*Vijay*  
VIJAY KUMAR PATHANIA  
GL-200, TDI CITY, SECTOR-118  
MOHALI, PUNJAB

**ATTESTED**  
*Rajesh*  
RAJESH MOHAN SHARMA  
Notary, S.A.S. Nagar (Mohali)

19 JUN 2025



Photographs dt. 18/6/25 on boundary  
of Emaar Group's & TDI Group's Land  
(several trees are dead on account  
of polluted sewage water)



Photographs dt. 18/6/25 on boundary of  
Emcaas Group's & TDI's Land

(The monsoon rains are yet to  
start & the situation will become  
more critical & dangerous in  
rainy season)

through any natural drain shall not be obstructed

o/c

o/c

Dt 21/2/24

The Additional Chief Administrator  
GMADA, Mohali, Punjab

27/2/24 Respected Sir

Sub: Complaint in respect of grievances faced by residents of Golf Link, Sector 118 Mohali

Please refer to letter/email dated 2/6/23 of Mr Sanjeev Sirohi owner of GL 174 of TDI, Sector 118, Mohali raising several points on grievances being faced by residents of Golf Link, Sector 118 Mohali and also my emails dated 20/12/23 & 26/12/23.

In this connection I would like to bring to your kind notice the following points for immediate redressal as we are being affected very badly.

1. The residents of Golf Link are not getting completion certificates of their houses from GMADA. In some cases the applications are pending for about 1 year. We are not getting any update on this subject. Unofficially some of our architects are pointing that certain formalities are lying pending at the end of TDI. If so it may not be treated as fault of residents and such completion certificates be issued without any further delay.
2. One burning issue discussed during last 2 meetings was the untreated sewerage water thrown in open and diverted by residents of Green Enclave (unauthorised colony) towards Golf Link. This water is entering near ~~road~~ and backside of GL 200 & 165 and filling all the vacant plots after passing through the walls of GL 201 to 206 & 206-A to 206-D. One spot inspection was also arranged by GMADA on 4/1/24. On 8/1/24 in the evening 5-6 officials of TDI Maintenance team forcibly blocked the natural flow of this water backside of GL 200 & 165 thus opening the doors for formation of big lake of dirty water backside of walls of GL 198 to 206 & also GL 165 to 152. This formation is also obstructing & filling revenue road of 17 ft and 6 ft backside of the plots respectively. This has also filled vacant land of panchayat & Emaar Group and habitat of wild animals and birds are also badly affected badly with polluted water in addition to creation of health hazards to residents of Golf Link. Thus TDI has forcibly violating the provision of para 8 of GMADA Memo No GMADA-CE-221/565-69 dated 4/8/21 which states that promotor shall ensure that drainage of area through any natural drain shall not be obstructed

o/c

3) Promoter is forcing the residents to pay every year club membership charges @ 6000/- per month with 18% GST along with 1% penal interest per month of a club which is run exclusively for commercial purposes including online bookings. It is a compulsion whether resident uses the services or not. It is requested that the club membership be converted to be an optional provision rather than a compulsion to residents. Those willing be allowed to continue and there must be an option to exit for those who do not want to continue.

4) Promoter has enhanced the maintenance charges all of a sudden by 42.87% from 1/4/23 by increasing rate per sq yrd from Rs 3.50 to Rs 5.25 whereas the quality of services offered are far & far below the commitments of their offer. The condition of the roads is very poor. The sewerage overflows here & there can be seen anytime on the roads. The construction of STP is behind the schedules. Dirty water pond like conditions are prevailing on plots from GL 165 to 152, GL 198 to 206 and GL 167 to 170. The power supply infrastructure does not support and fails on daily & hourly basis though most of the homes are yet to be constructed. In case residency is occupied to even 50% of its capacity the electric infrastructure will never cope with the demand. There is urgent need to reduce the maintenance charges & improvement of infrastructure on war footing.

Please advise TDI to take immediate steps on above points and in case they fail to take action within some stipulated time then please take stern action against them with penalties. It is also requested to put on hold approvals of their incompleting and ensuing projects till they do not take suitable action on our grievances.

Thanking you

Yours faithfully

*Vijay Kumar Pathania*  
**Vijay Kumar Pathania**  
 GL 200, Sector 118  
 TDI City Mohali  
 Mobile No 9855044439  
 Email ID: pathaniavkp@gmail.com

*Harjeet Singh*  
**HARJEET SINGH**  
 GL-198, Sector 118  
 TDI City, Mohali  
 M: - 9914245700

*S. H. Sethi*  
**S. H. SETHI**  
 GL 218  
 Sector 118  
 984600542

*Maminder Singh*  
**Maminder Singh**  
 GL 221  
 8264145266  
*Maminder*

*Salabh Varshney*  
**Salabh Varshney**  
 GL-217 sector 118  
 TDI City, Mohali  
 Mobile No. 9815615856

*Raman Shelly*  
**RAMAN SHELLY**  
 GL-202, Sector 118  
 TDI City, Mohali  
 88377

Date 23/2/24

To

- 1) The Project Department,  
TDI Sector 118, Mohali
- 2) The Magnus (Maintenance Department)  
TDI Sector 118, Mohali

Sub: Construction & maintenance of road between GL 198 to GL 206 & GL 165, Sector 118  
TDI City, Mohali

Dear Sir

We would like to bring to your kind notice that there is provision of 4'-9" wide pavement and 16'-6" wide revenue rasta in between GL 198 to GL 206 & GL 165 as per plan approved by GMADA (copy attached). Moreover all the above plots were sold to us on higher rates with assurance that there is wider gap of 21'-3" on backside of our plots on account of pavement & revenue rasta. Two plots have already been constructed and the remaining plots are likely to be constructed very soon.

Recently some of your officials from Magnus has deliberately blocked the natural flow of water on the backside of GL 165 & GL 200 alongside of wall by pouring in soil thus there has emerged a big lake of rainy water and now this water is logged in on account of blocking of natural flow and unhygienic conditions are prevailing there as lot of mosquitoes are spreading in and around the area. Moreover the emergence of this logged in water is damaging the basements of our constructed houses on account of prolonged seepage. The utmost condition of GMADA given in their approval letter to you that no natural flow of water will be stopped has been violated at the end of TDI deliberately.

Therefore, we all the nearby residents request you to please construct the approved pavement of 4'-9" and revenue rasta of 16'-6" in such a way that natural flow of water is ensured a smooth flow. We think that some 6-7 trucks of soil will be enough for filling the area on the revenue rasta with proper levelling touching to your road. Please do the needful immediately since in coming rainy season the situation may further aggravate.

Please note that we are also sending a copy of this letter to GMADA, RERA & Chief Minister Office so that proper follow up action with reports must be ensured to authorities within genuine time frame.

Yours faithfully

Signed

(Residents of Golf Link)  
Sector -118, TDI City  
Mohali  
Copy to:-

*Venug*  
(VIJAY KUMAR RATHANIA)  
GL-200,  
9855044438

*HJH*  
(Hageel Singh)  
GL-198  
994245700

*Raman Shelly*  
(RAMAN SHELLY)  
GL-202  
98377-22398

- 1) Chief Minister Office, Punjab, Civil Sectt, Sector-1, Chandigarh-160001.

*Additional*  
2) ✓ The Chief Administrator GMADA, Sector -62 Mohali with a request that this issue be connected to our previous complaints/issues of the residents & suitable inquiry be conducted and appropriate orders be issued to TDI Management so that in future no natural flow of water is hindered.

- 3) Real Estate Regulatory Authority (RERA), FF Block-B, Plot No 3, Sector 18-A, Chandigarh-160018 with a request to issue suitable directions to TDI Mohali.

*Peru Singh M. 1386 dt. 26/2/24*