

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

M.A. NO. 16/2025
IN
ORIGINAL APPLICATION NO. 394/2024

IN THE MATTER OF
ER. SHIVCHARANJIT SINGH

...APPLICANT

VERSUS

STATE OF PUNJAB & ORS.

...RESPONDENT(s)

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THROUGH

Bpsjadon

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DATE: 28.03.2025
PLACE: BHATINDA

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REPLY BY WAY OF AFFIDAVIT ON BEHALF OF RESPONDENT NO. 4,
SUPERINTENDING ENGINEER, MUNICIPAL CORPORATION,
BATHINDA IN COMPLIANCE OF ORDER DATED 10.02.2025 PASSED
BY THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI

I, Sandeep Gupta, Superintending Engineer, Municipal Corporation, Bathinda do hereby solemnly affirm and state as under:

1. That I, Superintending Engineer, Municipal Corporation, Bathinda, am well conversant with the facts and circumstances of the present case and am competent to swear this affidavit.
2. That the present matter was registered on the basis of letter petition dated 29.09.2023, which was treated and registered as Original Application No.



Sandeep



394/2024 complaining about encroachment on green belt and illegal cutting of trees.

3. That this Hon'ble Tribunal by order dated 02.07.2024 of the Original Application constituted a joint committee comprising of Deputy Commissioner, Bathinda, Divisional Forest Officer, Bathinda, State Pollution Control Board and representative of Bathinda Development Authority, Bathinda. The said joint committee was directed to visit the site collect relevant information from the site and from relevant record, and if the joint committee finds that any greenbelt is being damaged, the committee was directed to take appropriate remedial, preventive and punitive action against violator(s) within two months and file the compliance report before the Registrar General of the same. The relevant paragraph is stated as below:

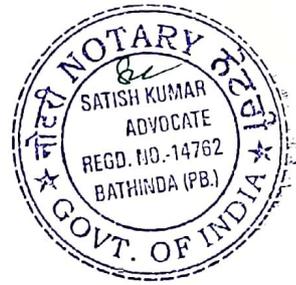
"...3. In our view, grievance of the complainant at the first instance, can be looked into by local authorities and Statutory Regulators, hence we constitute a Joint Committee comprising Deputy Commissioner, Bathinda, Divisional Forest Officer, Bathinda, State Pollution Control Board and representative of Bathinda Development Authority, Bathinda.

4. State Pollution Control Board shall be the Nodal Agency for coordination and operation.

5. The said Committee shall visit the site collect relevant information from the site as also from relevant record which may be obtained from the builder/developer of area and local bodies who has been sanctioned the plan and if finds that any greenbelt is being damaged, take appropriate remedial, preventive and punitive action against

TA
S. KUMAR
ADVOC.
NO.-14,
BATHINDA (PB.)
P. I.

Kumar



violator(s) within two months and submit a Compliance Report within next 15 days with the Registrar General of this Bench, who may place the matter before the Bench if finds necessary any further orders. 6. With the above directions this Original Application is disposed of...

4. That pursuant thereto report dated 24.09.2024 of the Joint Committee has been filed by Environmental Engineer, Punjab Pollution Control Board. Thereto, considering the further orders by the Hon'ble Tribunal to be necessary the matter has been listed before the Bench by registering the report as M.A. No. 16/2025. Furthermore, vide order dated 10.02.2025 in the M.A., the Deponent has been impleaded as a Respondent and has been directed to file their response. The relevant portion of the order is as follows:

"...5. In view of the observations made in the report of the Joint Committee, we consider it necessary to have response of (1) State of Punjab through Secretary, Department of Science, Technology and Environment, Government of Punjab, (2) Commissioner Municipal Corporation, Bathinda, (3) District Magistrate, Bathinda, (4) Chief Administrator, Bathinda Development Authority, (5) District Town Planner, Bathinda, (6) Punjab State Pollution Control Board and (7) M/s Omaxe Buildhome Pvt. Ltd. Omaxe City, Goniana Road, Bathinda, Pin code 151201, who are impleaded as respondents no. 1 to 7..."

5. That with regards to the aforementioned directions passed by the Hon'ble Tribunal, it is respectfully submitted that area mentioned in the complaint i.e. Omaxe City, Goniana Road, Bathinda is out of the jurisdiction of Municipal Corporation, Bathinda. It is further submitted that the area Omaxe

NC
SATISH KUMAR
REGD. NO. 14762
BATHINDA (P.B.)

Subb



City, Goniana Road, Bathinda falls under the jurisdiction of Bathinda Development Authority (BDA). Therefore, any action regarding alleged violation has to be considered by the BDA.

6. Hence, the present affidavit is being filed for the kind consideration and perusal of this Hon'ble Tribunal.
7. I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.

[Signature]

DEPONENT

VERIFICATION

Verified at Bathinda on this 26th day of March, 2025, that the contents of the above affidavit from paragraphs 1 to 7 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

Entered in my Notrial Register at
Sr. No...354...Register No...01...
Date...28.03.2025

[Signature]
NOTARY

Attested As Identified

[Signature]
SATISH KUMAR
Advocate/Notary
(Appointed by Govt. of India)
Distt. Courts, Bathinda

[Signature]

DEPONENT

28 MAR 2025

I Identify the Deponent

[Signature]
Goniana Rd Jk
Bathinda Development Authority

