

BEFORE THE NATIONAL GREEN
TRIBUNAL PRINCIPAL BENCH, NEW
DELHI

Original Application No. 279/2024

Dildeep Singh Basl

.....Applicant

Versus

State of Punjab

...Respondent

Respectfully Showeth:

1. That the above-mentioned case is pending for adjudication before this Hon'ble Tribunal and is listed for hearing on 08.08.2024.
2. That the Hon'ble National Green Tribunal has constituted a Joint Committee vide its order dated 24.05.2024 with direction to submit report. The relevant extract of order dated 24.05.2024 is reproduced herein below for kind perusal and reference:

"5. In our view, a substantial question relating to environment has arisen but before taking any further action in the matter, we find it appropriate to obtain a factual Report for which we constitute a Joint Committee comprising District Magistrate, SAS Nagar Mohali, Punjab Pollution Control Board (herein after referred to as 'State PCB'), Deputy Commissioner, Chandigarh, representative of Department of Irrigation, Government of Punjab, Chandigarh and representative of Department of Housing and Urban Development, Punjab.

6. District Magistrate shall be the nodal agency for coordination and compliance.

7. The said Committee shall examine the matter, visit the site, collect relevant information and submit a factual Report within two months."

3. That in compliance to the orders dated 24.05.2024 of Hon'ble Tribunal, a Joint Committee was constituted comprising the representative of Deputy Commissioner, Chandigarh, representative of Department of Irrigation, Punjab, representative of PPCB, representative of Department of Housing and Urban Development, Punjab and representative of District Magistrate, SAS Nagar vide Deputy Commissioner, SAS Nagar letter no. 6072-75 dated 29.07.2024 being Nodal Agency for coordination and compliance. Copy of the letter is as per **Annexure-1**.
4. That accordingly, the Joint committee held its 1st meeting on 30.07.2024 followed by a visit to the site of the complaint, in order to make compliance of the directions of the Hon'ble Tribunal and submitted its report.
5. As the District Magistrate, SAS Nagar was nominated as Nodal Agency for coordination and Compliance, the report of Joint Committee dated 30.07.2024 is hereby submitted for kind perusal and consideration of the Hon'ble Tribunal. The report is enclosed herewith as **Annexure-2**.

It is, therefore, prayed that report of the Joint Committee may kindly be taken on record.

Date:

Place:

Submitted By:

Aashika
(Aashika Jain, IAS)
Deputy Commissioner,
SAS Nagar

To

1. The Deputy Commissioner,
Chandigarh.
2. The Member Secretary,
Punjab Pollution Control Board,
Patiala.
3. The Chief Administrator,
Department of Housing and Urban Development,
Punjab.
4. The Chief Engineer,
Department of Irrigation, Govt. of Punjab,
Chandigarh.

Letter No.- 6072-75

Date:- 29/07/2024

Subject: The complaint against issued notification by the Hon'ble Principal Secretary, Government of Punjab, Department of Housing and Urban Development, Mini Secretariat, Punjab, Sector 9, Chandigarh, is regarding the blockage/realignment of the existing "N choe", near village Manauli, Tehsil, Mohali, District Mohali, Punjab.

Ref: My office letter No. 5488-91 dated 01.07.2024.

In accordance with the directions given in the matter cited in the subject and as per the correspondence with your office, following officers have been appointed as representatives:-

Office	Name of representative	Designation	Contact
District Administration, SAS Nagar	Sh. Arjun Grewal	Tehsildar, SAS Nagar	92166-11111
District Administration, Chandigarh	Sh. Punayadeep Sharma	Tehsildar, Chandigarh	98789-50509
PPCB	Sh. Rantej Sharma	Executive Engineer, PPCB, SAS Nagar	8146662538
Department of Housing and Urban Development	Sh. Sukhwinder Singh	SDO(Civil), GMADA	98055-64666
Department of Irrigation	Sh. Gurtej Singh Gracha	Executive Engineer-cum-Mining, SAS Nagar	98146-72476

The Committee shall examine the matter, visit the site at 11 am on 30.07.2024, collect relevant information and submit a factual Report in 48 hours, so that factual report may be submitted in the Hon'ble S.C.C.

Please coordinate with Sh. Rantej Singh Executive engineer PPCB
Contact No.- 8146662538) for further assistance.


Deputy Commissioner
SAS Nagar

Enclosed: copy of Hon'ble NGT order

Minutes of meeting regarding the complaint against issue notification by the Hon'ble Principal Secretary, Government of Punjab, Department of Housing and Urban Development, Mini Secretariat, Punjab, Sector 9, Chandigarh, is regarding the blockage/realignment of the existing "N Choe", near village Manauli, Tehsil Mohali, District Mohali, Punjab held on 30-07-2024 at S.A.S Nagar.

The meeting was attended by the following members:

- (1) Sh. Rantej Sharma, Executive Engineer, PPCB, S.A.S Nagar.
- (2) Sh. Gurtej Singh Gracha, Executive Engg. cum Mining Officer, Dept. of Water Resources. Punjab.
- (3) Sh. Rajinder Soni, Xen, Engineering Department, UT Chandigarh.
- (4) Sh. Peeyush Jindal, Asst. Environmental Engg., PPCB, S.A.S Nagar.
- (5) Sh. Sukhwinder Singh, SDO (Civil), GMADA, S.A.S Nagar.
- (6) Sh. Punnayadeep Sharma, Tehsildar, District Administration, Chandigarh
- (7) Sh. Arjun Grewal, Tehsildar, District Administration, S.A.S Nagar.

On the subject cited matter, Hon'ble NGT has passed orders in OA No 279/2024 as "Dildeep Singh Basi v/s State of Punjab" in which the complainant has raised his grievance that the Department of Housing and Urban Development, State of Punjab is taking steps for realignment of N-Choe without any proper survey of the land and water flow, which is likely to cause serious ecological and environmental hazards in the area concerned as the said exercise is being undertaken by permitting certain individuals and therefore, is not for benefit of the people, but malicious in nature. A report has been sought regarding the issues raised by the complainant through the order issued.

In compliance of the order, a committee was formed of following members which are as below:-

1. District Magistrate, SAS Nagar.
2. Deputy Commissioner, Chandigarh.
3. Punjab Pollution Control Board.
4. Representative of Department of Irrigation, Punjab
5. Representative of Department of Irrigation, Chandigarh
6. Representative of Department of Housing and Urban Development, Punjab.

The representatives of the above officers/offices visited the site and the following facts were discussed: -

1. The petition filed by the complainant is regarding the prevention of realignment of the choe (Chai Nala) which is originates from Sector-31 of Chandigarh and flows through village Jagatpura, Kambala, Papadi etc. to village Manauli in IT City and passes through Sector-82 Alpha and Sector-83 Alpha and then merges with N-Choe at Sector-101 Alpha, S.A.S Nagar.
2. It has been stated by the complainant that the realignment of Choe will benefit some people, particularly M/s Janta Land Promoters Pvt Ltd (JLPL). It is informed here that, GMADA has already acquired and developed the land of Sector-82Alpha, 83Alpha and 101Alpha as per the notified SAS Nagar Master Plan. As Chai Nala (Choe) meanders through the Sector-82 Alpha and 83Alpha in IT City, approximately 86 acres land of IT City (Flag A) cannot

be used for development works/auction, as some portion of land is cut-off due to the current alignment of Chai Nala. The choe is being realigned as per notified SAS Nagar Master Plan (flag B). By realigning the said Choe, 86 acres land of GMADA can be reclaimed and developed which will be in the financial interest of GMADA.

3. In the meeting held on 23-02-2021 under the Chairmanship of Chief Administrator, GMADA, the decision was taken that Choe has to be realigned in Sector-82 and 83 as per notified SAS Nagar Master Plan in which most of the land in these sectors is owned by M/s JLPL and remaining some portion of the land in which choe is to be realigned is owned by private owners. The cost of execution of realignment of the choe falling in the area of JLPL project will be borne by M/s JLPL. In regards to the land owned by the private persons, the Land Acquisition Collector of GMADA has initiated the acquisition of land under The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 (RFCTLARR) on 02-12-2021 for 10.9583 acres and after taking approval from Punjab Govt., notification under Section 11 on dated 28-03-2023 has been issued by Principal Secretary, Dept. of HUD, Punjab. After the acquisition of land, requisite Topographical Survey/Hydraulic Survey will be done in consonance with Irrigation Dept., Punjab, before the execution of realignment of the choe.

4. At the time of site visit, it was found that no work is in progress on the site.

5. The meeting ended with a vote of thanks.

**Executive Engineer,
PPCB, S.A.S Nagar.**

**Executive Engineer-cum Mining,
Dept. of Irrigation, S.A.S Nagar.**

**SDO (Civil),
GMADA, S.A.S Nagar,**

**Tehsildar,
District Administration, S.A.S Nagar.**

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**Tehsildar,
District Administration,
Chandigarh.**