

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT DELHI**

In Re: Original Application No.292/2023

Dr. Amandeep Singh Bains

...Applicant

Versus

The Municipal Commissioner of Ludhiana & others

...Respondents

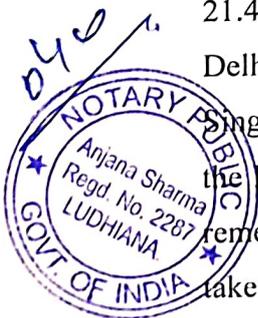
**Written Report by way of affidavit in compliance of the
order dated 21.4.2023 passed by the Hon'ble Tribunal in
original application No.292/2023**

AFFIDAVIT

I, Sandeep Rishi, IAS, Commissioner of Municipal Corporation, Ludhiana, do hereby solemnly affirm, declare and submit the report as under:-

1. That the present report is filed in compliance of the order dated 21.4.2023 passed by the National Green Tribunal, Principal Branch, New Delhi in the original application No.292/2023 titled as "Dr. Amandeep Singh Bains V/s Municipal Commissioner, Ludhiana and others" in which the Hon'ble Tribunal has issued the direction to verify the facts and take remedial action in accordance with the law and further called the action taken report. The deponent has thoroughly gone through the grounds mentioned in the petition filed by the applicant Dr. Amandeep Singh Bains, and also got conducted the survey of the Park subject matter of the application and hereby submits the present report as under;-

a) That in the year 2017 the Government of Punjab, Department of Local Government has notified/formulated one policy for

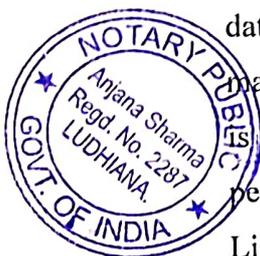


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maintenance of the Municipal Parks following under the jurisdiction of various ULBS (Under Local Bodies) vide notification No.5/65/2017 – 1LG-4/1021 (Copy of policy is attached as Annexure-A), as per the scheme, there are provisions made, need for maintenance of parks and recreational facilities and further allowing register Charitable Institutions/Companies to name the park, children play area in their name or through CSR (Corporate Social Responsibility) Activities or NGOs or RWA (Registered Welfare Association). The intention behind the formulation of the policy is to create the Public Private Partnership (PPP), for generating economic growth, creation of the direct and indirect job in the ULB/Region and developing the local economy and further development may encourage pursuing new business.

b) The park namely Rakh Bagh subject matter of the application was given to M/s Hero Cycle Limited, Ludhiana for its maintenance and development and M/s Hero Cycle Limited has been maintaining the same since long. (Copy of the agreement is attached as Annexure-B).

c) It is matter of fact that M/s Hero Cycle Limited has sublet the area to one Company namely M/s Shalu Amusement Park which is against the agreement with the Municipal Corporation and when the matter was came into the knowledge of the Municipal Corporation, Ludhiana and the Municipal Corporation, Ludhiana, immediately acted upon it and issued the notice to the M/s Hero Cycle Limited to stop the same and now M/s Hero Cycle Limited, has terminated the same (Copy of the Notice No. 1609/Hort./D dated 09.07.2021 is attached as Annexure-C). Now the park is maintained by M/s Hero Cycle Limited, and there is no Sublette. It further submitted that Municipal Corporation, Ludhiana is periodically checking the park and the activity of M/s Hero Cycle Limited and there is no such violation is found.



d) The Municipal Corporation, Ludhiana has removed the illegal hoarding placed by the Sublette which was installed by them in Park.

e) The Municipal Corporation, Ludhiana has checked the rate being charged by M/s Hero Cycle Limited, for rides, toy train & games and found that they are charging the rates fixed by the Municipal Corporation, Ludhiana, as passed by the General House of the Municipal Corporation, vide resolution No.7104 dated 17.9.2022 (Copy of the resolution is attached as Annexure-D).

f) That M/s Hero Cycle Limited has developed the Cafeteria for the public convenience, who serves the eatable items for the public and to affix the rate of the food/eatable items for the public, the Municipal Corporation, Ludhiana, has already sent one letter to the Deputy Commissioner, Ludhiana for the finalization of the rates (Copy of the same is attached as Annexure-E). But the rates are not finalized till date.

g) That M/s Hero Cycle Limited has erected the Statue in the Park which is illegal and the Municipal Corporation, Ludhiana has not given any permission for the erection of the Statue in the park and in this regard explanation has been sought from the M/s Hero Cycle Limited. Copy of the same is attached as Annexure-F). And further appropriate action will be initiated in due process of law.

h) That the Municipal Corporation, Ludhiana, has already issued the directions that War memorial situated in the park must be neat and clean and no person will be allowed to use it for any other purposes or to deface the war memorial.

i) That the park namely Rakh Bagh is well maintained in 11 Acres of land approximately and numbers of tress/plats are implanted in the same, large number of inhabitant of Ludhiana are



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using the same for the morning/evening walk and also used for the amusement of the children, even toy train, games, rides and other recreational activities are available for the public at large. There is no commercialization of the park as stated in the application/petition. The Municipal Corporation, Ludhiana is making best efforts to make the city clean and green and in this regard Corporation has taken many initiatives. The Municipal Corporation, Ludhiana will take the action if any violation is found at any point of time. Hence, this report.



23/10/23

Verification:-
Verified that the contents of the above affidavit are true and correct to the best of my knowledge, belief and information as derived from the official record.

Place : Ludhiana

verified that the affidavit has been read over & explained to the deponent who seemed to correctly understand at the time of its making there of


Deponent
Commissioner
Municipal Corporation
Ludhiana


Deponent
Commissioner
Municipal Corporation
Ludhiana

I identified 
has signed before me
I know him/her personally

ATTESTED AS IDENTIFIED

Notary Public, Ludhiana (Pb.)

13 OCT 2023