

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
NEW DELHI**

Appeal No. 11 of 2026
(IA No. 134 of 2026 and IA no. 136 of 2026)

Municipal Corporation, Chandigarh

.....Appellant

V/s

Punjab Pollution Control Board and others

.....Respondent(s)

Short Reply by way of affidavit of Er. Kanwaldeep Kaur, Environmental Engineer, Punjab Pollution Control Board, Regional Office, SAS Nagar (Mohali) on behalf of Respondent Punjab Pollution Control Board, Punjab (in IA no. 134 of 2026 and IA No. 136 of 2026) in compliance to order dated 26.02.2026.

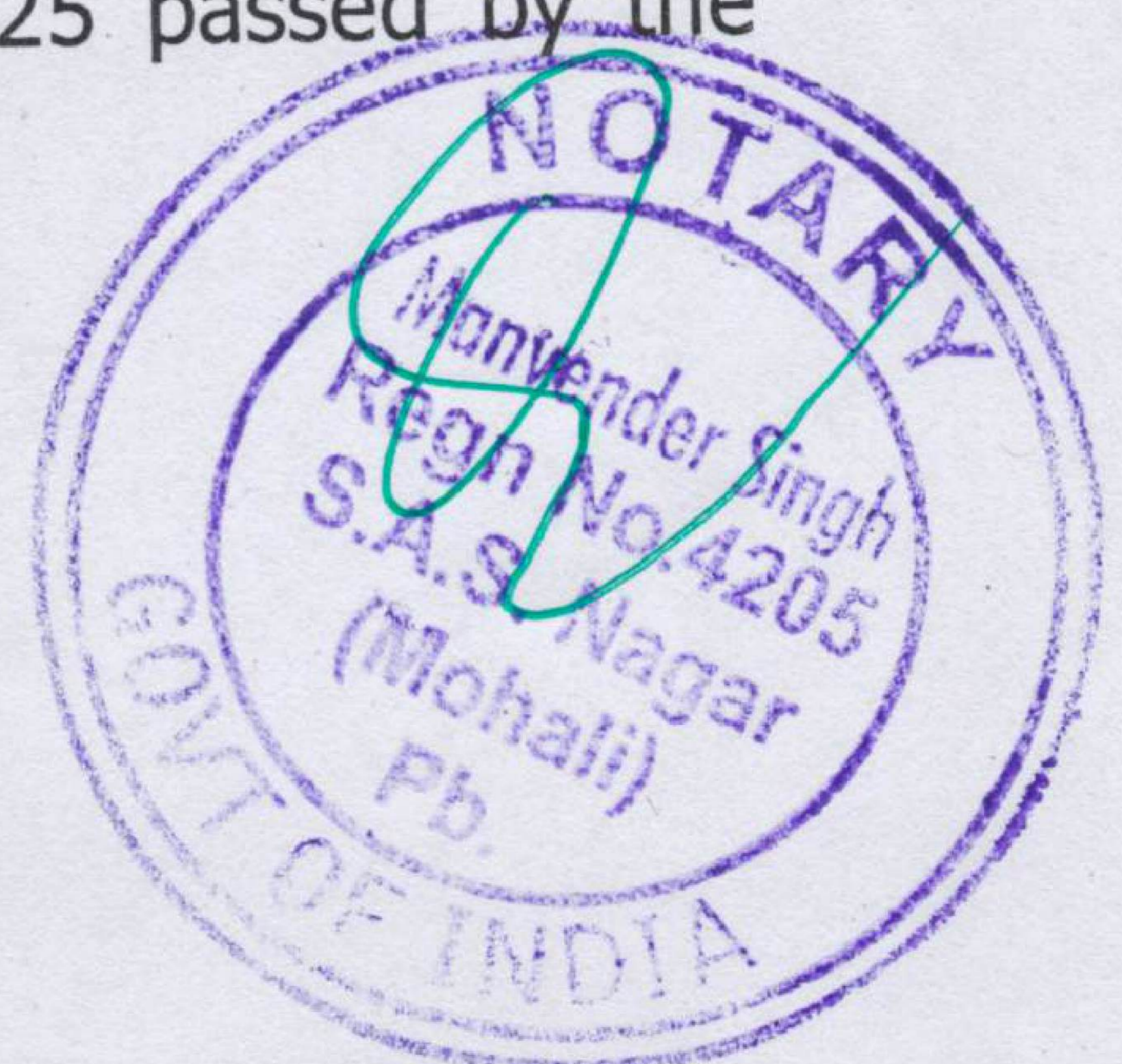
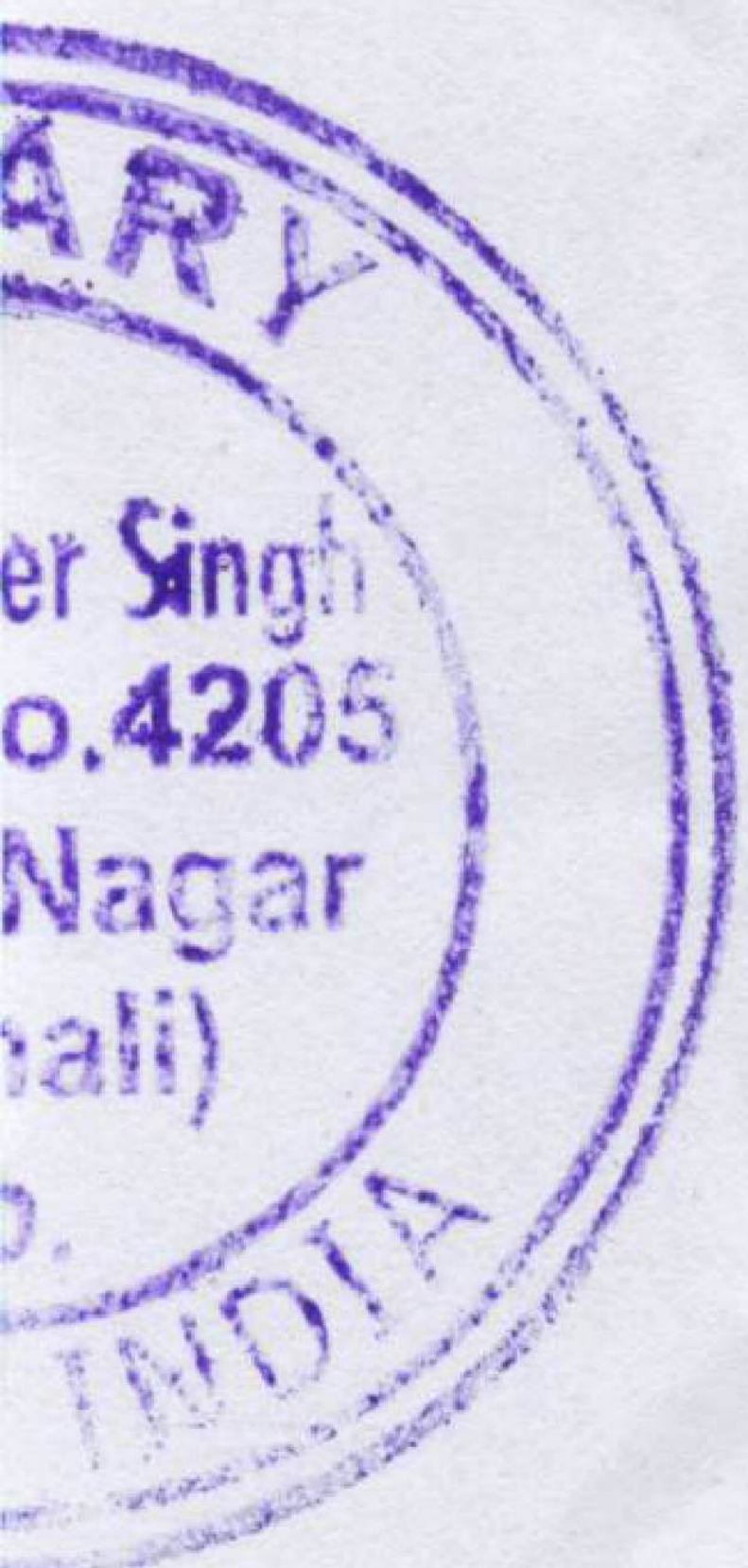
I, the above-named deponent, do hereby solemnly affirm and state as under:

Respectfully showeth

- 1) That the deponent namely Er Kawaldeep Kaur is working as Environmental Engineer in Punjab Pollution Control Board and is posted in the Regional Office of the Board at SAS Nagar (Mohali). The deponent is well conversant with the facts of the case and is competent and authorized to swear and file the present short reply by way of affidavit on behalf of the respondent Punjab Pollution Control Board.
- 2) That the above-mentioned appeal has been filed by Municipal Corporation, Chandigarh under Section 16 read with Section 18 of the National Green Tribunal Act, 2010, challenging the order dated 20.05.2025 passed by the

11 MAY 2026

[Handwritten Signature]



Appellate Authority constituted under the Water (Prevention and Control of Pollution) Act, 1974 and Air Prevention and Control of Pollution) Act, 1981, Government of Punjab, Department of Science, Technology and Environment.

- 3) That there is a delay in filing and re-filing of the appeal. Hence, the appellant has filed IA No.134/2026 for condonation of delay in filing the appeal and IA No. 136/2026 for condonation of delay in re-filing the appeal. After consideration of the matter, this Hon'ble Tribunal was pleased to pass an order dated 26.02.2026 thereby issuing notice on IA No. 134/2026 and IA No. 136/2026 to the respondents. The appellant was directed to serve the respondents and file an affidavit of service at-least one week before the next date of hearing.
- 4) That in view of the fact that IA no. 134 of 2026 has been filed for condonation of delay in filing the appeal and IA no. 136 of 2026 has been filed for condonation of delay in re-filing the appeal, the deponent is filing a common reply in IA no. 134 of 2026 and IA no. 136 of 2026 mentioning therein the relevant facts of the case which may kindly be read in the following paragraphs.
- 5) That in reply to the contents of the I.As., it is submitted that according to the provisions of Section 16 (c) of the National Green Tribunal Act, 2010 any person aggrieved by directions issued, on or after the commencement of the National Green Tribunal Act, 2010, by a Board, under section 33-A of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) may, within a period of thirty days from the date on which the order or decision or direction or determination is communicated to him, prefer an appeal to the Tribunal. Provided that the Tribunal may if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed under this section within a further period not exceeding sixty days.
- 6) That the examination of IA no. 134 of 2026 has revealed that the applicant is seeking condonation of delay of 55 days in filing the above-mentioned appeal. The reason for delay mentioned in the appeal is that the file was sent to legal branch of the corporation of filing the appeal in the first week of June 2025. The matter was marked for filing of appeal on 20.06.2025 to a panel Advocate

11 MAY 2026

sh



in Delhi but the meeting could not be arranged due to summer vacations and the officials were able to meet the counsel in second week of July 2025. The officials had sent the record to the counsel but the record did not contain the complete set of Annexures which were handed over to the corporation by the erstwhile counsel on 15.08.2025. Thereafter some time has been consumed on account of the ancillary task such as typing of annexures and collecting the record and necessary documents. It is mentioned in the appeal the delay is neither intentional nor deliberate but has occurred due to reasons aforesaid.

- 7) That the second IA no. 136 of 2026 has been filed for condonation of delay in re-filing the appeal. In continuation of the facts mentioned in IA no. 134 of 2026, it is mentioned in IA no. 136 of 2026 that the above-mentioned appeal was filed on 15.08.2025. However, due to an error with the filing portal, the details of the matter including the soft copy of the present appeal was not available with the filing section and the counsel of the appellant was instructed to wait for a couple of days for the issue to resolve. It is further mentioned in IA no.136 of 2026 that multiple attempts have been made to clarify with the concerned officials of this Hon'ble Tribunal but the issue persisted. Another attempt was made to refile the present on 15.09.2025 and 19.09.2025 but the issue still persisted. The counsel for the appellant again visited this Hon'ble Tribunal in the first week of October 2025 but was informed that the file could not be located due to issue with the filing portal. The counsel was asked to recheck after two weeks. The issue was resolved in the third week of November 2025 and the appeal was refiled on 25.11.2025 but certain defects were pointed out thereafter. The defects were removed and the appeal was filed on 13.12.2025. It is mentioned in the application that the delay is neither intentional nor deliberate but has occurred due to the reasons aforesaid. The applicant /appellant has requested to condone the delay of 90 days in refiling the appeal.
- 8) That in the above background of the case, it is relevant to mention here that the original order for imposition of Environmental Compensation of Rs. 49,27,500/- upon Municipal Corporation, Chandigarh was passed by the Board

11 MAY 2026

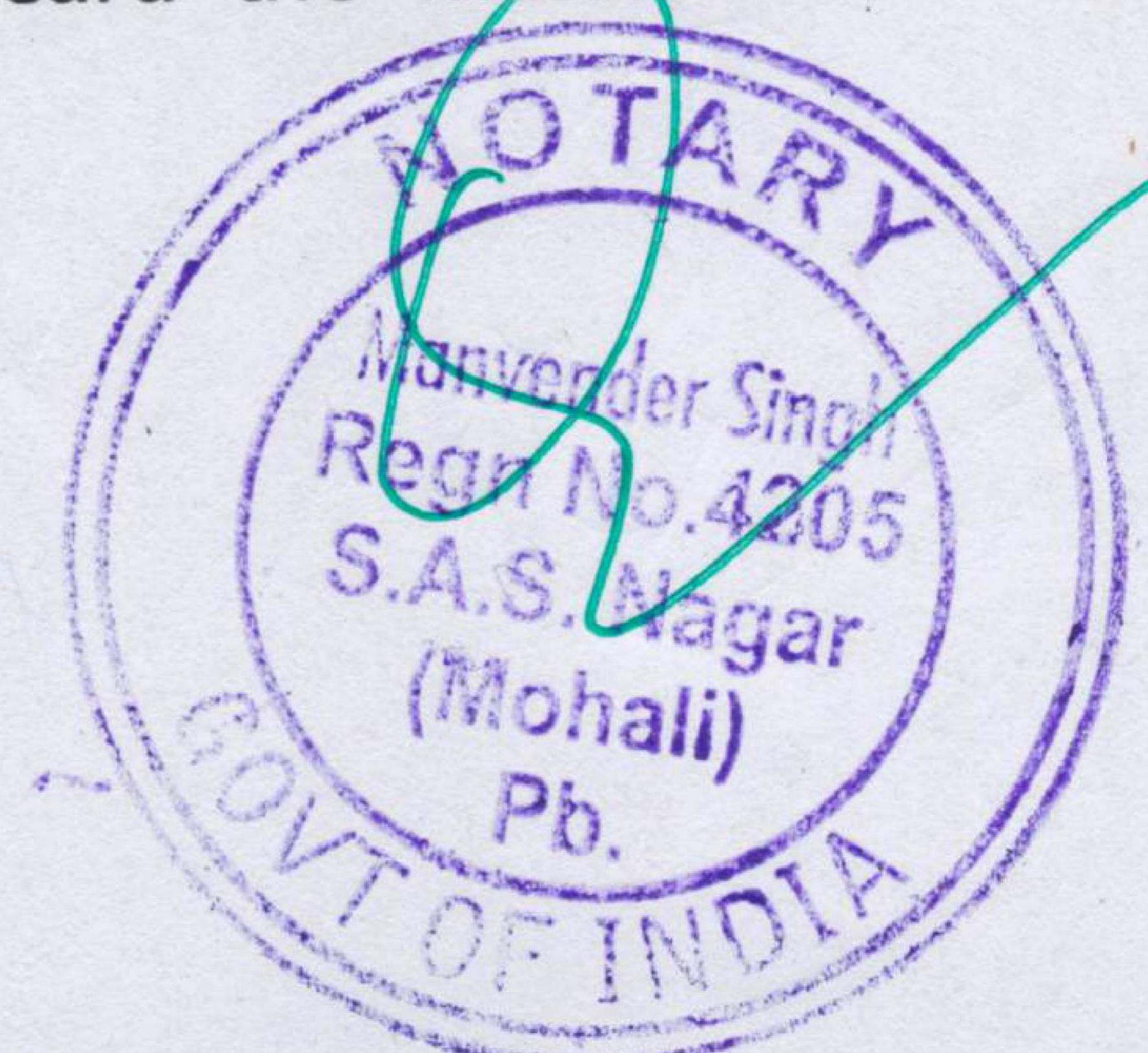
John



on 31.05.2024 but the appellant herein has filed the first appeal before the Appellate Authority against the orders dated 31.05.2024 of the Board on 10.02.2025 after the delay of 230 days. In fact, the Appellate Authority in the first instance has declined to rely upon the request of the Municipal Corporation, Chandigarh to condone the delay of 230 days but in view of the fact that the Municipal Corporation, Chandigarh is a government undertaking, the Appellate Authority has also heard the matter for disposal of merits. The appeal filed by Municipal Corporation, Chandigarh was also declined on merits by the Appellate Authority vide order dated 20.05.2025 (reserved on 10.03.2025). The relevant extract of para no. 6 of the order dated 20.05.2025 passed by the Appellate Authority with regard to the condonation of delay is reproduced below:

6. After hearing the parties, I have also examined the relevant record with the assistance of the parties. The statement of the counsel for the appellant that the delay has occurred on account of the procedure to be adopted by the appellant including various due deliberations cannot be relied upon to be a genuine reason for condonation of delay in filing the present appeal after 230 days which are calculated to be 32.85 weeks or 7.66 months. Being a government undertaking, the appellant should have been extra conscious in dealing with the time bound matter. The reasons mentioned in the accompanying application for referring the case to legal branch, meetings taken, collection of documents cannot be said to be bona-fide reasons. All these actions are routine activities which are bound to be performed by the appellant in the given time frame being a time bound matter and not as per the conveyance of the officers and employees of the Corporation. I do not find any cogent reason to condone the delay of 230 days terming the same to be a procedural delay. However, in view of the fact that the Municipal Corporation, Chandigarh is a government undertaking, I have also heard the matter for disposal of merits.

11 MAY 2026



9) That the appellant has not mentioned any sufficient cause which has prevented the appellant from filing the present appeal before this Hon'ble Tribunal in time. The applicant was in complete knowledge of the fact that the appeal against the order issued by the Appellate Authority lies before the Hon'ble National Green Tribunal.

10) That in view of above-mentioned facts, no ground is made out to allow IA no. 134 of 2026 filed by the appellant seeking condonation of delay of 55 days and to further allow the IA no. 136 of 2026 filed by the appellant seeking condonation of delay of 90 days.

It is therefore, prayed that I.A. no. 134 of 2026 and IA no. 136 of 2026 filed by the appellant for condonation of delay of 55 days in filing the appeal and condonation of delay of 90 days in refiling the appeal may kindly be dismissed.

I Know Deponent Personally
And He/ She Has Signed In
My Presence

Parshwan Singh
PPCB 0352
9915193523

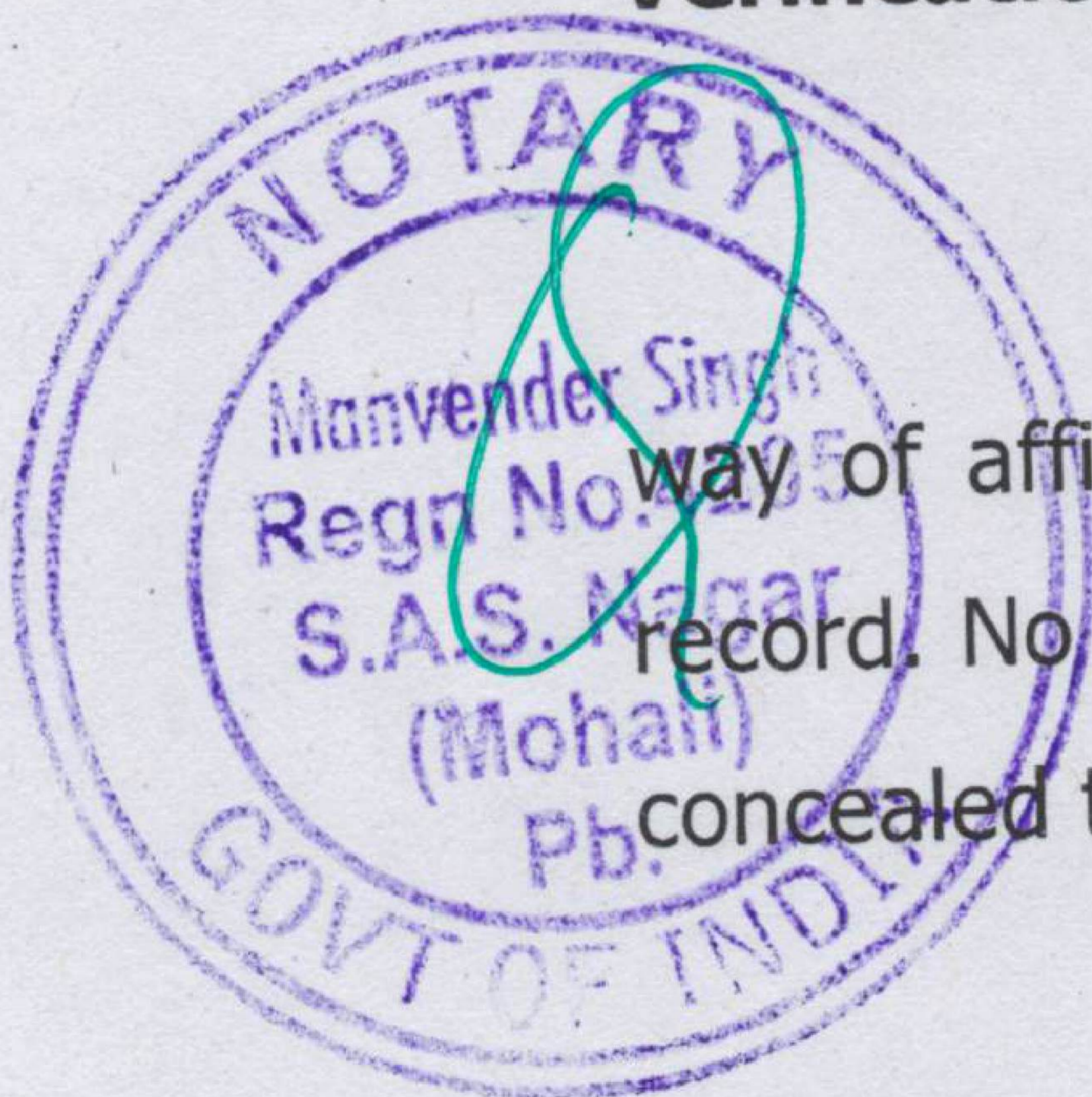
Date: 11/5/2026

Place: SAS Nagar

Deponent

(Er. Kanwaldeep Kaur)
Environmental Engineer
Punjab Pollution Control Board,
Regional Office, SAS Nagar (Mohali)

Verification



Verified that the contents of Para No. 1 to 9 of the above short reply by way of affidavit of the deponent are true and correct as derived from the official record. No part of the above short reply is false and nothing material has been kept concealed therein.

Date: 11/5/2026

Place: SAS Nagar

Deponent

(Er. Kanwaldeep Kaur)
Environmental Engineer
Punjab Pollution Control Board,
Regional Office, SAS Nagar (Mohali)

Attested as Identified
11 MAY 2026

MANVENDER SINGH
NOTARY
S.A.S. Nagar (MOHALI)
PUNJAB, (INDIA)

Certified that the Affidavit/SP/MPA/ Agreement/Condonation/PPCB/ PDI/ RNIB etc. document has been read over & explained to the Deponent/Executant, who seemed perfectly to understand the same at the time of making there of.

Register No. 2467
11 MAY 2026
Legn. No. 59

MANVENDER SINGH
NOTARY
JUDICIAL COURTS COMPLEX
S.A.S. NAGAR (MOHALI)-PB
(INDIA) REGD NO.4205