

**Before the Hon'ble National Green Tribunal
Principal Bench (Court no. II) New Delhi**

Original Application No. 719 of 2022

Gurdeep Singh

--Applicant

Versus

State of Punjab & Others

--Respondents

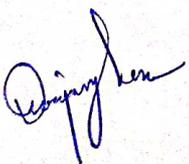
Short reply of Er. Vijay Kumar, Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur on behalf of Punjab Pollution Control Board.

Respectfully showeth:

1. Briefly submitted, Sh. Gurdeep Singh son of Sh. Sucha Singh resident of Village Chahal Patti Badra, Tehsil Tapa, District Barnala has filed the present application (OA no. 719 of 2022) before the Hon'ble National Green Tribunal under the provisions of National Green Tribunal Act, 2010 seeking for the issuance of directions to the respondents to ensure that the untreated, polluted and dirty water of village Pond is not discharged in their fields and land of the farmers near to their houses and that the dirty wastewater after treatment may be used for Panchayat lands.
2. That after consideration of the matter, the Hon'ble National Green Tribunal was pleased to direct the presence of Gram Panchayat Village Badra through its Sarpanch vide order dated 23/09/2022

before the Hon'ble Tribunal for just and proper adjudication of the questions involved in the case. Apart from that, notices have also been issued to the respondents vide the said order dated 23/09/2022 requiring them to file their response /reply to the averments made in the application at judicial-nqt@gov.in.

3. That upon examination of the matter it is observed that Gram Panchayat Badra has passed a resolution dated 31/08/2022 to use the over flow of the Village pond wastewater in the field of the farmers for irrigation with consent towards the way of the Jogipur. The Gram Panchayat decided to obtain the permission of Punjab Pollution Control Board in this regard.
4. That thereafter, a complaint dated 05/09/2022 is received by the Board which was made by Sh. Gurdeep Singh S/o Sh. Sucha Singh, Sh. Sukhwinder Singh S/o Sh. Bachhitar Singh residents of Chahal Patti, Village Badra, Tehsil Tapa, District Barnala. It was alleged in the complaint that Sarpanch Gurdeep Singh at the behest of some political persons connected with the political party in power is trying to discharge the wastewater of village Pond into the fields of the farmers and in their fields by forcibly and illegally laying the pipeline. It was further mentioned in the complaint that the work is being done due to political vendetta.
5. That in the above background of the case, the Block Development and Panchayat Officer, Block Barnala vide letter no. 1310/PO dated 09/09/2022 has informed the office of Environmental Engineer, Punjab Pollution Control Board, Sangrur that Gram Panchayat Badra after passing a resolution dated 31/08/2022 desires to use the overflowed water of Chahal Patti Pond for irrigation in the fields of



the consented farmers and wants to obtain the permission of the Punjab Pollution Control Board. As such letter is forwarded to your office. English translation of letter no. 1310/PO/ dated 09/09/2022 written by Block Development and Panchayat Officer, Block Barnala is enclosed herewith as **Annexure R7/A**.

6. That the office of Environmental Engineer, Punjab Pollution Control Board, Regional Office, Sangrur after considering the matter informed the office of Block Development and Panchayat Officer vide office letter no. 4089 dated 16/09/2022 that the matter to accord sanction to use the pond water for irrigation in the nearby fields does not fall under the purview of the Board. As the matter relates to the Village Pond, the Block Development and Panchayat Offices, Barnala was advised to take further necessary action as per the rules of their department. It was also informed to the Block Development and Panchayat Officer vide the said letter dated 16/09/2022 that if they want to get the pond water analyzed then they should write a request letter in this regard and also deposit the requisite analysis charges with the office of the Board so that necessary action to analyze the pond water is initiated.

A copy of the English translation of letter no. 4089 dated 16/09/2022 is enclosed herewith as **Annexure R7/B** for kind perusal of this Hon'ble Tribunal.

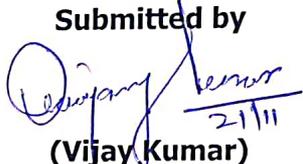
7. That in view of the above recorded facts, it is respectfully apprised that the present case falls under the purview and jurisdiction of the Department of Rural Development and Panchayats and the Punjab Pollution Control Board has no active role to perform in the case. The department of Rural Development and Panchayats is having its



own rules, guidelines for the rejuvenation of Village Ponds. As such, the reply of the Department or Rural Development and Panchayats may kindly be perused for appropriate disposal of the case.

It is, therefore, prayed that the reply of the Department of Rural Development and Panchayats, District Development and Panchayat Officer as well as that of Block Development and Panchayat officer, Barnala may kindly be considered for proper adjudication of the case.

Dated:- 21.11.2022

Submitted by

(Vijay Kumar)
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Sangrur
on behalf of Punjab Pollution Control Board

Verification

Verified that the contents of para no.1 to 6 of the above reply are true and correct to my knowledge as derived from the official record. Para no.7 is prayer. No part of the above reply is false and nothing material has been kept concealed therein.

Dated:- 21.11.2022


(Vijay Kumar)
Environmental Engineer,
Punjab Pollution Control Board,
Regional Office, Sangrur
on behalf of Punjab Pollution Control Board

(Letter) English Translation of Punjabi Language

Annexure R7/A

**Block Development and Panchayat Officer-Cum-Executive Officer,
Panchayat-Samiti, Barnala**

**Email-bdpobarnala@gmail.com
230072**

Phone no. 01679-

To

Executive Engineer,
Pollution Control Board,
Sangrur / Barnala

Letter no. 1310 / PO

dated 09/09/2022

Subject:- To obtain permission regarding

On the subject cited above it is requested that Gram PanchayatBadra vide resolution dated 31/08/2022 describes to use the over flow water of Chahal Patti Pond for irrigation in the fields of the consented farmers. To start this work, Gram PanchayatBadra wants to obtain your permission. This is forwarded to you for further appropriate necessary action.

Enclosed :- Copy of resolution

Sd/-
Block Development and
Panchayat Officer,
Block Barnala



(Letter) English Translation of Punjabi Language

Annexure R7/B

Seal

Punjab Pollution Control Board

**No-4089
16/09/2022**

Date:

To

Block Development and Panchayat Officer,
Barnala

Subject:- Complaint to restrain the forcible discharge of dirty wastewater of pond through pipelines into the fields of the farmers near to our residential houses in Village Badra, District Barnala.

Reference:- Your office letter no. 1310/PO dated 09/09/2022.

In reference to the letter on the subject cited above it is informed that giving of permission to utilize pond water in the nearby fields for irrigation does not fall under the purview of this office of Punjab Pollution Control Board. Because the matter relates to the pond of a Village, as such you have to take further necessary action as per the rules of your department.

It is hereby brought to your notice, if water of the pond is to be analyzed then a request letter in this regard may be written to this office along with requisite sample analysis fee, so that necessary action for analysis of pond water is initiated.

This is for your information and further necessary action please.

Sd/-
Environmental Engineer,

Regional Office, Industrial Focal Point, Sangrur

Email :- eerosangrur@gmail.com we:- www.ppcb.gov.in Ph:-01672-233475

