

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
OA 459/2023**

IN THE MATTER OF:

Charan Singh

...Applicant

Versus

State of Punjab & Ors.

...Respondents

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Through Counsel



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Place: New Delhi
Date: 28.09.2024

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

In Re:-OA No.459 OF 2023

Charan Singh & Another

..... Applicants

Versus

State of Punjab & Others

..... Respondents

Short Reply by way of Affidavit of
Navdeep Kaur, DDPO, Ludhiana on behalf
of Respondent No. 1,2 , 3 and 4
in the above noted matter:-



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

1. That vide orders passed by this Hon'ble Court on the last date of hearing, a detailed report regarding the encroachments over the ponds and the steps proposed/undertaken to remove these encroachments was asked for.
2. Pond wise total area is as under:-

Sr. NO.	Pond No. with Khasra no.	Total area
1	Pond No.1 (Khasra	14K-2M

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	No.454)	
2	Pond No.2 (Khasra No.100)	12K-17M
3	Pond No.3 (Khasra No.418)	24K-0M
4	Pond No.4 (Khasra No.459)	6K-9M
5	Pond NO.5 (khasra No.458)	7K-12M
Total		8A-1K-0M



The Revenue Record of above mentioned Ponds is annexed as **Annexure R-1**

3. Based on the report submitted by Block Development and Panchayat Officer, Ludhiana-1 vide his letter no 7799 dated 17.09.2024 , it is submitted that a total of 3 kanals and 5 marlas of land is under encroachments. The encroachments include 6 Pucca Houses, 8 animal sheds and a 'roori' . The details of the encroachments over the ponds at village Alamgir are as under :

Sr. No	Pond which is encroached upon	Area encroached	Name of the persons who have encroached the area of ponds	Remarks
1	Pond No 3 (khasra No 418) Near the house of charan singh	2 kanal 01 marla	1 Khuswinder Singh S/o Maghar Singh 2 Kamaljit	The gram Panchayat Alamgir has filed cases

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			Singh S/o Anokh Singh 3 Hardev Singh S/o Bachan Singh 4 Charan Singh S/o Bhag Singh 5 Amandeep Singh S/o Jarnail Singh 6 Ranjit Singh S/o Hardit Singh 7 Jagtar Singh S/o Pargat Singh 8 Dharam Singh S/o Dwarka Singh 9 Surjit Singh S/o Dwarja Singh 10 Gurnam Singh S/o Najar Singh 11 Ram Singh S/o Ojagar Singh 12 Sarabjit Singh	against 15 encroachers under section 7 of the Punjab village common land act 1961 in the court of collector Panchayat land cum DDPO Ludhiana.
2	Pond No.4 (Khasra No 459)	0 Kanal 5 Marle	Bhag Singh S/o Chand Singh	
3	Pond No.2 (Khasra No 100)	0 Kanal 19 Marle	1 Najar Singh S/o Hazura Singh 2 Harjit Singh S/o Labh Singh	

4. That the cases filed to remove the encroachments under section 7 of Punjab Village Common Land Act, 1961 in the Court of the District Development and Panchayat Officer, Ludhiana shall be decided expeditiously and encroachments shall be removed through due process of law.



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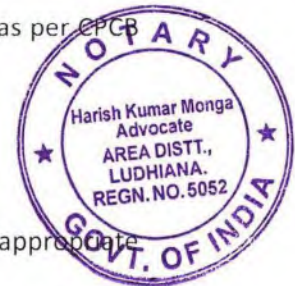
5. This Hon'ble Court had also called for steps to be taken to tackle the problem of Coliform in the disposed water in the ponds .With regard to this, report was seeked from Executive Engineer, Punjab Pollution Control Board, Ludhiana (**Annexure R-2**). They have submitted that " the Punjab Pollution Control Board, is a regulatory body and as per the Action Plan for Rejuvenation of Ponds, PPCB is bound to undertake the following works:

1. Laying down discharge standards for rural and urban ponds as per CPCB guidelines.

2. Monitoring of water quality of ponds

It is highlited that as per the Action Plan, 'Finalised of appropriate technology for restoration and management of village ponds in a scientific manner' comes under Department of Rural Development and Panchayat. So to tackle the issue of F. Coli, concerned department should be coordinated with. It is also submitted that Alamgir ponds are being developed under the Thapar Model Technique and this technology is developed by M/s Thapar Institute of Engineering and Technology, Patiala and for any clarification regarding this technology, you may contact Prof. Dr. Amit Dhir (Mobile No: 8968176900) of Thapar Institute of Engineering and Technology, Patiala.

Report was also seeked from Executive Engineer, Water Supply and Sanitation, Ludhiana (**Annexure R-3**). They have submitted that "the technology which is used by Rural development and Panchayat Department reduces the primary pollution parameter like BOD,COD, pH



A handwritten signature in blue ink, appearing to be "Amit Dhir".

and TMS. Apart from this, there is no other technology available to reduce the coliform and further written that whenever such technology is available then it will be applied in the ponds of village Alamgir."

Report was also sought from Executive Engineer, Rural Development and Panchayat Department (**AnnexureR-4**). They have submitted that "the technology which is used by Rural development and Panchayat Department reduces the primary pollution parameter like BOD,COD, pH and TMS. Apart from this, there is no other technology available to reduce the coliform and further written that whenever such technology is available then it will be applied in the ponds of village Alamgir."

6. The BDPO Ludhiana-1 vide its report no. 7839 dated 23.09.2024 has reported that for the rejuvenation and restoration of the ponds under Thapar Model Project, funds based on estimates to the tune of 77 lakhs was sought by the undersigned from the Director, Rural Development and Panchayat Department. But during the course of proceedings, the Deputy Commissioner, Ludhiana had given Rs.32.50 lakhs for pond rejuvenation & restoration. These funds were utilized to clean the ponds and to connect these ponds near to the pond near the house of the complainant. thereafter this pond (near to house of complainant) was rejuvenated based on Thapar Model technique. Apart from the funds provided by the Deputy Commissioner, Ludhiana additional funds received by the Panchayat under 15th Finance Commission (both Tied and untied) are



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being utilized to complete the project which would be sufficient for the restoration & rejuvenation of the 5 ponds at Alamgir.

7. It is further submitted that all the ponds in village Alamgir have been cleaned and solid waste (Polythene bags and other household waste) have been removed from the ponds and chlorination has also been done. In this cue, after the completion of the Thapar Model project on Pond No.3, chlorination of the pond will be undertaken regularly to tackle the menace of Coliform.

Deponent
Navdeep Kaur,
DDPO, Ludhiana



Certified that the affidavit / S.P.A./G.P.A. Has been read over & explained to the deponent/ executant who seemed correctly to understand the same at the time of making above there of

VERIFICATION :-

Verified that the contents mentioned in above affidavit are true and correct to my own knowledge. Nothing has been kept concealed therein.

Verified at Ludhiana on September 23, 2024

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Attested as Identified

Harish Kumar Monga
(Advocate) NOTARY PUBLIC,
LUDHIANA.(PB.)

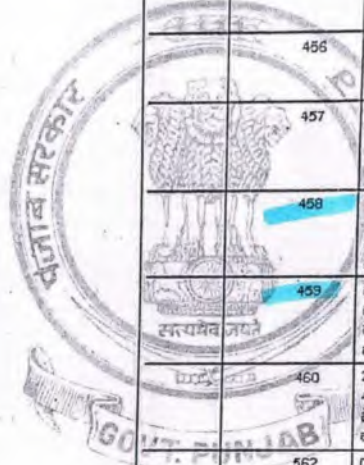
23 SEP 2024

Deponent
Navdeep Kaur,
DDPO, Ludhiana

I Know deponent / Executant / Indemmmfier personally. He / She has Signed / Thumb marked in my presence.

Annexure - R-I

ਖਵਾਣ ਨੰ / ਮਾਲ/ਪੱਤੀ, ਨੰਬਰਦਾਰ	ਖਤਰਨਾ ਨੰਬਰ/ਲਗਾਨ	ਮਾਲਕ ਦਾ ਨਾਂ ਅਤੇ ਵੇਰਵਾ	ਕਾਸ਼ਤਕਾਰ ਦਾ ਨਾਂ ਅਤੇ ਵੇਰਵਾ	ਸਿਚਾਰੀ ਦਾ ਸਾਧਨ	ਸੁਰਬਾ ਅਤੇ ਖਸਰਾ ਨੰਬਰ	ਜ਼ੋ ਦੀ ਕਿਸਮ	ਵਿਸ਼ੇਸ਼ ਕਥਨ
	1281		ਰਵਾਇ ਆਮ		418	24-0 (1-21-40.57) ਫੈਰਮੂਮਕਿਨ ਜੁਪਤ	
					450	3-3 (0-15-93.45) ਫੈਰਮੂਮਕਿਨ ਰਾਸਤਾ	
					454	14-2 (0-71-32.58) ਫੈਰਮੂਮਕਿਨ ਰਾਸਤਾ	
					456	17-18 (0-90-54.84) ਫਾਗੀ ਤੈਥਾ	
					457	0-14 (0-3-54.10) ਫੈਰਮੂਮਕਿਨ ਰਾਸਤਾ	
					458	7-12 (0-38-44.51) ਫੈਰਮੂਮਕਿਨ ਜੁਪਤ	
					459	5-9 (0-32-62.78) ਫੈਰਮੂਮਕਿਨ ਰਾਸਤਾ	
					460	2-13 (0-13-40.52) ਫੈਰਮੂਮਕਿਨ ਰਾਸਤਾ	
					562	0-7 (0-1-77.05) ਫੈਰਮੂਮਕਿਨ ਰਾਸਤਾ	
					581	1-12 (0-8-9.37) ਫੈਰਮੂਮਕਿਨ ਰਾਸਤਾ	
					442	1-14 (0-8-59.96)	

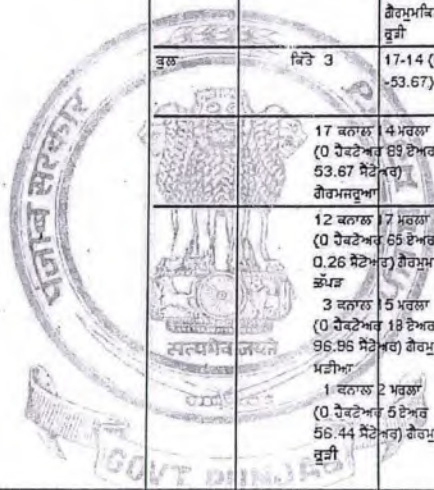


ਪੰਨਾ 305 ਦਾ 218

ਮਿਊਂਦਰ ਮਿਤੀ: 22-02-2018 03:05:47-578 ਆਮ

ਖਟਵਾਰੀ ਵਲੋਂ ਮਾਲ ਵਿਕਾਸ ਮਿਤੀ 19/02/2018 ਦਾ ਭੰਗਿਓਟਰ ਵਿਚ ਦਰਜ ਹੈ।

ਜਮਾਂਬੰਦੀ- 2016 2017		ਪਿੰਡ- ਮਹਾਮਾਈ	ਹੱਦਬਸਤ ਨੰ:-	273	ਤਹਿਸੀਲ- ਸੁਧਿਆਲ ਦੌਲੀ	ਜ਼ਿਲਾ- ਲੁਧਿਆਣਾ	8
1	2	3	4	5	6	7	8
ਖੇਵਟ ਨੰ:/ ਮਾਲ/ਪੱਤੀ, ਨੰਬਰਦਾਰ	ਖਤੌਨੀ ਨੰਬਰ/ ਲਗਾਨ	ਮਾਲਕ ਦਾ ਨਾਂ ਅਤੇ ਵੇਰਵਾ	ਕਾਸ਼ਤਕਾਰ ਦਾ ਨਾਂ ਅਤੇ ਵੇਰਵਾ	ਸਿੰਚਾਈ ਦਾ ਸਾਧਨ	ਮੁੱਲਾਂ ਅਤੇ ਖਸਰਾ ਨੰਬਰ	ਰਕਬਾ ਅਤੇ ਭੋ ਦੀ ਕਿਸਮ	ਵਿਸ਼ੇਸ਼ ਕਥਨ
	1398		ਮਕਬੂਜਾ ਐਹਲੇ ਹਰੀਜਨ		100	12-17 (0-65-0.26) ਗੈਰਮੁਕਿਨ ਝੱਪੜ	
					444	3-15 (0-18-96.96) ਗੈਰਮੁਕਿਨ ਮੜੀਆ	
					461	1-2 (0-5-56.44) ਗੈਰਮੁਕਿਨ ਬੁੜੀ	
				ਕੁਲ	ਕਿੱਤੇ 3	17-14 (0-89-53.67)	
					17 ਕਨਾਲ (0 ਹੈਕਟੇਅਰ 53.67 ਸੈਟੇਅਰ) ਗੈਰਮੁਕਿਆ	4 ਮਰਲਾ 89 ਏਅਰ	
					12 ਕਨਾਲ (0 ਹੈਕਟੇਅਰ 0.26 ਸੈਟੇਅਰ) ਝੱਪੜ	7 ਮਰਲਾ 65 ਏਅਰ ਗੈਰਮੁਕਿਨ	
					3 ਕਨਾਲ (0 ਹੈਕਟੇਅਰ 96.86 ਸੈਟੇਅਰ) ਮੜੀਆ	5 ਮਰਲਾ 18 ਏਅਰ ਗੈਰਮੁਕਿਨ	
					1 ਕਨਾਲ (0 ਹੈਕਟੇਅਰ 56.44 ਸੈਟੇਅਰ) ਬੁੜੀ	2 ਮਰਲਾ 5 ਏਅਰ ਗੈਰਮੁਕਿਨ	



From

Punjab Pollution Control Board,
Ludhiana.

Memo no. 1672 Date: 16.09.2024

To,

Block Development and Panchayat Officer,
Ludhiana-1.

Subject: OA No. 459 of 2023 Charan Singh Vs State of Punjab.

Reference: Your letter no. 7780 dated 02.09.2024.

Punjab Pollution Control Board (PPCB) has prepared an Action Plan for Rejuvenation of Ponds under the guidelines of the CPCB (Central Pollution Control Board). The primary objectives of this action plan are:

- 1 Laying down discharge standards for rural and urban ponds as per CPCB Guidelines.
- 2 Monitoring of water quality of ponds.

Furthermore, it has been finalized to adopt appropriate technology for the restoration and management of village ponds in a scientific manner. The Department of Rural Development and Panchayat, under this action plan, aims to treat F. Coli contamination using suitable bio-remediation technologies. For this purpose, technical support will be provided by M/s Thapar Institute of Engineering and Technology, Patiala. This includes measures to scientifically restore ponds to ensure improved water quality and ecological balance. For further assistance, contact M/s Thapar Institute of Engineering and Technology, Patiala at Phone No. 8961876900.

It is for yours information

Signed,
Authorized Officer
Punjab Pollution Control Board,
Ludhiana

True Translation

Annexure R/T-3

From

Executive Engineer,

Water Supply and Sanitation,

Ludhiana

Letter no. 3239

Date. 17-09-2024

To

Block Development and Panchayat Officer,

Ludhiana-1

Subject : Original Application No.459 of 2023 Charan Singh V/S State of Punjab.

Reference: Your office's letter no. 7788 dated 16/09/2024 regarding

In relation to the above subject, it is written to you regarding the problem of coliform that the committee formed under the chairmanship of the Chairman Punjab Pollution Control Board conducted a study of the Thapar model and the water projects being treated through it in 17 villages. In a study it was found that with various treatments there is a significant reduction in the amount of coliforms, but still as per the Central Pollution Control Board limits of 1000 MPN/100 mL is not being achieved.

The technology being used by the Rural Development and Panchayats Department is used to measure primary pollution parameters like BOD, COD. pH and TSS decreases. No technology is currently available to bring down the coliform within the limit specified by the Pollution Board, whenever any suitable technology comes in the near future to further reduce the coliform, it will be installed on the ponds of village Alamgir.

Signed

Executive Engineer,
Water Supply and Sanitation
Division No.1, Ludhiana

True Translation

From

Department of Rural Development and Panchayati Raj,

Punjab State Government,

Ludhiana

No.: 2319 Date: 17.09.2024

To

Block Development and Panchayat officer,

Ludhiana-1.

Subject: Original Application No. 459 of 2023 Charan Singh Vs State of Punjab.

Reference: Your letter no. 7750 dated 11.09.2024 regarding the above subject.

Regarding the mentioned subject, it is stated that a report has been submitted by the Punjab State Pollution Control Board on 17th September, in which the PPCB's lab analysis report reveals contamination beyond permissible limits. The report highlights that the pollution load exceeds the discharge standards, with Chemical Oxygen Demand (COD) at 1000 mg/l and Biochemical Oxygen Demand (BOD) at 100 mg/l, which is far above the acceptable limits for safe discharge.

As per the instructions from Block Development and Panchayat officer, the Department will collaborate with experts from Punjab Agriculture University, Ludhiana, and other institutions like M/s Thapar Institute of Engineering and Technology, Patiala, to resolve this issue. Further technical assistance will be sought to ensure safe remediation of the contaminated ponds. An urgent meeting of the Panchayat members is required to address this situation.

Signed,

Authorized Officer

XEN, Panchayat Raj

Ludhiana.

True Translation