

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

OA No. 249/2024

Kapil Dev

... Applicant

Versus

State of Punjab & Ors.

... Respondent(s)


INDEX

Sr. No	Particulars	Dated	Page Nos.
1.	Short reply on behalf of Respondent No. 5 by way of affidavit of Sh. Mukesh Garg, Engineer-in-Chief, Punjab Water Supply and Sewerage Board	14.01.2025	1-3
2.	Annexure R-1 (Detailed Plan)	-	4-5
3.	Annexure R-2 (Tender Notice)	12.08.2024	6
4.	Annexure R-3 (Allotment Letter)	17.09.2024	7



Place: Chandigarh

Dated: 14.01.2025


Mukesh Garg,

Engineer-in-Chief -cum- Technical Advisor
Punjab Water Supply and Sewerage Board
Chandigarh

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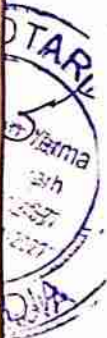
... Respondent(s)

Short reply on behalf of Respondent No. 5 by way of affidavit of Sh. Mukesh Garg, Engineer-in-Chief – cum- Technical Advisor, Punjab Water Supply and Sewerage Board, Plot No. 1-B, Madhya Marg, Sector 27, Chandigarh

RESPECTULLY SHOWETH

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

1. That the answering Respondent/deponent herein is filing the present short reply at this stage without prejudice to its right to file a detailed reply, if the need so arises and/or if so directed by this Hon'ble Tribunal.
2. That the Applicant has filed the present OA with the averments that sewage effluent is being directly discharged into Distributary (GPS Coordinates - 30.606765, 76.791212) passing along Chattbir Zoo Road (hereinafter referred to as Location 1), and that effluent coming out of drain is passing under National Highway at plot (GPS Coordinates - 30.636178, 76.801908) adjoining to "Jai Shiv Shankar Marble" situated opposite to Maruti Suzuki Arena showroom (hereinafter referred to as Location 2), that effluent is flowing in open plots (GPS Coordinates - 30.635001, 76.801559) situated along the National Highways (hereinafter referred to as Location 3) without any drainage pipes system, and that



[Handwritten signature]

sewerage effluent is entering into open land (GPS Coordinates 30.632031, 76.799204) which is likely to be the village pond/water body (hereinafter referred to as Location 4). A detailed plan of the above locations is being attached herewith at ANNEXURE R/5-1.

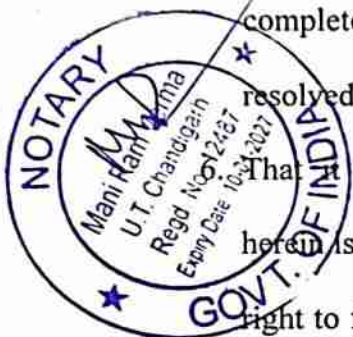
3. That the answering Respondent - Punjab Water Supply and Sewerage Board is merely an executing agency that executes works of water supply and sewerage for and on behalf of the concerned Urban Local Bodies. It is further clarified that the water supply and sewerage come under the jurisdiction of the Urban Local Bodies in so far as the municipal areas are concerned. On the asking of the concerned Urban Local Body, and on receipt of funds, PWSSB herein executes works of water supply and sewerage on their behalf.

4. That nonetheless, as regards Location 1 i.e distributary passing along Chattbir Zoo, separate STP has been planned to cater this area. Land for this purpose has been identified in Bakarpur village. It is pertinent to mention here that this is Panchayat land and process to transfer this land to Municipal Council, Zirakpur is underway. Furthermore, the route along which the sewer pipeline is to be laid is private land and Municipal Council, Zirakpur along with PWSSB [answering Respondent herein] are in touch with the private owner to give passage to lay underground sewer lines. Once the said land is transferred in the name of Municipal Council, Zirakpur, estimate will be prepared and after the receipt of funds, an endeavor shall be made to complete the said work within 18-24 months thereafter.

5. That as regards Locations 2, 3 and 4, the answering Respondent – PWSSB, for and on behalf of Municipal Council, Zirakpur, has floated a tender for the work of “Providing and Laying of 260 mm o/d to 315 mm



o/d UPVC Pipe Sewer and 400 mm i/d RCC NP3 Pipe Sewer, Construction of M.H. Chamber and all other works contingent thereto at Patiala Road Village Nabha at Zirakpur Distt. S.A.S. Nagar" vide tender notice No. 26 dated 12-08-2024, a copy of which is annexed herewith as ANNEXURE R-2. The said work, stands allotted to one M/s Biroke Builder Pvt. Ltd., Chandigarh vide allotment letter dated: 17-09-2024, a copy of which is annexed herewith as ANNEXURE R-3. The said work is expected to be completed by 31.03.2025. Once the said work is completed, the issue of sewage flowing on Locations 2, 3 and 4 shall be resolved.



That is further reiterated that the answering Respondent/deponent herein is filing the present short reply at this stage without prejudice to its right to file a detailed reply, if the need so arises and/or if so directed by this Hon'ble Tribunal

Place: CHANDIGARH
Dated: 14-01-2025



ATTESTED AS IDENTIFIED
Engineer-in-Chief -cum- Technical Advisor
Punjab Water Supply and Sewerage Board
Chandigarh

[Signature]
(DEPONENT)
Mukesh Garg,
Engineer-in-Chief -cum- Technical Advisor
Punjab Water Supply and Sewerage Board
Chandigarh

Verification:

MANI RAM SHARMA
NOTRY, CHANDIGARH (U.T.)

Verified that the contents of the above short reply by way of affidavit are true to my knowledge and belief, based on the official record. No part of it is false and nothing material has been concealed therein.

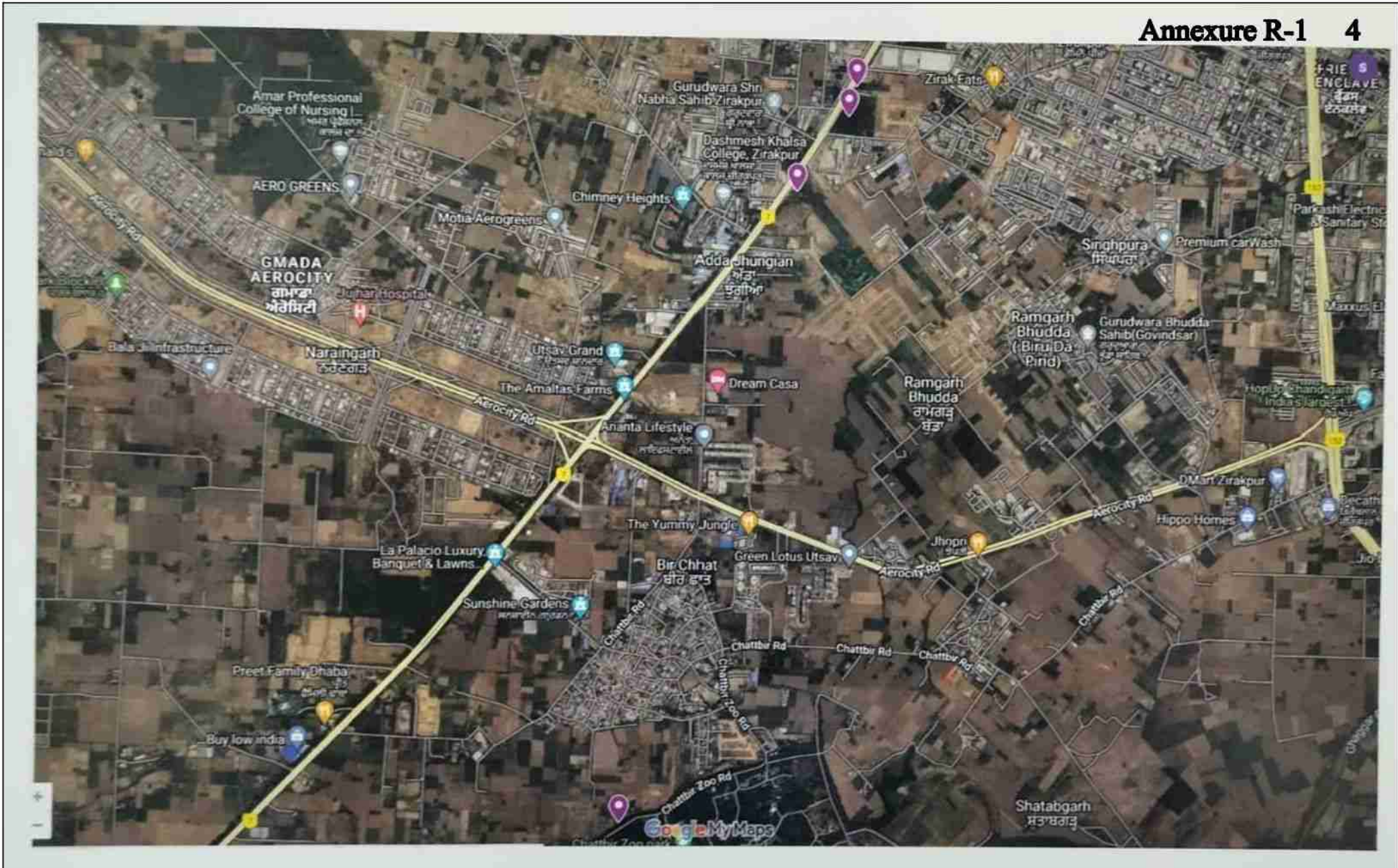
Place: CHANDIGARH
Dated: 14-01-2025

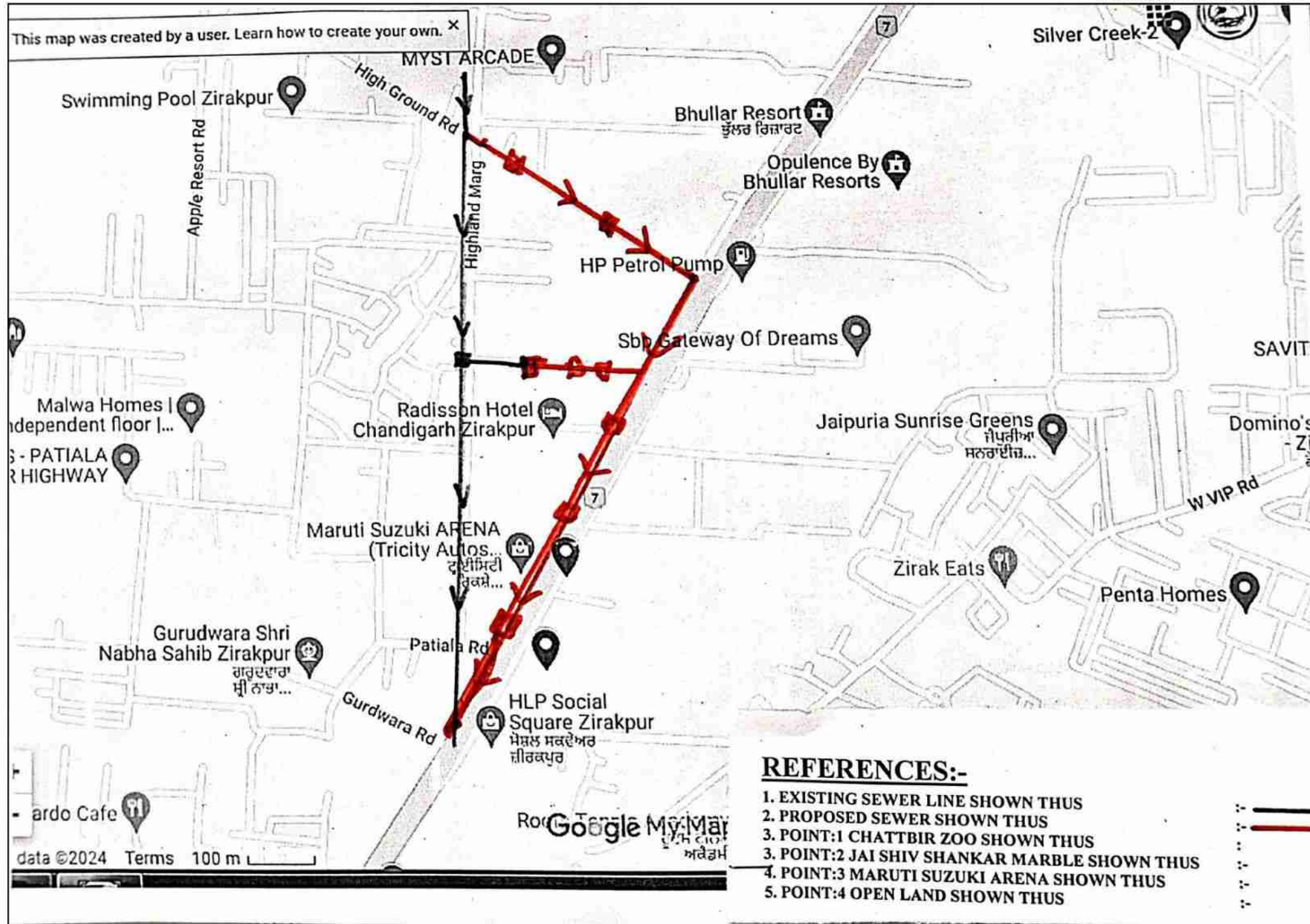
Execution of Document
Attested of ID No.
PLA CHOLKOPY 49009.
(RANJIT SINGH)

[Signature]
(DEPONENT)
Mukesh Garg,
Engineer-in-Chief -cum- Technical Advisor
Punjab Water Supply and Sewerage Board
Chandigarh

14 JAN 2025

The Contents of this affidavit/Document has been explained to the deponent/ executants He/She has admitted the same to be correct. The deponent/executant has signed Register at Sr. No. 3
P. No. 65 Date: 14-01-2025





REFERENCES:-

1. EXISTING SEWER LINE SHOWN THUS
2. PROPOSED SEWER SHOWN THUS
3. POINT:1 CHATTBIR ZOO SHOWN THUS
3. POINT:2 JAI SHIV SHANKAR MARBLE SHOWN THUS
4. POINT:3 MARUTI SUZUKI ARENA SHOWN THUS
5. POINT:4 OPEN LAND SHOWN THUS



**GOVERNMENT OF PUNJAB
PUNJAB WATER SUPPLY & SEWERAGE BOARD**

BID NO. ETENDER/EE/PWSSD/ROPAR/26/2024/Date:12.08.2024

Executive Engineer, Pb. W/S & Sew., Divn. Ropar on the behalf of Chief Executive Officer, Pb. W/S and Sew. Board Chandigarh invites online bids for the following:-

Sr. No.	Items	App. Cost.	Cost of Document	Earnest Money	Period of Completion
1	Drilling & Development of 1 No. new Tube Well of size 300mm x 200mm upto 150 Mtr. Depth or where sufficient quantity of potable water is available including temporary water supply pits, lowering of tubewell assembly & shifting of rig material including Pump Chamber and Pumping Machinery complete and all other works contingent thereto in Indira Nagar in Kln Area Ward No. 5 Nangal Distt.Ropar.	Rs. 39.18 lacs	Rs. 500/- + As admissible	2% DNIT Cost.	3 months
2	Drilling & Development of 1 No. new Tube well of size 300mm x 200mm upto 150 Mtr. Depth or where sufficient quantity of potable water is available including temporary water supply pits, lowering of tubewell assembly & shifting of rig material including Pump Chamber and Pumping Machinery complete and all other works contingent thereto in Indira Nagar Ward No. 5 in Community Center Nangal Distt.Ropar.	Rs. 34.16 Lac	Rs. 500/- + As admissible	2% DNIT Cost.	3 months
3	Providing and Laying of 260 mm o/d to 315 mm o/d UPVC Pipe Sewer and 400 mm i/d RCC NP3 Pipe Sewer, Construction of M.H. Chamber and all other works contingent thereto at Patiala Road Village Nabha at Zirakpur Distt. S.A.S. Nagar.	Rs. 62.97 Lac	Rs. 500/- + As admissible	2% DNIT Cost.	3 months

Closing date & Time → S.No. 1 to 2 29.08.2024 upto 3.00 P.M.
S.No. 3 05.09.2024 upto 3.00 P.M.

Prebid meeting date 19.08.2024 upto 11.00 A.M.

For detailed log onto <https://enproc.punjab.gov.in>.

Note: Any Corrigendum (s), to the Tender/ RFP Notice shall be published on the above website only.

Endst. No. 6236-6275

Dated: 12-08-2024
178

A copy of the above is forwarded to the following:-

1. Chairman, Punjab W/S & Sewerage Board, Chandigarh.
2. Chief Executive Officer, Punjab W/S and Sewerage Board, Chandigarh.
3. Engineer-in-Chief-cum-Technical Advisor, Pb. W/S and Sew. Board, Chandigarh.
4. Chief Engineer (East), Pb. W/S and Sew. Board, Patiala.
5. Superintending Engineer, Pb. W/S and Sew. Circle, Patiala.
6. All Executive Engineers, PWSS Divisions.
7. Co-operative L&C Societies Federation Limited, Ropar.
8. Manager, Labourfed Punjab, SCO No.2, Phase-2, Industrial Area, Chandigarh.
9. All Contractors.
10. Sub Divisional Engineer, Pb. W/S & Sew. Sub. Divn., Ropar/Kharar/Nangal/Zirakpur.
11. Head Draftsman.
12. Notice Board.

Rajiv Kapoor
Executive Engineer,
Pb. W/S & Sew. Divn.,
Ropar. (01881-292030)
178

PUNJAB WATER SUPPLY AND SEWERAGE DIVISION, ROPAR

To

M/S Biroke Builders Pvt.Ltd.
Chandigarh.
Email.Id:- bbpl37d@yahoo.com
No.7509

Date :- 17-09-2024

Subject: - **Providing and Laying of 260 mm o/d to 315 mm o/d UPVC Pipe Sewer and 400 mm i/d RCC NP3 Pipe Sewer, Construction of M.H. Chamber and all other works contingent thereto at Patiala Road Village Nabha at Zirakpur Distt. S.A.S. Nagar.
Cost.Rs.4451349/-**

Your tender dated 06.09.2024 and the justification received vide letter no.NIL dated 16.09.2024 and approval accorded by Superintending Engineer, PWSSC, Patiala vide letter No: 4723 dated 17.09.2024, work under the subject is allotted to you at the following rates and contract terms and conditions:-

Sr. No.	Description of work	Rates
1	All items of DNIT.	@ 29.31 % Below (@ Two Nine Point Three One Percent) Below the rates exhibited in the schedule of items of work.

Conditions: -

1. The date of commencement of work shall be considered as the date of issue of letter and the time for completion of work shall be 03 months.
2. 5% Bank guarantee has to be given as per Clause No: 30.1 of Clause of Contract of Section-1 of Tender Form.
3. If the financial bid quotes more than 15% saving from the estimated cost, the engineer may ask the viability of rate w.r.t. construction methodology & workability. After evaluation of price analysis, the PWSSB may the bidder to give an additional bank guarantee @ 5% of the estimate amount (to remain valid till the time period of the refund of security)so as project against financial loss in event of subsequent default by the bidder for non-completing the work etc. Considering this, 5% additional bank guarantee has to be deposited.
4. As per Clause No. 13 of Clause of Contract of Section-3 of the Tender Form, you have to get the work insured.
5. Rest of the terms and conditions will be remains same as per approved D.N.I.T.

You are requested to contact Sub Divisional Engineer PWSS Sub Division Zirakpur and Sign your agreement in the office.

-Sd-

Executive Engineer,
Pb. W/S& Sew Division,
Ropar

Endst No.

Dated

A copy of the above is forwarded to the following for information and necessary action :-

1. Superintending Engineer Punjab W/S and Sewerage Circle, Patiala w.r.t their office letter No. 4723 dated 17.09.2024
2. Sub-divisional Engineer Punjab W/S and Sewerage Sub Division, Zirakpur directed to sign the contract from the contarctor by appearing at this office on any working day.

Note to Sub Divisional Engineer:-

1. Compliance with technical note points given in DNIT has to be ensured before starting work on site.
2. Quality of work will be ensured by periodic inspection/checking by the Sub-Divisional Engineer and it will also be ensured that the work is as per approved DNIT and DPR.

-Sd-

Executive Engineer,
Pb. W/S & Sew Division,
Ropar

(To be true Copy)