

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Original Application No. 383 of 2023

President Garden City Residential Welfare Society

...Applicant

Versus

State of Punjab & Others

...Respondents

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Date: 23/02/26
Place: Ludhiana.


(Sandeep Kumar)
Environmental Engineer,
Punjab Pollution Control Board
Regional Office-2, Ludhiana.

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

Original Application No. 383 of 2023

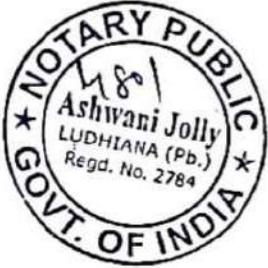
President Garden City Residential Welfare Society

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...Respondents



Status report by way of Affidavit of Er. Sandeep Kumar, Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana in compliance to order dated 08.12.2025 on behalf of respondent no.1 Punjab Pollution Control Board.

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

Respectfully Showeth:

1. That the above-mentioned case is pending for adjudication before this Hon'ble Tribunal. The respondent no. 01 i.e. Punjab Pollution Control Board is filing replies / status reports from time to time in the above-mentioned case in compliance of various directions issued by this Hon'ble Tribunal.
2. That the deponent namely Er. Sandeep Kumar is working as Environmental Engineer in Punjab Pollution Control Board and is posted in the Regional Office-2 of the Board at Ludhiana. The deponent is well conversant with the facts of

the case and is competent and authorized to swear and file the present status report by way of affidavit on behalf of the Punjab Pollution Control Board i.e. respondent no. 1 in compliance to order dated 08.12.2025.

3. That after consideration of the matter, this Hon'ble Tribunal was pleased to pass an order dated 08.12.2025 thereby directing the respondent Punjab Pollution Control Board to examine the correctness of the disclosures made by respondent no.5 project proponent, status of compliance, adequacy, performance and connectivity to the Sewage Treatment Plant (STP) and submit report in this regard. In this regard, the relevant extract of paragraph 4 and 5 of the order dated 08.12.2025 is reproduced herein below for kind perusal and reference.

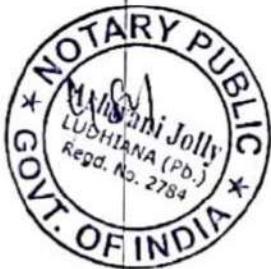
"4. Respondent no.1-Punjab PCB will examine the correctness of the disclosures made by respondent no.5, status of compliance and adequacy and performance of the existing STP as well as the connectivity to STP and submit the report in this regard within six weeks. PPCB will also consider the issue of past violation and submit the calculation of Environmental Compensation (EC) along with its report by supplying a copy thereof to Counsel for respondent no.5 who will have an opportunity to respond to the calculation of EC made by PPCB.

5. The joint committee in its report dated 30.10.2023 had also found that respondent no.5 had not provided the proper sewerage network to convey the effluents to the STP and had also not provided separate channel for carrying and disposal of the storm water drain. The Punjab PCB will also look into this violation while calculating the EC."

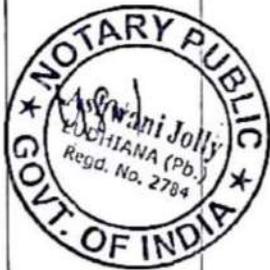
4. That in compliance to orders dated 08.12.2025 of this Hon'ble Tribunal, the affidavit dated 08.12.2025 filed by the authorized signatory of respondent no.5 project proponent has been examined and the reply to the same in annotated form is given herein below:



Serial number as per affidavit dated 08.12.2025 of the authorized signatory of the project proponent	Contents of the affidavit	Reply /comments of the Punjab Pollution Control Board
1	<p>It is submitted that the Answering Respondent is the developer of a plotted colony named 'Garden City' situated in an area of about 9.5 acres in Dehlon Road, Dharour, Sahnewal, Ludhiana, Punjab. At the time of development of said colony, Answering Respondent had obtained necessary approvals including approval from Greater Ludhiana Area Development Authority (GLADA). The said project was carved out of the 41.65 acres of land owned by the Answering Respondent at the said time (inadvertently 41.5 acres is mentioned in IA/125/2024). Answering Respondent only sold the plots, and the buyers are responsible for constructing their own flats after obtaining necessary permission from the relevant authorities.</p>	<p>The project proponent has developed a residential colony project namely Garden City. The project proponent was granted consent under Water Act, 1974 dated 15.05.2012 expired on 10.11.2012 for 9.5 Acre project only with condition that the project proponent will not register sale deed (title deed)/mutation etc. of plots/ houses/SCO/other establishment in the 40 Acre colony which has been developed unauthorized adjoining to the 9.5-acre colony. Thereafter, the project proponent was granted consent to operate under Water Act, 1974 dated 28.09.2018 valid upto 27.03.2019 for the Residential Plots @ 70, Commercial Sites @ 31 (9.5 Acre project) only. Later on, it has developed another colony of 32 acres for which no regulatory clearance was obtained.</p>
2	<p>It is respectfully submitted that at the time of setting up the Colony, the Answering Respondent had applied for and obtained all necessary permissions. The said approvals and licenses were filed on 17.05.2025 and are on record [Pg 740-794]. It is respectfully submitted that the Consent to Operate the STP has been recently renewed,</p>	<p>i. The pages 740 to 794 as mentioned in this para have been examined.</p> <p>ii. At page no. 742 to 748 a copy of final approval / license to develop a colony dated 18.10.2005 issued by Senior Town Planner, Ludhiana in favour of</p>



and a certificate dated 28.11.2025 has been issued. A true copy of the CTO Certificate dated 28.11.2025 is annexed herewith and marked as Annexure R/1.



Dyanmic casting Private Limited for the project Garden City, Village Dharor, Tehsil and District Ludhiana in 9.50 acre as per layout plan dated 10.10.2005 has been placed.

- iii. At page no. 749 a schedule for deposit of EDC charges signed by Senior Town Planner, Ludhiana has been placed.
- iv. At page no. 750 layout plan of Garden City in an area of 9.50 acres dated 10.10.2005 is placed.
- v. At page no. 751-755 a copy of consent to operate, granted by the Board under the Water (Prevention and Control of Pollution) Act, 1974 for discharge of effluent arising out of the premises of Garden City, Village Dharaur, Dehlon Road, Sahnewal, Ludhiana granted with validity from 15.05.2012 to 10.11.2012 has been placed. The fact is correct hence admitted.
- vi. At page no. 774 to 778 a copy of renewal of consent to operate granted by the Board to Garden City, Sahewal from 28.09.2018 valid upto 27.05.2019 is placed. The fact is correct hence admitted.
- vii. At page no. 763 to 773, some bills dated 25.1.2023, 03.02.2024, 05.02.2024, 04.05.2024, 28.05.2024, 26.07.2024, 31.08.2024, 04.01.2025 issued by V-Tech Sales Corporation, Focal Point, Ludhiana to M/s Dynamic Infradevelopers

		<p>Private Limited, Garden City, Dehlon Road, Sahnewal, Ludhiana have been placed which shows the purchase of Active Bacterial Culture (ABC), Mollosses, Sodium Hypochlorite, Hydrochloric Acid.</p> <p>viii. At page no. 766 to 767, the date of bills is not legible.</p>
3	<p>It is respectfully submitted that in the Answering Respondent's Project of 9.5 acres, all environmental compliances have been made. Answering Respondent was of the understanding that since the project had been handed over, residents would be responsible for renewing all licenses. It is respectfully submitted that the STP is fully operational, three meters (including TDS) have been duly installed and are being monitored to ensure the proper working of the STP. Answering Respondent is committed to the cause of environment and undertakes to comply with all the prevalent environment norms.</p>	<p>i. The project proponent (Garden City) has obtained the consent to operate of the Board under the Water (Prevention and Control of Pollution) Act, 1974 for the short period as mentioned below.</p> <p>a) From 15.05.2012 to 10.11.2012.</p> <p>b) From 28.09.2018 to 27.05.2019.</p> <p>ii. The project proponent has now obtained autorenewal of consent to operate under the Water (Prevention and Control of Pollution) Act, 1974 from 28.11.2025 having validity upto 28.11.2030</p> <p>iii. The Board has issued a show cause notice vide letter no. 445-46 dated 09.02.2026 for non-compliance of the directions issued u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 and imposition of Environmental Compensation with an opportunity of hearing on 19.02.2026 before the Member Secretary of the Board.</p> <p>iv. It is wrong hence denied that the project Garden City</p>



		has been handed over to the residents of the project.
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5. That the project proponent has not installed the adequate Sewage Treatment Plant to treat the wastewater generated from the residential colony. The project proponent is making violations of the provisions of the Water (Prevention and Control of Pollution) Act, 1974. In compliance to the order dated 08.12.2025 passed by this Hon'ble Tribunal, the site of M/s Dynamic Infra developer Pvt. Ltd, (Project – Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) was visited by the Assistant Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana on 24.12.2025 and the observations of the visiting officer are mentioned below:

- I. The colony has one common entrance gate for authorized (9.56 Acre) and unauthorized (32.4 Acre approx.) with common boundary wall for the entire project Garden City (41 acres approx.). The roads and sewerage system are connected with each other. No dividing wall is present at the site which separates 9.56 approved colony from the 32.0 Acre unauthorized colony. Both the parcels of land i.e. 9.56 Acre and 32 Acre are part of unified colony by the name of Garden City, Dharaur, Sahnewal, Ludhiana. There are 3 SCO's and 27 houses built and 3 houses under construction in the front 9.56 Acre authorized colony and there are 138 occupied houses, 21 occupied SCO's and 9 houses are under construction in the rear extended/unauthorized colony of size 32.4 acre approx.
- II. In the authorized area of 9.56 acres, at present 27 plots are occupied out of total 70 plots. **As per the calculations, STP of capacity approximately 45 KLD is required to treat domestic sewage generated only from authorized portion of the residential colony**



considering present occupancy of 27 plots (15 persons per plot) in an area of 9.56 acres.

No. of occupied plots	27 Plots @ 15 residents each per plot	405 persons
Commercial Plots	3 shops @ 2 persons	6 persons
Flow for 135 residents Considering 135 Ltr/ person/day & 6 persons @ 45 ltr/day (shops)	405 @ 135 lit./person/day 6 persons @ 45 ltr/day (shops)	54.675 M3/day 0.27 M3 /day
Total domestic water required		54.945 Cum /day (Kilo Ltr/day)
Waste water generation @ 80 % of the total domestic water i.e. 43.956 KLD (Appox. 45 KLD)		

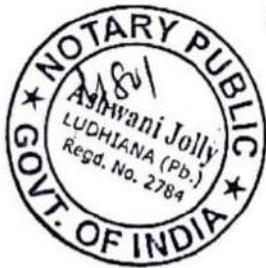
III. The calculations of waste water discharge considering total population of residential colony (i.e 9.56 acres authorized and 32.4 acres unauthorized portion) are tabulated below:

No. of houses	165 houses @ 15 residents each per house	2475
Commercial Plots	24 shops @ 2 persons	48
Flow for 825 residents Considering 135 ltr/ person/day & 48 persons @ 45 ltr/day (shops)	2475 @ 135 lit./person/day 48 persons @ 45 ltr/day (shops)	334.125 M3/day 2.16 M3 /day
Total domestic water required		336.285 M3/day

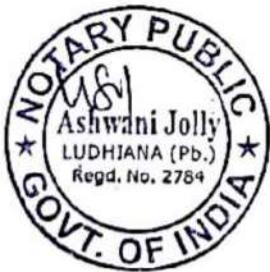


Waste water generation @ 80 % of the total domestic water i.e. 269.028 KLD (Appox. 270 KLD)

- IV. The STP was not in operation during the visit and STP room was found locked. No representative of colonizer was present during the visit.
- V. **The project proponent has developed plantation area of size approx. 550 sq yards, this plantation area is also inadequate for the disposal of the effluent generated from the colony.**
- VI. **The project proponent has not developed the colony as per the approved layout plan/drawing from the Town Planning Department and is also not following the conditions of license to develop colony issued by the Senior Town Planner, Ludhiana.**
- VII. The untreated wastewater generated from the extended part/unauthorized colony is lying stagnated in the sewer lines and manholes through which it partly goes into illegal soakage pits constructed at 5 different locations and is partly lifted using tankers.
- VIII. The STP has no sludge handling facility provided in the STP.
- IX. **The project proponent has created soakage pits for disposal of domestic effluent as the STP is only capable to treat fraction of total domestic effluent generated from the colony.**
- X. **The complainant Sh. V.K. Khurana informed that tankers are being used to disposed of domestic effluent (twice a week) at undisclosed location using tractor and tanker system. The complainant informed that the tankers were used on 11.11.2025 to get the effluent lifted from the collection tank of the STP.**



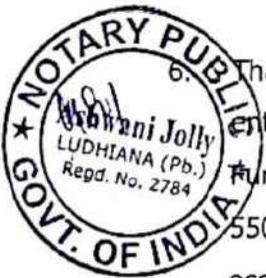
- XI. No one from the side of project proponent was present during the visit.
- XII. **The Project proponent has constructed five no. of soakage pits at various locations of the colony. The visiting Officer of the respondent Board has observed that 2 no. soakage pits near Satsang Bhawan of Garden city, Sahnewal dia 9'x45' deep had sunk which confirms that the soakage pits are also in use. The entire project is covering an area of 41 acres approximately out of which 9.56 Acres is approved colony which has an STP which is also not of adequate capacity and does not efficiently treat the waste water generated from the colony.**
- XIII. The project proponent was granted Consent to operate under Water Act, 1974 for establishment of residential project / colony in an area 9.56 acres in the year 2012. This consent was valid upto 10.11.2012 with the discharge of treated domestic effluent @ 58 KLD onto land for plantation after treating through STP with suitable conditions and with special condition that **the project proponent will provide permanent structure in the shape of barbed fencing all along the 9.56 acre colony so that the approved colony of 9.56 acre does not linkage of any kind with the 40 acre un-authorized colony developed by the Project Proponent (Annexure- R/1)** and further extended upto 27.03.2019. While further extension granted to the project proponent, the respondent Board also imposed special conditions to the project proponent (Annexure -R/2) that :
- a. The project proponent shall install separate STP in the adjoining colony measuring 40 acres.



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- b. The project proponent shall take separate permission for setting up colony measuring 40 acres from the competent authority.
- c. The project proponent shall provide separate entry gate for colony measuring 40 acres and shall also not provide any passage/entry to adjoining 40 acres land.

Further, the project proponent has got renewed their consent through auto renewal module system based on the self-declaration submitted by the project proponent on 28.11.2025, which is now valid upto 28.11.2030. As such, the affidavit filed by the project proponent in the Hon'ble Tribunal on 08.12.2025 is not correct / genuine with regard to the claim of the project proponent regarding total area of the project is 41.65 Acres against the actual consented area of the project is 09.56 Acres.



6. That the present capacity of STP of 20 KLD is in-adequate not only for the entire residential colony but also for authorized portion of 9.56 acres. Furthermore, land developed as per Karnal Technology having and extent of 550 sq. yards is not adequate for the discharge of treated effluent of present occupancy. There is a gap of approximately 250 KLD in the STP capacity required to be provided for the present discharge considering entire population of complete project. This fact has already been disclosed in the affidavit dated 17.09.2025 earlier filed by the Board.

7. That the Punjab Pollution Control Board has imposed Environmental Compensation upon the project proponent for the period of violation from 2012 to 2025 by issuing separate orders as under:

- a) Environmental Compensation amounting to Rs. 11,80,000/- has been imposed for the period of violation from 01.12.2023 to 23.07.2024 vide order no. 466 dated 27.11.2024. Copy enclosed as **Annexure R-1/A**.

Minimum amount of EC @ Rs.5000/- per day for the period of violation of 236 days (01.12.2023 to 23.07.2024) i.e. Rs.5000 x 236 = Rs. 11,80,000/- has been imposed.

- b) Environmental Compensation amounting to Rs. 3,55,23,438/- has been imposed vide letter no. 205 dated 08.01.2024 as per formula prescribed by the Central Pollution Control Board for the period of violation from 17.06.2011 to 30.11.2023. Copy enclosed as **Annexure R-1/B**.

The EC for the damage caused to the environment has been calculated for the period from 17.06.2011 to 30.11.2023 as PI=50, N=4547, R=250, S=0.5, LF=1.25 EC amount= $50*4547*250*0.5*1.25$ = Rs. 3,55,23,437.50 say Rs.3,55,23,438/-.

- c) Environmental Compensation amounting to Rs. 17,55,000/- has been imposed for the period of violation from 24.07.2024 to 09.07.2025 vide order no. 405 dated 11.09.2025. Copy enclosed as **Annexure R-1/C**.

Minimum amount of EC @ Rs.5000/- per day for the period of violation of 351 days (24.07.2024 to 09.07.2025) i.e. Rs.5000 x 351 = Rs.17,55,000/- has been imposed.

8. That total Environmental Compensation amounting to Rs.3,84,58,438/- (Rs. 11,80,000/-+ Rs. 3,55,23,438/-+ Rs. 17,55,000/-) has been imposed upon respondent no.5 project proponent by the Board vide separate orders for the period of violation from 17.06.2011 to 09.07.2025. However, the project proponent i.e. respondent no.5 has not deposit the amount of Environmental Compensation with the office of the Board. The Board has requested Deputy Commissioner, Ludhiana for recovery of the amount of Environmental Compensation from project proponent respondent no. 5. The Punjab Pollution Control Board at Ludhiana has also written letters dated 22.05.2025, 02.06.2025, 09.06.2025, 16.06.2025 and 24.06.2025 to Naib Tehsilder, Sahnewal for recovery of the amount of Environmental Compensation from the project proponent no.5. The action taken by the Punjab Pollution Control Board in this regard has been disclosed in the affidavit dated 17.09.2025 already filed in the case.



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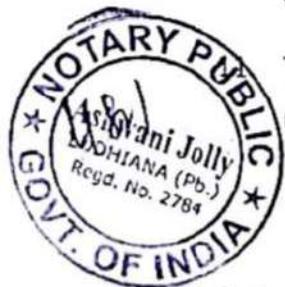
9. That keeping in view the observations of the visiting officer that the untreated wastewater generated from the extended part/unauthorized colony is lying stagnated in the sewer lines and manholes through which it partly goes into illegal soakage pits constructed at 5 different locations and is partly lifted using tankers and that the untreated domestic effluent being disposed of at undisclosed locations using tractor and tanker system, the Board has issued a notice vide letter no. 445-46 dated 09.02.2026 to the project proponent respondent no.5 for non-compliance of directions issued by the Board and for imposition of Environmental Compensation with an opportunity of hearing before the Competent Authority of the Board on 19.02.2026. Further action will be taken after hearing the project proponent on 19.02.2026. A copy of letter no. 445-46 dated 09.02.2026 is enclosed as **Annexure R-1/D**.
10. That the Punjab Pollution Control Board had already filed a complaint under section 41,44,47 read with section 49 of the Water (Prevention & Control of Pollution) Act, 1974 for violation of Section 25 & 26 and the directions issued under section 33-A of the said Act in the year 2024 before the Hon'ble Chief Judicial Magistrate, Ludhiana, which is under trial with the Hon'ble Court. A copy of the complaint filed by Assistant Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana is enclosed as **Annexure R-1/E**. The said case is now fixed for hearing before the Hon'ble Chief Judicial Magistrate, Ludhiana on 05.05.2026 for appearance of the accused. The order passed by the Hon'ble Chief Judicial Magistrate, Ludhiana dated 16.12.2025 is enclosed as **Annexure R-1/F**.

That the status report is hereby submitted in compliance to order dated 08.12.2025 for kind consideration of the Hon'ble Tribunal.

Deponent

(Er. Sandeep Kumar)
Environmental Engineer
Punjab Pollution Control Board
Regional Office-2, Ludhiana.

Date: Ludhiana
Place: 23/02/26.



VERIFICATION:

Verified that the contents of Para No. 01 to 10 of the above Status Report by way of affidavit of the deponent are true and correct as derived from the official record. Para no. 11 is prayer. No part of the above Status Report is false and no material has been concealed therein.

certified that the affidavit/S.P.A./GPA has been readover & explained to the deponent executant who seemed Correctly to understand the same at the time making thereof


Deponent

Date: 23/02/26
Place: Ludhiana.

(Sandeep Kumar)
Environmental Engineer,
Punjab Pollution Control Board
Regional Office-2, Ludhiana.

Attested As Identified


Notary Public LDH.

23 FEB 2026





PUNJAB POLLUTION CONTROL BOARD

Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana
 Tele Fax:- 0161-4673789 Website:- www.ppcb.gov.in email:- ppcbzo1ldh@gmail.com

No. 6776.....

Dated 29/11/24

To

Annexure R-1 A

M/s Dynamic Infradeveloper Pvt. Ltd,
 (Project - Garden City, Village Dharour,
 Dehlon Road, Sahnewal Ludhiana),
 30/27, 1st Floor, East Patel Nagar,
 New Delhi-110008.

Subject:- Imposition of Environmental Compensation upon M/s Dynamic Infradeveloper Pvt. Ltd, (Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) 30/27, 1st Floor, East Patel Nagar, New Delhi for violation of the provisions of Environmental Laws.

Ref:- Board's order no. 466 dated 27.11.2024.

Please find enclosed a copy of order no. 466 dated 27.11.2024 passed by the Competent Authority of the Punjab Pollution Control Board, in which Environmental Compensation amounting to Rs. 11,80,000/- (Rs. Eleven Lacs Eighty Thousand only) has been imposed upon the project proponent for violation of the provisions of Environmental Laws for the period from 01.12.2023 to 23.07.2024 (236 days).

You are therefore, requested to deposit the Environmental Compensation amounting to Rs. 11,80,000/- in the office of Regional Office-2, Ludhiana, immediately, please.

DA/ Order no. 466 dated 27.11.2024

Addl. Senior Environmental Engineer

Dated.....

Endst. No.

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information and ensure compliance of directions issued vide order no. 466 dated 27.11.2024. It is also requested to get delivered an order no. 466 dated 27.11.2024 to the subject cited project proponent, please.

DA/ Order no. 466 dated 27.11.2024

sd
 Addl. Senior Environmental Engineer



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 466.....

Dated. 27/11/2024

Subject: Imposition of Environmental Compensation upon M/s Dynamic Infradeveloper Pvt. Ltd, (Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) 30/27, 1st Floor, East Patel Nagar, New Delhi for violation of the provisions of Environmental Laws.

Order

The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules made there under in the State of Punjab. The main objective of the Board is maintaining or restoring the wholesomeness of water, the preservation of the quality of air and the protection and improvement of the environment.

- 2) The Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India has declared various clusters in the Country as Critically Polluted Areas (CPA), Severely Polluted Area (SPA) based on Cumulative Environmental Pollution Index (CEPI) score. Due to increased industrialization, activities of the industrial units and some other identical reasons, Ludhiana city has been declared as Critically Polluted Area by the Central Pollution Control Board.
- 3) Briefly stated that the project proponent has developed a residential colony project. Earlier, directions u/s 33-A of Water Act, 1974 were issued to PSPCL authorities to the effect that "Electric connection shall not be released in future from the date of issue of these directions at the project site of Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide letter no. 5676 dated 14.07.2016.
- 4) The directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed not to register any sale deed (tittle deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board" vide letter endst. No. 5681 dated 14.07.2016.
- 5) The project proponent was granted consent under Water Act, 1974 vide no. ZO-1/LDH/RO-2/WPC/2012/F-3987 dated 15.05.2012 expired on 10.11.2012 for the 9.56 Acre project only.

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ - 147001

Vatavaran Bhawan, Nabha Road, Patiala - 147001

Phone : Chairman. : 0175-2215793, Member Secretary : 0175-2215802 (O), 2215636 (FAX)

Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com |



- 6) The directions u/s 33-A of Water Act, 1974 were issued to PSPCL authorities "That the authorities concerned may release electric connection in 9.50 Acre approved Colony only M/s Garden City, Village Dharour, outside Octroi, Dehlon Road, Sahnewal, Ludhiana" being developed by M/s Dynamic Infradeveloper Pvt. Ltd.
- 7) The directions u/s 33-A of Water Act, 1974 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed to allow registration of sale deed (title deed) / mutation etc of any plot/house SCO/other establishment in the approved colony measuring 9.50 acres area only M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" being developed by M/s Dynamic Infradeveloper Pvt. Ltd.
- 8) The colony was visited by the officer of the Board on 07.07.2023 and it was observed as under:-
1. The electric connection of the houses located in the 40 acres unapproved land were found intact which is in violation with the directions issued by the Board vide letter no. 4583-84 dated 01.10.2018 as the electric connection has been released in spite of directions issued by Board to PSPCL.
 2. The STP has been provided only for the approved project 9.5 Acres and the same was also lying defunct and in non-operational/ idle conditions as observed during the visit. The condition of STP revealed that it has not been operated since long. No proper land for plantation has been provided for disposal of the effluent.
 3. The project proponent has neither provided separate STP for the adjoining colony of 40 acres nor has taken separate permission for the unauthorized colony measuring 40 acres. Also no separate entry has been provided for the 32.15 acres colony as per the conditions imposed by PPCB while granting last consent.
 4. There are three deep soakage pits provided by the project proponent wherein the domestic effluent carried through sewerage line is disposed.
 5. 13 manholes have been provided with manhole covers and 45 manholes are provided without manhole covers in the entire project.
 6. The domestic effluent was seen oozing out from one manhole as observed during the visit.
 7. Stagnated effluent was seen in other manholes indicating that the same is not being carried for treatment and is rather disposed off at some unknown locations through tankers.
 8. The project proponent has not submitted the extended bank guarantee of Rs. 50000/- which expired on 14.05.2018.
- 9) The project proponent was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental



Compensation (EC) with hearing before Chairman of the Board on 09.10.2023, wherein it was decided as under:-

1. Environmental Compensation for the damage caused to the environment shall be imposed to the Project Proponent. The Environmental Engineer, Regional Office shall calculate the Environmental Compensation to be imposed, for approval.
2. Fresh directions u/s 33-A of the Water Act, 1974 be issued to the authorities of Revenue Department and PSPCL so as not to execute the sale deeds & not to release electric connections, respectively in the existing project of 9.56 acres and proposed project of 40 acres.
3. The Chief Administrator, GLADA be requested not to approve the project till it comply with the environmental laws.
4. The State Level Environment Impact Assessment Authority (SEIAA) may be apprised about the violations being made by the project proponent.
5. The Environmental Engineer, Regional Office shall visit the offices Revenue Authority and PSPCL and shall confirm the compliance of earlier directions issued by the Board on 1.10.2018. He shall send further recommendations in the matter after verification.

10) In reference to Board's letter no. 611 dated 06.03.2024, the GLADA authorities have clarified that the license has been issued to the project for 9.5 acres on 08.10.2005, out of 41.65 acres and now application for regularization of entire colony of 41.65 acres has been rejected vide order no. 2256-58 dated. 20.09.2016. Further case for lodging FIR against the colonizer for developing unauthorized colony in contravention of PAPR Act, 1995 already sent to Police Department vide letter no. 8595 dated 11/08/2011. The colonizer has not reapplied for regularization of above colony under regularization policy dated 18.10.2018.

11) The Environmental Compensation amounting to Rs. 3,55,23,438/- was calculated and vide Board's letter No. 205 dated 08.01.2024, the project proponent was requested to deposit the Environmental Compensation. Thereafter, the board again issued vide letter no. 79 dated 23.01.2024, letter no. 613 dated 06.03.2024 and 1355 dated 07.06.2024 to deposit the Environmental Compensation, but the project Proponent failed to deposit the above Environmental Compensation.

12) The project proponent has failed to install the adequate STP to treat the effluent of whole colony of 9.50+32.15 acres = (Total 41.65 acres.). The project proponent has failed to develop adequate plantation area to discharge the treated domestic effluent. The project proponent is discharging its effluent through un-authorized mode of disposal i.e. in soakage pits/through moveable tankers. The project proponent is also running its project without the valid consents of the Board under the Water Act, 1974 and the Air Act, 1981.

13) A complaint was received on 23.03.2024 from the Garden City Residential Welfare Society regarding overflow of sewage system provided in the colony. To verify the facts,



the site was visited by officer of the Board on 27.03.2024 and it was observed that the sewage water was stagnated at the corner of the street near Ashram of Shri. Anandpur Darbar. Regular complaints are being received from the Welfare Society through E-mails/ Whatsapp messages.

- 14) The President Garden City Residential Welfare Society has filed Original Application No. 383/2023, registered on the basis of the letter petition, before Hon'ble National Green Tribunal, New Delhi in which the applicant has raised the grievance that Dynamic Infradeveloper Private Limited has not made the Sewage Treatment. Plant functional in the Garden City Colony, Sahnewal, Ludhiana developed by it and the other effluent are also been discharged illegally by constructing the septic tank which is overflowing.
- 15) The Hon'ble National Green Tribunal after consideration of the matter was pleased to issue directions to the Punjab Pollution Control Board vide order dated 24.05.2024 to file a fresh report indicating the status of recovery of Environmental Compensation already imposed and further imposition of Environmental Compensation for the subsequent period upon M/s Dynamic Infradeveloper Pvt. Ltd, (Project Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana.
- 16) In compliance to the order dated 24.05.2024 passed by the Hon'ble Tribunal, the Punjab Pollution Control Board is constantly pursuing the matter with M/s Dynamic Infradeveloper Pvt. Ltd for deposit of Environmental Compensation amounting to Rs. 3,55,23,438/- already imposed by the Board vide letter no. 205 dated 08.01.2024 for the damage caused to the environment by the project proponent. In this regard, the Board has written office letter no. 79 dated 23.1.2024, letter no. 613 dated 6.3.2024 and 1355 dated. 07.06.2024, but the project proponent has failed to respond to the letters of the Board and has not deposited the amount of Environmental Compensation mentioned above.
- 17) The project proponent namely Dynamic Infradeveloper Pvt. Ltd, (Project Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana has been written a letter bearing no. 1523-24 dated 12.7.2024 informing therein that many letters have been written by the Board for deposit of Environmental Compensation as explained above, but the company is not serious in complying with the directions of the Board and is just ignoring the same. The Board has, thus once again requested the project proponent vide letter dated 12.7.2024 to deposit the amount of Environmental Compensation with the office of the Board at Ludhiana immediately without any further delay failing which coercive action will be taken against the project proponent by the Board for recovery of the amount of Environmental Compensation.
- 18) For further action in the case, the Board vide letter no. 3762-63 dated 2.7.2024 has issued notice for non-compliance of the directions and subsequent order issued vide letter no. 205 dated 8.1.2024 for Imposition of Environmental Compensation amounting to Rs. 3,55,23,438) as well as notice for further imposition of Environmental Compensation upon M/s

Dynamic Infradeveloper Pvt. Ltd, (Project Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana for continuous violation and degradation of environment with an opportunity of hearing before the Chairman of the Board on 23.7.2024.

19) The project proponent was issued notice for non-compliance of directions u/s 33-A of the Water Act, 1974 as well as notice for imposition of Environmental Compensation (EC) for the period 01.12.2023 to 30.06.2024 with hearing before Chairman of the Board on 09.07.2024, which was postponed to 23.07.2024.

20) Smt. Noordeep Kaur attended the hearing as a proxy counsel for another Advocate and stated that the counsel is busy in the Hon'ble Punjab and Haryana High Court and requested for adjournment of the case to Friday.

21) The Chairman of the Board observed that the project proponent is not serious in complying with the provisions of the environmental laws. Even after the imposition of Environmental Compensation on earlier occasion the project proponent is still violating the Law. The project proponent has not made any serious effort to make compliance.

22) After considering the background and facts of the case it was felt by the competent authority of the Board that in various case of violation of Environmental Laws, therefore, request of the project proponent and the proxy counsel for the adjournment cannot be entertained. After examination of the case, the Chairman of the Board decided as under:

1. The detailed order imposing Environmental Compensation on the project proponent be issued for the subsequent period from 01.12.2023 upto the date of hearing.
2. The Project Proponent shall deposit the already imposed Environmental Compensation amounting Rs. 3,55,23,438/- to the Board immediately failing which coercive action shall be taken by the Board.
3. In case of non-deposition of Environmental Compensation by the project proponent, the Deputy Commissioner, Ludhiana be written to get the Environmental Compensation recovered under arrears of land Revenue.
4. Fresh criminal prosecution be filed in the court of law against the project i.e. M/s Dynamic Infradeveloper Pvt. Ltd, (Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) 30/27, 1st Floor, East Patel Nagar, New Delhi-110008, Ludhiana and its Directors and other responsible persons due to continuous violations.
5. Since the directions issued by the Board against the project proponent have not been complied, the Deputy Commissioner, Ludhiana be requested to issue necessary directions to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana not to register any sale deed (title deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board and submit compliance thereof the concerned authorities to submit the compliance of the directions, failing which action according to Law will be taken.

PUNJAB POLLUTION CONTROL BOARD



6. A public notice in leading newspaper be published advising public not to purchase any property in said project till it obtained statutory approval.

23) The proceedings of aforesaid personal hearing were conveyed to the project proponent vide Board's letter no. 4230 dated 23.07.2024.

24) It is pertinent to mention here that the Hon'ble Supreme Court of India has considered the concept of Polluter Pay's Principle in Indian Council for Enviro Legal Action and Others v/s Union of India and Others (1996) 3 SCC 212, Vellore Citizens Welfare Forum v/s Union of India (1996) 5 SCC 647 and held that Polluter Pay's Principle is accepted principle and part of environmental law of the country even without specific statute.

25) Thus, in view of the above recorded facts, the matter was considered for imposition of Environmental Compensation for the period of violation from 01.12.2023 to 23.07.2024 (236 days) in accordance with the formula and methodology evolved by the Central Pollution Control Board and adopted by the Punjab Pollution Control Board. Minimum Environmental Compensation to be imposed as suggested by CPCB shall be Rs. 5,000/- per day. Accordingly, the amount of Environmental Compensation for the period of violation from 01.12.2023 to 23.07.2024 (Rs. 5,000 x 236 days) was calculated to be Rs. 11,80,000/-.

26) Therefore, the project proponent is hereby directed to deposit an amount of Rs. 11,80,000/- as Environmental compensation for the period of violation from 01.12.2023 to 23.07.2024 with the office of the Punjab Pollution Control Board within 15 days, from the date of receipt of this order, failing which, the Board shall be constrained to initiate necessary action for recovery of the amount of Environmental Compensation by adopting coercive measures, thereafter.

27) Take notice that no further intimation or reminder will be issued by the Board in this regard. Environmental Engineer, Punjab Pollution Control Board, Regional Office- Ludhiana is directed to ensure compliance of directions issued in the case. A copy of this order be supplied to all the concerned for compliance.

ਮਾਨਯੋਗ ਮਾ ਪੇਸ਼
(Prof. (Dr.) Adarsh Pal Vig)
Chairman



Punjab Pollution Control Board

Zonal Office-1

E-648 B, Focal Point, Phase-5, Ludhiana

E-mail-ppcbzo1@gmail.com
4673789

Tel.0161-

No. 205/2024

Regd.

Date... 2/1/24

To

M/S Dynamic Infradeveloper Private Limited
Garden City Colony, Sahnewal Ludhiana
30/27, 1st Floor, East Patel Nagar, New Delhi-08

Annexure- R-1 B

Sub:- Imposition of Environmental Compensation for violations of the Provisions of Water (Prevention and Control of Pollution) Act, 1974.

Ref:- This office letter no. 6325-27 dated 1.11.2023

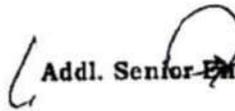
It is intimated that the above said colony was issued notice to issue directions u/s 33-A of the water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC) with an opportunity of personal hearing before Worthy Chairman of the Board on 09.10.2023 and proceeding of the same were conveyed vide above referred letter. The following decision w.r.t. Environmental Compensation amongst other decisions was taken in the said hearing:-

Environmental Compensation for the damage caused to the environment shall be imposed to the Project Proponent. The Environmental Engineer, Regional Office shall calculate the Environmental Compensation to be imposed, for approval.

In the light of above said decision, the matter was considered by the Competent Authority of the Board and it has been decided to impose **Rs.3,55,23,438/- (Rs. Three Crore Fifty Five Lakhs Twenty Three Thousand Four Hundred and Thirty Eight)** as Environmental Compensation as per the formula prescribed Central Pollution Control Board for the damage caused to the Environment by the Project Proponent

As such, it is requested to deposit the above amount as Environmental Compensation immediately to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana

This issues with the approval of the Competent Authority of the Board.


Addl. Senior Environmental Engineer

Dated

Endst No

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information and necessary action please


Addl. Senior Environmental Engineer

Annexure - R-1 C



PUNJAB POLLUTION CONTROL BOARD

Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana



Tele Fax:- 0161-4673789 Website:- www.ppcb.gov.in Email:- ppcbzo1ldh@gmail.com

No.....

Dated.....

To

M/s Dynamic Infradeveloper Pvt. Ltd,
(Project - Garden City, Village Dharour,
Dehlon Road, Sahnewal Ludhiana),
30/27, 1st Floor, East Patel Nagar,
New Delhi-110008.

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਨ ਕੰਟਰੋਲ ਬੋਰਡ
ਖੇਤਰੀ ਦਫਤਰ-2, ਲੁਧਿਆਣਾ
ਏ.ਈ.ਈ - I, II, III, IV

ਕਾਰਜੀ ਨੰਬਰ.....

ਨਵੀਂ ਡਾਕ
ਸ. ਇੰਜੀਨੀਅਰ

Subject:- Imposition of Environmental Compensation upon M/s Dynamic Infradeveloper Pvt. Ltd, (Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) 30/27, 1st Floor, East Patel Nagar, New Delhi for violation of the provisions of Environmental Laws.

Please find enclosed a copy of order no. 405 dated 11.9.2025 passed by the Competent Authority of the Punjab Pollution Control Board whereby Environmental Compensation amounting to Rs. 17,55,000/- (Rs. Seventeen Lakh Fifty Five Thousand only) has been imposed upon the project proponent for violation of the provisions of Environmental Laws for the period from 24.07.2024 to 09.07.2025 for information and compliance.

DA-As above

SA
Environmental Engineer
Zonal Office-1, Ludhiana

Endst. No. 4502

Dated 15/9/25

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information and necessary action, please.

DA-As above

Amir
15/9/25
Environmental Engineer
Zonal Office-1, Ludhiana



ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD

No. 405

Subject:

Imposition of Environmental Compensation upon M/s Dynamic Infradeveloper Pvt. Ltd, (Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) 30/27, 1st Floor, East Patel Nagar, New Delhi for violation of the provisions of Environmental Laws.

Dated. 11/9/25

Order

The Punjab Pollution Control Board being the statutory regulatory authority is implementing the provisions of the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986 and the rules made three under in the State of Punjab. The main objective of the Board is maintaining or restoring the wholesomeness of water, the preservation of the quality of air and the protection and improvement of the environment.

2) The Ministry of Environment, Forest & Climate Change (MoEF&CC), Government of India has declared various clusters in the Country as Critically Polluted Areas (CPA), Severely Polluted Area (SPA) based on Cumulative Environmental Pollution Index (CEPI) score. Due to increased industrialization, activities of the Industrial units and some other identical reasons, Ludhiana city has been declared as Critically Polluted Area by the Central Pollution Control Board.

3) Briefly stated that the project proponent has developed a residential colony project. Earlier, directions u/s 33- A of Water Act, 1974 were issued to PSPCL authorities to the effect that "Electric connection shall not be released in future from the date of issue of these directions at the project site of Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide letter no. 5676 dated 14.07.2016.

4) The directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed not to register any sale deed (tittle deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board" vide letter endst. No. 5681 dated 14.07.2016.

5) The project proponent was granted consent under Water Act, 1974 vide no. ZO-1/LDH/RO-2/WPC/2012/F-3987 dated 15.05.2012 expired on 10.11.2012 for the 9.56 Acre project only.

6) The directions u/s 33-A of Water Act, 1974 were Issued to PSPCL authorities "That the authorities concerned may release electric connection in 9.50 Acre approved Colony only M/s Garden City, Village Dharour, outside Octroi, Dehlon Road, Sahnewal, Ludhiana" being developed by M/s Dynamic Infradeveloper Pvt. Ltd.

ਵਾਤਾਵਰਣ ਭਵਨ, ਨਾਭਾ ਰੋਡ, ਪਟਿਆਲਾ - 147001

Vatavaran Bhawan, Nabha Road, Patiala - 147001

Phone : Chairman. : 0175-2215793, Member Secretary : 0175-2215802 (O), 2215636 (FAX)

Website : www.ppcb.gov.in | E-Mail : chairmanppcb@yahoo.in | msppcb@gmail.com |

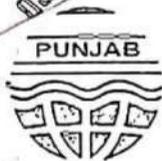


7) The directions u/s 33-A of Water Act, 1974 were also issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana "That the Registrar-cum-Tehsildar, Revenue Department, Punjab be directed to allow registration of sale deed (title deed) / mutation etc of any plot/house SCO/other establishment in the approved colony measuring 9.50 acres area only M/s Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" being developed by M/s Dynamic Infradeveloper Pvt. Ltd.

8) The colony was visited by the officer of the Board on 07.07.2023 and it was observed as under:-

1. The electric connection of the houses located in the 40 acres unapproved land were found intact which is in violation with the directions issued by the Board vide letter no. 4583-84 dated 01.10.2018 as the electric connection has been released in spite of directions issued by Board to PSPCL.
2. The STP has been provided only for the approved project 9.5 Acres and the same was also lying defunct and in non-operational/ idle conditions as observed during the visit. The condition of STP revealed that it has not been operated since long. No proper land for plantation has been provided for disposal of the effluent.
3. The project proponent has neither provided separate STP for the adjoining colony of 40 acres nor has taken separate permission for the unauthorized colony measuring 40 acres. Also no separate entry has been provided for the 32.15 acres colony as per the conditions imposed by PPCB while granting last consent.
4. There are three deep soakage pits provided by the project proponent wherein the domestic effluent carried through sewerage line is disposed.
5. 13 manholes have been provided with manhole covers and 45 manholes are provided without manhole covers in the entire project.
6. The domestic effluent was seen oozing out from one manhole as observed during the visit.
7. Stagnated effluent was seen in other manholes indicating that the same is not being carried for treatment and is rather disposed off at some unknown locations through tankers.
8. The project proponent has not submitted the extended bank guarantee of Rs. 50000/- which expired on 14.05.2018.

9) The project proponent was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC) with hearing before Chairman of the Board on 09.10.2023, wherein it was decided as under:-



1. Environmental Compensation for the damage caused to the environment shall be imposed to the Project Proponent. The Environmental Engineer, Regional Office shall calculate the Environmental Compensation to be imposed, for approval.
2. Fresh directions u/s 33-A of the Water Act, 1974 be issued to the authorities of Revenue Department and PSPCL so as not to execute the sale deeds & not to release electric connections, respectively in the existing project of 9.56 acres and proposed project of 40 acres.
3. The Chief Administrator, GLADA be requested not to approve the project till it comply with the environmental laws.
4. The State Level Environment Impact Assessment Authority (SEIAA) may be apprised about the violations being made by the project proponent.
5. The Environmental Engineer, Regional Office shall visit the offices Revenue Authority and PSPCL and shall confirm the compliance of earlier directions issued by the Board on 1.10.2018. He shall send further recommendations in the matter after verification.

10) In reference to Board's letter no. 611 dated 06.03.2024, the GLADA authorities have clarified that the license has been issued to the project for 9.5 acres on 08.10.2005, out of 41.65 acres and now application for regularization of entire colony of 41.65 acres has been rejected vide order no. 2256-58 dated. 20.09.2016. Further case for lodging FIR against the colonizer for developing unauthorized colony in contravention of PAPR Act, 1995 already sent to Police Department vide letter no. 8595 dated 11/08/2011. The colonizer has not reapplied for regularization of above colony under regularization policy dated 18.10.2018.

11) The Environmental Compensation amounting to Rs. 3,55,23,438/- was calculated and vide Board's letter No. 205 dated 08.01.2024, the project proponent was requested to deposit the Environmental Compensation. Thereafter, the board again issued vide letter no. 79 dated 23.01.2024, letter no. 613 dated 06.03.2024 and 1355 dated 07.06.2024 to deposit the Environmental Compensation, but the project Proponent failed to deposit the above Environmental Compensation.

12) The project proponent has failed to install the adequate STP to treat the effluent of whole colony of 9.50 + 32.15 acres = (Total 41.65 acres.). The project proponent has failed to develop adequate plantation area to discharge the treated domestic effluent. The project proponent is discharging its effluent through un-authorized mode of disposal i.e. in soakage pits/ through moveable tankers. The project proponent is also running its project without the valid consents of the Board under the Water Act, 1974 and the Air Act, 1981.

13) A complaint was received on 23.03.2024 from the Garden City Residential Welfare Society regarding overflow of sewage system provided in the colony. To verify the facts, the site was visited by officer of the Board on 27.03.2024 and it was observed that the sewage water was



stagnated at the corner of the street near Ashram of Shri. Anandpur Darbar. Regular complaints are being received from the Welfare Society through E-mails/ Whatsapp messages.

14) The President Garden City Residential Welfare Society has filed Original Application No. 383/2023, registered on the basis of the letter petition, before Hon'ble National Green Tribunal, New Delhi in which the applicant has raised the grievance that Dynamic Infradeveloper Private Limited has not made the Sewage Treatment. Plant functional in the Garden City Colony, Sahnewal, Ludhiana developed by it and the other effluent are also been discharged illegally by constructing the septic tank which is overflowing.

15) The Hon'ble National Green Tribunal after consideration of the matter was pleased to issue directions to the Punjab Pollution Control Board vide order dated 24.05.2024 to file a fresh report indicating the status of recovery of Environmental Compensation already imposed and further imposition of Environmental Compensation for the subsequent period upon M/s Dynamic Infradeveloper Pvt. Ltd, (Project Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana.

16) In compliance to the order dated 24.05.2024 passed by the Hon'ble Tribunal, the Punjab Pollution Control Board is constantly pursuing the matter with M/s Dynamic Infradeveloper Pvt. Ltd for deposit of Environmental Compensation amounting to Rs. 3,55,23,438/- already imposed by the Board vide letter no. 205 dated 08.01.2024 for the damage caused to the environment by the project proponent. In this regard, the Board has written office letter no. 79 dated 23.1.2024, letter no. 613 dated 6.3.2024 and 1355 dated. 07.06.2024, but the project proponent has failed to respond to the letters of the Board and has not deposited the amount of Environmental Compensation mentioned above.

17) The project proponent namely Dynamic Infradeveloper Pvt. Ltd, (Project Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana has been written a letter bearing no. 1523-24 dated 12.7.2024 informing therein that many letters have been written by the Board for deposit of Environmental Compensation as explained above, but the company is not serious in complying with the directions of the Board and is just ignoring the same. The Board has, thus once again requested the project proponent vide letter dated 12.7.2024 to deposit the amount of Environmental Compensation with the office of the Board at Ludhiana immediately without any further delay failing which coercive action will be taken against the project proponent by the Board for recovery of the amount of Environmental Compensation.

18) For further action in the case, the Board vide letter no. 3762-63 dated 2.7.2024 has issued notice for non-compliance of the directions and subsequent order issued vide letter no. 205 dated 8.1.2024 for imposition of Environmental Compensation amounting to Rs. 3,55,23,438) as well as notice for further imposition of Environmental Compensation upon M/s



Dynamic Infradeveloper Pvt. Ltd, (Project Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana for continuous violation and degradation of environment with an opportunity of hearing before the Chairman of the Board on 23.7.2024.

19) The project proponent was issued notice for non-compliance of directions u/s 33-A of the Water Act, 1974 as well as notice for imposition of Environmental Compensation (EC) for the period 01.12.2023 to 30.06.2024 with hearing before Chairman of the Board on 09.07.2024, which was postponed to 23.07.2024.

20) Smt. Noordeep Kaur attended the hearing as a proxy counsel for another Advocate and stated that the counsel is busy in the Hon'ble Punjab and Haryana High Court and requested for adjournment of the case to Friday.

21) The Chairman of the Board observed that the project proponent is not serious in complying with the provisions of the environmental laws. Even after the imposition of Environmental Compensation on earlier occasion the project proponent is still violating the Law. The project proponent has not made any serious effort to make compliance.

22) After considering the background and facts of the case it was felt by the competent authority of the Board that it is a serious case of violation of Environmental Laws, therefore, request of the project proponent and the proxy counsel for the adjournment cannot be entertained. After examination of the case, the Chairman of the Board decided as under:

1. The detailed order imposing Environmental Compensation on the project proponent be issued for the subsequent period from 01.12.2023 upto the date of hearing.
2. The Project Proponent shall deposit the already imposed Environmental Compensation amounting Rs. 3,55,23,438/- to the Board immediately failing which coercive action shall be taken by the Board.
3. In case of non-deposition of Environmental Compensation by the project proponent, the Deputy Commissioner, Ludhiana be written to get the Environmental Compensation recovered under arrears of land revenue.
4. Fresh criminal prosecution be filed in the court of law against the project i.e. M/s Dynamic Infradeveloper Pvt. Ltd, (Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) 30/27, 1st Floor, East Patel Nagar, New Delhi-110008, Ludhiana and its Directors and other responsible persons due to continuous violations.
5. Since the directions issued by the Board against the project proponent have not been complied, the Deputy Commissioner, Ludhiana be requested to issue necessary directions to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana not to register any sale deed (tittle deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board and submit compliance thereof the concerned authorities to submit the compliance of the directions, failing which action according to Law will be taken.



6. A public notice in leading newspaper be published advising public not to purchase any property in said project till it obtained statutory approval.
- 23) The proceedings of aforesaid personal hearing were conveyed to the project proponent vide Board's letter no. 4230 dated 23.07.2024.
- 24) The compliance of decisions of personal hearing held before Chairman of the Board on 23.07.2024 is as under:
1. The Board has imposed Environmental Compensation amounting to Rs.11,80,000/- for the violation of the Environmental Laws for period 01.12.2023 to 23.07.2024 vide order no. 466 dated 27.11.2024.
 2. Regular letters have been written to the project proponent regarding submission of Environmental Compensation amounting to Rs.3,55,23,438/-.
 3. The Deputy Commissioner, Ludhiana has been requested vide Board's letter no. 4230 dated 23.07.2024 and letter no. 1994 dated 16.08.2024, 2653 dated 28.10.2024, 2698 dated 05.11.2024, 2775 dated 22.11.2024 and 2923 dated 12.12.2024, 2985 dated 23.12.2024 and 81 dated 13.01.2025 as under :
 - I. To issue directions to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana not to register any sale deed (title deed/mutation etc. of any plot/ house/ SCO/ other establishment in the colony till the written permission of the Board.
 - II. To Issue directions to the revenue department for recovering the amount of Rs. 3,55,23,438/- imposed as Environmental Compensation by the Board to be recovered under arrears of land revenue by laws.
 4. Complaint has been filed vide COMA/46166/2024 dated 22.10.2024 in District Court, Ludhiana.
 5. Public notices in English and Punjab have been published In the leading newspapers.
- 25) The project proponent was issued a notice for non-compliance of directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974, as well as a notice for imposition of Environmental Compensation (EC), with a personal hearing before the Chairman of the Board on 30.04.2025. Sh. Amrinder Paul Singh, Advocate, appeared on behalf of the project proponent, submitted a Memo of Appearance, and informed that he was not aware of the facts of the case and was unable to make any commitment on behalf of the project proponent. He requested a short adjournment, stating that the Director was out of station, and assured that the Power of Attorney and other relevant documents would be submitted on the next date of hearing. Accordingly, it was decided to grant another opportunity of personal hearing to the project proponent.
- 26) In the meanwhile, the case came up for hearing before Hon'ble National Green Tribunal, New Delhi on 19.05.2025 and orders are reproduced as under:-



"To ascertain the correct position, we direct the Member Secretary, PPCB to file affidavit disclosing daily generation of sewage from families residing in approved area of 9.5 acres, treatment capacity of the existing STP and its capacity utilization. Member Secretary, PPCB will clearly disclose the gap in daily generation and treatment of STP if gap exists, manner of discharge of surplus sewage which is generated. In that affidavit, PPCB will also disclose sample analysis report of the STP treated discharge. Since a stand has been taken that a sum of Rs. 3, 55, 23, 438 /- has been levied as environmental compensation, therefore, Member Secretary, PPCB will also disclose the steps which have been taken till now to recover this environmental compensation. Let this affidavit be filed within a period of four weeks."

The case is now listed on 24.09.2025.

27) The site of the project was visited by officers of the Board on 10.06.2025 and during visit it was observed that :-

1. The colony has one common entrance gate for authorized (9.56 Acre) colony and 32.4 Acre (approx.) unauthorized (32.4 Acre app.) colony with common boundary wall for entire project Garden City (41 acre app.). The roads and sewerage system are connected with each other.
2. There are 3 SCO's and 27 houses built and 3 houses under construction in the front 9.56 Acre colony and there are 138 houses and 9 houses are under construction in the rear extended/unauthorized colony of size 32.4 acre approx.
3. The STP was not in operation during the visit and no effluents were coming out of the outlet of STP. Upon inspection of STP one water meter was installed at the outlet of the STP and its reading was noted to be 7831.90 KL but no water meter was installed at the inlet of the STP.
4. The STP is not of adequate capacity to treat effectively the wastewater generated by the current occupancy of the colony nor for the projected occupancy of the colony and seems to be non-operational from a long time. The capacity of STP needs to be increased.
5. The project proponent could not provide the logbook of inlet and outlet effluent, logbook of energy meter reading of STP, sludge disposal record maintained and design capacity of the STP components.
6. The project proponent has not hired any technical staff/engineer to operate the STP in a technically sound manner. The project proponent has not provided any sludge handling facility/sludge drying beds.
7. Housekeeping around the STP was poor and foul smell was observed near the STP and plantation area.
8. The plantation area was not stagnated. Pipe is used to carry the discharge from the outlet of STP to the plantation area of size approx. 550 sq yards, this plantation area is also



- inadequate for the disposal of the effluent of the STP. There are around 120 eucalyptus trees of average height around 18 feet.
9. No person from the technical staff was present who could effectively operate the STP and provide us details of the technology and design capacity of the STP components.
 10. The project proponent has not developed the colony as per the approved layout plan/drawing from the Town Planning Department and is also not following the conditions of license to develop colony issued by the Senior Town Planner, Ludhiana.
 11. The entire project is covering an area of 41 acres approximately out of which 9.56 Acres is approved colony which has an STP which is also not of adequate capacity and does not efficiently treat the waste water generated from the colony.
 12. The untreated wastewater generated from the extended part/unauthorized colony is lying stagnated in the sewer lines and manholes through which it partly goes into illegal soakage pits constructed at 5 different locations and is partly lifted using tankers.
 13. Upon enquiry from the residents, the untreated sewage from the manholes is lifted using tankers and is disposed off at undisclosed locations (frequency of lifting of sewage is twice a week in rainy season and during the rest of the year the frequency of lifting is twice a month).
 14. The manholes and sewer line needs cleaning and regular maintenance.

28) The project proponent was issued notice with another opportunity of personal hearing before the Chairperson of the Board on 09.07.2025, wherein it was decided as under:-

1. The Project Proponent shall make all necessary arrangements as required for the treatment and environmentally sound disposal of sewage and municipal solid waste being generated/expected to be generated from colony and fulfil all other responsibilities including obtaining of all regulatory clearances as prescribed and laid down under the environmental laws and submit action taken/progress report within 20 days to the Board.
2. Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988, to the following effect be issued to the project proponent and concerned Departments both for 9.56 acres approved and 32 acres unapproved residential colony:
 - a) Revenue Authorities / Chief Revenue Officer/ Registrar of Land shall not register any sale deed related to any plot/flat/house/shop/any other component of this project with immediate effect.
 - b) GLADA Authorities shall neither register any sale deed/ transfer deed nor issue "No objection Certificate" to revenue authorities for issuance/transfer of conveyance deed for any plot/flat/house/shop/any other component of this residential colony, Similarly, the authorities will not issue completion certificate to the project or component thereto and shall not sanction any new building plans in the residential colony for any

- plot/flat/house/shop/any other component of this project.
- c) The Punjab State Power Corporation Limited Authorities be directed not to issue any new electric connection in the premises of project proponent.
 - d) All the above authorities shall make specific entries in their respective records including Jamabandi/revenue records with respect to the above directions.
3. GLADA shall ensure that the sewage and municipal solid waste (MSW) generated from the project premises is managed, treated, and disposed of in an environmentally sound manner, strictly in compliance with the provisions of applicable environmental laws.
 4. The Punjab Real Estate Regulatory Authority (RERA) be informed about the grave violations of environmental laws being made by the project proponent with request to take appropriate actions as deemed fit under the provisions of their laws.
 5. Environmental Compensation shall be imposed to the project proponent for non-compliance of environmental norms for the further period of violation from 24.07.2024 upto the date of hearing (09.07.2025) and necessary orders be issued at the earliest.
 6. The project proponent shall deposit the Environmental Compensation of Rs. 3,55,23,438/- and Rs. 11,80,000/- earlier imposed and conveyed by the Board, within 10 days.
 7. In continuation of early correspondence made with revenue authorities, D.O letter be issued to the Deputy Commissioner, Ludhiana for early recovery of amount of Rs. 3,55,23,438/- and Rs. 11,80,000/- imposed as Environmental Compensation to the project proponent for recovery as arrears under Land Revenue Laws.
 8. Environmental Engineer, Regional Office-2, Ludhiana shall personally ensure that
 - (I) Environmental Compensation shall be got vetted from the EC Verification Committee of the Board and orders be issued, within 10 day
 - (II) Revenue Authorities make "Red Entry" in the Jamabandi explicitly mentioning that land registries and transfer of plots/flats/shops/any other component of this project is not permitted till further orders.
 - (III) Ensure that compliance of the Hon'ble National Green Tribunal Orders shall be made in true letter and spirit and reply shall be submitted well within timelines allowed.
 - (IV) Compliance of the all the above decisions of the hearing shall be made and action taken report is submitted within 20 days.
- 29) It is pertinent to mention here that the Hon'ble Supreme Court of India has considered the concept of Polluter Pay's Principle in Indian Council for Enviro Legal Action and Others v/s Union of India and Others (1996) 3SCC 212, Vellore Citizens Welfare Forum v/s Union of India (1996) 5 SCC 647 and held that Polluter Pay's Principle is accepted principle and part of environmental law of the country even without specific statute.



30) Thus, in view of the above recorded facts, the matter has been considered for imposition of Environmental Compensation for the period of violation from 24.07.2024 to 09.07.2025 (351 days) in accordance with the formula and methodology evolved by the Central Pollution Control Board and adopted by the Punjab Pollution Control Board. Minimum Environmental Compensation to be imposed as suggested by CPCB shall be Rs. 5,000/- per day. Accordingly, the amount of Environmental Compensation for the period of violation from 24.07.2024 to 09.07.2025 (Rs. 5,000 x 351 days) was calculated to be Rs. 17,55,000/-.

31) Therefore, the project proponent is hereby directed to deposit an amount of Rs. 17,55,000/- as Environmental compensation for the period of violation from 24.07.2024 to 09.07.2025 with the office of the Punjab Pollution Control Board within 15 days, from the date of receipt of this order, failing which, the Board shall be constrained to initiate necessary action for recovery of the amount of Environmental Compensation by adopting coercive measures, thereafter.

32) Take notice that no further intimation or reminder will be issued by the Board in this regard. Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana is directed to ensure compliance of directions issued in the case. A copy of this order be supplied to all the concerned for compliance.


(Reena Gupta)
Chairperson

	PUNJAB POLLUTION CONTROL BOARD	
Zonal Office-1, E-648-B, Phase-V, Focal Point, Ludhiana		
Tele Fax:- 0161-4673789	Website:- www.ppcb.gov.in	email:- ppcbzo1ldh@gmail.com

No. 445-46
To

Speed Post/online

Date 9/2/26

M/s Dynamic Infradeveloper Pvt. Ltd,
(Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana)
30/27, 1st Floor, East Patel Nagar, New Delhi -110008.

Sub:- Notice for non-compliance of directions earlier issued u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC).

Whereas, it is mandatory on the part of the project proponent to obtain consent to establish of the Board u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 & u/s 21 of Air (Prevention & Control of Pollution) Act 1981 before the establishment/ expansion of the unit.

And whereas, it is mandatory on the part of the project proponent to obtain consent to operate of the Board to operate an outlet u/s 25/26 of Water (Prevention & Control of Pollution) Act, 1974 & industrial plant u/s 21 of Air (Prevention & Control of Pollution) Act 1981 for discharging of effluent/ emissions from its premises.

And whereas, the project proponent has developed a residential colony project namely Garden City. The project proponent was granted consent under Water Act, 1974 dated 15.05.2012 expired on 10.11.2012 for the 9.5 Acre project only with condition that the project proponent will not register sale deed (title deed)/mutation etc. of plots/houses/SCO/other establishment in the 40 Acre colony which has been developed un-authorized adjoining to the 9.5 acre colony. Thereafter, the project proponent was granted consent to operate under Water Act, 1974 dated 28.09.2018 valid upto 27.03.2019 for the Residential Plots @ 70, Commercial Sites @ 31 (9.5 Acre project) only. Later on, it has developed another colony of 32 acres for which no regulatory clearance was obtained.

And whereas, the colony was visited by the officer of the Board on 07.07.2023 and it was observed that the STP has been provided only for the approved project 9.5 Acres and the same was also lying defunct and in non-operational / idle conditions as observed during the visit. The condition of STP revealed that it has not been operated since long. No proper land for plantation has been provided for disposal of the effluent. There are three deep soakage pits provided by the project proponent wherein the domestic effluent carried through sewerage line is disposed.

And whereas, the project proponent was issued notice to issue directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC) with hearing before Chairman of the Board on 09.10.2023. After hearing, it was decided was decided as under.-

1. Environmental Compensation for the damage caused to the environment shall be imposed to the Project Proponent. The Environmental Engineer, Regional Office shall calculate the Environmental Compensation to be imposed, for approval.
2. Fresh directions u/s 33-A of the Water Act, 1974 be issued to the authorities of Revenue Department and PSPCL so as not to execute the sale deeds & not to release electric connections, respectively in the existing project of 9.56 acres and proposed project of 40 acre

And whereas, the Environmental Compensation amounting to Rs.3,55,23,438/- was imposed vide Board's letter No. 205 dated 08.01.2024.

And whereas, the President Garden City Residential Welfare Society has filed Original Application No. 383/2023, registered on the basis of the letter petition, before Hon'ble National Green Tribunal, New Delhi in which the applicant has raised the grievance that Dynamic Infradeveloper Private Limited, Respondent no. 4 has not made the Sewage Treatment Plant functional in the Garden City Colony, Sahnewal, Ludhiana developed by it and the other effluent are also been discharged illegally by constructing the septic tank which is overflowing.

And whereas, the Hon'ble National Green Tribunal after consideration of the matter was pleased to issue directions to the Punjab Pollution Control Board vide order dated 24.05.2024 to file

a fresh report indicating the status of recovery of Environmental Compensation already imposed on respondent no.4 and further imposition of Environmental Compensation for the subsequent period upon respondent no.4 (Dynamic Infradeveloper Pvt. Ltd, (Project Garden City, Village Dharour, Dehlon Road, Sahnewal, Ludhiana).

And whereas, in compliance to the order dated 24.05.2024 passed by the Hon'ble Tribunal, the Punjab Pollution Control Board is constantly pursuing the matter with M/s Dynamic Infradeveloper Pvt. Ltd for deposit of Environmental Compensation amounting to Rs. 3,55,23,438 already imposed by the Board vide letter no. 205 dated 8.1.2024 for the damage caused to the environment by the project proponent i.e. respondent no.4. In this regard, the Board has written office letter no. 79 dated 23.1.2024 letter no. 613 dated 6.3.2024 and 1355 dated. 07.06.2024, but the project proponent respondent no. 4 has failed to respond to the letters of the Board and has not deposited the amount of Environmental Compensation mentioned above.

And whereas, the project proponent was issued notice for non-compliance of directions u/s 33-A of the Water Act, 1974 as well as notice for imposition of Environmental Compensation (EC) for the period 01.12.2023 to 30.06.2024 with hearing before Chairman of the Board on 23.07.2024, wherein it was decided as under:

1. The detailed order imposing Environmental Compensation on the project proponent be issued for the subsequent period from 01.12.2023 upto the date of hearing.
2. The Project Proponent shall deposit the already imposed Environmental Compensation amounting Rs. 3,55,23,438/- to the Board immediately failing which coercive action shall be taken by the Board.
3. Fresh criminal prosecution be filed in the court of law against the project i.e. M/s Dynamic Infradeveloper Pvt. Ltd, (Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) 30/27, 1st Floor, East Patel Nagar, New Delhi -110008, Ludhiana and its Directors and other responsible persons due to continuous violations.
4. Since the directions issued by the Board against the project proponent have not been complied, the Deputy Commissioner, Ludhiana be requested to issue necessary directions to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana not to register any sale deed (tittle deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board and submit compliance thereof the concerned authorities to submit the compliance of the directions, failing which action according to law will be taken.
5. A public notice in leading newspaper be published advising public not to purchase any property in said project till it obtained statutory approval.

And whereas, the compliance of decisions of personal hearing held before Chairman of the Board on 23.07.2024 is as under:

1. Board has imposed continued Environmental Compensation amounting to Rs.11,80,000/- from the period 01.12.2023 to 23.07.2024.
2. Regular letters has been written to the project proponent regarding submission of Environmental Compensation amounting to Rs.3,55,23,438/-
3. The Deputy Commissioner, Ludhiana was requested vide Board's letter no. 4230 dated 23.07.2024 and letter no. 1994 dated 16.08.2024, 2653 dated 28.10.2024, 2698 dated 05.11.2024, 2775 dated 22.11.2024 and 2923 dated 12.12.2024, 2985 dated 23.12.2024 and 81 dated 13.01.2025 with a request as under:
 - I. To issue directions to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana not to register any sale deed (title deed/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board.
 - II. To issue directions to the revenue department for recovering the amount of Rs. 3,55,23,438/- imposed as Environmental Compensation by the Board to be recovered under arrears of land revenue by laws.
4. Complaint has been filed vide COMA/46166/2024 dated 22.10.2024 in District Court, Ludhiana.
5. Public notices in English and Punjab have been published in the leading newspapers.

And whereas, the project proponent was issued a notice for non-compliance of directions u/s 33-A of the Water Act, 1974, as well as a notice for imposition of Environmental Compensation (EC),

with a personal hearing before the Chairman of the Board on 30.04.2025. Sh. Amrinder Paul Singh, Advocate, appeared on behalf of the project proponent, submitted a Memo of Appearance, and informed that he was not aware of the facts of the case and was unable to make any commitment on behalf of the project proponent. He requested a short adjournment, stating that the Director was out of station, and assured that the Power of Attorney and other relevant documents would be submitted on the next date of hearing. Accordingly, it was decided to grant another opportunity of personal hearing to the project proponent.

And whereas, in the meanwhile, the case came up for hearing before Hon'ble National Green Tribunal, New Delhi on 19.05.2025 and orders are reproduced as under:-

"To ascertain the correct position, we direct the Member Secretary, PPCB to file affidavit disclosing daily generation of sewage from families residing in approved area of 9.5 acres, treatment capacity of the existing STP and its capacity utilization. Member Secretary, PPCB will clearly disclose the gap in daily generation and treatment of STP if gap exists, manner of discharge of surplus sewage which is generated. In that affidavit, PPCB will also disclose sample analysis report of the STP treated discharge. Since a stand has been taken that a sum of Rs. 3, 55, 23, 438 /- has been levied as environmental compensation, therefore, Member Secretary, PPCB will also disclose the steps which have been taken till now to recover this environmental compensation. Let this affidavit be filed within a period of four weeks."

And whereas, the site of the project was visited by officers of the Board on 10.06.2025 and during visit it was observed that :-

1. The colony has one common entrance gate for authorized (9.56 Acre) colony and 32.4 Acre (approx.) unauthorized (32.4 Acre app.) colony with common boundary wall for entire project Garden City (41 acre app.). The roads and sewerage system are connected with each other.
2. There are 3 SCO's and 27 houses built and 3 houses under construction in the front 9.56 Acre colony and there are 138 houses and 9 houses are under construction in the rear extended/unauthorized colony of size 32.4 acre approx.
3. The STP was not in operation during the visit and no effluents were coming out of the outlet of STP. Upon inspection of STP one water meter was installed at the outlet of the STP and its reading was noted to be 7831.90 KL but no water meter was installed at the inlet of the STP.
4. The STP is not of adequate capacity to treat effectively the wastewater generated by the current occupancy of the colony nor for the projected occupancy of the colony and seems to be non-operational from a long time. The capacity of STP needs to be increased.
5. The project proponent could not provide the logbook of inlet and outlet effluent, logbook of energy meter reading of STP, sludge disposal record maintained and design capacity of the STP components.
6. The project proponent has not hired any technical staff/engineer to operate the STP in a technically sound manner. The project proponent has not provided any sludge handling facility/sludge drying beds.
7. Housekeeping around the STP was poor and foul smell was observed near the STP and plantation area.
8. The plantation area was not stagnated. Pipe is used to carry the discharge from the outlet of STP to the plantation area of size approx. 550 sq yards, this plantation area is also inadequate for the disposal of the effluent of the STP. There are around 120 eucalyptus trees of average height around 18 feet.
9. No person from the technical staff was present who could effectively operate the STP and provide us details of the technology and design capacity of the STP components.
10. The project proponent has not developed the colony as per the approved layout plan/drawing from the Town Planning Department and is also not following the conditions of license to develop colony issued by the Senior Town Planner, Ludhiana.
11. The entire project is covering an area of 41 acres approximately out of which 9.56 Acres is approved colony which has an STP which is also not of adequate capacity and does not efficiently treat the waste water generated from the colony.
12. The untreated wastewater generated from the extended part/unauthorized colony is lying stagnated in the sewer lines and manholes through which it partly goes into illegal soakage

pits constructed at 5 different locations and is partly lifted using tankers.

13. Upon enquiry from the residents, the untreated sewage from the manholes is lifted using tankers and is disposed off at undisclosed locations (frequency of lifting of sewage is twice a week in rainy season and during the rest of the year the frequency of lifting is twice a month).
14. The manholes and sewer line needs cleaning and regular maintenance.

And whereas, in compliance of decisions of hearing held on 30.04.2025, the project proponent was issued notice with another opportunity of personal hearing before the Chairperson of the Board on 09.07.2025, wherein it was decided as under:

1. The Project Proponent shall make all necessary arrangements as required for the treatment and environmentally sound disposal of sewage and municipal solid waste being generated/expected to be generated from colony and fulfil all other responsibilities including obtaining of all regulatory clearances as prescribed and laid down under the environmental laws and submit action taken/ progress report within 20 days to the Board.
2. Directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988, to the following effect be issued to the project proponent and concerned Departments both for 9.56 acres approved and 32 acres unapproved residential colony:
 - a) Revenue Authorities / Chief Revenue Officer/ Registrar of Land shall not register any sale deed related to any plot/flat/house/shop/any other component of this project with immediate effect.
 - b) GLADA Authorities shall neither register any sale deed/ transfer deed nor issue "No objection Certificate" to revenue authorities for issuance/transfer of conveyance deed for any plot/flat/house/shop/any other component of this residential colony, Similarly, the authorities will not issue completion certificate to the project or component thereto and shall not sanction any new building plans in the residential colony for any plot/flat/house/shop/any other component of this project.
 - c) The Punjab State Power Corporation Limited Authorities be directed not to issue any new electric connection in the premises of project proponent.
 - d) All the above authorities shall make specific entries in their respective records including Jamabandi/revenue records with respect to the above directions.
3. GLADA shall ensure that the sewage and municipal solid waste (MSW) generated from the project premises is managed, treated, and disposed of in an environmentally sound manner, strictly in compliance with the provisions of applicable environmental laws.
4. The Punjab Real Estate Regulatory Authority (RERA) be informed about the grave violations of environmental laws being made by the project proponent with request to take appropriate actions as deemed fit under the provisions of their laws.
5. Environmental Compensation shall be imposed to the project proponent for non-compliance of environmental norms for the further period of violation from 24.07.2024 upto the date of hearing (09.07.2025) and necessary orders be issued at the earliest.
6. The project proponent shall deposit the Environmental Compensation of Rs. 3,55,23,438/- and Rs. 11,80,000/- earlier imposed and conveyed by the Board, within 10 days,
7. In continuation of early correspondence made with revenue authorities, D.O letter be issued to the Deputy Commissioner, Ludhiana for early recovery of amount of Rs. 3,55,23,438/- and Rs. 11,80,000/- imposed as Environmental Compensation to the project proponent for recovery as arrears under Land Revenue Laws.
8. Environmental Engineer, Regional Office-2, Ludhiana shall personally ensure that
 - (I) Environmental Compensation shall be got vetted from the EC Verification Committee of the Board and orders be issued, within 10 day
 - (II) Revenue Authorities make "Red Entry" in the Jamabandi explicitly mentioning that land registries and transfer of plots/flats/shops/any other component of this project is not permitted till further orders.
 - (III) Ensure that compliance of the Hon'ble National Green Tribunal Orders shall be made in true letter and spirit and reply shall be submitted well within timelines allowed.
 - (IV) Compliance of the all the above decisions of the hearing shall be made and action

taken report is submitted within 20 days.

And whereas, in compliance of hearing decisions, the following actions have been taken :-

1. The project proponent was imposed Environmental Compensation of Rs. 17.55 Lacs from period 24.07.2024 upto date of hearing i.e. 09.07.2025 vide office order no. 405 dated 11.09.2025.
2. Deputy Commissioner, Ludhiana has been requested vide letter no. 2185 dated 07.08.2025 to direct Revenue Authorities to make red entry "in the Jamabandi explicitly mentioning that land registries and transfer of plots/flats/shops/any other component of this project is not permitted till further orders."
3. A letter has been written to GLADA ensuring sewage and municipal solid waste (MSW) generated from the project premises is managed, treated, and disposed of in an environmentally sound manner, strictly in compliance with the provisions of applicable environmental laws vide Board's letter no. 4240 dated 20.08.2025.
4. A letter has been written to RERA informing about the grave violations of environmental laws being made by the project proponent with request to take appropriate actions as deemed fit under the provisions of their laws vide Board's letter no. 4238 dated 20.08.2025.
5. DO letter has been written to DC, Ludhiana for early recovery of amount of Rs. 3,55,23,438/- and Rs. 11,80,000/- imposed as Environmental Compensation to the project proponent for recovery as arrears under Land Revenue Laws.

And whereas, the Hon'ble NGT in the matter of O.A no. 383 of 2023 has passed an order on 08.12.2025 and operative para's of order are as under:-

"4. Respondent no.1- Punjab PCB will examine the correctness of the disclosures made by respondent no.5, status of compliance and adequacy and performance of the existing STP as well as the connectivity to STP and submit the report in this regard within six weeks. PPCB will also consider the issue of past violation and submit the calculation of Environmental Compensation (EC) along with its report by supplying a copy thereof to Counsel for respondent no.5 who will have an opportunity to respond to the calculation of EC made by PPCB.

5. The joint committee in its report dated 30.10.2023 had also found that respondent no.5 had not provided the proper sewerage network to convey the effluents to the STP and had also not provided separate channel for carrying and disposal of the storm water drain. The Punjab PCB will also look into this violation while calculating the EC"

And whereas, the site of the project proponent has been visited by the officer of the Board on 24.12.2025 and during visit it was observed as under :-

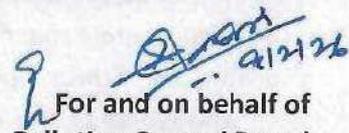
1. The colony has one common entrance gate for authorized (9.56 Acre) and unauthorized (32.4 Acre approx.) with common boundary wall for the entire project Garden City (41 acres approx.). The roads and sewerage system are connected with each other. No dividing wall is present at the site which separates 9.56 approved colony from the 32.0 acre unauthorized colony. Both the parcels of land i.e. 9.56 Acre and 32 Acre are part of unified colony by the name of Garden City, Dharaur, Sahnewal, Ludhiana. There are 3 SCO's and 27 houses built and 3 houses under construction in the front 9.56 Acre authorized colony and there are 138 occupied houses, 21 occupied SCO's and 9 houses are under construction in the rear extended/unauthorized colony of size 32.4 acre approx.
2. In the authorized area of 9.56 acres, at present 27 plots are occupied out of total 70 plots. As per the calculations, STP of capacity approximately 45 KLD is required to treat domestic sewage generated only from authorized portion of the residential colony considering present occupancy of 27 plots (15 persons per plot) in an area of 9.56 acres (details attached).
3. The calculations of waste water discharge considering total population of residential colony (i.e. 9.56 acres authorized and 32.4 acres unauthorized portion) were made and as per estimation, the total waste water generation is 269.028 KLD (Approx. 270 KLD).
4. The STP was not in operation during the visit and STP room was found locked. No representative of colonizer was present during the visit.
5. The project proponent has developed plantation area of size approx. 550 sq yards, this plantation area is also inadequate for disposal of the effluent generated from the colony.

6. The project proponent has not developed the colony as per the approved layout plan/ drawing from the Town Planning Department and is also not following the conditions of license to develop colony issued by the Senior Town Planner, Ludhiana.
7. The entire project is covering an area of 41 acres approximately out of which 9.56 Acres is approved colony which has an STP which is also not of adequate capacity and does not efficiently treat the waste water generated from the colony.
8. The untreated wastewater generated from the extended part/unauthorized colony is lying stagnated in the sewer lines and manholes through which it partly goes into illegal soakage pits constructed at 5 different locations and is partly lifted using tankers.
9. The STP has no sludge handling facility provided in the STP.
10. The project proponent has created soakage pits for disposal of domestic effluent as the STP is only capable to treat fraction of total domestic effluent generated from the colony.
11. The complainant informed that tankers are being used to disposed off domestic effluent (twice a week) at undisclosed location using tractor and tanker system. The complainant informed that the tankers were used on 11.11.2025 to get the effluent lifted from the collection tank of the STP.
12. No one from the side of project proponent was present during the visit.
13. The Project proponent has constructed five no. of soakage pits at various locations of the colony. It was observed that 2 no. soakage pits near satsang bhawan of Garden city, Sahnewal dia 9'x45' deep had sunk which confirms that the soakage pits are also in use.

And whereas, the project proponent has failed to comply with the provisions of the Water (Prevention & Control of Pollution) Act, 1974, decisions of personal hearings given before the Competent Authority from time to time and is disposing off its effluent in an illegal manner. Thus, causing pollution in the vicinity.

And whereas, the matter has been considered by Competent Authority and it has been decided to issue notice for non-compliance of directions u/s 33-A of the Water (Prevention & Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation (EC), after giving an opportunity of personal hearing.

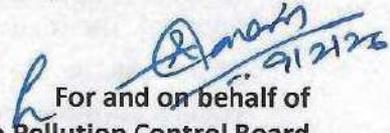
As such, you are, hereby given an opportunity of personal hearing before the **Member Secretary of the Board at Vatavaran Bhawan, Nabha Road, Patiala on 19.02.2026 at 11.00 AM** to explain your position with respect to above said violations, failing which suitable amount of Environmental Compensation shall be imposed upon the industry and proposed directions shall be confirmed, without giving further opportunity/ notice.


For and on behalf of
Punjab Pollution Control Board

Endst. No.

Dated

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office-2, Ludhiana for information & necessary action. He is requested to inform the industry regarding date & time of hearing.


For and on behalf of
Punjab Pollution Control Board

IN THE HON'BLE COURT OF CHIEF JUDICIAL MAGISTRATE, LUDHIANA

Penjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala through its Assistant Environmental Engineer, Regional Office-II, E-648(B), Local Point, Phase-5, Ludhiana.

-----Complainant

VERSUS

1. M/s Dynamic Infradeveloper Pvt. Ltd, 30/27 1st floor, East Patel Nagar, New Delhi-110008 (Project: Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) through its Director Sh. Sudhir Gulati and Others.
2. Sh. Sudhir Gulati (S/o Sh. Ram Narain Gulai), Director M/s Dynamic Infradeveloper Pvt. Ltd (Project: Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) correspondence address: H-23, 1st Floor, Kirti Nagar, New Delhi-110015.
3. Sh. Manish Kumar Aggarwal (S/o Sh. Radha Ballabh Aggarwal) Director M/s Dynamic Infradeveloper Pvt. Ltd (Project: Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana), Correspondence address: C-230, Sector-44, Noida, Gautam Budh Nagar, Uttar Pradesh-201301.
4. Sh. Rajeev Aggarwal (S/o Sh. Vishan Agarwal Swarup), Director M/s Dynamic Infradeveloper Pvt. Ltd (Project: Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) Correspondence address: E-67, Kirti Nagar, New Delhi-110015.
5. Sh. Rohit Aggarwal (S/o Sh. Vishnu Prasad Aggarwal), Additional Director M/s Dynamic Infradeveloper Pvt. Ltd (Project: Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) Correspondence address: WZ-405, WZ Block, Gali No. 1, Janak Park, Hari Nagar, Clock Tower, New Delhi-110064.
6. Sh. Vishnu Prasad Aggarwal (S/o Sh. Ram Swaroop Aggarwal), Director M/s Dynamic Infradeveloper Pvt. Ltd (Project: Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) Correspondence address: H.No. WZ-405, Ram Villa, Janak Park, Ghanta Ghar, Hari Nagar, New Delhi-110064.

-----Accused

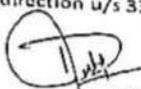
Complaint U/s 41, 44, 47 read with section 49 of the Water (Prevention and Control of Pollution Act), 1974, for violation of Sections 25 and 26 and the directions issued u/s 33-A of the said Act.

Respected Sir,

It is respectfully submitted as under:


Assistant Environmental Engineer
PUNJAB POLLUTION CONTROL BOARD
Office II, Ludhiana

1. That the complainant Board was constituted on 30.9.1975 under section 4(1) of the Water (Prevention and Control of Pollution), Act, 1974 (herein after described as the Water Act), having its head office /branch office on the above said address for achieving the objective of the Act. The Board is a body corporate with the name aforesaid having perpetual succession and common seal with the power to sue and be sued in its own name.
2. That the complainant Board has been constituted with an object of Prevention and Control of water Pollution and having paramount duties of restoring the wholesomeness of water in the territory under its control i.e. the State of Punjab.
3. That vide its notification dated 30.9.1985, the Board has authorized its Environmental Engineer's and Assistant Environmental Engineer's to sign, verify and file the complaint in the competent court of law against the defaulter industries, and its directors, managers, partners, officials who are Incharge of and responsible persons for the day to day conduct of business of the industry/project. The notification has also been published in the official gazette. The present complaint is being filed by Assistant Environmental Engineer of the Board. (Annexure C-1)
4. That the accused no.1 is a residential colony as defined u/s 47 of the Water (Prevention and Control of Pollution) Act, 1974 and has been established under the name and style of Garden City, at Village Dharour, Sahnewal, Ludhiana by the project proponent M/s Dynamic Infradevelopers Private Limited, 30/27 1st floor, Patel Nagar, New Delhi-110008 in an area of about 41.65 acres.
5. That the complainant Board has granted consent vide letter no. ZO-I/LDH/RO-2/WPC/2012/F-3987 dated 15.05.2012 to the accused project proponent no.1 under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 for the 9.56 Acre of the project which expired on 10.11.2012. A copy of the consent letter is enclosed as Annexure C-2. At the same time the accused project proponent no. 1 has developed 32.4 acres of land without obtaining the consent of the Board under the said Water (Prevention and Control of Pollution) Act, 1974.
6. That the complainant Board is pursuing with the accused project proponent to comply with the provisions of the Pollution Control Laws by Issuing notices, reminders and opportunities of personal hearing before the competent authority of the Board, but the accused project proponent has failed to comply with the provisions of the Pollution Control Laws especially the Water (Prevention and Control of Pollution) Act, 1974. The accused project proponent was afforded an opportunity of personal hearing before the competent authority of the Board with the issuance of notice to Issue direction u/s 33-A


 Assistant Environmental Engineer
 PUNJAB POLLUTION CONTROL BOARD
 Regional Office - II, Ludhiana

of the Water (Prevention and Control of Pollution) Act, 1974 vide letter no. 3207 dated 10.05.2016. A copy of letter no. 3207 dated 10.05.2016 is enclosed as Annexure C-3.

The hearing was held on 02.06.2016 before the Chairman of the Board, but no one on behalf of the accused project proponent attended the hearing. After considering the background of the case and material facts of the case, the Chairman of the Board decided to issue directions to the revenue authority not to register sale deeds and to the Punjab State Power Corporation Ltd not to release electricity connections. The proceedings of the hearing held on 02.06.2016 were conveyed to the accused project proponent vide letter no. 5670-71 dated 14.07.2016 and a copy of the same is enclosed as Annexure C-4.

7. That in compliance to the decisions taken during the hearing on 02.06.2016, the Board has issued the directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 to PSPCL authorities not to release Electric connection in future from the date of issue of these directions at the project site of Garden City, Village Dharaur, Outside Octroi, Dehlon Road, Sahnewal, Ludhiana" vide letter no. 5676 dated 14.07.2016 and a copy of the letter no. 5676 dated 14.07.2016 is enclosed as Annexure C-5.

Similarly, directions u/s 33-A of Water (Prevention & Control of Pollution) Act, 1974 as amended in 1988 were issued to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana not to register any sale deed (title deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board" vide letter endst. No. 5681 dated 14.07.2016. A copy of letter endst. No. 5681 dated 14.07.2016 is enclosed as Annexure C-6.

8. That it is relevant to mention here that the complainant Board has granted consent to operate to the accused project proponent under the provisions of the Water (Prevention and Control of Pollution) Act, 1974 on 28.09.2018 upto 27.03.2019 for the project comprised in land area of 9.56 acres with certain conditions as mentioned therein. A copy of consent letter dated 28.09.2018 is enclosed as Annexure C-7. However, the accused project proponent has failed to get the said consent to operate renewed from the Board after its expiry on 27.03.2019.

9. That it is pertinent to mention here that the Hon'ble National Green Tribunal at New Delhi has taken cognizance of a letter 27.3.2023 sent by Garden City, Residential Welfare Society, Dehlon Road, Dharour, Sahnewal, Ludhiana and Original Application No. 383 of 2023 was registered under Section 14 & 15 of National Green Tribunal Act, 2010. Considering the grievances of the applicant, the Hon'ble National Green Tribunal vide order dated 30.5.2023 had constituted a Joint Committee comprising of State Pollution Control Board, District Magistrate, Ludhiana and Central Pollution Control


Assistant Environmental Engineer
PUNJAB POLLUTION CONTROL BOARD
Ludhiana

Board to obtain a factual report for the purpose. The State Pollution Control Board was made the nodal agency for co-ordination and compliance. A copy of order dated 30.05.2023 passed by the Hon'ble National Green Tribunal in Original application No.383 of 2023 is enclosed as Annexure C-B.

10. That the Joint Committee comprising of Scientist-D, Regional Directorate-Chandigarh of Central Pollution Control Board; Environmental Engineer and Assistant Environmental Engineer, Punjab Pollution Control Board and Naib Tehsildar, Sahnewal of behalf of District Administration visited the site of the accused project on 07.07.2023 and the observations of the Joint Committee during visit on 07.07.2023 are reproduced below:

- a) During visit, the General Secretary and President of the Garden City Residence Welfare Society were contacted.
- b) The project proponent has developed a project of around 41 Acre. Out of the above, only 9.5 Acres has been approved and the rest around 32 acre project is unapproved.
- c) During visit, the committee observed that the entrance is common, the roads and sewerage system are also common in/for the entire project. It is also prima facie evident from the map provided by the representative of the project that the infrastructure is common for the entire project.
- d) As per the layout plans, there are 79 Residential plots in the approved project of 9.5 Acres and nearly 450 residential plots in unapproved area of 32 acres. Nearly 10-12 houses have been constructed in the approved project of 9.5 Acres and near the 140 houses have been constructed in the unapproved project of 40 Acres.
- e) The STP has been provided only for the approved project 9.5 Acres and the same was also lying defunct and in non-operational / Idle conditions as observed during the visit.
- f) The condition of STP revealed that it has not been operated properly since long. No proper land for plantation has been provided for disposal of the effluent.
- g) The project proponent has neither provided separate STP for the adjoining colony of 32 acres nor has taken separate permission for the development of unauthorized colony measuring 32 acres.
- h) The Project Proponent has not provided the details of existing STP capacity, technology and records of energy meter etc.


 Assistant Environmental Engineer
 PUNJAB POLLUTION CONTROL BOARD

- i) The Committee observed that the Project Proponent has not provided the proper sewerage network to convey the effluent to the STP.
- j) The Project Proponent (PP) has not obtained permission from Punjab Water Regulation and Development Authority (PWRDA) for abstraction of the ground water.
- k) The Project Proponent (PP) has not provided separate channel for carrying and disposal of storm water drain.
- l) There are three deep soakage pits provided by the project proponent wherein the domestic effluent carried through sewerage line is disposed. The representative of the welfare society also informed that the domestic effluent is lifted through tankers occasionally from these pits when they are filled to the brim.
- m) 58 manholes have been provided in the entire project.
- n) Presently, the domestic effluent generation is less and as such stagnation was not observed. However, as the population is going to increase, the domestic effluent is bound to increase.

A copy of the Joint Committee report is enclosed as Annexure C-9.

11. That the Board thereafter, has issued notice to issue directions u/s 33-A of the Water (Prevention and Control of Pollution) Act, 1974 vide letter no. 5479 dated 28.09.2023 to the accused project proponent with an opportunity of hearing before the Chairman of the Board on 09.10.2023. A copy of letter no. 5479 dated 28.09.2023 is enclosed as Annexure C-10. The hearing before the Chairman of the Board was attended by Sh. Subham Malhotra, Advocate on 09.10.2023, but the Advocate was not having authority letter and was also not having any status report of the project. The Chairman of the Board has taken certain decisions and the said decisions were conveyed to the accused project proponent vide letter no. 6325 dated 01.11.2023 and a copy of the same is enclosed as Annexure C-11.
12. That the Joint Committee has submitted the Status Report dated 30.10.2023 to Hon'ble National Green Tribunal. The observations of the Joint Committee and action taken by the Punjab Pollution Control Board at that time has been mentioned in the order dated 31.10.2023 and a copy of the order dated 30.10.2023 passed by the Hon'ble National Green Tribunal is enclosed here as Annexure C-12.
13. That in compliance to the order dated 31.10.2023, the Board has apprised the Hon'ble National Green Tribunal by filing a reply that the project proponent of M/s Garden City has developed residential project in about 41 acres of land at Village Dharour, Dehloni.

Assistant Environmental Engineer
PUNJAB POLLUTION CONTROL BOARD
Ludhiana

Road, Sahnewal, Ludhlana. Out of the total land area of 41 acres, 9.5 acres project has been approved by Greater Ludhlana Area Development Authority (GLADA) and the remaining project in about 32 acre of land is unapproved. The project proponent has neither provided separate sewage treatment plant for the adjoining project of 32 acre nor has taken separate permission for the development of the colony which may be termed as unauthorized. The sewage treatment plant provided for the approved project of 9.5 acre was also lying defunct at the time of visit by the officer of the Board on 7.7.2023 and the condition of the sewage treatment plant revealed that the same has not been operated since long. A copy of reply submitted before the Hon'ble National Green Tribunal by the Board is enclosed as Annexure C-13.

14. That in reference to Board's letter no. 611 dated 06.03.2024, the CLADA authorities vide letter no. EO(R)/GLADA/LDH/2024/531 dated 21.03.2024 have clarified that the license has been issued to the project for 9.5 acres on 08.10.2005, out of 41.65 acres and now application for regularization of entire colony of 41.65 acres has been rejected vide order no. 2256-58 dated 20.09.2016 further case for lodging FIR against the colonizer for developing unauthorized colony in contravention of PAPR Act, 1995 already sent to Police Department vide letter no. 8595 dated 11.08.2011. The colonizer has not reapplied for regularization of above colony under regularization policy dated 18.10.2018. A copy of letter dated 21.03.2024 is enclosed as Annexure C-14.

15. That thereafter the Board has issued notice vide letter no.3762-63 dated 02.07.2024 for non-compliance of directions u/s33-A of the Water (Prevention and Control of Pollution) Act, 1974 as well as notice for imposition of Environmental Compensation upon the accused project proponent with an opportunity of hearing before the Chairman of the Board. A copy of letter no. 3762-63 dated 02.07.2024 is enclosed as Annexure C-15.

The hearing was held on 23.07.2024 and it was observed by the Chairman of the Board that the project proponent is not serious in complying with the provisions of the environmental laws. Even after the imposition of Environmental Compensation on earlier occasion the project proponent is still violating the Law. The project proponent has not made any serious effort to make compliance. Even the proxy counsel which has appeared for hearing do not know any of the facts of the case. This shows that the project proponent only wants to skip the date so that hearing before the Hon'ble National Green Tribunal may pass on 25.07.2024. Even the Hon'ble Tribunal has imposed the cost of Rs. 25,000/- upon the project proponent vide orders dated 11.01.2024 and thereafter the cost of Rs. 50,000/- vide order dated 24.05.2024 for not filing the reply in time. The Hon'ble Tribunal has also observed lapses on the part of Punjab Pollution Control Board. In the given circumstances, request for adjournment

OF
 Assistant Environmental Engineer
 PUNJAB POLLUTION CONTROL BOARD
 Ludhlana

the case cannot be entertained. The Advocate was informed about the facts of the case and that the adjournment cannot be granted.

After considering the background and facts of the case it was felt by the competent authority of the Board that it is a serious case of violation of Environmental Laws, therefore, request of the project proponent and the proxy counsel for the adjournment cannot be entertained. After examination of the case, the Chairman of the Board decided as under:

- a. The detailed order imposing Environmental Compensation on the project proponent be issued for the subsequent period from 01.12.2023 upto the date of hearing.
- b. The Project Proponent shall deposit the already imposed Environmental Compensation amounting Rs. 3,55,23,438/- to the Board immediately failing which coercive action shall be taken by the Board.
- c. In case of non-deposition of Environmental Compensation by the project proponent, the Deputy Commissioner, Ludhiana be written to get the Environmental Compensation recovered under arrears of land revenue.
- d. Fresh criminal prosecution be filed in the court of law against the project i.e. M/s Dynamic Infradeveloper Pvt. Ltd, (Project - Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) 30/27, 1st Floor, East Patel Nagar, New Delhi 110008, Ludhiana and its Directors and other responsible persons due to continuous violations.
- e. Since the directions issued by the Board against the project proponent have not been complied, the Deputy Commissioner, Ludhiana be requested to issue necessary directions to the Registrar-Cum-Tehsildar, Revenue Department, Ludhiana not to register any sale deed (title deed)/mutation etc. of any plot/house/SCO/other establishment in the colony till the written permission of the Board and submit compliance thereof the concerned authorities to submit the compliance of the directions, failing which action according to law will be taken.
- f. A public notice in leading newspaper be published advising public not to purchase any property in said project till it obtained statutory approval.

Chief Environmental Engineer
ENVIRONMENTAL CONTROL BOARD

16. That the proceedings of the hearing held on 23.7.2024 were conveyed to the accused project proponent no. 1 by the Board vide letter no. 4230 dated 23.07.2024 and a copy of the same is enclosed as Annexure-16.
7. That the accused no.1 namely M/s Dynamic Infradeveloper Pvt. Ltd 30/27 1st floor, Patel Nagar, New Delhi-110008 is a company as defined u/s 47 of the Water (Prevention and Control of Pollution) Act, 1974 and has developed a residential project under the name and style of Garden City at Village Dharour, Sahnewal, Ludhiana without obtaining the consent of the complainant Punjab Pollution Control Board and is now operating the outlet without the consent of the Board under the Water (Prevention and Control of Pollution) Act, 1974. Accused no. 2 namely Sh. Sudhir Gulati, accused no. 3 Sh. Manish Kumar Aggarwal, accused no. 4 Sh. Rajeev Aggarwal and accused no. 6 Sh. Vishnu Prasad Aggarwal are all directors and accused no. 5 Sh. Rohit Aggarwal is additional director of accused no.1 namely M/s Dynamic Infradeveloper Pvt. Ltd 30/27 1st floor, Patel Nagar, New Delhi-110008 for the project Garden City at Village Dharour, Sahnewal, Ludhiana. Accused no. 2,3,4,5 and 6 had set up the project i.e. accused no. 1 of Garden City at Village Dharour, Sahnewal, Ludhiana without obtaining the consent of the Board and are operating the outlet at present without the consent in violation of the provisions of the Water (Prevention and Control of Pollution) Act, 1974. The accused no. 2, 3, 4, 5 and 6 being directors and additional director are in-charge of and responsible for the conduct day to day business, functioning of accused no.1. Accused no.1 is a company as defined u/s 47 of the Water (Prevention and Control of Pollution) Act, 1974 and as such is to be represented by the directors / director of the company. Hence, accused no.1, 2, 3, 4, 5 and 6 are liable to be proceeded against for the offences committed under the provisions of the Water (Prevention and Control of Pollution) Act, 1974.
8. That it is pertinent to mention here that the accused are presenting the name of the company to the office of the complainant Board as M/s Dynamic Infradeveloper Pvt. Ltd 30/27 1st floor, Patel Nagar, New Delhi-110008 for the project Garden City at Village Dharour, Sahnewal, Ludhiana. The accused project proponent vide e-mail dated 24.06.2024 has provided the Memorandum and Article of Association of M/s Dynamic Infraproject Pvt. Ltd to the office of Punjab Pollution Control Board. A copy of e-mail dated 24.06.2024 of accused no.1 is enclosed as Annexure C-17.

To know the factual position regarding the directors of the accused no.1, the office of the complainant Board at Ludhiana has written a letter bearing no. 1356 dated 07.06.2024 to the Registrar of Companies, (Delhi and Haryana), New Delhi. A copy of letter no. 1356 dated 07.06.2024 is enclosed as Annexure C-18. The office of the Registrar of Companies, Government of India, Ministry of Corporate Affairs vide letter no. 7486 dated 26.06.2024 has provided the information which reveals that the name of

Assistant Environmental Engineer
PUNJAB POLLUTION CONTROL BOARD
Office-II, Ludhiana

the company is Dynamic Infraproject Pvt. Ltd having registered office at 30/27, 1st Floor, East Patel Nagar, New Delhi-110008. A copy of letter no. 7486 dated 26.06.2024 is enclosed as Annexure C-19. Hence, the name of the accused no. 1 may be considered as Dynamic Infradeveloper Pvt. Ltd allas Dynamic Infraproject Pvt. Ltd. 30/27, 1st Floor, East Patel Nagar, New Delhi-110008.

It is relevant to mention here that as per the information provided by the Registrar of Company accused no. 6 has ceased to be the director of the accused company no.1 with effect from 06.06.2019, but he is liable to be proceeded against as the original project was conceived by the accused in the year 2005 and all the accused including the accused no.6 who has ceased to be the director of the project remained involved in the case till the date, he remained the director of the project. Hence, all the accused no.1, 2, 3, 4, 5 and 6 are liable to be proceeded against for the offences committed by them under the provisions of the Water (Prevention and Control of Pollution) Act, 1974.

17. That accused no. 1, 2, 3, 4, 5 and 6 in-spite of notices, reminders, opportunities of hearing had failed to comply with law and are intentionally and deliberately violating the provisions of the Water (Prevention and Control of Pollution) Act, 1974 by operating the outlet of accused no.1 without obtaining the mandatory consent of the complainant Board under the provisions of the said Water (Prevention and Control of Pollution) Act, 1974. Hence, accused no. 1, 2, 3, 4, 5 and 6 are liable to be proceeded against for the offences committed by them under the provisions of the Water (Prevention and Control of Pollution) Act, 1974.
18. That the present complaint is being filed by the Assistant Environmental Engineer of the Punjab Pollution Control Board in the discharge of his official duties being Public Servant, hence the examination of the witnesses may kindly be dispensed with in accordance with the provisions of the Section 200 of the Code of Criminal Procedures, 1973.

It is, therefore, respectfully prayed that accused no. 1, 2, 3, 4, 5 and 6 may kindly be summoned, be tried and punished in accordance with the provisions of the Water (Prevention and Control of Pollution) Act, 1974 as amended in 1988.

Note- List of witness sought to be produced and examined on behalf of the complainant Board is attached. Additional / supplementary list of witnesses shall be submitted shortly.

Submitted by

 Assistant Environmental Engineer
 PUNJAB POLLUTION CONTROL BOARD
 Regional Office-II, Ludhiana

A handwritten signature in black ink, consisting of a large loop and a vertical stroke with a horizontal crossbar, followed by a horizontal line extending to the right.

Assistant Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-II, Ludhiana

On behalf of Punjab Pollution Control Board

Through

Punjab Pollution Control Board, Vatavaran Bhawan, Nabha Road, Patiala through its Assistant Environmental Engineer, Regional Office-II, E-648(B), Focal Point, Phase-5, Ludhiana.

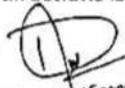
-----Complainant

VERSUS

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6. Sh. Vishnu Prasad Aggarwal (S/o Sh. Ram Swaroop Aggarwal), Director M/s Dynamic Infradeveloper Pvt. Ltd (Project: Garden City, Village Dharour, Dehlon Road, Sahnewal Ludhiana) Correspondence address: H.No. W-405, Ram Villa, Janak Park, Ghanta Ghar, Hari Nagar, New Delhi-110064.

-----Accused

Complaint U/s 41, 44, 47 read with section 49 of the Water (Prevention and Control of Pollution Act), 1974, for violation of sections 25 and 26 and the directions issued u/s 33-A of the said Act.


Assistant Environmental Engineer
PUNJAB POLLUTION CONTROL BOARD
Regional Office-II, Ludhiana

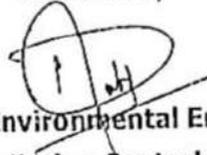
The complainant Board sought to produce and examine the following witnesses to prove its case:

1)	Er. Rubal Goyal Assistant Environmental Engineer	Complainant
2)	Er. Ravinder Bhatti, Environmental Engineer (Now Senior Environmental Engineer)	Visiting officer
3)	Er. Atul Kaushal, AEE, Assistant Environmental Engineer	Visiting officer
4)	Sh. J.P Meena, Scientist-D, Central Pollution Control Board, Regional Directorate, Chandigarh	Visiting officer
5)	Sh. Jagdeep Singh (Naib Tehsildar, Sahnewal)	Visiting officer
6)	Er. Joginder Singh, Environmental Engineer (Now Retired)	Issuance of notice
7)	Er. S.P Garg, Senior Environmental Engineer (Now Retired)	Issuance of directions
8)	Er. Ashok Kumar Garg, Environmental Engineer (Now Retired)	Issuance of consent to operate
9)	Er. Pardeep Balu, Additional Senior Environmental Engineer	Issuance of notice
10)	Assistant / Clerk office of Punjab Pollution Control Board, Regional Office-2, Ludhiana.	
11)	Any other witness relevant to the case	


 Assistant Environmental Engineer
 PUNJAB POLLUTION CONTROL BOARD
 Regional Office - II, Ludhiana.

Supplementary list of witnesses
will be submitted shortly

Submitted by



Assistant Environmental Engineer,
Punjab Pollution Control Board,
Regional Office-II, Ludhiana

Date:

Place:

On behalf of Punjab Pollution Control Board

Through Counsel

CNR No:PBLD030514632024 CASE No:COMA-46166-2024

PUNJAB POLLUTION CONTROL BORAD Vs M/S DYNAMIC
INFRADEVELOPER PVT LTD

Present: Sh. Shamsheer Singh Lohat Advocate SPP for complainant.

Notice to accused No.1 to 6 not issued for want of RC/AD.
Fresh notice to accused No.1 to 6 be issued through ordinary process
as well as through RC/AD for 16.02.2026 on furnishing of RC/AD by
the complainant.

Date of Order: 16.12.2025

Shammi Sieno (A)

(Dazy Bangarh), PCS
Chief Judicial Magistrate,
Ludhiana
UID No . PB0343