

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

(Court No.2)

Original Application No. 378 of 2022

In the matter of

Sahil Garg

..... Applicant

V/s

State of Punjab and Others

..... Respondent

Short reply of Aashika Jain, IAS, Deputy Commissioner, Mohali on behalf of Respondent no. 1, 3 & 4.

RESPECTFULLY SHOWETH

- 1) That Mr. Sahil Garg resident of House No. 1918, Phase-10, Mohali has written a letter to the Hon'ble National Green Tribunal and the same was registered as Original Application no. 378 of 2022, wherein the grievance of the applicant is with regard to the concretization of open spaces, on the pretext of parking area requirements, and road sides, in the name of pedestrian path, right upto the neck of the existing trees and non-implementation of any plantation program for developing green belts in open spaces and along the road sides.
- 2) That vide order dated 24.11.2022, the Hon'ble Tribunal has desired the response of the State of Punjab through its Chief Secretary, State Pollution Control Board, Mohali Development Authority and District Magistrate, Mohali.
- 3) That in compliance to the orders dated 24.11.2022, it is respectfully submitted that consequent upon the orders dated 5.7.2022 passed by the Hon'ble National Green Tribunal, the Punjab Pollution Control Board vide letter no. 380 dated 15.11.2022 has constituted a District Level Committee under the Chairmanship of Additional Deputy Commissioner (Urban Development), SAS Nagar (Mohali) comprising of the following officers to comply with the orders of the Hon'ble National Green Tribunal:
 - a) Sub Divisional Magistrate, SAS Nagar

- b) Divisional Forest Officer, SAS Nagar
- c) Superintending Engineer, Municipal Corporation, SAS Nagar.
- d) Representation of GMADA.
- e) Environmental Engineer, PPCB, SAS Nagar.

4) That the committee members had met the applicant Ms. Sahil Garg who has given some suggestions to the committee, to which the Municipal Corporation, SAS Nagar has given proposals. The suggestions given by the applicant and the proposals to implement the suggestions of the applicant as given by the Municipal Corporation, SAS Nagar (Mohali) have been incorporated by the committee of officers in their report, which was later on submitted before the Hon'ble National Green Tribunal by the Punjab Pollution Control Board vide email dated 23.11.2022. A copy of the report of the committee of officers is enclosed herewith as **Annexure-A** for kind perusal of this Hon'ble Tribunal.

5) That the entire facts of the case and the suggestions given by the applicant relates to Municipal Corporation, SAS Nagar and Greater Mohali Area Development Authority (GMADA) and the committee in its report has also requested the Municipal Corporation, SAS Nagar and Greater Mohali Area Development Authority (GMADA) to take the following measures in future.

- a) In place of interlocking tiles, steps will be taken to install perforated tiles.
- b) New saplings will be planted in the city from time to time during the planting season by the Municipal Corporation and GMADA and proper space will be kept around the trees.
- c) Along with this, care will be taken regarding the work of De-concretization and the instructions issued by the Hon'ble National Green Tribunal from time to time will be strictly followed.

6) That MC Mohali has taken following steps on the suggestions of the Joint Committee report:

Sr. No.	Reply sought in para no.1 of the order dated 24.11.2022. passed by the Hon'ble NGT, New Delhi	Para wise comments
1.	Use of perforated tiles permitting percolation of water for boosting ground water.	Proposal for installing perforated tiles in place of interlocking tiles is being prepared. After approval from the Corporation and GMADA, only perforated tiles will

		be used for pavement in future.
2.	Landscaping of open spaces and road side and developing greenbelt along the road side with avenue plantation of native species.	During the last 3 years about 13000 samplings have been planted and under the Government's Nanak Bagichi Scheme, 4000 samplings have been planted in the city along the road side in the year 2022-23 by the Municipal Corporation and GMADA. Green belt along the road side with the avenue plantation of native species shall be developed and continued in future also.
3.	De-Concretization of standing tress with proper space for proper rooting and growth of the tree.	As per the guidelines of Hon'ble National Green Tribunal proper spaces are kept around the trees and out of 40925 trees in the city about 29006 trees have already been de-concretized. Out of remaining 11919 trees 9500 trees have been de-Concretized and work of de-concretization of remaining 2500 trees is under process. In this way the work of de-concretization of about 94% trees has been completed and the de-concretization of about 6% tree shall be completed within the coming next month.

- 7) That GMADA has floated tenders for the work of de-concretization around trees on PR7 road on 30.01.2023 and execution work will be started by 20.02.2023.
- 8) That the short reply of the Deputy Commissioner, SAS Nagar may kindly be allowed to be placed on record in compliance to order dated 24.11.2022 of the Hon'ble National Green Tribunal for kind consideration and appropriate orders.

Submitted by



(Aashika Jain)

Deputy Commissioner
SAS Nagar

Date: 6/2/2023

Place SAS Nagar

On behalf of Respondent no. 1, 3 & 4

Verification

Verified that the contents of para no.1 to 7 of the above reply are true and correct to my knowledge as derived from the official record. Para no. 8 is prayer. No part of the above reply is false and nothing material has been kept concealed therein.

Date: 02/2023

Place SAS Nagar

Aashika Jain
(Aashika Jain)
Deputy Commissioner
SAS Nagar

On behalf of Respondent no. 1, 3 & 4

Subject: Regarding the order of Hon'ble National Green Tribunal Principal Bench passed in O.A No.378 of 2022 titled as Sahil Garg Vs. State of Punjab.

Hon'ble NGT on O.A No. 378 of 2022 titled as Sahil Garg Vs State of Punjab has passed order dated 05.07.2022, wherein it has directed as under:

- The grievance in this letter petition sent by Mr. Sahil garg resident of H.No. 1918 Phase-10, Mohali which is treated and registered as original application, is regarding concretization of open spaced, on the pretext of parking area requirement and road sides, in the name of pedestrian path, right upto the neck of existing trees and non-implementation of any plantation program for developing green belt in open spaces and along the road side.
- A joint committee comprising of Principal Secretary, Ministry of Urban Development, Govt. of Punjab, Principal Chief Conservator of forests, Govt. of Punjab, State PCB and Deputy Commissioner, Mohali is hereby constituted. The committee shall meet within four weeks, undertake site visits, look into the grievances of the applicant and take requisite action by following due process of law. The joint committee may, besides taking into consideration judgment/directions of Hon'ble Supreme Court and this Tribunal, also consider the following aspects while submitting the factual and action taken report:
 - i. Use of perforated tiles permitting percolation of water for boosting ground water.
 - ii. landscaping of open spaces and road side and developing greenbelt along the road side with avenue plantation of native species
 - iii. De-concretization of standing trees with proper space for proper rooting and growth of the tree.

Further, the Hon'ble National Green Tribunal vide order dated 12.10.2022 has said committee to submit a report within one month. PPCB vide letter no.380 dated 15.11.2022 has constitute a district level committee of following members under the Chairmanship of Additional Deputy Commissioner (UD) SAS Nagar to comply with the NGT orders:-

- Sub-Divisional Magistrate, SAS Nagar
- Divisional Forest Officer, SAS Nagar
- Superintending Engineer Municipal Corporation, SAS Nagar
- Representative of GMADA.
- Environmental Engineer, PPCB, SAS Nagar

The petitioner in the complaint was visited by committee members on dt 17.11.2022 and it was informed by Mr. Sahil Garg that the width of the pavement tiles in the city of SAS Nagar should be reduced and the kacha areas and berms should be cleaned, instead of laying tiles on them. The Hon'ble National Green Tribunal has given the following suggestions and the proposal of MC SAS Nagar (Mohali) and GMADA to with the suggestion is as under:

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Sr.No.	Suggestion	Proposal
1	Use of perforated tiles permitting percolation of water for boosting ground water.	Proposals for installing perforated tiles in place of interlocking tiles will be prepared and sent to the house of Municipal Corporation and GMADA and only perforated tiles will be used in future.
2	landscaping of open spaces and road side and developing greenbelt along the road side with avenue plantation of native species	Under the Government's Nanak Bagichi Scheme, 4000 saplings have been planted in the city in the year 2022-23 in planting season by the Municipal Corporation and GMADA and in the last 3 years about 13000 saplings have been planted and development of green belts will continue in future also.
3	De-concretization of standing trees with proper space for proper rooting and growth of the tree.	As per the guidelines of Hon'ble NGT proper space is kept around the trees and out of 40925 trees in the city about 29006 trees were already de-concretize, out of remaining 11919 trees 4979 trees have been de-concretize and work of deconcretization of remaining 6940 trees is going on at war level. According to which the work of de-concretization of about 80% trees has been completed and the remaining work will be completed within the next one month.

It is to be mentioned here that the Municipal Corporation and GMADA will take the following measures in the future.

- In place of interlocking tiles, steps will be taken to install perforated tiles.
- New saplings will be planted in the city from time to time during the planting season by the Municipal Corporation and GMADA and proper space will be kept around the trees.
- Along with this, care will be taken regarding the work of De-concretization and the instructions issued by the Hon'ble NGT from time to time will be strictly followed.


Environmental
Engineer,
PPCB, SAS
Nagar


Representative
of GMADA


Divisional Forest Officer, SAS Nagar


Add. Deputy
Commissioner,
(U.D.) SAS Nagar


Superintending
Engineer
Municipal
Corporation,
SAS Nagar


Sub-Divisional Magistrate,
SAS Nagar