

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

ORIGINAL APPLICATION NO. 662 OF 2025

IN THE MATTER OF:-

PUDA ENCLAVE WELFARE SOCIETY

...Petitioner

VS

STATE OF PUNJAB & OTHERS

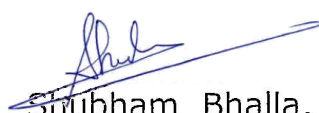
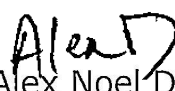
...Respondents

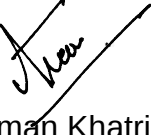
NDOH: 17.08.2026

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THROUGH

Shubham Bhalla, Alex Noel Dass, Neha Verma, Ragini Sharma Aman Khatri
Advocate for respondent no.3 & 4
Office: E-57, GK-2, New Delhi – 110017.
Mb. No. 9654427273
Email: shubhambhalla@hotmail.com

PLACE: NEW DELHI
DATE: 11.07.2026.

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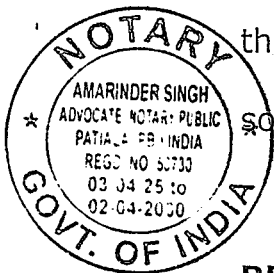
STATE OF PUNJAB & OTHERS

...Respondents

**SHORT REPLY ON MERIT ON BEHALF OF RESPONDENT
NO.3 ARRAYED AS PUNJAB URBAN DEVELOPMENT
AUTHORITY AND RESPONDENT NO.4 ARRAYED AS
PATIALA DEVELOPMENT AUTHORITY.**

I, Richa Goyal, Estate Officer, PUDA, Patiala, Urban Estate,
Phase-II, Patiala, Punjab, being well conversant with the fact of
the case in my official capacity and being competent to swear

this affidavit on behalf of Respondent No. 3 and 4 do hereby
solemnly affirm and state as under:-

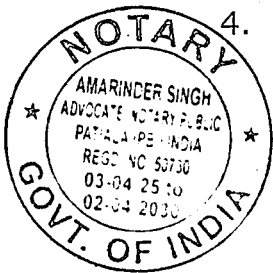


RESPECTFULLY SHOWETH: -

1. That the present reply is being filed on behalf of
Respondent No. 3 namely Punjab Urban Development
Authority (hereinafter referred to as "PUDA") and

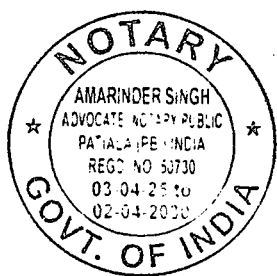
Respondent No. 4 namely Patiala Development Authority (hereinafter referred to as "PDA").

2. That the present Original Application is misconceived, legally untenable and liable to be dismissed qua the answering respondents, as no relief has been claimed against the answering respondents under the provisions of the National Green Tribunal Act, 2010.
3. That at the very outset, it is submitted that the answering respondents, are statutory bodies working within the confines of the Punjab Regional and Town Planning and Development Act, 1995 and are concerned only with regulation of planned development, scrutiny of building plans, sanctioning plans, zoning compliance and enforcement of planning norms.
4. That for the project in issue i.e. PUDA Enclave-I at Animal Husbandry Site, Nabha Road, Patiala the Residential layout plan dated 17.09.2015 was duly sanctioned by the competent authority in accordance with law and thereafter the Residential Zoning Plan dated 31.08.2016 was approved. The zoning plan specifically delineated the zoning regulations, circulation pattern, access roads, building controls and permissible usage of the Residential pockets/sites falling within the scheme area.



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5. That it is further submitted that after the notification of the PUDA Building Rules (Amended), 2018, notified on 12.06.2018 overruling the building rules of 2013, the Revised Zoning Plan of Residential Scheme – Animal Husbandry Site, Nabha Road, Patiala (OUVGL) i.e. PUDA Enclave-I, was duly sanctioned on 01.11.2018 by the Chief Administrator, Punjab Urban Development Authority.
6. That at this juncture it would be necessary to reproduce the definition contained in 2018 rules regarding commercial buildings and commercial use, which are contained in rule 2 (39) and rule 2 (40) of 2018 rules, which are reproduce under the reference of Hon'ble Tribunal :-



"2 (39) **"commercial building"** means a building used or constructed or adapted to be used either ordinarily or occasionally as; multiplex, cinema, marriage palace, office, bank, hotel, restaurant, shop, shopping complex or a building primarily used for display and sale of merchandise or any similar purpose or any other building being used for commercial purpose;

2 (40) **"commercial use"** means the use of any land or building or part thereof for purposes of commerce or for storage of goods, or as an office, though attached to any building;"

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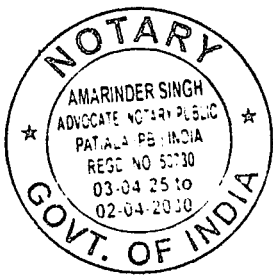
7. The mentioned definitions show that commercial building includes a hotel, which is the issue in the present case.

Further, rule two (96) lays down the definition of a hotel, which is reproduced hereinunder for ready reference :-

*"2 (96) **"hotel"** means any premises or part of a premises having more than eight rooms, which are commercially let out, and providing lodging, with or without board, or serving any kind of eatables or beverages or other services, by way of business, for a monetary consideration and having at least one restaurant with a capacity of a minimum thirty guests or a bar or a banquet hall;"*

XXXXX-----XXXXX-----XXXXX

8. That the answering respondents would also like to submit that an e-auction process was conducted on 10.09.2019 in respect of Multi Use Site-1, situated in Commercial Pocket-1, PUDA Enclave-I, Nabha Road, Patiala and the site was allotted to respondent no.9.
9. That the Zoning Plan No. 34 dated 03.10.2019 was issued by the competent authority on the basis of approved commercial layout plan Job No:- MISC-P, DRG No.33 dated 12.10.2016 and thereafter the Revised Zoning Plan No. 34R dated 28.11.2019 in respect of Commercial Pocket-1, PUDA Enclave-I, Nabha Road, Patiala were duly issued/sanctioned by the competent authority, namely the Chief Administrator, Punjab Urban Development Authority.
10. That the revised zoning plan No.34 dated 28.11.2019 specifically permitted commercial/multi-use activities on



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the said site including multiplex, commercial units, retail, shopping and Hotel as per the applicable zoning regulations and building norms. The answering respondents humbly submits that this site was reserved for commercial purposes as the layout plan dated 17.09.2015.

11. That it is further submitted that as per the approved layout plan, the commercial site in question was duly earmarked and formed an integral part of the PUDA Enclave-I Scheme. However, upon the request made by the Residents Welfare Association (RWA), permission for installation of boom barriers was granted vide Memo dated 20.11.2019, subject to certain terms and conditions. In terms of Condition No. 7 of the said permission letter, the Patiala Development Authority reserved absolute authority to remove the boom barriers in the event they caused any hindrance, obstruction, or inconvenience.



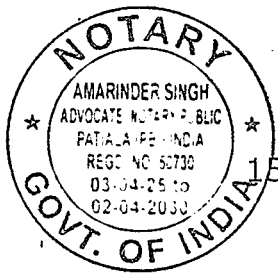
12. That the allegation levelled against the answering respondents in para 7.6 are devoid of merit and contrary to the official records that as the Applicant has erroneously compared the Zoning Plan of Commercial Pocket-1 dated 03.10.2019 with the residential Layout Plan's dated 17.09.2015 and Revised residential Zoning

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Plan dated 01.11.2018, which were approved for regulating residential development.

13. The answering respondent would like to submit that the Zoning Plans dated 03.10.2019 and 28.11.2019 were prepared and approved specifically for **Commercial Pocket-1** after its subdivision into Multi-Use Sites for commercial development purposes. It would be pertinent to mention that the Revised zoning plan 34R dated 28.11.2019 superseded the previous plan dated 03.10.2019.

14. That the allegation contained against the answering respondents with regard to the illegal modification and repositioning of designated entry/exit gates, is wholly speculative and devoid of merit not as per the perusal of official records.



15. That it is pertinent to submit that any modification or repositioning of the revised zoning plan arrangements is permissible in accordance with the provision of Punjab Regional and Town Planning and Development Act, 1955.

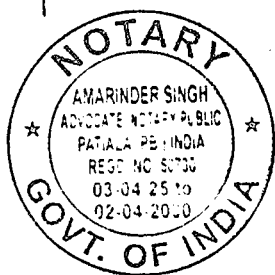
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16. That revision of a zoning plan to ensure better accessibility, movement control and functional viability of the commercial areas and mere relocation or modification of entry/exit gates (arrangements) within a duly

sanctioned zoning framework can neither be construed as any illegality or unauthorized changes in land use.

17. That the answering respondents further respectfully submits that the operations of development in accordance with the revised zoning plan dated 28.11.2019 has remained in existence since its approval and implementation that has neither been challenged nor raised by any party in person or the applicant before any competent authority or court for almost six years.

18. That it is further submitted that the Revised Layout Plan of Residential Scheme, Nabha Road, Patiala (Animal Husbandry Site), dated 03.12.2019, was duly sanctioned by the competent authority, namely the Chief Administrator, Punjab Urban Development Authority, in exercise of powers conferred under the Punjab Regional and Town Planning and Development Act, 1995 and the applicable planning and development regulations governing the scheme area.

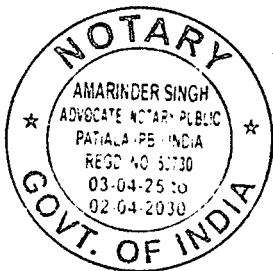


19. That it is further submitted that Multi Use Site-1 admeasuring approximately 2560.26 square meters situated in Commercial Pocket-1, PUDA Enclave-I (Animal Husbandry Site), Nabha Road, Patiala, was allotted to the Respondent No.9 namely Mr. Perry Goyal vide Allotment

Letter/Memo No. PUDA-EO-PTA/2019/10950 dated 17.12.2019 pursuant to the e-auction proceedings conducted by Punjab Urban Development Authority in accordance with the applicable policies, auction conditions and statutory framework governing allotment of commercial sites.

20. That, the answering respondents respectfully submitted that neither Consent to Establish dated 23.11.2021 nor any approval or permission issued by the answering respondents. The same exclusively falls within the jurisdiction of Punjab Pollution Control Board (PPCB) in accordance with the statutory planning framework.

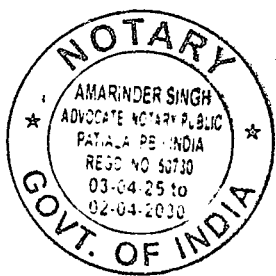
21. That the answering respondents would also like to humbly submits that the Revised Building Plan in respect of Multi Use Site-1, Animal Husbandry Scheme, Mini Secretariat Road, Patiala, having the proposed name "RSG Infra Social Square", was approved, vide Letter No. 328 dated 07.02.2024 by the District Town Planner, Patiala, also signed by the Estate Officer, PDA, Patiala, Sub Divisional Engineer (Building) and the Additional Chief Administrator, PDA, Patiala. It is further submitted that as per record the said approval was granted strictly in accordance with the applicable provisions of the Punjab Regional and Town



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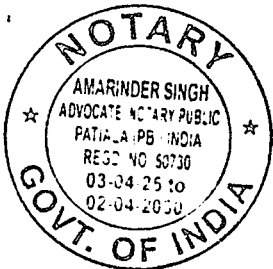
Planning and Development Act, 1995, the PUDA Building Rules, zoning regulations, sanctioned layout/zoning plans and other development control norms governing the scheme area, and was further subject to the terms and conditions incorporated in the sanction letter.

22. That the answering respondents neither exercise jurisdiction under the Water (Prevention and Control of Pollution) Act, 1974, the Air (Prevention and Control of Pollution) Act, 1981 nor act as environmental regulatory authorities for determining pollution categorization or operational environmental compliance. It is further submitted that the answering Respondents neither granted any approval contrary to the sanctioned land use nor exempted any project, proponent from obtaining mandatory environmental permissions or compliances under the environmental laws, the enforcement whereof falls within the exclusive jurisdiction of the competent authority exercise under the Punjab Pollution Control Board (PPCB).



- RG* 23. That, it is further submitted that the overall implications related to the planning and sanctioning against the answering respondents are completely based upon the assumption and conjectures, therefore any modification,

revision or adjustment carried out in the planning documents, zoning arrangements, circulation pattern, entry/exit configuration or sanctioning process was undertaken by the competent authority strictly in exercise of powers conferred under the provisions of the Punjab Regional and Town Planning and Development Act, 1995. It is specifically denied that the answering respondents have committed any illegality, collusion, concealment or dereliction of statutory duty as alleged. It is further submitted that any action, inspection, determination or enforcement regarding alleged environmental violations, if so required, is liable to be undertaken strictly by the competent Pollution Control Authorities in accordance with law after conducting due inspection, verification and technical assessment. Hence, the allegations sought to be levelled against the answering respondents are misconceived, baseless and liable to be rejected.



24. That the contents of the foregoing affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed therefrom.

Rij
DEPONENT
Estate Officer
PUDA PATIALA

VERIFICATION:-

I, Richa Goyal, Estate Officer, PUDA, Patiala the deponent above-named do hereby verify and declare that the facts stated in the above affidavit from para no.1 to 24 are true to my knowledge and belief.

Verified at _____ on this _____ day of _____, 2026.

The Contents of the this Affidavit document have been read over to the deponent & She has accepted a True & correct

Attested/As Identified

NOTARY PUBLIC
GOVT. OF INDIA
PATIALA (Pb.) INDIA

17 JUN 2026

Richa
DEPONENT
Estate Officer
PUDA PATIALA

This Document has been Registered
at Sr. No. 06
This day of 17th June 2026

Identified the Deponent/Person
whom I know personally by
Yogesh, law officer DA

