

Item No. 07

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Original Application No. 383/2023
(I.A. Nos.298/2024 & 125/2024)

President Garden City
Resident Welfare Society

Applicant

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 19.05.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. V.K. Khurana, Applicant in Person

Respondents: Ms. Richa Kapoor & Ms. Atika Singh, Advs. for Punjab PCB
Mr. Navneet R, Adv. for R - 4

ORDER

1. This original application, registered on the basis of the letter petition, allegation is that Garden City Colony, Sahnewal Ludhiana has been developed by respondent no.4-Dynamic Infra-developers Private Limited.
2. Grievance of the applicant was that STP set up by project proponent was non-functional and sewage and other effluents were discharged illegally and same was over-flowing.
3. Tribunal considering the issue involved in the OA by order dated 30.05.2023 had formed the joint committee. Joint committee had submitted the report dated 30.10.2023 along with affidavit of District Magistrate, Ludhiana. Report of the joint committee discloses as under:

“3.0 OBSERVATIONS MADE BY THE JOINT COMMITTEE DURING SITE VISIT

The Joint committee visited the site on 07.07.2023 and also interacted with the General Secretary and President of the Garden City Residence Welfare Society and the project proponent. During visit, following observations were made :-

- 1. During visit, the General Secretary and President of the Garden City Residence Welfare Society were contacted.*
- 2. 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*
- 3. 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.*
- 4. 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.*
- 5. 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.*
- 6. 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.*
- 7. 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.*
- 8. The Project Proponent has not provided the details of existing STP capacity, technology and records of energy meter etc.*
- 9. The Committee observed that the Project Proponent has not provided the proper sewerage network to convey the effluent to the STP.*
- 10. The Project Proponent (PP) has not obtained permission from Punjab Water Regulation and Development Authority (PWRDA) for abstraction of the ground water.*

11. *The Project Proponent (PP) has not provided separate channel for carrying and disposal of storm water drain.*
 12. *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.*
 13. *58 manholes have been provided in the entire project.*
 14. *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.”*
4. It has been submitted that the applicants and PPCB that shortcomings which were pointed out in the report of the joint committee have not been cured till now.
 5. PPCB has filed the report dated 25.03.2025 mentioning that environmental compensation of Rs. 3, 55, 23, 438 /-has been levied. Order dated 08.01.2024 in this regard is already on record on page 76.
 6. Details concerning the generation of sewage, treatment capacity, gap, performance parameter of the STP etc; have not been placed on record.
 7. Submission of the applicant is that there is no STP with adequate capacity exists.
 8. Applicant submits that in the approved 9.5 acres area about 100-150 persons are residing.
 9. 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.

10. List on 24.09.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

May 19, 2025
Original Application No. 383/2023
(I.A. Nos.298/2024 & 125/2024)
JG.