

Item No. 07

Court No. 2

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

(By Video Conferencing)

Original Application No. 861/2022

Kuldeep Singh Khaira & Ors

Applicant(s)

Versus

State of Punjab & Ors.

Respondent(s)

Date of hearing: 25.11.2022

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE PROF. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Kapil Dev, Applicant in Person

**ORDER**

1. Heard Shri Kapil Dev, Applicant no. 2 who has appeared in person. The grievance of the applicant is that there is a Canal i.e., Sidhwan Canal passing through Ludhiana and that is highly polluted because of the dumping of the plastic bags, polyester clothes waste, other non-biodegradable material etc. and there is huge encroachment also on its sides but neither Irrigation Department of Punjab nor other responsible authorities have taken any action.

2. In our view, a substantial question of environment arising out of the implementation of enactments specified in Schedule I under NGT Act, 2010 has arisen but before taking further action, we find it appropriate to obtain a factual report for which a joint Committee comprising Irrigation Department, Punjab, Punjab State PCB, District Magistrate, Ludhiana and

Executive Engineer, Canal Officer, Sidhwan Canal Division, Sirhind Canal Complex, Urban Estate, Dugri, Ludhiana is constituted who shall submit a factual report within two months by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.

3. State PCB will be the nodal agency for coordination and compliance.
4. The report shall highlight factual status on waste lying along the banks of canal in question, extent of encroachments and areas demarcated on both sides of the canal as no activity zone and the action taken by the authorities concerned, if any.
5. List for further consideration on 03.02.2023.
6. A copy of this order be forwarded to Irrigation Department, Punjab, Punjab State PCB, District Magistrate, Ludhiana and Executive Engineer, Canal Officer, Sidhwan Canal Division by e-mail for compliance.

Sudhir Agarwal, JM

Prof. A. Senthil Vel, EM

November 25, 2022  
Original Application No. 861/2022  
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