

**NATIONAL GREEN TRIBUNAL**

**O.A. No. 560 of 2015**

IN THE MATTER OF:

Pushpa Jain

....Petitioner/Applicant

**Vs.**

**Union of India and Others**

.... Respondents

**Reply by way of an Affidavit of Dr. (Mrs.) Neelima Jerath,  
Executive Director, Punjab State Council for Science &  
Technology, Chandigarh to the O.A. No. 560 of 2015 for  
directions filed by the Applicant / Petitioner.**

**I, the above named deponent do hereby solemnly affirm and declare as under:**

1. That I am posted as Executive Director, Punjab State Council for Science & Technology, Chandigarh and further being acquainted with the facts and circumstances of the case, I have been directed by the Government of Punjab to file this affidavit in the aforesaid matter.
2. That at the outset, the deponent humbly submits that all the averments made in the Application filed by Petitioner No.1, unless specifically admitted, are denied and may be read as a travesty of facts.
3. That nothing in this reply shall be construed to have admitted any contents of the application filed by Petitioner and/or the grounds taken, unless specifically admitted by the deponent in this reply.

## PRELIMINARY SUBMISSIONS

1. That Petitioner had in the aforementioned O.A. prayed Hon'ble NGT to direct :
  - a. the respective respondent authorities/States to constitute all the necessary bodies at the State level as provided under the Wetland Rules; within a strict timeline and to provide the 'Brief Document' identifying the 'Protected Wetlands' under the Wetlands Rules under different categories including wetlands which are not included in the schedule of the Wetland Rules.
  - b. That no activity is permitted in wetlands or in the zone of direct influence of wetlands or that effects or changes the nature of any wetland in any manner unless the process of identification of 'Protected Wetlands' is completed, and the clearance of the authority under the Wetlands Rules is obtained, along the lines of the Order of this Tribunal in N. Gajendran v. Principal Secrewtary, Corporation of Chennai (Application No. 101 of 2015 (SZ) and Janhit Sewa Society v. State of U.P. & Ors (O.A. No. 198/2014)
  - c., d. & e. Pertains to Union of India
  - f. The respondents to ensure that effective measures are taken to protect the wetlands and wetland complexes against the pressures of anthropogenic activities as per the Wetlands Rules, the Principle of Sustainable Development and Commitment under the Ramsar Convention.
  - g. Requested Hon'ble Tribunal to pass any orders as it may deem fit and proper in facts and circumstances of the case.
2. That the State has already submitted Brief Document on Punjab wetlands to Ministry of Environment, Forests & Climate Change, GOI. Acknowledgment by Ministry in a meeting of Wetland Regulatory Authority (CWRA) held on 27-4-12 is annexed (Annex-1). Hence, prayer as per 'a' addressed by State of Punjab.
3. That the Wetlands Rules, 2010 are complied in the state of Punjab hence the prayer as per 'b' is addressed by the State of Punjab.

4. The State of Punjab has taken necessary measures for the protection and conservation of these wetlands. Hence, prayer as per 'f' is addressed by State of Punjab.

#### ON MERITS

1. In the humble submission of the deponent, there are three RAMSAR sites in the State of Punjab i.e. Harike, Kanjli and Ropar. Punjab also has two nationally important wetlands-Nangal and Ranjit Sagar. The State of Punjab has taken necessary measures for the protection and conservation of these wetlands.

It is, therefore, respectfully prayed that in view of the averments made above, the application as filed by the petitioner may kindly be dismissed qua the State of Punjab, respondent No. 27.

*Noelima Jorath*  
DEPONENT 29/1/16

*AL*

#### VERIFICATION:

Verified at Chandigarh on this 29<sup>th</sup> day of January, 2016 that the contents of the aforesaid affidavit are true and correct to my knowledge and belief as derived from the official record and nothing material has been concealed therefrom and all the Annexures attached are true copies of their respective Originals.

*Noelima Jorath*  
DEPONENT 29/1/16

*AL*