

ਪੰਜਾਬ ਸਰਕਾਰ
ਸਾਇੰਸ ਤਕਨੀਕ ਅਤੇ ਵਾਤਾਵਰਣ ਵਿਭਾਗ
(ਸ ਤ ਵ ਸਾਖਾ)

੪੯
੨੫/5
ਨਵੀਂ ਡਾਕ

ਸੇਵਾ ਵਿਖੇ,

ਚੇਅਰਮੈਨ
ਸੈਕਟਰ ਸਕੱਤਰ
27-5-18
ਸਪੋ
ਸਾਇੰਸ
29-5-2018
ਸ.ਯ.ਮ.
ਸਪੋ
29/5/18
ਸੁ(ਮਾਮਲਾ)
29/5/18

1. ਮੈਂਬਰ ਸਕੱਤਰ,
ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਕੰਟਰੋਲ ਬੋਰਡ,
ਪਟਿਆਲਾ।
2. ਡਾਇਰੈਕਟਰ ਜਨਰਲ,
ਪੁਸ਼ਪਾ ਗੁਜਰਾਲ ਸਾਇੰਸ ਸਿਟੀ,
ਥਲਾਕਪੁਰ।
3. ਮੁੱਖ ਕਾਰਜਕਾਰੀ ਅਫਸਰ,
ਪੰਜਾਬ ਬਾਓ ਟੈਕਨਾਲੋਜੀ ਇੰਕੁਬੇਟਰ,
- ਐਸ ਸੀ ਓ8, ਫੇਜ਼ 5, ਮੋਹਾਲੀ।
4. ਕਾਰਜਕਾਰੀ ਡਾਇਰੈਕਟਰ,
ਪੰਜਾਬ ਸਟੇਟ ਕੌਂਸਲ ਫੋਰ ਸਾਇੰਸ ਅਤੇ ਟੈਕਨਾਲੋਜੀ,
26 ਸੈਕਟਰ, ਚੰਡੀਗੜ।

: ਮੀਮੋ ਨੰ 10/20/2014) ਸਤਵੰਤ 1240965/1
ਮਿਤੀ, ਚੰਡੀਗੜ : 23-05-2018

ਵਿਸ਼ਾ : Compliance of orders passed by the Hon'ble Punjab and Haryana High Court in LPA No.2460 of 2017 titled as State of Haryana and others Vs.Narinder Pal Singh Arya and others.

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਹਵਾਲੇ ਵਿੱਚ।

2 ਵਿਸ਼ੇ ਅੰਕਿਤ ਮਾਮਲੇ ਸਬੰਧੀ ਆਮ ਰਾਜ ਪ੍ਰਬੰਧ ਵਿਭਾਗ (ਮੈਨੀਟਰਿੰਗ ਸੈਲ) ਵਲੋਂ ਪ੍ਰਾਪਤ ਪੱਤਰ ਮਿਤੀ 10.05.2018 ਸਮੇਤ ਐਡਵੋਕੇਟ ਜਨਰਲ ਪੰਜਾਬ ਦੇ ਪ੍ਰਾਪਤ ਪੱਤਰ ਮਿਤੀ 24.4.2018 ਅਤੇ ਮਾਨਯੋਗ ਕੋਰਟ ਵਲੋਂ ਕੀਤੇ ਗਏ ਹੁਕਮਾਂ ਦੀ ਕਾਪੀ ਇੰਨ ਬਿੰਨ ਪਾਲਣਾ ਹਿੱਤ ਨੱਥੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ।

ਸੁਪਰਡੈਂਟ
ਸੁਪਰਡੈਂਟ

ਪੰਜਾਬ ਸਰਕਾਰ
ਆਮ ਰਾਜ ਪ੍ਰਬੰਧ ਵਿਭਾਗ
(ਮੋਨੀਟਰਿੰਗ ਸੈਲ)

Sub:- Reg:- Compliance of orders passed by the Hon'ble Punjab and Haryana High Court in LPA No 2460 of 2017 titled as State of Haryana and others Vs. Narinder Pal Singh Arya and others.

PSSTE

ਸਮੂਹ ਵਿਸ਼ੇਸ਼ ਮੁੱਖ ਸਕੱਤਰ, ਵਧੀਕ ਮੁੱਖ ਸਕੱਤਰ, ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ, ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ ਕ੍ਰਿਪਾ ਕਰਕੇ ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਵੱਲ ਧਿਆਨ ਦੇਣ ਦੀ ਖੇਚਲ ਕਰਨ ਜੀ।

SSS/Exp/175

ਵਿਸ਼ਾ ਅੰਕਿਤ ਮਾਮਲੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਐਡਵੋਕੇਟ ਜਨਰਲ, ਪੰਜਾਬ ਦੇ ਪੱਤਰ ਨੰ: 9610, ਮਿਤੀ 24-04-2018 ਦੀ ਕਾਪੀ ਸਮੇਤ ਸਹਿਪੱਤਰ ਭੇਜਦੇ ਹੋਏ ਬੇਨਤੀ ਹੈ ਕਿ ਇਨ੍ਹਾਂ ਹੁਕਮਾਂ ਦੀ ਇੰਨ ਬਿਨ ਪਾਲਣਾ ਕਰਨੀ ਯਕੀਨੀ ਬਣਾਉਣ ਦੀ ਖੇਚਲ ਕੀਤੀ ਜਾਵੇ ਜੀ।

16/5/18

17/5/18
STES

ਮੋਨੀਟਰਿੰਗ ਸੈਲ
ਸੁਪਰਡੈਂਟ

ਸੇਵਾ ਵਿੱਖੇ,

ਸਮੂਹ ਵਿਸ਼ੇਸ਼ ਮੁੱਖ ਸਕੱਤਰ, ਵਧੀਕ ਮੁੱਖ ਸਕੱਤਰ,
ਵਿੱਤੀ ਕਮਿਸ਼ਨਰ, ਪ੍ਰਮੁੱਖ ਸਕੱਤਰ ਅਤੇ ਪ੍ਰਬੰਧਕੀ ਸਕੱਤਰ,
ਪੰਜਾਬ ਸਰਕਾਰ।

ਮਿ: ਵਿ: ਪ: ਨੰ: 1/19/2018-1 ਮੋਨ. ਸੈਲ / 6641

ਮਿਤੀ, ਚੰਡੀਗੜ੍ਹ: 10/5/18

10/5/18

111

ਮੋਨੀਟਰਿੰਗ ਸੈਲ
17/5/18

Court Directions
Personal Attention

GOVERNMENT OF PUNJAB
ADVOCATE GENERAL FOR THE STATE
(ADMN. BRANCH)

To

- ✓ 1. The Chief Secretary to Govt. of Punjab,
Punjab Civil Secretariat,
Chandigarh.
- 2. The Additional Chief Secretary to Govt. of Punjab,
Department of Home Affairs & Justice,
Chandigarh.

Memo No.A-1-O-2018/
Dated, Chandigarh the

9610

24/4/18

Subject: Compliance of orders passed by the Hon'ble Punjab and Haryana High Court in LPA No.2460 of 2017 titled as State of Haryana and others Vs. Narinder Pal Singh Arya and another

In compliance
of order
of Hon'ble
SG
24/4
PSGA

KS
25/4
25/4
25/4
C.O.
27/4/18
25/4/18
IMC

Kindly find enclosed herewith copy of order dated 29.01.2018 passed by the Hon'ble Punjab and Haryana High Court and note of Additional Advocate General, Punjab. The Hon'ble High Court has passed the following directions:-

"The Registry is directed to ensure that in future whenever an appeal is filed by the State or any other Agency against a common judgment in a bunch of cases, the details of other cases namely as to whether any appeal has been filed in other cases or not, and if filed, the status thereof, is mentioned by the applicants-appellants and without mentioning thereof no appeal shall be passed by the Registry.

Copies of the order be sent to the Advocate General, Punjab, Haryana, Additional Solicitor General and Asstt. Solicitor General for Union of India and Senior Standing Counsel for Union Territory, Chandigarh for information and compliance. It shall be the duty of the aforesaid officers to communicate the same to other autonomous bodies as well for proper compliance."

2. As directed by the Hon'ble High Court, it is requested that the necessary instructions may be issued to all the Departments, Boards and Corporations for strict compliance of these orders. Copy of order and note of Additional Advocate General, Punjab is enclosed herewith.

3. It is further requested that the receipt of this communication may be acknowledged.

102
26/4/18
103
27-4-18

दि. 25.4.2018
E6797

Officer on Special Duty
for Advocate General, Punjab

24/4/18

3-

9449
23/41

Sub: LPA No. 2460 of 2017 State of Haryana and ors vs. Narinder Pal Singh Arora and anr

Please find enclosed copy of order dated 29.01.2018 passed in above referred appeal for your kind necessary action.

In the said case, though State of Punjab is not party, Hon'ble High Court has directed the Registry of Hon'ble High Court to ensure that if any appeal is filed by State or any of its agency against a common judgment, details of all cases should be mentioned in the memorandum of appeal and without complying such requirement, Registry of Hon'ble High Court has been directed not to pass/clear the appeal filed by State or its agency. The relevant order is reproduced here under:

" The Registry is directed to ensure that in future whenever an appeal is filed by the State or any other Agency against a common judgment in a bunch of cases, the details of other cases namely as to whether any appeal has been filed in other cases or not, and if filed, the status thereof, is mentioned by the applicants-appellants and without mentioning thereof no appeal shall be passed by the Registry.

Copies of the order be sent to the Advocate General of Punjab, Haryana, Additional Solicitor General and Asstt. Solicitor General for Union of India and Senior Standing Counsel for Union Territory, Chandigarh for information and compliance. It shall be the duty of the aforesaid officers to communicate the same to other autonomous bodies as well for proper compliance."

The referred case was again listed on 20.04.2018 and now same stood adjourned to 21.07.2018. On 20.04.2018, Senior Standing Counsel for U.O.I. Sh. Suvir Sehgal appeared and sought time to file affidavit for making compliance of order dated 29.01.2018.

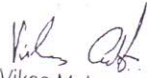
It is also for your kind information that the order was passed on 29.01.2018 but copy of same was not handed over to undersigned or to any other counsel representing before Hon'ble Vith D.B. However, copy of the same was taken on 20.04.2018 from the State Counsel representing State of Haryana. Copy of the said order is enclosed with this letter for your kind perusal.

Since the copy of the order has been ordered to be sent to the office of Advocate General Punjab for information and compliance, therefore your goodself directions are required with respect

Add its enclosure
compliance
Arora
23/41

RA

→ -
Further course of action to be initiated at the time of filing of said appeal or by any other agency of State of Punjab. Also your good directions are required whether any affidavit of compliance has to be filed on behalf of office of Advocate General, Punjab.


(Vikas Mohan Gupta)
Addl. AG Punjab

Ld. Advocate General Punjab.

3-

9449
23/41

Sub: LPA No. 2460 of 2017 State of Haryana and ors vs. Narinder Pal Singh Arya and anr

Please find enclosed copy of order dated 29.01.2018 passed in above referred appeal for your kind necessary action.

In the said case, though State of Punjab is not party, Hon'ble High Court has directed the Registry of Hon'ble High Court to ensure that if any appeal is filed by State or any of its agency against a common judgment, details of all cases should be mentioned in the memorandum of appeal and without complying such requirement, Registry of Hon'ble High Court has been directed not to pass/clear the appeal filed by State or its agency. The relevant order is reproduced here under:

" The Registry is directed to ensure that in future whenever an appeal is filed by the State or any other Agency against a common judgment in a bunch of cases, the details of other cases namely as to whether any appeal has been filed in other cases or not, and if filed, the status thereof, is mentioned by the applicants-appellants and without mentioning thereof no appeal shall be passed by the Registry.

Copies of the order be sent to the Advocate General of Punjab, Haryana, Additional Solicitor General and Asstt. Solicitor General for Union of India and Senior Standing Counsel for Union Territory, Chandigarh for information and compliance. It shall be the duty of the aforesaid officers to communicate the same to other autonomous bodies as well for proper compliance."

The referred case was again listed on 20.04.2018 and now same stood adjourned to 21.07.2018. On 20.04.2018, Senior Standing Counsel for U.O.I. Sh. Suvir Sehgal appeared and sought time to file affidavit for making compliance of order dated 29.01.2018.

It is also for your kind information that the order was passed on 29.01.2018 but copy of same was not handed over to undersigned or to any other counsel representing before Hon'ble Vth D.B. However, copy of the same was taken on 20.04.2018 from the State Counsel representing State of Haryana. Copy of the said order is enclosed with this letter for your kind perusal.

Since the copy of the order has been ordered to be sent to the office of Advocate General Punjab for information and compliance, therefore your goodself directions are required with respect

Add to ensure compliance
Aryas
23/4

RA

4 -
further course of action to be initiated at the time of filing of said appeal or by any other agency of State of Punjab. Also your good directions are required whether any affidavit of compliance has to be filed on behalf of office of Advocate General, Punjab.

Vikas Mohan Gupta
(Vikas Mohan Gupta)
Addl. AG Punjab

Ld. Advocate General Punjab.

LPA No 2460 of 2017 (O&M)

State of Haryana and others

v.

Narender Pal Singh Arya and another

Present:- Mr. Samarth Sagar, Addl. Advocate General, Haryana.

Present intra-court appeal has been filed against the common judgment of learned Single Judge, whereby a bunch of 52 writ petitions was disposed of. The appeal is also accompanied by an application seeking condonation of 409 days in filing thereof.

There is no mention about the status of remaining 51 other cases, which were decided by the learned Single Judge along with the writ petition in question.

The application seeking condonation of delay is not forthcoming with any explanation about the action taken against the officers or officials who were at fault in not taking timely action for filing the appeal as a result of which delay of 409 days occurred in filing of the appeal.

There are several matters where intra-court appeals are being filed against the orders passed by the learned Single Judge disposing of bunch of petitions. Appeals are being filed by the State or other autonomous bodies but without mentioning the details of other cases which were disposed of together by the learned Single Judge.

The Registry is directed to ensure that in future whenever an appeal is filed by the State or any other Agency against a common judgment in a bunch of cases, the details of other cases namely as to whether any appeal has been filed in other cases or not, and if filed, the status thereof, is

mentioned by the applicants-appellants and without mentioning thereof no appeal shall be passed by the Registry.

Copies of the order be sent to the Advocates General of Punjab, Haryana, Additional Solicitor General and Asstt. Solicitor General for Union of India and Senior Standing Counsel for Union Territory, Chandigarh for information and compliance. It shall be the duty of the aforesaid Officers to communicate the same to other autonomous bodies as well for proper compliance.

On request, adjourned to 09.03.2018.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

29.01.2018
rajesh.k.khurana

Whether speaking /reasoned : Yes / No
Whether Reportable : Yes / No

ਪਿੱਠ ਅੰਕਣ ਨੰ ਅਮਲਾ/ਸਅ-6/2018/ਨੰ. 18125-14 ਮਿਤੀ 14/6/18

ਉਕਤ ਦਾ ਉਤਾਰਾ ਹੇਠ ਲਿਖਿਆਂ ਨੂੰ ਭੇਜਕੇ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਆਪ ਆਪਣੇ ਅਧੀਨ ਕੰਮ ਕਰ ਰਹੇ ਅਧਿਕਾਰੀਆਂ/ਕਰਮਚਾਰੀਆਂ ਨੂੰ ਸਰਕਾਰ ਦੀਆਂ ਹਦਾਇਤਾਂ ਨੋਟ ਕਰਵਾ ਦਿਤੀਆਂ ਜਾਣ।

- 1) ਮੁੱਖ ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਪਟਿਆਲਾ-ਲੁਧਿਆਣਾ-ਜਲੰਧਰ, ਬਠਿੰਡਾ।
- 2) ਸਪੈਸ਼ਲ ਸਕੱਤਰ, (ਜਨਰਲ ਅਤੇ ਪਲਾਨਿੰਗ), ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਮੋਹਾਲੀ।
- 3) ਸੀਨੀਅਰ ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਜ਼ੋਨਲ ਦਫਤਰ-1/2, ਪਟਿਆਲਾ/1-2, ਲੁਧਿਆਣਾ/ਅਮ੍ਰਿਤਸਰ/ਜਲੰਧਰ/ਬਠਿੰਡਾ।
- 4) ਸੀਨੀਅਰ ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਹੈਡ ਕੁਆਟਰ-1/2/3, ਪਟਿਆਲਾ।
- 5) ਸੀਨੀਅਰ ਵਿਗਿਆਨਕ ਅਫਸਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਪਟਿਆਲਾ
- 6) ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਖੇਤਰੀ ਦਫਤਰ, ਪਟਿਆਲਾ, ਲੁਧਿਆਣਾ-1/2/3/4, ਜਲੰਧਰ, ਅਮ੍ਰਿਤਸਰ, ਹੁਸ਼ਿਆਰਪੁਰ, ਬਟਾਲਾ, ਸ੍ਰੀ ਫਤਿਹਗੜ ਸਾਹਿਬ, ਸੰਗਰੂਰ, ਬਠਿੰਡਾ, ਫਰੀਦਕੋਟ ਅਤੇ ਮੋਹਾਲੀ।
- 7) ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਉਸਾਰੀ, SEAC, RTI, HWM ਪਟਿਆਲਾ।
- 8) ਵਾਤਾਵਰਣ ਇੰਜੀਨੀਅਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਕੰਪਿਊਟਰ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਉਕਤ ਸਰਕੂਲਰ ਨੂੰ ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ ਦੀ ਵੈਬ ਸਾਈਟ ਤੇ ਪਲੇਸ ਕੀਤਾ ਜਾਵੇ ਜੀ।
- 9) ਡਿਪਟੀ ਕੰਟਰੋਲਰ(ਵਿੱਤ ਤੇ ਲੇਖਾ), ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਪਟਿਆਲਾ।
- 10) ਡਿਪਟੀ ਡਾਇਰੈਕਟਰ (ਪੀ ਆਰ), ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਪਟਿਆਲਾ।
- 11) ਪੀਏ ਟੁ ਚੇਅਰਮੈਨ, ਪੀ ਐਸ ਟੁ ਮੈਂਬਰ ਸਕੱਤਰ, ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ, ਪਟਿਆਲਾ।

ਜਰਨੈਲ ਕੰਟ 14/6/18
ਸਹਾਇਕ ਪ੍ਰੋਜੈਕਟ ਅਫਸਰ