

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 413/2021**

**IN THE MATTER OF:**

BIKRAMJEET SINGH SHERGILL

..... Applicant

V/s

STATE OF PUNJAB & ORS.

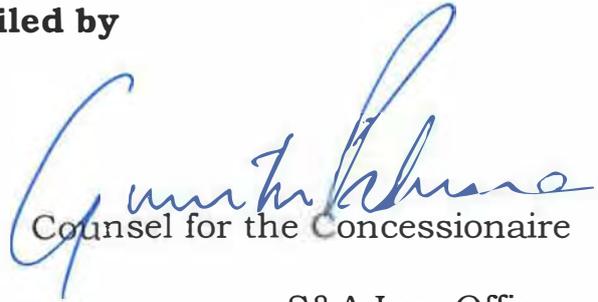
..... Respondent

**INDEX**

S. NO.	PARTICULARS	PG. NO.
1.	ACTION PLAN ON BEHALF OF M/S JITF URBAN WASTE MANAGEMENT (BATHINDA) LIMITED PURSUANT TO THE DIRECTION OF THE HON'BLE TRIBUNAL DATED 05.05.2025 ALONG WITH AFFIDAVIT	1 - 15
2.	<b>ANNEXURE R-1-</b> A COPY OF THE BOARD RESOLUTION DATED 16.05.2025	16

3.	<b>ANNEXURE R-2:</b> A COPY OF THE CONCESSIONAIRE's LETTER DATED 01.04.2025	17
4.	PROOF OF SERVICE	18

**Filed by**

  
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Date: 22.07.2025

Place: Bathinda

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
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**ACTION PLAN ON BEHALF OF M/S JITF URBAN WASTE  
MANAGEMENT (BATHINDA) LIMITED PURSUANT TO THE  
DIRECTION OF THE HON'BLE TRIBUNAL DATED 05.05.2025**

**Most Respectfully Showeth:**

1. The present action plan is being filed on behalf of the M/s JITF Urban Waste Management (Bathinda) Ltd. ("the Concessionaire"), which is the Concessionaire of the Municipal Solid Waste Processing Facility at Bathinda. The

present reply is being filed through Mr. Sanjiv Verma, who is authorized on behalf of the Concessionaire via board resolution dated 16.05.2025. A copy of the Board resolution dated 16.05.2025 is attached herewith and marked as **Annexure R-1.**

2. That the Hon'ble NGT, vide order dated 09.12.2024, directed the Concessionaire to file an additional reply/response mentioning the complete details regarding RDF, compost, inert waste lying with it and an action plan for disposal thereof in accordance with the SWM Rules, 2016.
3. In furtherance of the Hon'ble NGT's order dated 09.12.2024, the Concessionaire filed the Additional Response/ Reply dated 04.02.2025 providing the details regarding RDF, compost, inert waste lying with it and an action plan for disposal thereof.
4. Thereafter, the Hon'ble NGT, vide its Order dated 05.05.2025, directed the Concessionaire to file an action plan regarding compliance with Solid Waste Management

Rules, 2016 so far as its contractual assignment is concerned. As a result, the Concessionaire is filing the present reply/response.

5. It is humbly submitted that the contents of the Concessionaire's reply dated 22.05.2023, 18.11.2023, 24.10.2024, 09.12.2024 and 04.02.2025 may be read along with and treated as part and parcel of the present reply, which is not being reiterated to avoid prolixity.

**RESPONDENT NO. 3 IS OPERATING THE PROCESSING FACILITIES SITUATED AT MANSA ROAD, BATHINDA**

6. Before handing over the Collection and Transportation (C&T) operations to MC Bhatinda w.e.f. 01.05.2018, as per the direction of the Hon'ble NGT in the matter of Captain Mall Singh & Ors Vs State of Punjab & Ors. (Appeal No. 70 of 2012), the Concessionaire was undertaking the Collection and Transportation of Municipal Solid Waste (MSW) in the Bathinda Cluster in terms of the Concession Agreement. A copy of the Order dated 01.12.2017 and 16.01.2018 of Hon'ble NGT is annexed by the

Concessionaire as Annexure 12 in its Reply dated 22.05.2023 and Annexure R2/6 in its Reply dated 18.12.2023 filed before the Hon'ble NGT.

7. However, the Hon'ble NGT vide Order dated 01.12.2017 and 16.01.2018, passed in the matter mentioned above, observed that the primary responsibility to manage MSW is with MC Bhatinda and therefore, it must own its responsibility in discharging its constitutional and statutory functions with utmost sincerity and without delay. It is pertinent to state that MC Bathinda was directed to supply 300 MT of MSW to the Concessionaire.
8. Accordingly, the MC Bathinda took over the responsibility of the C&T operations in the Bathinda Cluster w.e.f. 01.05.2018.
9. It is stated that from 2018 to December 2023, MC Bhatinda has not been able to supply 300 TPD and has on average, provided 100-120 TPD only. The MSW 100-120 TPD supplied by MC Bathinda is as per the records maintained

by the Concessionaire and shared with MC Bhatinda regularly.

10. The Concessionaire is operating the Processing Facilities situated at Mansa Road as per the Concession Agreement dated 23.11.2011 and directions passed by the Hon'ble NGT from time to time.
11. The Concessionaire, in its additional reply/ response dated 04.02.2025 filed before the Hon'ble NGT, has provided the details RDF, compost, inert waste, etc., lying in the possession of the Concessionaire as on 20.01.2025.
12. The Concessionaire in the present reply is providing the details of the MSW Intake, MSW processed, RDF, compost, inert waste etc. as on 13.07.2025:

<b>Particulars</b>	<b>Qty (MT)</b>
MSW Intake from 20.01.2015 till 13.07.2025	18917.353
MSW Processed from 20.01.2015 till 13.07.2025	18677.4
Semi-Finished - Compost	43585.6
Semi-Finished RDF	45592.61
Finished RDF	956.39
Finished Compost	297.2

Inerts/Rejects	3724.6
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**DISPOSAL OF RDF BY THE CONCESSIONAIRE IS IN ACCORDANCE  
WITH THE SWM RULES, 2016:**

13. Pursuant to the directions issued by the Hon'ble National Green Tribunal (NGT) in its order dated 01.12.2017 in the matter of Capt. Mall Singh, the State Government, including Municipal Corporation (MC) Bathinda, was mandated to pass appropriate orders for the distribution of Refuse Derived Fuel (RDF) produced by the Concessionaire to biomass and cement plants across Punjab. A copy of the Order dated 01.12.2017 and 16.01.2018 of Hon'ble NGT is annexed by the Concessionaire as Annexure 12 in its Reply dated 22.05.2023 and Annexure R2/6 in its Reply dated 18.12.2023 filed before the Hon'ble NGT.

14. The NGT also directed that the said order be implemented without any delay and that its execution be ensured by the concerned authorities.

15. However, despite repeated requests by the Concessionaire from December 2017 to May 2018, no concrete action was taken by MC Bathinda or the State Government to implement the above directions. A copy of letters dated 22.12.2017, 28.02.2018, 31.03.2018 and 23.05.2018 are annexed by Concessionaire as Annexure 15 (Colly) in its Reply dated 22.05.2023 filed before the Hon'ble NGT.
16. This inaction not only hindered RDF disposal but also affected the viability of the waste processing operations as RDF was one of the sources of the revenue for the Concessionaire under the Concession Agreement in terms of Article 7.9 of the Concession Agreement.
17. Furthermore, PPCB, vide its order dt. 05.09.2024, directed 9 Biomass and other plants to make an agreement with the concerned ULB (in the present case Municipal Corporation, Bathinda) and ensure the replacement of 5% of solid fuel used with the RDF and send action taken report to PPCB. A copy of the PPCB order dt. 05.09.2024 is annexed by the Concessionaire as Annexure R-9 in its Reply dated 24.10.2024 filed before the Hon'ble NGT.

18. In any case, Concessionaire has also requested various biomass plants to comply with the Rule 18 of SWM Rules, 2016 and the directions of the PPCB and ensure replacement of 5% of solid fuel used with RDF. A copy of the Concessionaire's letter dated 16.09.2024, 08.10.2024 & 17.10.2024 are annexed as Annexure R-10 (Colly) and Annexure R-13 (Colly) in its Reply dated 24.10.2024 filed before the Hon'ble NGT.
19. However, to the surprise of the Concessionaire, a few plants have refused to take RDF as their 5% fuel, citing technical reasons. A copy of the letters dt. 14.05.2024, 04.10.2024, 07.10.2024, 08.10.2024 are annexed by the Concessionaire as Annexure R-12 (Colly) in its Reply dated 24.10.2024 filed before the Hon'ble NGT.
20. Moreover, the Concessionaire on 21.10.2024 updated the PPCB regarding the status of compliance with its directions dated 05.09.2024 and the response of Industrial Units on the utilization of the RDF produced by the Concessionaire. A copy of the Concessionaire's email dated 21.10.2024 is

annexed by Concessionaire as Annexure R-14 in its Reply dated 24.10.2024 filed before the Hon'ble NGT.

21. That it is pertinent to state that the M/s Ecostan and MC Bathinda are supplying RDF free of cost (as evident from the report of Court Commissioner dated 13.09.2024) which has impacted the supply of RDF by the Concessionaire and consequently the Concessionaire is not able to earn any revenue from disposal of RDF.
22. Moreover, the Concessionaire is consistently pursuing the Industrial units in compliance with PPCB's directions and Solid Waste Management Rules, 2016. A copy of the Concessionaire's letter dated 01.04.2025 is attached herewith and marked as **Annexure R-2.**
23. Thus, it is evident from the above that Concessionaire is taking all steps to approach biomass and other plants. However, it is the biomass plants who are making one or other excuses to not utilize RDF.

24. Thus, active cooperation of MC Bathinda and State Government is required to ensure that the RDF is sold to the biomass plants in the next 4-6 months.
25. In view of the above, Concessionaire through Hon'ble NGT hereby requests MC Bathinda to approach the biomass plants and enter into an agreement with them so that the inventory of RDF can be disposed of as per the SWM Rules.

**MC Bathinda failed to provide the land for Sanitary Landfill**

**Facility (SLF):**

26. That the Rule 15(y) of the SWM Rules, 2016 provides the responsibility of the local authorities towards the establishment of Sanitary Landfill:

*make an application in Form-I for grant of authorisation for setting up waste processing, treatment or disposal facility, if the volume of waste is exceeding five metric tonnes per day including sanitary landfills from the*

*State Pollution Control Board or the Pollution Control Committee, as the case may be;*

27. MC Bathinda was responsible for providing 36.81 acres of land for construction of Sanitary Landfill Facility at village Mandi Khurd. However, the said land was under litigation, and the Hon'ble High Court of Punjab and Haryana had passed an order dated 08.08.2012 to maintain status quo over the said land, and the said land was never provided to the Concessionaire till date and SLF could not be established. The same is a breach of MC, Bathinda's conditions precedent under the Concession Agreement.
28. Further, despite the Concessionaire's repeated requests vide letters dated 15.07.2016, 26.08.2016, 29.08.2016 and 01.06.2018 to have the Environmental Clearance amended with respect to change of land for SLF from Mandi Khurd to Mansa Road, MC, Bathinda has failed to do the same.
29. Due to the acts and omissions of MC, Bathinda, the SLF, as envisioned under the Concession Agreement, could not be established even at the alternate land at Mansa Road,

Bathinda. A copy of the letters dated 15.07.2016, 26.08.2016, 29.08.2016, and 01.06.2018 of the Concessionaire is already annexed with Concessionaire's reply dated 22.05.2023.

30. Thus, as MC, Bathinda has failed to provide the land for SLF and/or get the Environmental Clearance amended for establishment of SLF at the alternate site at Mansa Road, Bathinda, the Concessionaire could not establish SLF.
31. Admittedly, out of the 10 acres of land provided by MC Bathinda to the Concessionaire for the establishment of SLF, MC Bathinda has taken possession of around 4.5 acres of land from the possession of the Concessionaire on 08.07.2024 for legacy waste bio-remediation work.
32. In view of the above, failure of the MC Bathinda in complying with its contractual obligation has resulted in failure of disposal of the inert/Rejects by the Concessionaire. Therefore, the inert lying at the site is not attributable to the Concessionaire.

**Filed by**



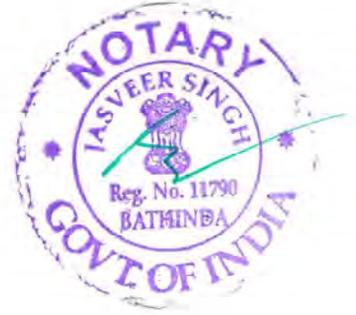
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Mobile No.- 9871059666

Date: 22.07.2025

Place: New Delhi

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
 PRINCIPAL BENCH, NEW DELHI  
 Original Application No. 413/2021



IN THE MATTER OF:

BIKRAMJEET SINGH SHERGILL

..... Applicant

V/s

STATE OF PUNJAB & ORS.

..... Respondent

**AFFIDAVIT**

I Sanjiv Verma, S/o Mr. Uma Shankar Verma aged about 35 years, Working at JITF Urban Waste management Bathinda Ltd. Bathinda ( Punjab ) , do hereby solemnly affirm and state as under:

1. I say that I am duly authorized by the Concessionaire to depose before this Hon'ble Tribunal, and I am also conversant with the facts of the present matter and hence am competent to depose this affidavit



2. That the accompanying action plan has been drafted by my counsel under my instructions.

3. I state that the contents of the same are true and correct to the best of my knowledge and belief, which is based on the records maintained by the Concessionaire, and nothing has been concealed therefrom.

*Verma*  
DEPONENT



**VERIFICATION**



I, Sanjiv Verma, the Deponent above named, do hereby verify that the contents of the above affidavit are true and correct to my knowledge and based on records and no part of it is false and nothing material has been concealed therefrom.

Entered in my Notarial Register  
at Sr No. 431 Register No. 25  
dated 21 07 2025  
Notary

*Verma*  
DEPONENT

**ATTESTED**  
*Jasveer Singh*  
**JASVEER SINGH**  
Advocate & Notary  
Appointed by Govt of India  
Distt Courts Bathinda  
12 1 JUL 2025


**JITF URBAN WASTE MANAGEMENT (BATHINDA) LIMITED**

Jindal ITF Centre, 28 Shivaji Marg, New Delhi - 110015; Tel. No.: 011 - 66463983/84

**CERTIFIED TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF DIRECTORS OF JITF URBAN WASTE MANAGEMENT (BATHINDA) LIMITED AT THEIR MEETING HELD ON FRIDAY, 16<sup>th</sup> MAY, 2025, AT 02.30 P.M. AT JINDAL ITF CENTRE, 28, SHIVAJI MARG, NEW DELHI – 110015.**

“**RESOLVED THAT** Consent of the Board be and is hereby accorded to severally authorize Mr. Birendra Kishore Maji, Director, Mr. Harinder Singh Chandok, Whole-Time Director and Mr. Sanjiv Verma, Deputy Manager of the Company, to issue a termination notice on behalf of the Company for the Concession Agreement and to Sign, execute, and deliver any or all documents, pleadings, affidavits, or applications as may be required and to appear before any court of law, tribunal, NGT or other judicial/quasi-judicial forum and to represent the Company in connection with any disputes, claims, or proceedings initiated by or against the Company and to do all such act(s), thing(s), deed(s) as may be necessary in this regard for and on behalf of the Company.

**RESOLVED FURTHER THAT** a Certified true copy of this resolution be furnished to the concerned under the hands of any Director of the company.”

#CERTIFIED TRUE COPY#

For and on behalf of  
**JITF URBAN WASTE MANAGEMENT (BATHINDA)LIMITED**

**ALOK KUMAR**  
**DIRECTOR**  
**DIN: 00930344**





**JITF URBAN WASTE MANAGEMENT (BATHINDA) LIMITED**  
Jindal ITF Centre, 28 Shivaji Marg, New Delhi - 110015; Tel. No.: 011 - 66463983/84

Ref: JITF/BTI/Apr-01

Date: 01/04/2025

To,  
The Ambuja Cement Limited  
Marwar, Mundwa (Raj).

Kind Attn: Mr. Dilip Katiyar (Senior Manager)

**Sub: Supply of RDF (Shredded)**

Dear Sir,

JITF Urban Waste Management (Bathinda) Limited, which is Concessionaire of Municipal Solid Waste Processing Facilities at Bathinda. We are producing segregated and shredded RDF using double stage ballistic separator Trommel and vibratory screen machine.

We are willing to supply the RDF to your plant site at Ambuj Cement Ltd. Marwar, Mundwa (Raj). The parameter of the RDF stocked is as under:

Source	Size	Moisture	NCV	Ash
Bathinda Municipal Solid Waste	50-70mm	30 % up to	2500 min Kcl	20% up to

For the above parameter material, we quote our best rate as Rs-3000/- per MT GST/taxes will be extra as applicable.

We are looking forward for a healthy and long business relationship and waiting for your kind response in this regard.

For: **JITF URBAN WASTE MANAGEMENT BATHINDA Ltd.**

  
Authorized Signatory

Regd. Office: A-1, UPSIDC Industrial Area, Nandgaon Road, Kosi Kalan, Distt. Mathura (U.P.) - 281403

Tel No.: 05662-232426, 232001-03; Fax No.: 05662-232577

Plant Address: ITI Chowk, Mansa Road, B/s Roshan Oil Mill, Near STP Plant, Bathinda, Punjab -151001

CIN: U90001UP2011PLC069571; E-mail Id: info@jindalecopolis.com

Website : www.jindalecopolis.com

RE: In Bikramjeet Singh Shergill vs. State of Punjab: Reply on behalf of M/S JITF Urban Waste Management (Bathinda) Limited

From Gunita Pahwa <gunita@sandalawoffices.com>

Date Tue 2025-07-22 19:52

To bhanwar09jadon@gmail.com <bhanwar09jadon@gmail.com>

Cc Manish Gopal Singh Lakhawat <Manish.g@sandalawoffices.com>; Kumar Shashwat Singh Sawno <Shashwat@sandalawoffices.com>; Rahul Saraswat <Rahul.s@sandalawoffices.com>

1 attachment (3 MB)

Reply on behalf of Respondent No. 3 (JITF)- 22.07.2025.pdf;

Dear Mr. Jadon

We are concerned for M/s JITF Urban Waste Management (Bathinda) Ltd in the matter of Bikramjeet Shergill v. State of Punjab & Ors.

Kindly find attached herewith the Action Plan on behalf of M/S JITF Urban Waste Management (Bathinda) Limited in furtherance of the Hon'ble NGT's Order dated 05.05.2025

Regards

Thank you

Gunita Pahwa | Joint Managing Partner|



S&A Law Offices

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