

**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**

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URBAN WASTE MANAGEMENT (BATHINDA) LIMITED PURSUANT
TO THE DIRECTION OF THE HON'BLE TRIBUNAL DATED
18.09.2025**

Most Respectfully Showeth:

1. The present reply is being filed on behalf of M/s JITF Urban Waste Management (Bathinda) Ltd. (hereinafter "***the Concessionaire/Respondent No. 3***"), which is the Concessionaire of the Municipal Solid Waste Processing Facility at Bathinda. The present reply is filed through Mr. Sanjiv Verma, who is authorized on behalf of Respondent No. 3 vide board resolution dated 07.08.2025. **A copy of the Board**

Resolution dated 07.08.2025 is annexed herewith and marked as Annexure R-1.

2. The Hon'ble NGT, vide Order dated 18.09.2025, directed the Respondent No.3 to file an additional response with respect to all aspects of performance of its contractual obligations in terms of the Concession Agreement dated 23.11.2011 pertaining to performance, non-performance, claims, counter claims, proposed action for compliance/ performance with respect to all aspects of collection, transportation, processing and disposal of solid waste with all requisite details as may be required.
3. In compliance with the aforesaid Order and direction dated 18.09.2025 of the Hon'ble NGT, Respondent No. 3 is filing the present additional response/reply.
4. It is humbly submitted that the contents of Respondent No. 3's reply dated 22.05.2023, 18.11.2023, 24.10.2024, 09.12.2024, 04.02.2025, 22.07.2025 and 17.09.2025 may be read along with and treated as part and parcel of the present reply, which is not being reiterated to avoid prolixity.

5. The Concession Agreement dated 23.11.2011 was executed between the Municipal Corporation, Bathinda (hereinafter referred to as "*Concessionary Authority/ Respondent No. 2*"), Department of Local Government and a Consortium of JITF Urban Infrastructure Ltd. and M/s Ladurner Impainti S.r.l. for development of an Integrated MSW Management Project which includes the collection, transportation, processing and disposal of MSW for the Bhatinda Cluster (hereinafter referred to as "*Concession Agreement*"). A copy of the Concession Agreement dated 23.11.2011 has been filed as Annexure 2 with the Reply dated 22.05.2023 filed by Respondent No. 3.

I. OBLIGATION OF RESPONDENT NO. 3 WITH RESPECT TO THE COLLECTION AND TRANSPORTATION OF SOLID WASTE:

6. Respondent No. 3 was obligated to perform the collection and transportation of the solid waste, whereby, in terms of Article 5 read with Annexure 3 of the Concession Agreement, Respondent No. 3 was required:
- i. to ensure door-to-door collection of solid waste from the waste generator, i.e. from all residential, commercial and industrial establishments generating MSW and located within the municipal boundaries of all Other Cluster ULBs;

- ii. to procure and place collection containers/bins at Secondary Collection Points;
 - iii. to ensure transportation of MSW, street sweeping and drain desilting waste from Secondary Collection Points to the Transfer Stations, Processing Facilities and/or Sanitary Landfill Site, depending on the quality of waste;
 - iv. to establish and run a complaint redressal;
 - v. to maintain an adequate number of compliant vehicles to meet service levels at all times.
7. It is submitted that after execution of the Concession Agreement on 23.11.2011, Respondent No. 3 commenced its obligations under the Concession Agreement regarding the collection and transportation of solid waste in the Bathinda Cluster from 11.12.2011.
8. Pertinently, Respondent No. 3 complied with each of its obligations under the Concession Agreement regarding the collection and transportation of solid waste, which is evident from the following:
 - a. The Performance Certificate dated 09.01.2014 and 07.10.2015 issued by Respondent No. 2 to Respondent No. 3

certifying the performance of Respondent No. 3 as satisfactory. It is pertinent to state that Respondent no. 3 was undertaking daily door-to-door collection of solid waste in 1,74,000 as against total 1,84,000 (approx.) households in the Bathinda Cluster. Moreover, the number of vehicles in operation for solid waste collection and transportation: (a) Rickshaw- 575, (b) Mini Tipper- 55 and (c) Compactor- 14. The copies of the Performance Certificate issued by Respondent No. 2 to Respondent No. 3, dated 09.01.2014 and 07.10.2015, are annexed as Annexure R-16 and Annexure R-17, respectively, with the Reply 24.10.2024 filed by Respondent No. 3.

- b. The then Commissioner of Respondent No. 2, Mr. Dalwinderjit Singh, filed an affidavit dated 14.08.2014 before the Hon'ble NGT in the matter titled Capt. Mall Singh & Ors. vs. State of Punjab & Ors. (Appeal No. 70 of 2012) deposed the following:
 - i. Project Facilities installed: 198 tri-cycles Rickshaws with a safai sewak each for door-to-door solid waste collection; Two bins of different colours have been provided and total 1,37,000 household bins have been distributed; MSW collected is transported to Secondary Collection Points (55 Points) which are provided with 125 metal bins with openable cover on them; MSW is transported from

secondary collection to dumping site by means of 8 Compactors, 29 Tata ACE/Maximo, and 6 Tractor Trolleys.

- ii. Public Awareness Campaigns: Street plays have been carried out for public awareness for Solid Waste segregation, not littering and the importance of Solid Waste Management; One dedicated vehicle with a display board encouraging not littering, segregating organic/inorganic waste roams in the city; Leaflets were distributed along with two bins in every household at the onset of the project.
- iii. Complaint Redressal System: Complaint redressal system has been provided, two toll-free numbers are given to public for making complaints in case *safai sevak* does not turn up to collect solid waste on any day or they have any complaint regarding littering/street sweeping; The complaints filed by the public were redressed within 24 hours.

A copy of the Affidavit of Mr. Dalwinderjit Singh dated 14.08.2014 filed before the Hon'ble NGT in Capt. Mall Singh & Ors. vs. State of Punjab & Ors. (Appeal No. 70 of 2012) is annexed hereinabove as Annexure R-2.

9. It is most respectfully submitted that when the Respondent No. 3 was undertaking the operations of collection and transportation of solid waste in the Bathinda Cluster, Bathinda city was ranked among the top clean cities in the State of Punjab by the survey conducted by the Government of India under the Swachh Bharat Mission. A copy of the Press Reports of 2017, which confirms that Bathinda was ranked number 2 in Punjab in the index of cleanliness, is annexed as Annexure R-19 with the Reply dated 24.10.2024 filed by Respondent No. 3.
10. In terms of Article 7.3 read with Annexure 13 of the Concession Agreement, Respondent No. 2 was specifically obligated to pay Tipping Fees to Respondent No. 3 for the collection and Transportation of MSW from the Bathinda Cluster to the designated site during the Concession Period.
11. Due to repeated non-compliance by Respondent No. 2, in making the payment of the Tipping Fees to Respondent No. 3, the Hon'ble NGT in the matter of *Capt. Mall Singh & Ors. vs. State of Punjab & Ors. (Appeal No. 70 of 2012)*, vide Order dated 01.12.2017 read with Order dated 21.12.2017 and 16.01.2018 observed that the primary responsibility to manage the MSW in the state is of the Respondent No. 1 and Respondent No. 2. Accordingly, the Hon'ble NGT, with the consent of the parties including Respondent No. 2 and Respondent No. 3, directed

that the C&T operations would be closed by the Respondent No. 3 and undertaken by the Respondent No. 2 with effect from 01.05.2018, and the Respondent No.2 was directed to supply to the Respondent No. 3 w.e.f. 01.05.2018, 300 MT of MSW till construction of the Waste to Energy ("WTE") Plant and 500 MT of MSW upon commissioning of the WTE Plant. Even though the Respondent No. 3 complied with the directions of the Hon'ble NGT, the Respondent No.2 failed to comply with the same. The record establishes that since 01.05.2018, the Respondent No.2 has not supplied 300 MT of MSW even once to the Respondent No. 3.

12. **Orders passed by the Hon'ble NGT in Capt. Mall Singh & Ors. vs. State of Punjab & Ors. (Appeal no. 70 of 2012):** That, during the performance of the respective obligations by the parties, the Hon'ble NGT in the matter titled *Capt. Mall Singh v. State of Punjab & Ors.* (Appeal No. 70 of 2012) passed the following orders and directions:

- a. In the Order dated 01.12.2017 passed by Hon'ble NGT, the Hon'ble NGT observed that the primary responsibility to manage MSW is with Respondent No.2. Moreover, the obligations of C&T of MSW in the Bathinda Cluster were transferred from Respondent No.3 to Respondent No. 2. Further, Respondent No.2 was directed to provide 300 MT of waste from Bathinda Cluster to Respondent No. 3. On the other hand, Respondent No.3 was to operate the

Processing Facilities and process the MSW supplied by Respondent No.2. It is also stated in the Order that "*these directions have been provided upon consent and agreement of the parties*". A copy of the Hon'ble NGT's Order dated 01.12.2017 is annexed as Annexure-12 in the Reply dated 22.05.2023 filed by Respondent No. 3.

- b. Respondent No. 2 preferred an application before the Hon'ble NGT stating its difficulty in mobilization of resources, finances, and arrangements for door-to-door collection of solid waste within a short time. Therefore, the Hon'ble NGT, considering the undertaking given by Respondent No. 2, for payment of 30 lakhs approx. per month to Respondent No. 3 for continuing the operations of C&T of MSW, directed Respondent No. 3 to continue the operations till 31.01.2018. A copy of the Hon'ble NGT's Order dated 21.12.2017 is annexed and marked as Annexure R-3 in the Reply dated 24.10.2024 filed by Respondent No. 3.
- c. Respondent No. 2 once again filed a review /modification application before the Hon'ble NGT seeking six months to arrange and finalise the modalities for taking over the C&T Operations of MSW in Bathinda Cluster. The Hon'ble NGT vide order dated 16.01.2018 granted time to Respondent No. 2 till 31.01.2018 to take over the C&T Operations from Respondent No. 3 and directed Respondent No. 2 to

undertake the C&T obligation in the Bathinda Cluster. A copy of the Hon'ble NGT's Order dated 16.01.2018 is annexed as Annexure-R2/6 in its Reply dated 18.12.2023 filed by Respondent No. 3.

13. **Respondent No. 2 has been undertaking the collection and transportation of solid waste since 01.05.2018:** That pursuant to the directions of the Hon'ble NGT in its Order dated 16.01.2018, Respondent No. 2 vide its letter dated. 13.02.2018, informed the Respondent No. 3 that Respondent No. 2 is in the process of taking over the MSW C&T operations and requested the Respondent No. 3 to provide a list of vehicles that Respondent No. 2 can hire. A copy of the letter of Respondent No. 2, dated 13.02.2018, is annexed as Annexure R-4 in its Reply dated 24.10.2024 filed by Respondent No. 3.
14. In addition, Respondent No. 2 also conducted a meeting on 05.03.2018 with all the ULBs of Bathinda Cluster and advised the EOs of all ULBs to prepare a plan for door-to-door C&T as per their available and planned resources to be deployed for these activities. Respondent No. 2 further directed the ULBs to submit their plan of taking over the C&T operations of MSW by 09.03.2018. A copy of the minutes of the meeting dated 05.03.2018 is annexed as Annexure R-5 in the Reply dated 24.10.2024 filed by Respondent No. 3.

15. Further, on 17.04.2018, various ULBs of Municipal Corporation, Bathinda, undertook to send the daily MSW collected to the Bathinda Processing Facility from 01.05.2018 onwards. Copies of the letters dated 17.04.2018, along with their true translation, are annexed as Annexure R-6 (Colly) in the Reply dated 24.10.2024 filed by Respondent No. 3.
16. Respondent No.3 vide its letter dated 30.04.2018, informed the Respondent No. 2 that it will not continue with C&T operations MSW from the entire Bathinda Cluster from 01.05.2018, and it has discharged/terminated its manpower contracts and all relevant subcontracts w.e.f. 30.04.2018 with regard to C&T operation. Additionally, it was informed that Respondent No.3 shall not be liable or responsible for any action or activity in relation to, connected to, or incidental to C&T of MSW in Bathinda Cluster from 01.05.2018. The same shall be the whole and sole responsibility of Respondent No. 2, which in any case is the statutory obligation of Respondent No. 2. A copy of the Respondent No. 3 letter dated 30.04.2018 is annexed as Annexure R-8 in the Reply dated 24.10.2024 filed by Respondent No. 3.
17. On 23.10.2018, the Respondent No.2 and the Respondent No.3 executed an MOU for the hiring of 5 Mini Tippers for a period of 2 months. Under the MoU, Respondent No.2 was responsible for the operational expenses (*Minor maintenance, fuel, and*

driver cost), while Respondent No.3 was responsible for statutory compliance and major maintenance. A copy of the MOU dated 23.10.2018 is annexed as Annexure-R-7 in the Reply dated 24.10.2024 filed by Respondent No. 3.

18. Accordingly, Respondent No. 2 took over the obligation of the C&T operations in the Bathinda Cluster w.e.f. 01.05.2018 and till date, Respondent No. 2 is undertaking the C&T operations of MSW only in Bathinda and not in the entire Bathinda Cluster.
19. The Hon'ble NGT passed the Orders dated 01.12.2017 and 16.01.2018 with the consent and agreement of the parties, and accordingly, Respondent No. 2 and Respondent No. 3 are continuing to perform their respective obligations.
20. It is pertinent to submit that the Orders passed by the Hon'ble NGT dated 01.12.2017 and 16.01.2018 were never challenged by Respondent No. 2. Furthermore, even in the arbitration proceedings, Respondent No. 2 did not challenge the scope of its obligation, which includes the C&T of MSW in the Bathinda Cluster. Moreover, Respondent No. 2 claimed the cost of C&T operations; however, the same was rejected by the Ld. Tribunal in light of judicial orders of the Hon'ble NGT dated 01.12.2017 and 16.01.2018. A copy of the Arbitral Award is annexed as Annexure-4 in the Reply dated 22.07.2025 filed by Respondent No. 2.

21. Further, the Respondent No. 2 in the present matter before the Hon'ble NGT has never disputed its obligation of performing the C&T of MSW in any of its reply /response filed before the Hon'ble NGT. It is submitted that the Respondent No. 2, in its reply dated 22.07.2025, has itself admitted that pursuant to the Arbitral Award dated 21.05.2025, the Respondent No. 3 has to fulfil its contractual obligations of processing and management of the Solid Waste Management facility situated at Mansa Road, Bathinda.

II. OBLIGATION OF RESPONDENT NO. 3 WITH RESPECT TO THE PROCESSING AND DISPOSAL OF SOLID WASTE:

22. In terms of Article 5 read with Annexure 3 of the Concession Agreement, the obligations of Respondent No. 3 in respect to processing and disposal of the solid waste encompass the following:

- i. Setting up of Processing facilities ("Processing Facilities") comprising Compost Facility, and Recycling-Fluff recovery unit (RDF) to be able to process MSW from Cluster ULBs;
- ii. To develop and operate the Engineered Sanitary Landfill Site at designated Site(s) as per Annexure 5, during the Term of the project;

- iii. To process MSW at the Processing Facilities using appropriate technology, which shall comprise of Compost Plant, the RDF plant and the Power plant (optional);
- iv. To transport and dispose-off the inert matter/Residual Inert Matter/processing rejects from Processing Facilities or elsewhere in the Cluster to the Engineered Sanitary Landfill Site, subject to the same meeting the specified norms

23. **Establishment of Processing Facilities:** Processing Facilities under the Concession Agreement are defined as “*the infrastructure to be created for processing of MSW prior to its final disposal at the Sanitary Landfill Site, as detailed in Annexure 2*”. In terms of Annexure 2 of the Concession Agreement, the Processing Facilities have been described as follows:

Processing Facilities shall mean the infrastructure to be created for processing of MSW prior to its final disposal at Sanitary Landfill Facility. Processing Facilities shall comprise Compost Plant, Refuse Derived Fuel (RDF) Plant and Power Plant (optional).

Processing Facilities for the Project shall be developed at Site indicated in Annexure 5. More details related to the Site are available in Annexure 5. The Processing Facilities shall

be of a capacity that is able to process the entire MSW generated from all Cluster ULBs during the Term of the Agreement.

24. **Site for Processing Facility:** As per Article 2.2.3.1(a) read with Article 2.2.4(b) and Article 3.1(a) of the Concession Agreement, it was the Respondent No. 2's Conditions Precedent-P&D to execute the Project Site Lease Deed and Processing Facilities Site Lease Deed and hand over vacant and unencumbered possession of the Project Site to the Respondent No. 3 in accordance with the Annexure 5 of the Concession Agreement within 120 days from the Appointed Date i.e., by 21.03.2012.
25. In terms of Annexure 5 of the Concession Agreement, 15 Acres of land was required to be provided at Mansa Road, Bathinda by Respondent No. 2 to Respondent No. 3. Accordingly, Respondent No. 2 and Respondent No. 3 executed the Land Lease Agreement dated 01.02.2012 for 20 Acres of land at Mansa Road for Processing Facilities and 36.8 Acres of land at Mandu Khurad for SLF. A copy of the Land Lease Agreement dated 01.02.2012 is annexed as Annexure 3 with the Reply dated 17.09.2025 filed by Respondent No. 2.
26. It is submitted that the land of 20 Acres provided at Mansa Road, Bathinda, Punjab, for the establishment of Processing Facilities, was not free from encumbrances, as the said land

was being used as a dumping site for more than 20 years, and heaps of garbage were lying on the said land. The then Commissioner of Respondent No. 2, Mr. Uma Shankar Gupta, in his Affidavit dated 16.08.2013 filed before the Hon'ble NGT in Capt. Mall Singh vs. State of Punjab & Ors. (Appeal No. 70 of 2012) stated that:

4. That the plot of land admeasuring about 36 acres in the village Mansa Road, Bathinda, Punjab was being used by the respondent No.3 for the last three decade for dumping/ storage of municipal solid waste.

It may be 'emphasized that over last about 28 years, the average municipal solid waste generation in and around, Bathinda, Punjab has been about 70 MT per day. Presently, it is estimated at about 110 MT Per day.

The municipal solid waste which has accumulated/deposited at the said site is presently about 7,00,000 MT, its volume being approximately 9,00,000 Cum. (if density is taken 800 Kg per Cum.).

6. That it may he emphasized that the entire dumping site which was full of municipal solid waste is being cleaned, and the entire garbage which was spread all over the

dumping ground measuring 36 acres is being scraped and piled up and is covered with good earth.

A copy of the Affidavit of Mr. Uma Shankar Gupta (the then Commissioner of Respondent No. 2) dated 16.08.2013 filed before the Hon'ble NGT in Capt. Mall Singh & Ors. vs. State of Punjab & Ors. (Appeal No. 70 of 2012) is annexed herewith and marked as Annexure R-3.

27. Furthermore, the then commissioner of Respondent No. 2, Mr. Dalwinderjit Singh, in his affidavit dated 14.08.2014 filed before the Hon'ble NGT in Capt. Mall Singh & Ors. vs. State of Punjab & Ors. (Appeal No. 70 of 2012) has stated that:

6. The dumping site located at ITI Chowk, Mansa Road, Bathinda is being used for dumping of solid waste for last 30 years. All of the old waste deposited at site has been covered with soil.

A copy of the Affidavit of Mr. Dalwinderjit Singh (the then Commissioner of Respondent No. 2) dated 14.08.2014 filed before the Hon'ble NGT in Capt. Mall Singh & Ors. vs. State of Punjab & Ors. (Appeal No. 70 of 2012) is annexed hereinabove as Annexure R-2.

28. It is stated that vacant and unencumbered possession of the land for the establishment of the Processing Facilities was provided to Respondent No. 3 by Respondent No. 2 only on 25.11.2014 (i.e. after a delay of more than two years and eight months).
29. **Establishment of Processing Facilities:** It is submitted that for the establishment of the Processing Facilities at the Site provided by Respondent No. 2, Respondent No. 3 applied for the Consent to Establish (*hereinafter referred to as CTE*) on 08.07.2013, which was subsequently granted on 29.10.2013 by the Punjab Pollution Control Board i.e., Respondent No. 4. **The copies of Respondent No. 3's application for CTE to Respondent No. 4 dated 08.07.2013 and the CTE dated 29.10.2013 granted by Respondent No. 4 are annexed herewith and marked as Annexure R-4 and Annexure R-5, respectively.**
30. Pertinently, after obtaining the CTE and the vacant and unencumbered Site from Respondent No. 2, Respondent No. 3 designed, engineered and installed the 350 Tonnes Per Day ("**TPD**") MSW Processing Facilities as per the terms of the Concession Agreement and in compliance with the relevant engineering standards and guidelines. The Processing Facilities established at Mansa Road, Bathinda, have been operational since October 2015.

31. It is stated that the Processing Facilities, besides others, consist of equipment required for processing of the MSW for production of RDF and compost conforming to the standard quality parameters. All the equipment and machinery installed have been engineered as per the standards for processing 350 TPD of MSW.
32. Respondent No. 2 in its Reply dated 22.07.2025, filed before the Hon'ble NGT, has stated that:

“Municipal Corporation Bathinda executed an agreement with M/s JITF Urban Waste Management Bathinda Ltd. to manage MSW of Bathinda city. M/s JITF has established a waste processing facility at Mansa Road, Bathinda, of 350 TPD. It is operational since October 2015. At present, 110 TPD of solid waste is being processed by M/s JITF Urban Waste Management (Bathinda) Ltd. Secondary mechanical segregation is carried out at this waste processing facility. Recyclables, RDF & Compost are produced this waste processing facility.”

33. The Respondent No. 3 has also put in place the required facilities, systems and trained manpower for smooth plant operations and maintenance of the Processing Facilities. The Processing Facilities are being operated and maintained as per standard practice and as per the terms of the Concession Agreement.

34. Furthermore, Respondent No. 3 obtained the Consent to Operate (*hereinafter referred to as CTO*) for the Processing Facilities from the Punjab Pollution Control Board dated 23.03.2016 under the Air (Prevention & Control of Pollution) Act, 1981 and Water (Prevention & Control of Pollution) Act, 1974, for operating the Processing Facilities established at Mansa Road, Bathinda which was further renewed by the Respondent No. 3 from time to time. **A copy of the CTO dated 23.03.2016 granted by Respondent No. 4 for the Processing Facilities at Mansa Road, Bathinda, is annexed herewith and marked as Annexure R-6.**
35. Thereafter, the Respondent No. 4 in the meeting dated 28.02.2023, wherein Respondent No. 2 was also present, directed the Respondent No. 2 to apply for the CTO "*as the consents are to be obtained by the Custodian, i.e., Municipal Corporation, Bathinda*". A copy of the Minutes of Meeting dated 28.02.2023 is annexed as Annexure 18 with the Reply dated 22.05.2023 filed by Respondent No. 3.
36. Accordingly, since 2023, Respondent No. 2 has been applying and obtaining the renewal of the CTO from Respondent No. 4. Respondent No. 2, in its Reply dated 22.07.2025, filed before the Hon'ble NGT, has stated that:

“MC Bathinda has got consent from PPCB upto 30.06.2025, and renewal application has already been submitted for CTO to PPCB dated 02.07.2025”

37. It is most respectfully submitted that Respondent No. 3 is maintaining and operating the Processing Facilities in terms of the Concession Agreement and Solid Waste Management Rules, 2016. Furthermore, neither any penalty/Environmental compensation till date has been levied upon the Respondent No. 3, nor any adverse action has been taken by any statutory authorities against the functioning of the Respondent No. 3.
38. **Establishment of Disposal Facilities:** Sanitary Landfill as defined under the Concession Agreement *“means the engineered sanitary landfill site to be developed, constructed and operated by the Concessionaire at one of the Site(s), in conformance with the MSW Rules or any revision thereof, for disposal of Residual Inert Matter and Rejected Waste in accordance with the Scope of Works”*.
39. In terms of Article 2.2.3.1(a) read with Annexure 5 of the Concession Agreement, it was the obligation of Respondent No. 2 to provide vacant and unencumbered 36.8 Acres of land at Village Mandi Khurad for the establishment of a SLF for the disposal of inert waste. Accordingly, Respondent No. 2 and Respondent No. 3 executed the Land Lease Agreement dated

01.02.2012 wherein the 36.8 Acres of land at Village Mandi Khurad was provided to the Respondent No. 3. A copy of the Land Lease Agreement dated 01.02.2012 is annexed as Annexure 3 with the Reply dated 17.09.2025 filed by Respondent No. 2.

40. However, the aforesaid land of 36.8 Acres was under litigation since November 2011 in Civil Writ Petition No. 21960/2011 titled as *Jarnail Singh & Ors. vs. State of Punjab & Ors.*, and the Hon'ble High Court of Punjab and Haryana had passed an Order dated 08.08.2012 directing to maintain status quo over the said land. A copy of the Order dated 08.08.2012 passed by the Hon'ble High Court of Punjab and Haryana is annexed as Annexure R-3 with the Reply dated 04.02.2025 filed by Respondent No. 3.
41. Since the 36.8 Acres of land at Mandi Khurad could not be utilised for the establishment of SLF, upon request of the Respondent No. 3, Respondent No. 2 provided an alternative land of 10 acres temporarily at Mansa Road, Bathinda, to the Respondent No. 3 for the establishment of SLF only in July 2016. However, the SLF could not be established by the Respondent No. 3 upon the additional 10 acres of land provided at Mansa Road for the reasons explained below. A copy of the lease deed dated 14.07.2016 is annexed as Annexure R-4 with the Reply dated 04.02.2025 filed by Respondent No. 3.

42. It is pertinent to state that the Environmental Clearance dated 30.08.2012 (*hereinafter to be referred as EC dated 30.08.2012*) obtained by the Respondent No. 2 was granted by the State Environmental Impact Assessment Authority was for “*establishment of an Integrated Municipal Solid Waste Management Facility at Mansa Road, Bathinda within M.C. limits in an area of 20 acres to handle 350 TPD of MSW and establishment of ‘Engineered Sanitary Landfill Facility in an area of 36.8 acres in the revenue estate of Village Mandi Khurad, District Bathinda’*”. A copy of the Environmental Clearance dated 30.08.2012 is annexed as Annexure R-2 with the Reply dated 04.02.2025 filed by Respondent No. 3.

43. Furthermore, General Condition number XVIII of the EC dated 30.08.2012 provides the following:

“The Municipal Corporation may apply for the transfer of environmental clearance under EIA notification dated 14.09.2006 to the contractor/operator finalised by it to SEIAA, Punjab. However, no activity shall be undertaken by the operator/contractor till the environmental clearance is transferred in his name and he is lawfully bound to comply with the conditions of the environmental clearance”

44. Thereafter, the Respondent No. 2 made an application for transfer of EC in the name of the Respondent No. 2 on 09.04.2013, and accordingly, the EC was transferred in the

name of Respondent No. 3 on 01.08.2013. A copy of the Order dated 01.08.2013 of SEIAA is annexed as Annexure R-5 with the Reply dated 04.02.2025 filed by Respondent No. 3.

45. Pertinently, General Condition No. vi of the SEIAA Order dated 01.08.2013 provides the following:

Sr. No.	Condition imposed in environmental clearance	Whether the condition is to be complied by the Municipal Corporation, Bathinda or M/s JITF Urban Waste Management (Bathinda) Ltd. or both?
<i>vi</i>	<i>In case of any change(s) in the scope of the project, the project would require a fresh appraisal by the SEIAA.</i>	<i>Municipal Corporation, Bathinda</i>

46. It is submitted that for the establishment of SLF at the alternate land at Mansa Road, an amendment in the EC dated 30.08.2012 and 01.08.2013 would be required, as the same is

a change in the scope of the project. Accordingly, Respondent No. 3 repeatedly requested Respondent No.2 to obtain an amendment in the EC with respect to the change of land for SLF from Mandi Khurd to Mansa Road, however, Respondent No. 2 failed to obtain the amendment in the EC, and hence the SLF 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 Respondent No. 3 are already annexed with Respondent No. 3's reply dated 22.05.2023.

47. **Additional 10 Acres of land at Mansa Road was reclaimed by Respondent No. 2:** The additional 10 acres of land at Mansa Road provided by the Respondent No. 2 to the Respondent No. 3 for the establishment of SLF was encumbered with heaps of garbage/legacy waste. Pertinently, the Joint Committee appointed by the Hon'ble NGT in its report dated 24.08.2022 has made the following observations:

a. The Municipal Corporation, Bathinda has a dump site/ legacy waste site in an area of 12.68 Acres of land at Mansa Road, Bathinda, which is adjacent by STP of capacity 52 MLD (DBR technology) and M/s JITF Urban Waste Management (Bathinda) Ltd. is processing the municipal solid waste generated from the Bathinda city.

b. The Municipal Corporation, Bathinda has installed 01 number trommel in December 2020 and processing around 18-20 TPH of legacy waste. During visit, trommel was found in operation.

c. At present, about 2.35 lacs MT of legacy waste is dumped at the site and 30,000 MT of legacy waste has been processed till date.

48. As per the directions dated 11.09.2020 of Respondent No. 4, the treatment and processing of legacy waste is the obligation of Respondent No. 2. A copy of Respondent No. 4's directions dated 11.09.2020 is annexed as Annexure 17 with the Reply dated 22.05.2023 filed by Respondent No. 3.

49. In addition to the above, Respondent No. 4 in the hearing dated 28.02.2023 directed Respondent No. 2 to attend to all observations regarding the Processing Plant and also speed up with processing of legacy waste. A copy of the minutes of the hearing dated 28.02.2023 is annexed as Annexure 18 with Respondent No. 3's reply dated 22.05.2023 filed by Respondent No. 3.

50. Accordingly, Respondent No. 2 appointed Respondent No. 5 and issued the work order for the Bio-remediation of Legacy Waste at Municipal Solid Waste dumpsite (Mansa Road) and completed the Legacy Waste. Following statements of the

Respondent No. 2, as stated in the Reply dated 28.06.2024, are reiterated for the convenience of the Hon'ble Tribunal:

*That the work order for the Bio-remediation of Legacy Waste at Municipal Solid Waste dumpsite (Mansa Road) Bhatinda had already been issued by way of tender to Ecostan Infra Pvt. Ltd. and the process of bio-remediation has been completed 70%. Further, it is submitted that all the land wherein Legacy waste was lying, was in the possession of JITF. But, due to insistence by PPCB to clear Legacy waste, **MCB took over 10 acres of land from JITF and has completed Legacy waste bio remediation work on this land.** For rest of the land where Legacy waste is lying is still with JITF.*

51. Moreover, the Court Commissioner appointed by the Hon'ble Tribunal in its report dated 13.09.2024 has observed that:

It is stated that 2 Lakh MT of waste has already been processed and disposed off from the site of 10 acre and during inspection, it was found that there is ongoing processing at this site.

52. Therefore, Respondent No. 3 could not establish the SLF.

III. DETAILS OF CLAIMS AND COUNTER-CLAIMS BEFORE THE ARBITRAL TRIBUNAL:

53. The Concession Agreement was terminated by Respondent No. 3 on account of acts and omissions on the part of Respondent No. 2 in fulfilment of its obligations under the Concession Agreement. The acts and omissions of Respondent No. 2, which led to the termination of the Concession Agreement by Respondent 3, are detailed in the Reply dated 18.12.2023, 22.05.2023 and 24.10.2024 filed before the Hon'ble NGT and the same are not being repeated herein for the sake of brevity, but the same may be read as part and parcel of the present additional response.
54. Respondent No. 3 terminated the Concession Agreement on 05.12.2018 with effect from 19.01.2019. Pertinently, all the issues pertaining to the obligations under the Concession Agreement and their compliance and non-compliance are required to be resolved through the Arbitration Agreement as provided under the Concession Agreement. Accordingly, in compliance with the procedure prescribed under the Concession Agreement, Respondent No. 3 invoked Arbitration on 19.03.2019. A copy of the Notice invoking arbitration is annexed as Annexure 6 in its reply dated 22.05.2023 filed by Respondent No. 3.

55. The summary of Claims and Counter-Claims raised in the Arbitration by Respondent No. 2 and Respondent No. 3, along with the summary of findings of the Ld. Arbitral Tribunal in the Arbitral Award dated 21.05.2025 is as follows:

55.1. **Claims of the Respondent No. 3:**

Claim No.	Particulars of the Claim	Decision of the Tribunal	Remarks
1.	Claim of INR 2.24 crore towards non-payment of outstanding tipping fee, INR 0.94 crore towards interest on delayed payments of tipping fee and INR 0.34 crore towards interest on the outstanding tipping fee till 29.06.2019 by Respondent No. 1	Awarded in the sum of INR 1,83,57,074. On this amount, the Claimant is also entitled to interest at the rate provided in Article 7.7 of the CA, i.e., prevailing annual PLR of the SBI.	Respondent No. 2 has remitted the payment Rs. 1.83 Crores towards the outstanding Tipping Fees as awarded by the Ld. Tribunal on 28.07.2025. However, Respondent No. 2 has not remitted the interest on the awarded amount, and the interest on the delayed payment of the Tipping Fee as awarded by the Ld. Tribunal.

			<p>Accordingly, Respondent No. 3 vide its letter dated 21.08.2025 requested Respondent No. 2 to remit the pendente lite interest on awarded amount, interest on delayed payment of Tipping Fee and Future Interest on the awarded amount till its payment. However, till date the aforesaid interest has not been remitted by Respondent No. 2. A copy of Respondent No. 3's letter dated 21.08.2025 is annexed herewith and marked as <u>Annexure R-7.</u></p>
2.	Declaration that the Consultation	Rejected	The Ld. Tribunal's

	<p>Notice and Termination Notice are valid and legal and Claim of INR 99.68 crore along with interest towards the termination payment as per Article 9.8(d)(i) of the Concession Agreement from the Respondents</p>		<p>findings have been challenged by Respondent No. 3 before the District Court, Chandigarh, bearing Arb No. 105/2025 under Section 34 of the Arbitration and Conciliation Act, 1996. Moreover, Respondent No. 3 has also filed an application for stay of the Arbitral Award dated 21.05.2025. The matter is pending and listed on 06.11.2025.</p>
3.	<p>Claim of INR 646.82 crore towards loss of profit to be paid by the Respondent No. 1 to the Claimant</p>	Rejected	<p>The Ld. Tribunal's findings have been challenged by Respondent No. 3 before the District Court, Chandigarh, bearing Arb No. 105/2025 under Section 34 of the</p>

			Arbitration and Conciliation Act, 1996. Moreover, Respondent No. 3 has also filed an application for stay of the Arbitral Award dated 21.05.2025. The matter is pending and listed on 06.11.2025.
4.	Claim of INR 3.3 crore towards return of Performance Security Bank Guarantee No. 00070100006493 dated 11.08.2011 by Respondent No. 1	Rejected	The Ld. Tribunal's findings have been challenged by Respondent No. 3 before the District Court, Chandigarh, bearing Arb No. 105/2025 under Section 34 of the Arbitration and Conciliation Act, 1996. Moreover, Respondent No. 3 has also filed an application for stay of the Arbitral Award dated

			21.05.2025 . The matter is pending and listed on 06.11.2025.
5.	Claim towards pendente lite and future interest	Rejected	The Ld. Tribunal's findings have been challenged by Respondent No. 3 before the District Court, Chandigarh, bearing Arb No. 105/2025 under Section 34 of the Arbitration and Conciliation Act, 1996. Moreover, Respondent No. 3 has also filed an application for stay of the Arbitral Award dated 21.05.2025. The matter is pending and listed on 06.11.2025.
6.	Claim towards Costs	Rejected	The Ld. Tribunal's findings have been challenged

			by Respondent No. 3 before the District Court, Chandigarh, bearing Arb No. 105/2025 under Section 34 of the Arbitration and Conciliation Act, 1996. Moreover, Respondent No. 3 has also filed an application for stay of the Arbitral Award dated 21.05.2025 . The matter is pending and listed on 06.11.2025.
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55.2. Counter-Claims of the Respondent No. 2:

COUNTER-CLAIM NO.	PARTICULARS OF THE COUNTERCLAIMS	DECISION OF THE TRIBUNAL
1	Claim of INR 3,37,28,895 towards Liquidated Damages under Annexure 15 of the Concession Agreement	Rejected
2	Claim of INR 5,22,83,737 towards Penalties under Annexure 18 on account of failure to meet the	Rejected

	Performance Parameters mentioned under Annexure 17.	
4	Claim of INR 60,19,431 towards refund of excess Tipping Fee along with interest	Rejected
3	Claim of INR 26,11,136 towards outstanding Land Lease Payment along with Interest on account of delay & compensation on account of Land used by the Claimant	Awarded in the sum of INR 8,11,140 together with interest on the aforesaid Claim, which is awarded @ prevailing PLR of State Bank of India (as stipulated in Article 15.2 of the CA) from the date of filing of the Counterclaim, i.e., 31.07.2019.
5	Claim of INR 631,94,01,227 towards compensation on account of expenditure incurred by Respondent No. 1 to carry out Door-to-Door collection which was an obligation of the Claimant	Rejected
6	Claim of INR 212,41,42,000 towards compensation on account of expenditure incurred by Respondent No. 1 to carry out other obligations of the Claimant	Rejected

7	Claim of INR 18,23,48,117 towards Closure and Post Closure Maintenance Plan and compensation for remediation of the land used by the Claimant for dumping MSW, which may have to be carried out by Respondent No. 1	Grants liberty to Respondent No. 1 to raise this claim as and when any remedial cost is incurred
8	Claim towards <i>Pendente lite</i> and future interest under the CA and the 1996 Act, and Cost u/s 31 (A) of the 1996 Act	See Counterclaim No. 3 above.

IV. PROPOSED ACTION PLAN FOR COMPLIANCE/PERFORMANCE OF THE OBLIGATIONS UNDER THE CONCESSION AGREEMENT:

56. **Respondent No. 3 is processing the solid waste collected and transported by Respondent No. 2:**

56.1. Respondent No. 3 is operating the Processing Facilities situated at Mansa Road as per the Concession Agreement dated 23.11.2011, Solid Waste Management Rules, 2016 and directions passed by the Hon'ble NGT from time to time.

56.2. Respondent No. 2 is undertaking the collection and transportation of the solid waste in Bathinda City and is providing around 110 TPD, which is being processed by

Respondent No. 3 at the Processing Facilities situated at Mansa Road, Bathinda.

56.3. In view of the above, the Respondent No. 3 is complying with its contractual obligation, Solid Waste Management Rules, 2016 and the directions of the Hon'ble NGT. Respondent No. 3 has always been diligent and committed to comply with provisions of the Solid Waste Management Rules, 2016 and protection and conservation of the Environment. It is also submitted that all necessary steps are being taken by Respondent No. 3 for upkeeping the scientific management of waste being produced. It is also submitted that the Respondent No. 3 has always been compliant with the orders and directions issued by this Hon'ble Tribunal.

FILED BY



Counsel for Respondent No. 3
S&A Law Offices
S&A Tower,
Plot Number 5, 6, 7, Udyog Vihar,
Phase IV, Sector 18,
Gurugram, Haryana
Email: gunita@sandalawoffices.com
Mobile No.- 9871059666

Date: **28.10.2025**

Place: **Bathinda**

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

IN THE MATTER OF:

BIKRAMJEET SINGH SHERGILL

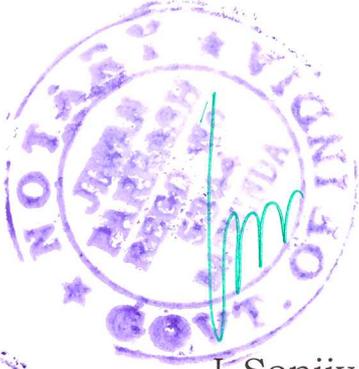
..... Applicant

V/s

STATE OF PUNJAB & ORS.

..... Respondent

AFFIDAVIT



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

1. I say that I am duly authorized by the Respondent No. 3 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 additional response 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.

Sanjiv Verma

DEPONENT

TO BE ENTERED IN MY NOTARIAL REGISTER NO. *28* AT *43* DATE *27/10/25*
WAN PARKASH NOTARY BATHINDA
27 OCT 2025



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.

Sanjiv Verma

DEPONENT

27 OCT 2025

TO BE ENTERED IN THE DEPONENT'S EXECUCENT WITNESS

ATTESTED AS & IDENTIFIED BY
Ma
WAN PARKASH
ADVOCATE CUM
NOTARY BATHINDA

27 OCT 2025

Sanjiv Verma



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 THURSDAY, 07th AUGUST, 2025, AT 02.00 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, Mr. Sanjiv Verma, Deputy Manager of the Company and Mr. Manish Saxena, Authorised Signatory 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 appear on behalf of 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



(61)

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

APPEAL NO.70 OF 2012

IN MATTER OF

Capt. Mall Singh & Othrs.

Vs.

Punjab PCB & Othrs.

Affidavit

by

Commissioner, Municipal Corporation, Bathinda

Affidavit of Sh. Dalwinderjit Singh, PCS, Commissioner, Municipal Corporation, Bathinda before Hon'ble National Green Tribunal in Appeal No. 70 of 2012 titled as Capt. Mall Singh Versus Punjab Pollution Control Board.

I, Dalwinderjit Singh, Commissioner, Municipal Corporation, Bathinda solemnly affirm and declare that:

1. The door to door collection of Municipal solid Waste (MSW) is done by Municipal Corporation, Bathinda in 100% area of the City. No solid waste is dumped on roadsides.
2. Municipal Corporation Bathinda has executed an agreement with M/s JITF Urban Waste Management Bathinda Ltd. This agency is responsible for door to door collection of solid waste from whole of the supply area, its transportation to solid waste dumping/processing site, its processing and final disposal, all in a scientific way and as per norms fixed by Govt. of India/ Central Pollution Control Board/ Punjab Pollution Control Board/ and any other directions issued by any Govt. Authority like Hon'ble National Green Tribunal.
3. The agency has deployed 198 tri cycle Rickshaws with a safai sewak each for door to door solid waste collection. These Rickshaws start the work of door to door collection of waste at 07 00 hrs in morning daily and finish by 13 00 hrs. Two bins of different colours have been distributed in each household of the city for keeping the waste segregated at source itself. Total 1,37,000 household bins have been distributed in Bathinda. The MSW, so collected is transported to Secondary Collection Points (55 No.s) which are scattered all along the city at various locations. The Secondary Collection Points are provided with

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1.1 cum metal bins (215 No.s) with openable cover on them. The street sweeping is also carried to Secondary Collection Points by means of hand carts by Municipal Corporation employees. From Secondary Collection Points, the solid waste is carried to MSW dumping site at Mansa Road, Bathinda by means of covered/closed Compactors (8 No.s), Tata ACE/Maximo (29 No.s) and tractor trollys (6 No.s). Secondary Collection Points in the dense populated area are emptied twice a day and Tata Ace/Maximo carries solid waste directly from households to dumping site.

4. The scope of work also includes public awareness and public participation in proper management of waste. Street plays have been carried out for public awareness regarding solid waste segregation, not to litter and importance of solid waste management. One dedicated vehicle equipped with display boards encouraging not littering, segregating the organic/inorganic wastes, roams in the city. Leaflets were distributed along with two bins in every house hold at the onset of the project. Photographs attached as Annexure- R3/1.
5. The Complaint addressal system has been provided. Two toll free phone numbers (1800 180 2101 & 1800 180 2626) are given to public for making complaints in case Safai sewak does not turn up to collect the solid waste on any day or they have any complaint regarding littering /street sweeping. The complaints filed by the public are redressed within 24 hours.
6. The dumping site located at ITI Chowk, Mansa Road, Bathinda is being used for dumping of solid waste for last 30 years. All of the

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old waste deposited at site has been covered with soil. Photographs attached as Annexure- R3/2.

7. After issuance of directions by this Hon'ble Tribunal and Common Action Plan by Hon'ble Punjab & Haryana High Court, two pits in 5 acre area have been dug at this dumping site for collection of daily solid waste. These pits have been provided with polythene lining, perforated PVC pipes for leachate collection and leachate collection tanks. The daily solid waste received at the site is collected in pits. It is spread, levelled and then covered with soil. Around 1000 cum earth has been stock piled at site near pits in order to cover daily collected waste with soil. Photographs attached as Annexure- R3/3.
8. The dumping site is provided with barbed wire fencing along its perimeter. Restricted entry to site is ensured by means of five gates. Photographs attached as Annexure- R3/4.
9. The site has been provided with 15 m and 5m wide green belt as required by the conditions of the Environment Clearance. Total 2060 plants have been planted in this belt. Regular watering of plants is being done to full nourishment of plants and to minimize their mortality rate. Photographs attached as Annexure- R3/5.
10. Regular weekly fogging and daily spray of herbal sanitizer (disinfectant) is being done at site. Photographs annexed as Annexure-R3/6.
11. No burning of waste is allowed at dumping site or otherwise.
12. The purchase order for the installation of Piezometer has been issued and installation is in progress.

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13. The Secretary, Local Govt., Punjab has constituted a Committee for regular monitoring of compliance of Common Action Plan issued by hon'ble Punjab & Haryana High Court, Chandigarh in CWP No. 14871 of 2011 and CWP No. 7039 of 2010. This Committee comprises of Sub-Divisional Magistrate, representative of Punjab Pollution Control Board and Commissioner/Executive Officer of the concerned ULB. The latest report of the Committee constituted for the monitoring of the compliance of Common Action plan has been attached herewith as Annexure- R3/7.

14. The State Level Environment Impact Assessment Authority (SEIAA) has granted the Environment Clearance for this project after following the due procedure for obtaining Environment Clearance for the Project as per EIA Notification of Ministry of Environment and Forests, GOI dated 14/09/2006. The SEIAA is constituted by Central Govt. under sub section 3 of section 3 of Environment Protection Act, 1986. The Member Secretary is serving officer of State Government. Other members are professional experts. The State Govt. sends the names of members of the committee and the Central Govt. constitutes the SEIAA as an Authority. The Environment Impact Assessment (EIA) study was carried out on the Terms of Reference (TOR) issued by the State Expert Appraisal Committee, Punjab (SEAC). The prior Public hearing was conducted for receiving public objections against granting Environment Clearance for the project on 25/07/2011. The SEAC discussed the grant of Environment Clearance to the project thoroughly on various parameters in its 53rd meeting held on 24/11/2011, 56th meeting held on 27/02/2012, 60th meeting held on 17/06/2012 and then finally in

62nd meeting held on 21/07/2012 before forwarding the grant of Environment Clearance to SEIAA. The SEIAA considered the case in its 40th meeting held on 17/08/2012 and finally granted the Environment Clearance after looking into the all aspects of the project with various conditions. No false information was given to Authorities for obtaining Environment Clearance of the project.

15. The present site is earmarked in the master plan of Bathinda city as Municipal Solid Waste Management site with a 15m wide green belt along perimeter of site and proposed residential area around the site. The prior Public hearing was conducted for receiving public objections against notification of the master plan for Bathinda City. No objection was received against the earmarking of present site as Municipal Solid Waste Site during this public hearing. The copy of part plan of master plan has been annexed as Annexure R3/8. The present Municipal Solid Waste site is used for dumping of solid waste since more than last thirty years. The SEAC/SEIAA also considered the issue of proposed residential zone around the site in master plan. The SEAC raised query in this regard in the meeting dated 22.03.12. The query was replied by the Municipal Corporation, Bathinda vide its letter dated 19/07/2012 that there is not any restriction in MSW Rules, 2000 for having a Municipal Solid waste management project site at any particular distance from the habitation area. However, the Municipal Corporation, Bathinda would provide a 15m wide green belt along the periphery of the project site to counter any ill effect of emissions from the project. The SEAC/SEIAA was satisfied with the reply and put the condition of developing 15m green belt along the periphery of project site while granting Environment Clearance.

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16. The Survey of India, Geo-Spatial Data Center, Chandigarh has certified that the present dumping site is beyond 20 km from nearest airport i.e. Bhisiana. Annexure R3/9 attached.
17. That the said distributary is at a higher ground level than the ground level of the proposed site. That the contour plan of site shows that the level of said distributary is at a higher ground level than the ground level of proposed site. Ground levels are further low on the opposite side of the distributary. The said distributary has brick and mortar lining.
18. That the solid waste characteristics of 7 ULBs of cluster towns namely Bathinda, Abbohar, Malout, Giderbaha, Mansa, Rampuraphul and Talwandi sabo were studied while preparing the Detailed Project Report for the project. The 76.34% of total solid waste of the cluster comes from these 7 ULBs.
19. That the area kept reserve for the future expansion of the project is sufficient as per Consultant and Project Developer. The SEAC and SIEAA are also convinced with the area calculation. The Project Developer has even submitted a proposal wherein he has accommodated incinerator within same area.
20. That the proposed site is away than the declared No Construction Zone of 1200 yards around Army ammunition depot. Please see Annexure R3/8.
21. That the Clause V of schedule III of MSW Rules, 2000 (Management & Handling) authorizes Municipal Corporation to develop existing MSW site further.

Salwinderjit Singh

Deponent

Verification :-

Verified that the contents of my above affidavit are true and correct to my knowledge as derived from the official record. No part of it is false and nothing has been kept concealed therein.

Dated: 14/08/2014
Bathinda.

Salwinderjit Singh.
Deponent

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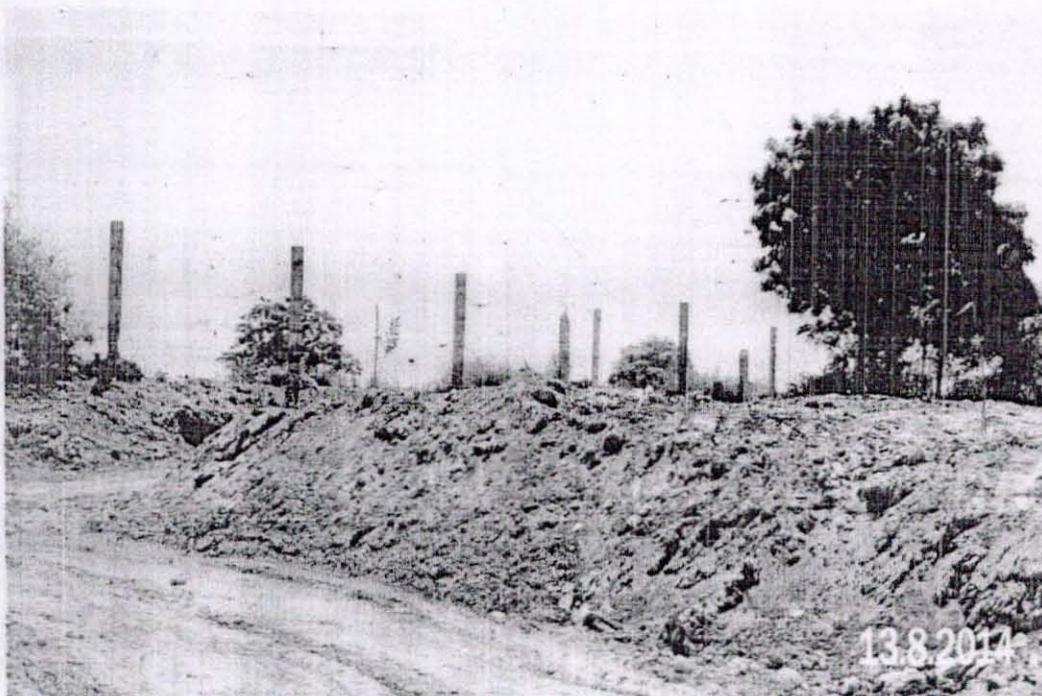
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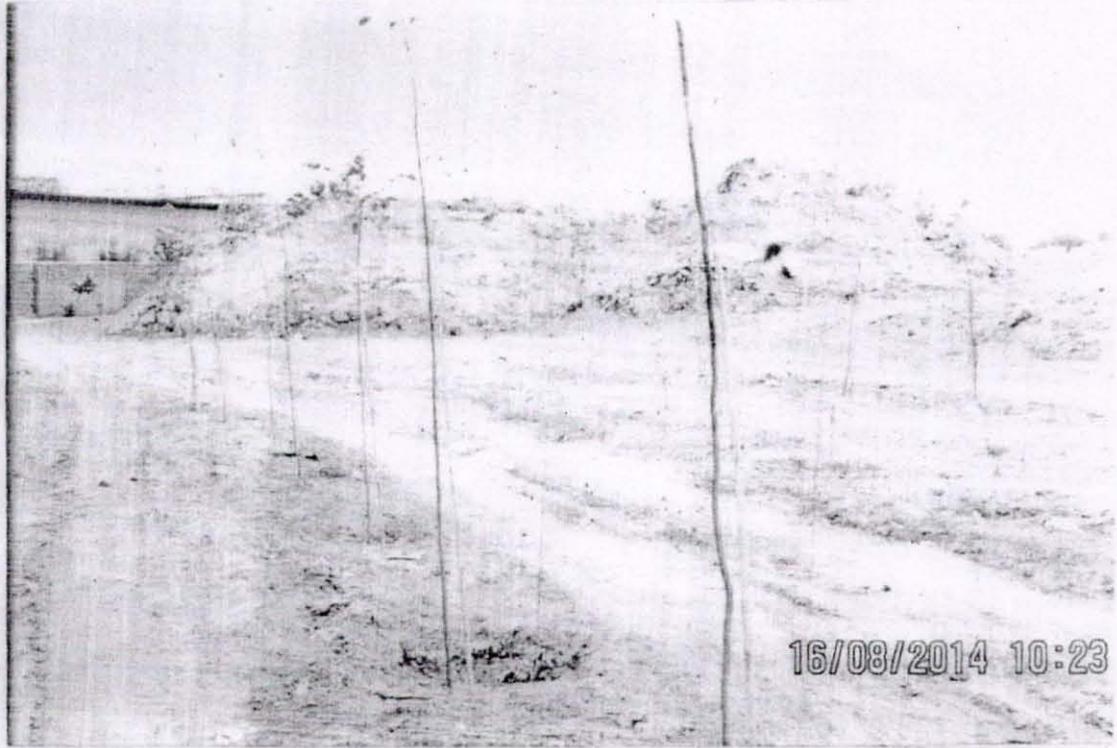
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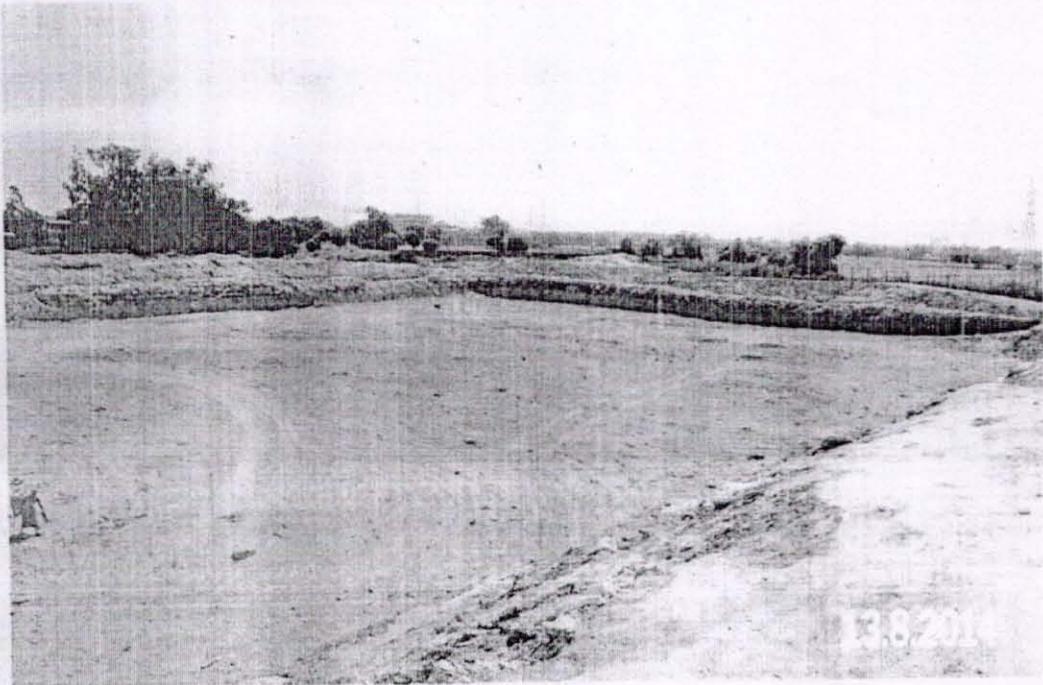
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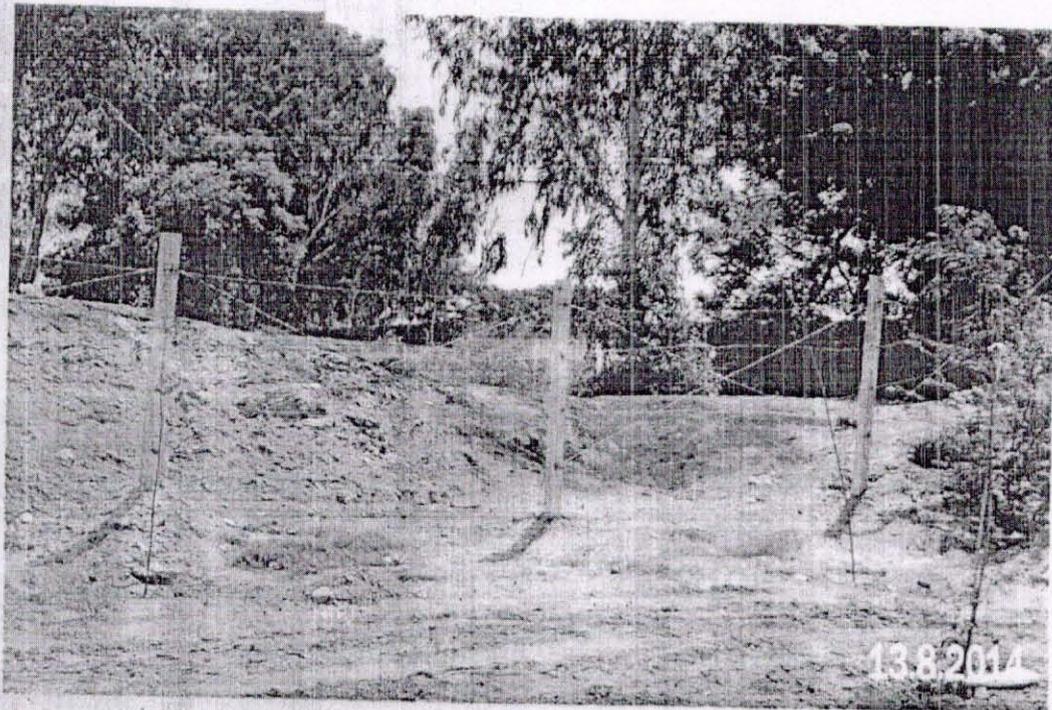
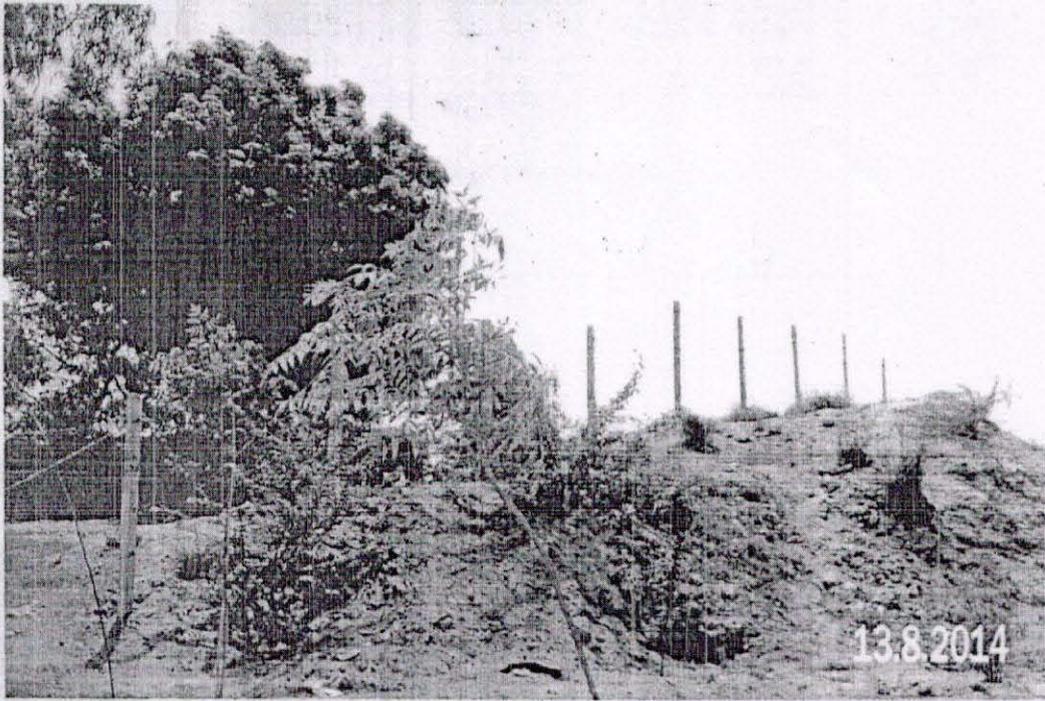
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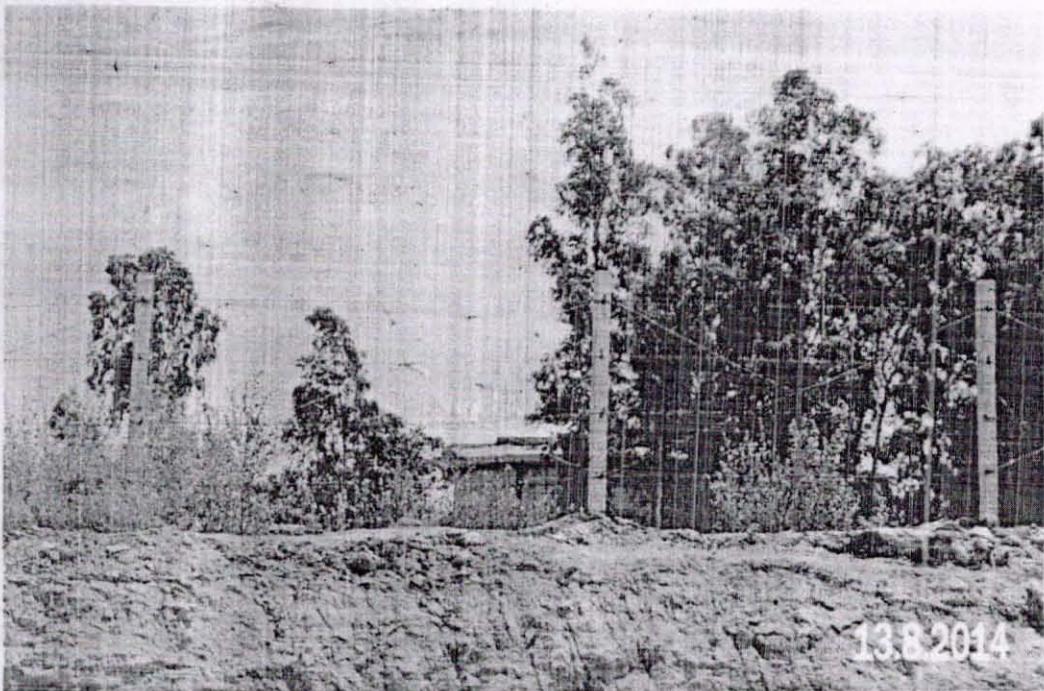
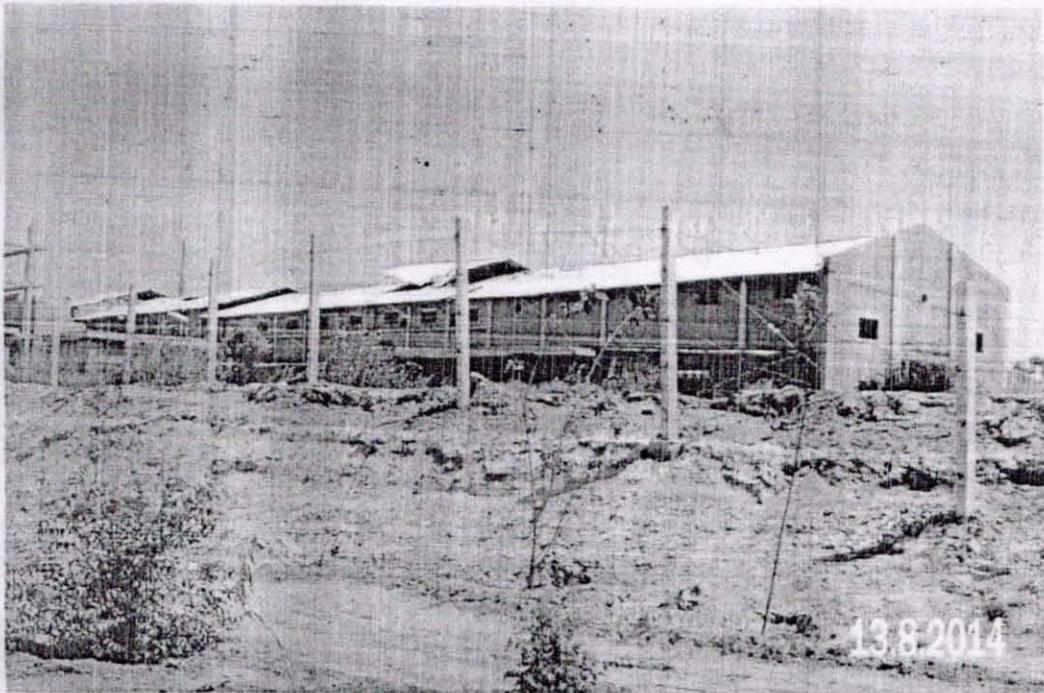
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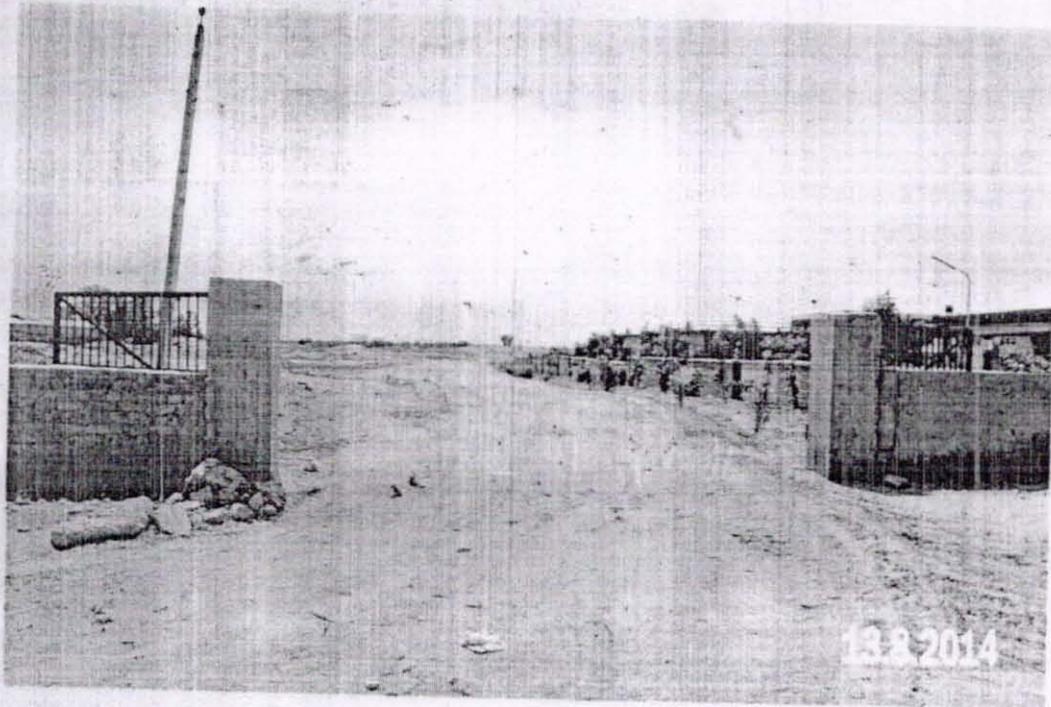
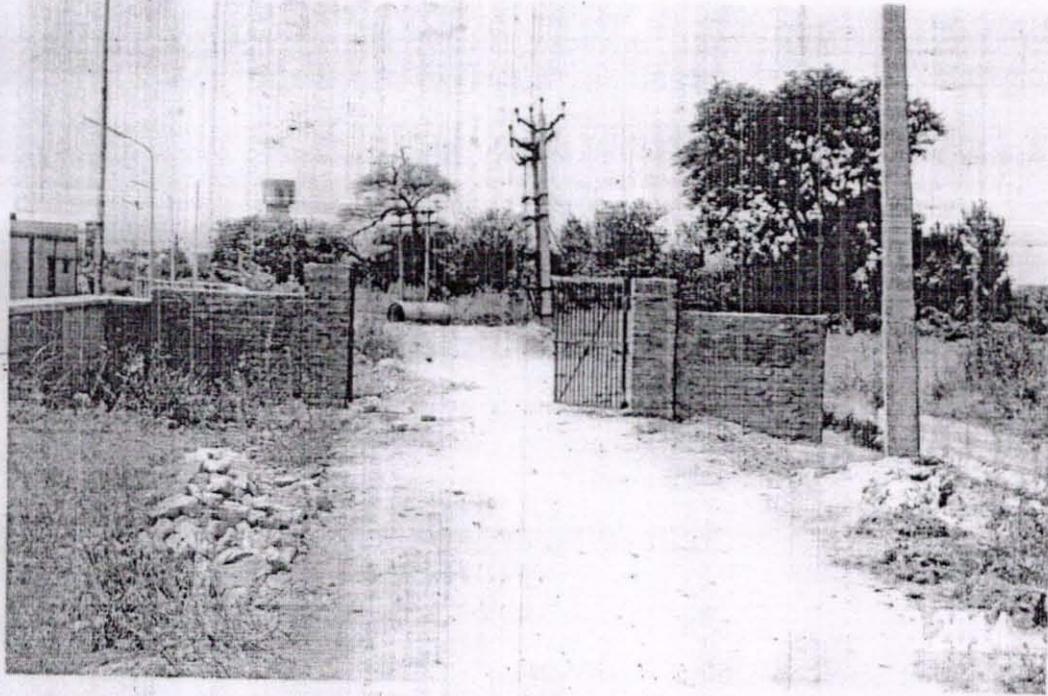
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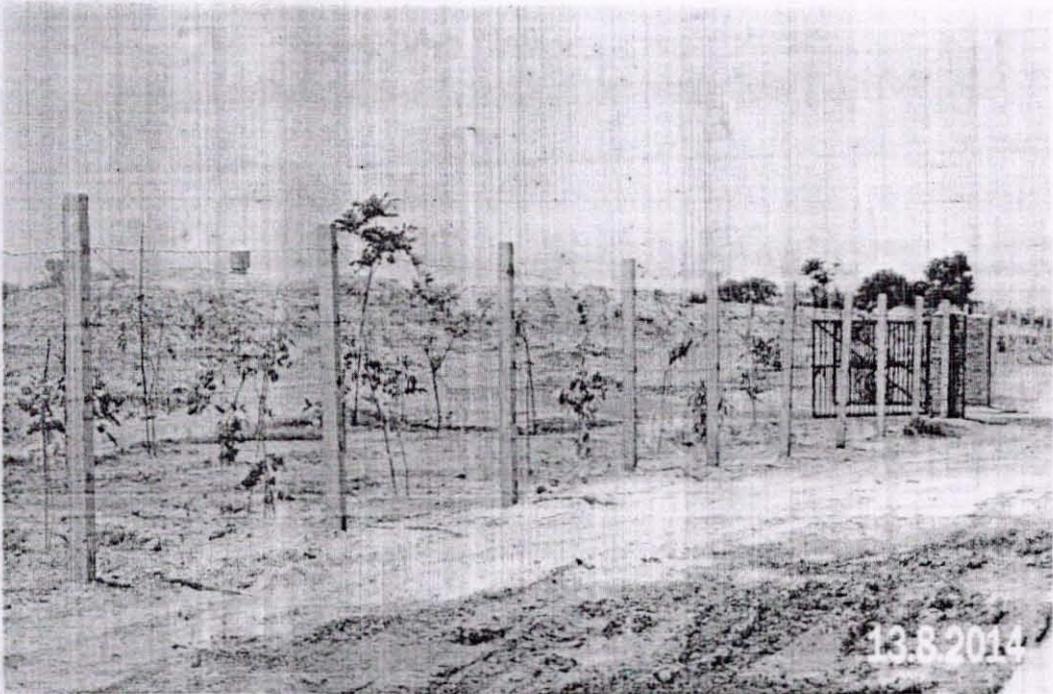
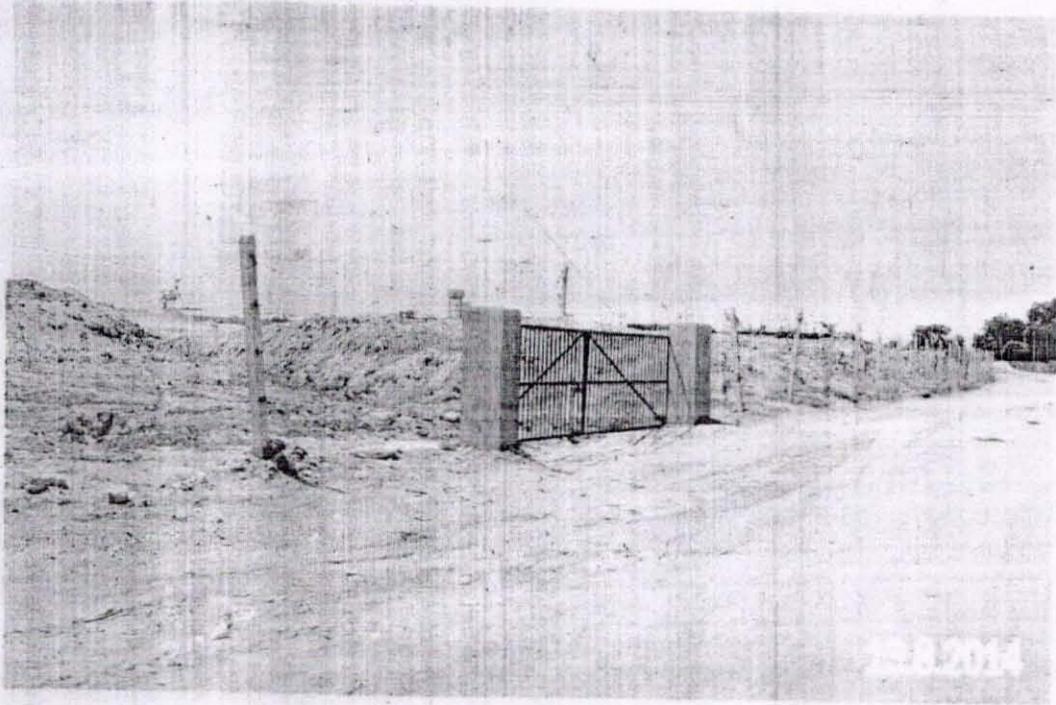
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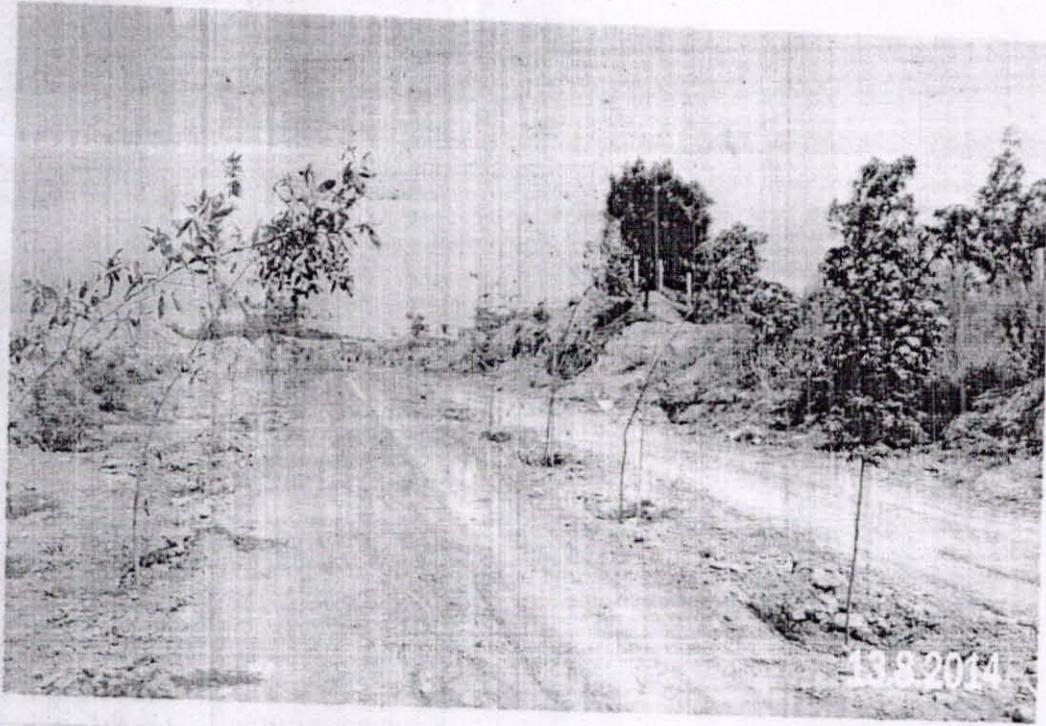
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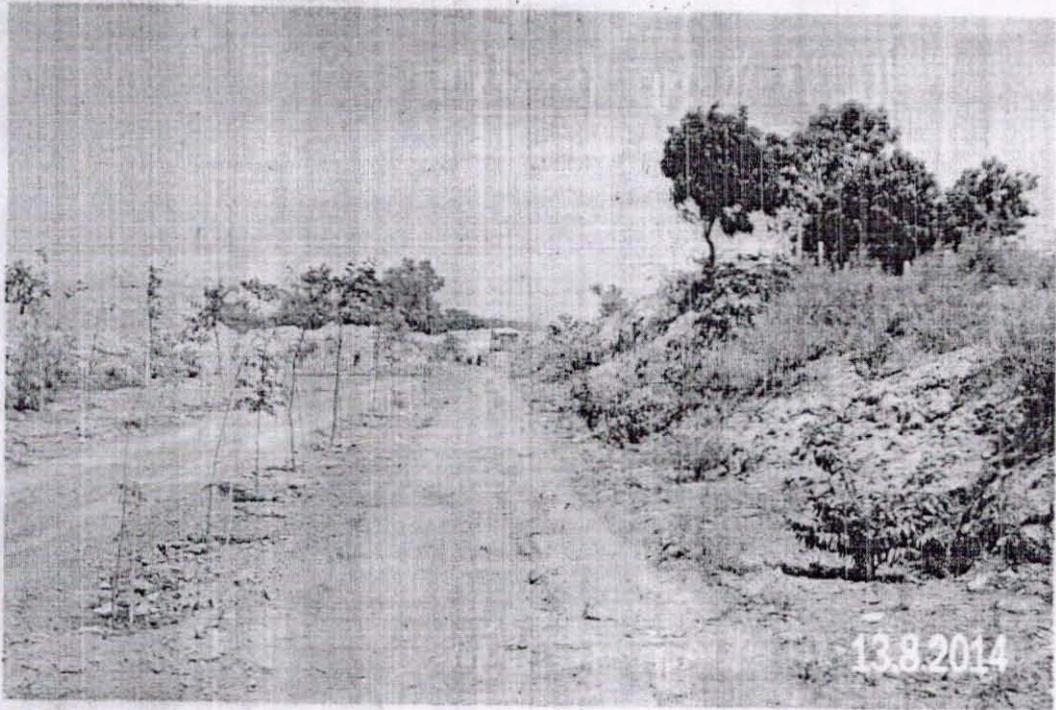
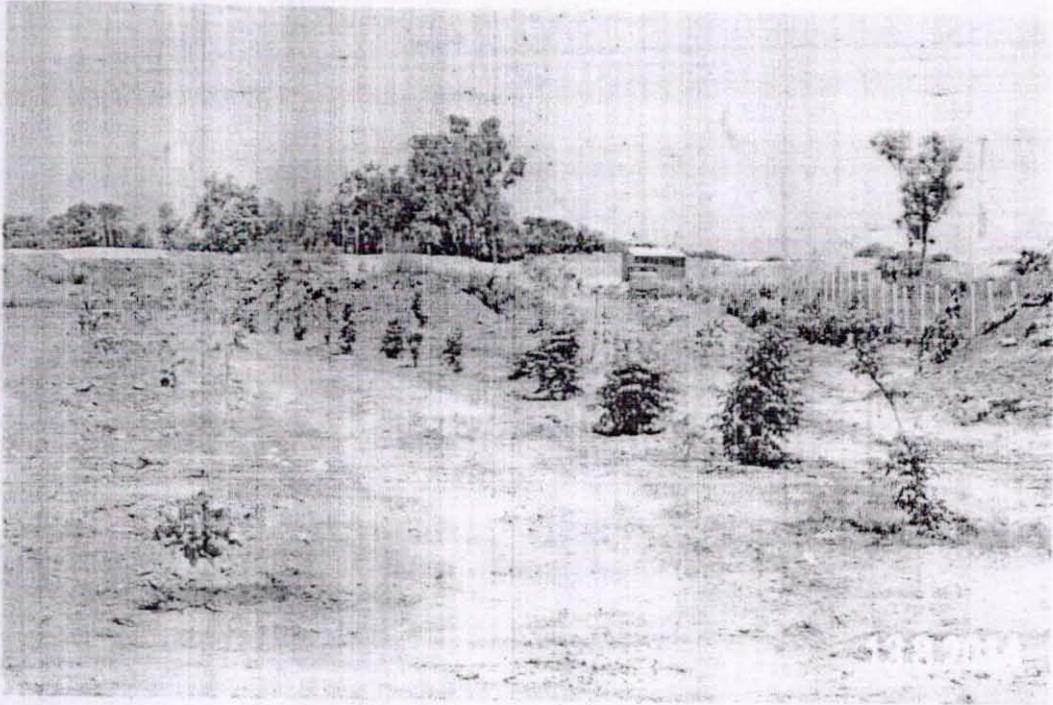
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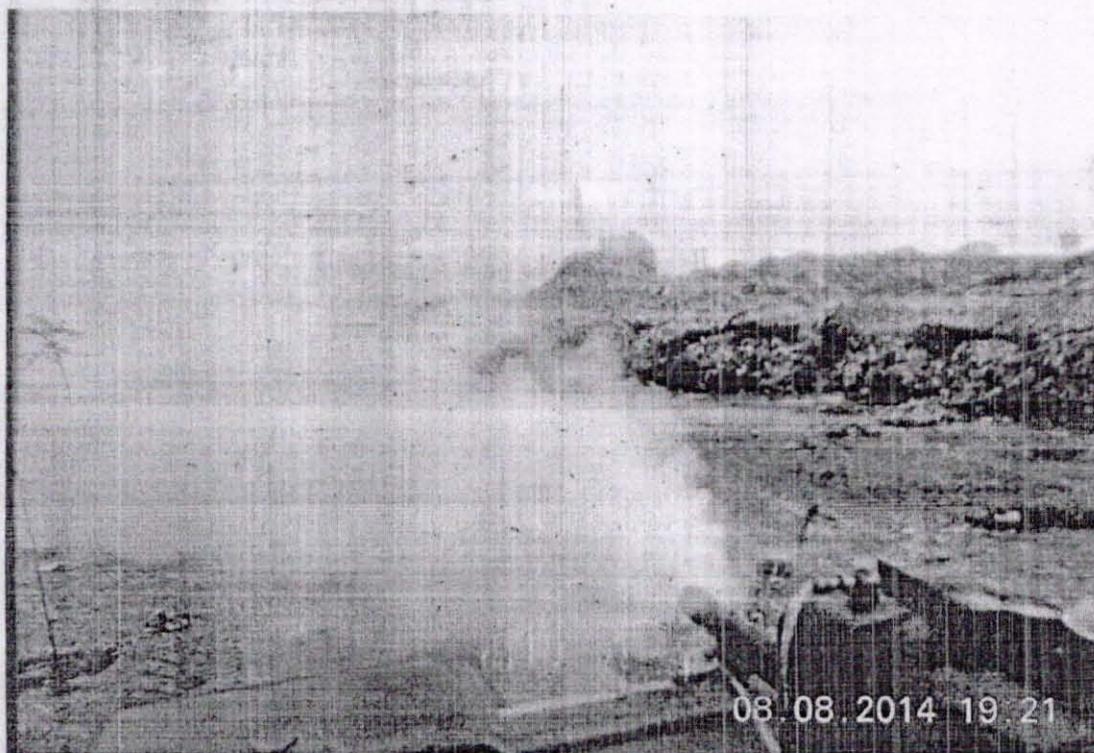
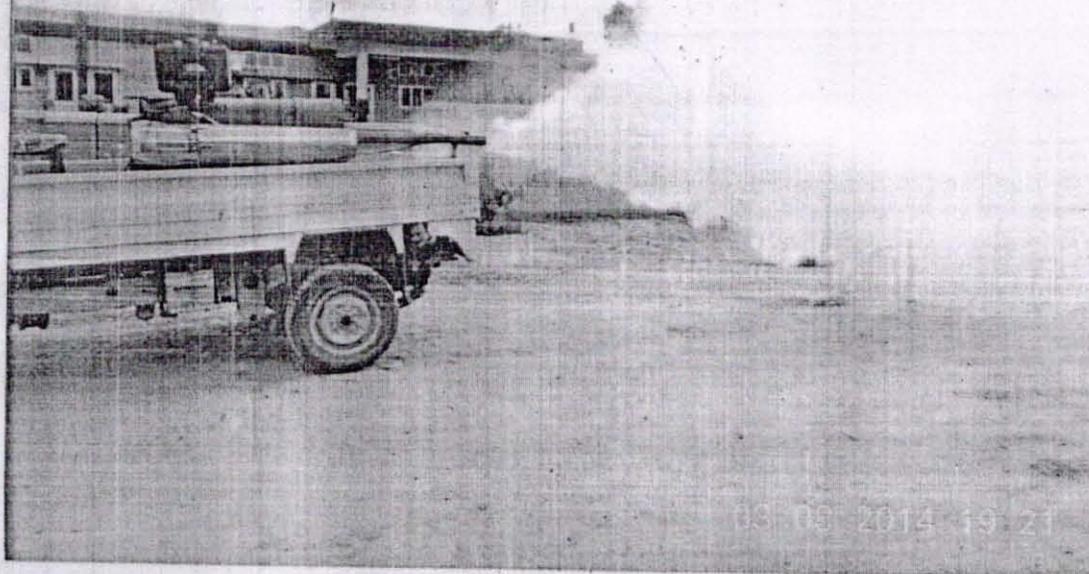
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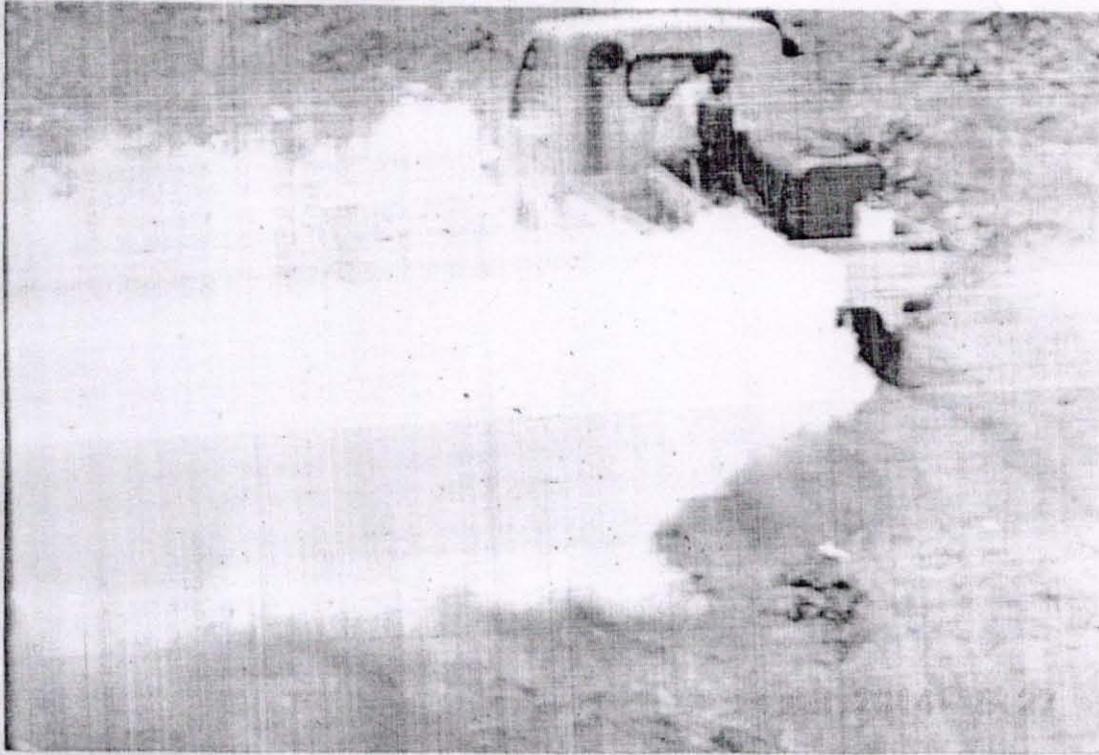


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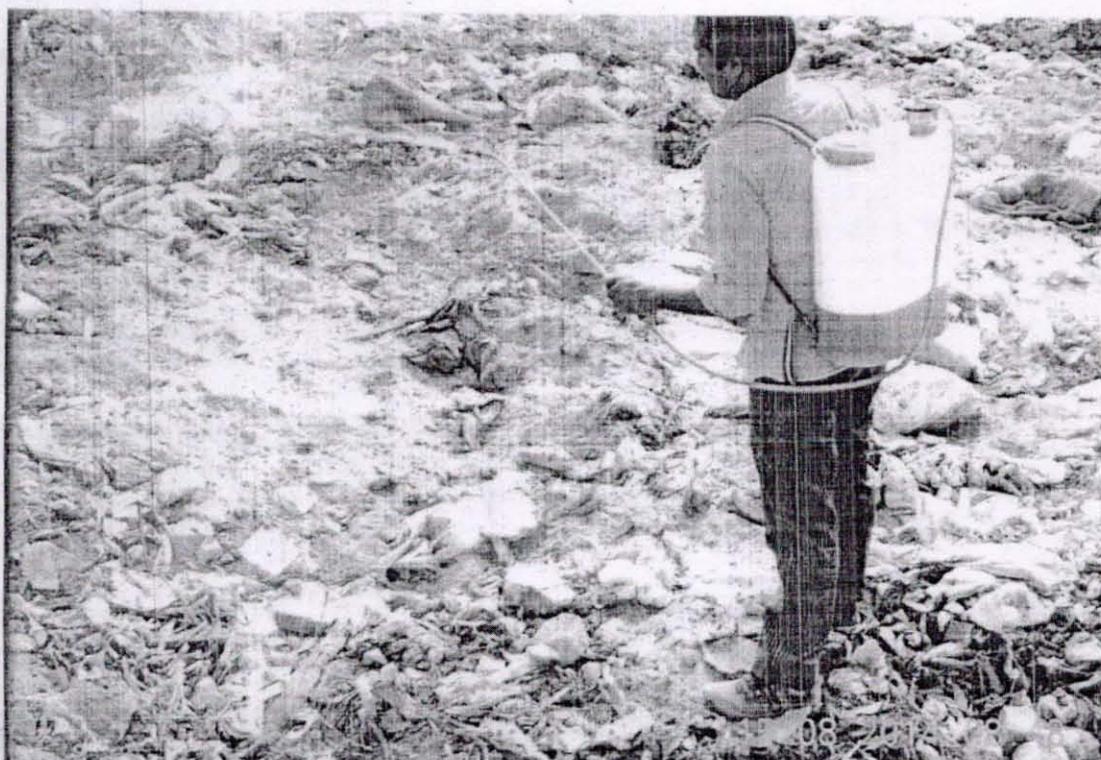
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BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Appeal No. 70 of 2012

In the matter of:

Capt. Mal Singh & Others

...Appellants

VERSUS

Punjab Pollution Control Board & Others

...Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT NO.3
MUNICIPAL CORPORATION, BATHINDA, PUNJAB

I, Uma Shankar Gupta, Commissioner, Municipal Corporation,
Bathinda, do hereby solemnly affirm and declare as under:-

1. That at the outset, it may be submitted here that the deponent being law abiding citizen cannot think of violating any order passed by Hon'ble National Green Tribunal or any other court of law. If there is any lapse on the part of the deponent in implementing the orders passed by this Hon'ble Court in letter and spirit, the deponent tenders unconditional apology for the same.
2. That the deponent is presently working as the Commissioner of the respondent No. 3 in the captioned appeal. I have derived the knowledge not only from the records maintained by the department in the normal course of its business but also from the officers dealing with them. I am competent to depose and swear the present affidavit for and on behalf of the respondent No. 3 in the captioned proceedings.

Uma Shankar Gupta
ACE

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3. That the captioned appeal seeks to impugne the Order dated 30.8.2012 passed by the respondent No. 2 herein thereby granting environmental clearance under EIA Notification dated 14.09.2006 for establishment of an 'Integrated Solid Waste Management Project' in an area of about 20 acres at Mansa Road, Bathinda, Punjab and for establishment of an 'Engineered Sanitary Land Fill Facility' in an area of about 36.8 acres at Village Mandi Khurd, Bathinda, Punjab.

4. That the plot of land admeasuring about 36 acres in the village Mansa Road, Bathinda, Punjab was being used by the respondent No. 3 for the last three decade for dumping / storage of municipal solid waste.

It may be emphasized that over last about 28 years, the average municipal solid waste generation in and around Bathinda, Punjab has been about 70 MT per day. Presently, it is estimated at about 110 MT per day.

The municipal solid waste which has accumulated / deposited at the said site is presently about 7,00,000 MT, its volume being approximately 9,00,000 Cum. (if density is taken 800 Kg per Cum.).

5. That thus, it is manifest that the management of the already accumulated municipal solid waste at the site in reference is a big task, and in any case, a time consuming process.

6. That It may be emphasized that the entire dumping site which was full of municipal solid waste is being cleaned and the entire garbage which was spread all over the dumping ground measuring



36 acres is being scraped and piled up and is covered with good earth (photographs Annexure: A1 to A4). The sewage treatment plant has been installed in an area of 6 acre. The sewage treatment plant is having a capacity of 52 MLD and is running successfully (photographs Annexure: A5 to A6). The municipal corporation is digging out a 3 meter deep pit into 5 acre of the area of the dumping ground which will be lined with HDPE sheet and provided with leachate collection pipe and tank. The said pit will be used to dump the MSW generated from the city on day to day basis till the integrated solid waste processing plant came into operation (photographs Annexure: A7 to A8). The 5 acre of the area of dumping ground is reserved for development of 15 meter wide green belt around the periphery of the dumping site. The municipal corporation has to plant 800 plants approximately of different varieties i.e. Maulshree tree, Alstonia, Erythrina, Ficus, Kaner and Chakrasia etc this green belt, out of which 300 plants has already been planted and the work is in progress and will be completed by 30.09.2013 (photographs Annexure: A9 to A14). Earlier, the date of completion of this work was given 30.08.2013, but due to the scorching heat, the survival rate of the plants was very low and the municipal corporation has started the replantation of wilted plants. The area details of entire site are as under and site plan is attached (Annexure: A15):-

Sr No.	Item	Area
1	Sewerage Treatment Plant	6 Acre
2	Green Belt	5 Acre

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3	Pit	5 Acre
4	Waste Covered Area	5 Acre
5	Cleaned Area	10 Acre
6	Work in progress	5 Acre
	Total	36 Acre



That the municipal corporation reaffirms its stand to complete the work under progress in a time bound schedule as mentioned below:-

Sr No.	Work Description	Total Qty	Executed as of 16.08.2013	Expected date of completion	Reasons for delay
1	Scraping of old deposited waste & covering the same with good earth	9 lac cum approx.	In progress	30.09.2013	Due to ban on mining and heavy rains. Impaired by Hon'ble Punjab & Haryana High Court. Good earth could not be supplied w.e.f. Aug.2012 to Feb. 2013.
2	Excavation of 3 meter deep pit for dumping of MSW generated on day to day basis.	5 Acre	2.5 Acre	30.09.2013	This work was in the scope of the concessionaire M/s JTF Urban Waste Management Bathinda Limited, but the work was not started by the company due to litigation pending in Hon'ble Punjab & Haryana High Court & before this Hon'ble Tribunal. Now the corporation has decided to do the work at its own level.
3	Lining of pit and laying of leachate collection pipes	5Acre	It will soon start after excavation of pit.	30.11.2013	This work was in the scope of the concessionaire M/s JTF Urban Waste Management Bathinda Limited, but the work was not started by the company due to litigation pending in Hon'ble Punjab & Haryana High Court & before this Hon'ble Tribunal. Now the corporation has decided to do the work at its own level.

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Sr No	Work Description	Total Qty	Executed as of 16.08.2013	Expected date of completion	Reasons for delay
4	Plantation (All along periphery)	800	300	30.09.2013	Plantation done earlier wilted out because of hot weather conditions.
5	Fencing around the dumping site	1864 R.Mt	1451 R. Mt	30.09.2013	Dispute of only 413 m with neighbor. Demarcation has been done by revenue department & fencing is in progress
6	Brick Paving entry to waste collection pit	232 sqm	Work is under progress	30.09.2013	Earlier the work was in contractor's scope, now being done by Municipal Corporation, Bathinda

The estimated cost incurred on the works is as under:-

Sr. No.	Item	Qty.	Amt.	Remarks
1	Earthwork in filling in layers from 26.09.10 to till date	64820.54	5025653	
2	Earthwork in excavation for pit from 29.07.13 to 16.08.13	40710.27	3663924	unbilled
3	Providing Barbed Wire Fencing	765	114750	unbilled
4	Providing & Fixing of MS gate	4	84000	unbilled
5	Plantation till 16.08.13	300	150000	unbilled
6	Plantation by JITE		69824	
7	Excavator on Hire		788539	
	Total		4871037	
8	Lime Powder 01.04.11 to till date	165 qtl	117652	
9	Methyl Powder 01.04.11 to till date	70 qtl	133000	
10	Fogging 01.04.11 to till date		62400	
	Total		313052	
	G. Total		10209742	

8. That a Civil writ petition (No. 21960 of 2011, Jarnail Singh versus State of Punjab) is pending in the Hon'ble Punjab & Haryana High Court in which the Hon'ble Court has granted status quo to be maintained with regard to land which has to be used for setting up engineered land fill site at Village Mandi Khurd. Due to this reason, the project at the site could not be started. However, the municipal

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corporation has started taking short term measures at the dumping site at Mansa Road, Bathinda as suggested by Hon'ble Punjab & Haryana High Court & this Hon'ble Tribunal. Now the concessionaire has applied for "consent to establish" to the Punjab Pollution Control Board on 12.07.2013. As and when the site of the Village Mandi Khurd will be cleared from the Hon'ble Punjab & Haryana High Court then same will be used for the construction of engineering land fill site.

9. That the stray animals which used to enter in the dumping ground was due to the reason that on one side of the dumping ground, there was dispute of the boundaries with the adjoining neighbor, therefore, fencing could not be done on that side (413 meter) (Photographs Annexure: A16 to A18) . Now the demarcation of the dumping site has been done by the Revenue Department Officials and correct demarcation has been given. Now the municipal corporation has started fencing on that side of the dumping ground and it will be completed by 30.09.2013. To prevent the entry of stray animals into the dumping ground, a gate has been installed on the approach road of the dumping site and in addition to it, three numbers of guards have been deployed at the dumping site to keep round the clock vigil.

10. That the respondent No. 3 has also launched a public awareness campaign, *inter alia*, educating the people of Bathinda to store municipal waste in a segregated manner (Photographs Annexure: A19 to A22).

Street plays are being arranged at different places in Bathinda to educate its residents. The pamphlets were also



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distributed among the general public at Bathinda to make them aware about the mode and manner of segregation of municipal solid waste at their house level itself. But, response of general public in this regard is only lukewarm and no segregation of waste at source is being done, the same is possible only after establishing a waste processing plant.

11. That the daily waste received at the dumping site at present is regularly covered with soil. The respondent No. 3 for this purpose had been regularly floating the tender/s. The work of earth filling is being got done regularly at the site. (Photographs Annexure: A23 to A25).

That the lime powder and methyl powder is being sprinkled / sprayed on regular basis at the dumping site. Fogging of malathion is also being undertaken on the regular basis. (Photographs Annexure: A26 to A30).

13. That the respondent No. 3 has always been, is and shall always be committed to its duties to ensure that there is no environmental pollution. In fact, it was with the said object and intent that 'Integrated Solid Waste Management Project' was project to ensure scientific dumping of waste and management thereof so that the environment becomes better and pollution free. In fact, it was thought that the implementation of the project in reference would resolve the environmental pollution on the long term basis.

14. That I state that the Corporation shall undertake all the measures required for the scientific dumping and disposal of the municipal



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waste as directed by this Hon'ble Tribunal and or any other authority concerned. The Municipal Corporation of Bathinda is committed to a pollution free and healthy environment and shall ensure that it fulfills all its obligations towards the people of the city.

[Signature]
DEPONENT

VERIFICATION:

Verified at Bathinda on this 16th day of August, 2013 that the contents of the above affidavit are true and correct to my knowledge based on official record, no part of it is false and nothing material has been concealed therefrom.

I Identify the deponent

[Handwritten signature]
Municipal Corporation
Bathinda

[Signature]
DEPONENT

Attested as Identified

[Signature]
RAMESH KUMAR
ADVOCATE & NOTARY
Appointed by Govt. of India
BATHINDA (Pb.)

Entered in my Notarial Register at R-1
Sr No. 19 Page. 5, Dt. 17.8.13

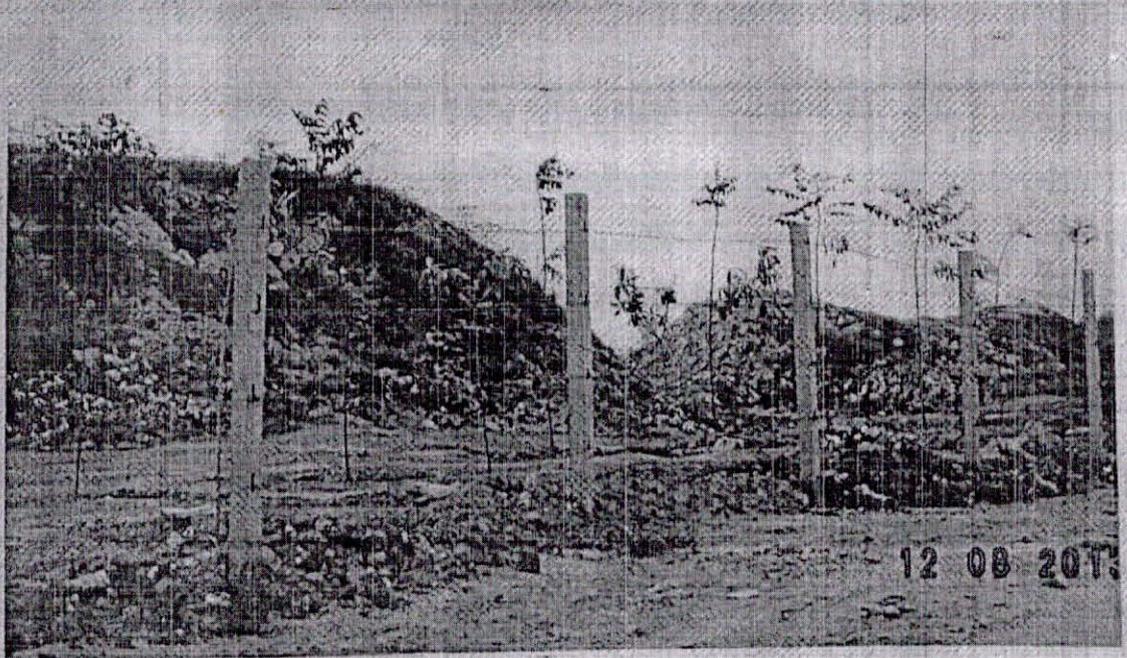
17 AUG 2013

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NOTARY

Annexure 9



Annexure 10



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Subject: Appeal No 70 of 2012 before Hon'ble
National Green Tribunal, New Delhi.

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on the hearing of 5th July, the
chairperson, NGT asked undersigned that
whether 15m wide green belt exists at the
present dumping site of the waste a proposed
site for processing plant.

On the basis of submissions made
before the Tribunal earlier, I deposed that 15m
wide green belt exists at the periphery of the
site. After deposing the same I checked at
the site on 11/07/2014, the green belt was found
only for names sake. All the plants were
found withered.

The NGT had asked the MCB to submit
a status report on next date of hearing i.e on
15/07/14. The status of green belt was reported
as it was present at site. On the basis,
of this report, the NGT has found that I
had deposed falsely before NGT on 9/07/14 and
has fined me personally Rs 10,000/-. So, it is
found that fine has been imposed because
due to careless and unattentive work
carried out by Sh. Amarjit Singh, LSO,

Now, as the NGT has further ordered to develop the 15m wide green belt all around the periphery of the site and maintain the same, some officer may be deputed on the task giving him the full responsibility in this regard.

NGT has asked for an affidavit on 22/07/14 that the green belt has been developed.

For information and orders please.

Puri
16/7

SEPI

del. Comm.

[Signature]
16/7.

SE BMC will be officer-in-charge of the site of MSW. He will ensure the compliance of the orders of NGT by having a green belt of 15m width along the periphery of the site. Assistance of DD Horticulture & Forest Deptt Bti may be taken for technical inputs. He will be assisted by Sr Sardaep Cupte, SDO Ramnar An, SE Rajendra Kumar, LSO, CSI, or any other officer he feels the need of. Veridigraphs of this entire project will be done a "BEFORE" & "AFTER"

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16/7/14
17/7.

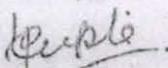
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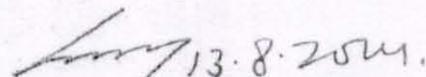
Site visit report on compliance of Common Action Plan

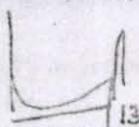
We, the members of committee constituted by the Secretary, Local Govt., Punjab for the monitoring of compliance of Common Action Plan issued by hon'ble Punjab & Haryana High Court, Chandigarh in CWP No. 14871 of 2011 and CWP No. 7039 of 2010, visited the Municipal Solid Waste dumping site near ITI Chowk, Mansa Road, Bathinda on 13.08.2014 to verify the compliance of the Common Action Plan.

The following are the observations:

1. The old waste deposited at the MSW dumping site soil has been covered with soil completely.
2. That for ensuring 100% door to door collection of waste, the Municipal Corporation has deployed adequate safai sewaks and other resources. Besides this, Municipal Corporation has installed two Toll free No.s (1800 180 2626 & 1800 180 2101) for receiving the complaints, when person (Safai Mittar) does not reach any house hold for collection of waste on daily basis or some scattered waste is seen at any Secondary Collection Point. These no.s are well advertised on solid waste collection vehicles and by other means.
3. That Municipal Solid waste is not allowed to be burnt. The labour/ staff deputed for road sweeping and door to door collection has been educated not to do so. At the time of site visit no burning of waste/garbage is seen.
4. That only fully covered vehicles are used for transportation of solid waste.
5. The plantation has been done all around the periphery of the solid waste dumping site for the development of Green Belt as required by one of the conditions of the Environment Clearance (EC). The plantation is well maintained.
6. That the Fencing of dumping site has been done and required guarded gates have been provided.
7. That the Spray of herbal sanitizer is being done daily on regular basis.
8. That the weekly Fogging is being done regularly.
9. That for dumping of fresh waste 4m deep pit in 5 acre area has been dug. These pits have been provided with Polythene sheet lining and leachate collection arrangement. The solid waste received at dumping site is covered with soil daily. The earth required for the same has been stock piled at the Site near pits.


Sh. Sandeep Gupta, XEN, MCB,
Bathinda


Sh. Joginder Singh, XEN, PPCB,
Bathinda


Sh. Dalwinderjit Singh, PCS
Commissioner, MC, Bathinda


Sh. Damanjit Singh, PCS
Sub Divisional Magistrate, Bathinda

In compliance of the orders passed by this Hon'ble Tribunal on 15/07/2014. I, Dalwinderjit Singh, PCS, Commissioner, Municipal Corporation, Bathinda hereby submit my compliance report regarding plantation at Municipal Solid Waste processing plant/dumping site at Mansa Road, Bathinda.

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This is to submit before this Hon'ble Tribunal that the plantation at aforesaid site has been completed as mentioned in the conditions of the Environment Clearance issued for this site and as per plantation plan suggested by the Horticulture Development Officer, Bathinda and Forest Range Officer, Bathinda. Plantation has been completed within one week time from July 15, 2014 the date of issue of such orders by this Hon'ble Tribunal in pending Appeal No.70 of 2012.

The following resources were deployed in order to complete this plantation work within stipulated time period.

Sr. No.	Machine	No.s	Total Hours
1.	Excavator Big (Poclaine)	2	150
2.	Excavator small (JCB)	3	225
3.	Tractor Trolly	20	1500
4.	Water Tanker	4	250
5.	Man Power		
a.	Malis	50	2800
b.	Junior Engineers	3	252
c.	Landscape Officers	2	168
d.	Assistant Engineers	2	168
e.	Executive Engineer	1	84
f.	Superintending Engineer	1	14

2060 Numbers of plants exist at site today.

2. It is, further submitted that Municipal Corporation, Bathinda has issued notice to the Project Developer to develop the green belt as required by the conditions of the Environment clearance within one week time and submit an explanation that why a fine of Rs 50,000/ may not be imposed upon him for defaulting his contractual obligation of meeting the conditions of Environment Clearance vide memo no. 2015/MSW dated 17/07/2014 (copy enclosed). The representative of the Project Developer was present in the Court room on 15/07/2014 when the said order was passed. This order was immediately conveyed to him and he was verbally instructed to develop the green belt as per the conditions of Environment Clearance within one week time. When the Project Developer did not start developing the green belt, The same was carried out by the Municipal Corporation, Bathinda. This was done to ensure the compliance of the orders of this Hon'ble Tribunal to develop the green belt in a week time. The cost incurred on the same shall be recovered from the Project Developer.

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3. This is also submitted that the Accounts Department has been directed to deduct Rs10,000/ from the salary for the month of July, 2014 of Mr. Sandeep Gupta.


Commissioner

Municipal Corporation, Bathinda.

Dated: 21/07/2014

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PLANTATION PLAN AT MSW SITE

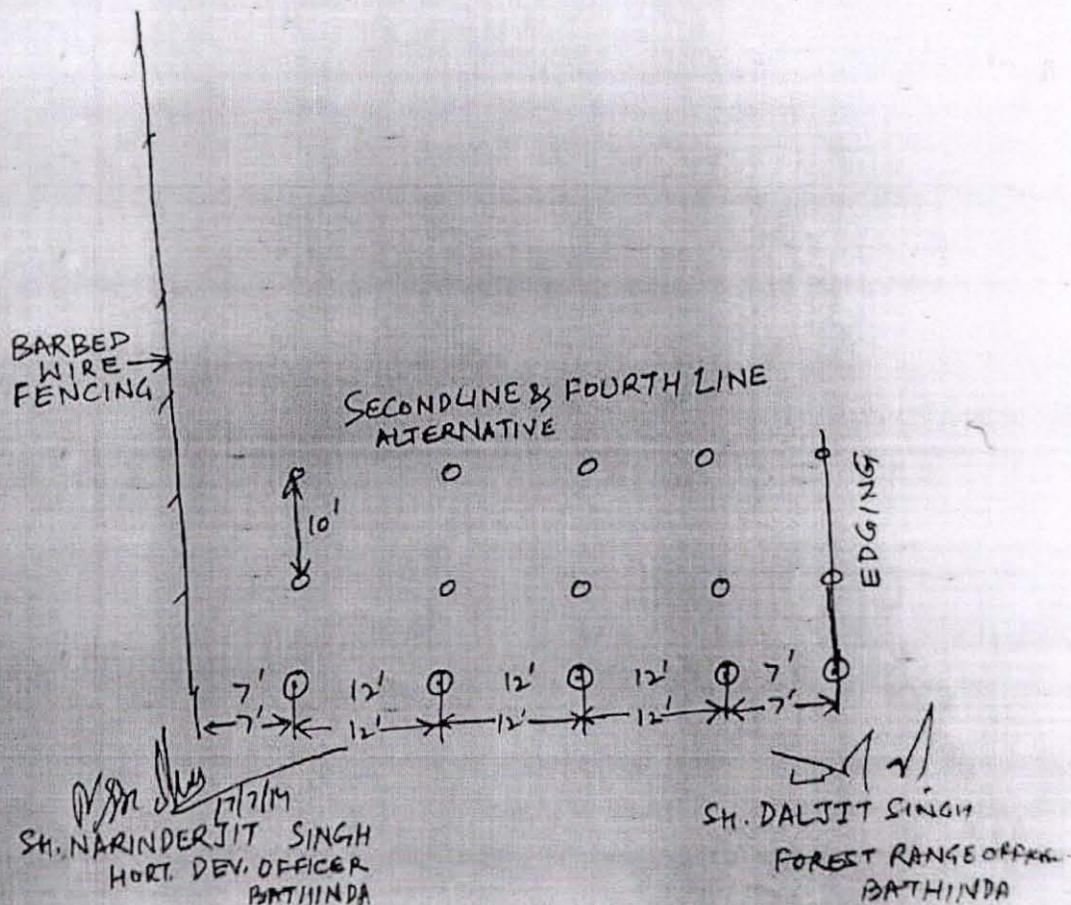
(58)

MANSA ROAD, BATHINDA

A. SPECIES SUGGESTED:

1. NEEM
2. SUKHCHAIN
3. BARMA DEK
4. MAHA RUKH (AILANTHUS)
5. PILKAN
6. TOOT
7. ARJUN
- 8.

B. PLAN SUGGESTED



(59)

ਦਫਤਰ ਡਿਪਟੀ ਡਾਇਰੈਕਟਰ ਬਾਗਬਾਨੀ, ਬਠਿੰਡਾ

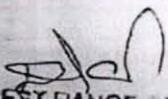
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ਸੇਵਾ ਨੰਬਰ

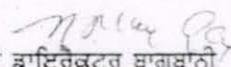
ਕਮਿਸ਼ਨਰ,
ਨਗਰ ਨਿਗਮ, ਬਠਿੰਡਾ।

ਵਿਸ਼ਾ:- ਐਮ.ਐਸ. ਡਬਲਯੂ. ਪੀ. ਦੀ ਸਾਈਟ ਉਪਰ ਪਲਾਨਟੇਸ਼ਨ ਸਬੰਧੀ ਰਿਪੋਰਟ।

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਦੇ ਸਬੰਧ ਵਿੱਚ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕਰਦੇ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਅੱਜ ਮਿਤੀ 23/7/2014 ਨੂੰ ਜੰਗਲਾਤ ਮਹਿਕਮੇ ਦੇ ਅਫਸਰਾਂ ਨਾਲ ਐਮ.ਐਸ.ਡਬਲਯੂ.ਪੀ., ਮਾਨਸਾ ਰੋਡ, ਬਠਿੰਡਾ ਵਿਖੇ ਦੌਰਾ ਕੀਤਾ ਗਿਆ। ਉਥੇ 5 ਮੀਟਰ ਵਾਲੀ ਗਰੀਨ ਬੈਲਟ ਦੀ ਲੰਬਾਈ 284 ਮੀਟਰ ਅਤੇ ਦੂਸਰੇ ਪਾਸੇ 15 ਮੀਟਰ ਵਾਲੀ ਬੈਲਟ ਦੀ ਲੰਬਾਈ 1632 ਮੀਟਰ ਬਣਦੀ ਹੈ। ਇਸ ਸਾਰੇ ਬਣਦੇ ਰਕਬੇ ਵਿੱਚ 2348 ਬੂਟੇ ਬਣਦੇ ਸਨ ਪਰ ਇਸ ਰਕਬੇ ਨੂੰ ਮੁੱਖ ਰਖਕੇ ਚਾਰੇ ਪਾਸੇ ਗਰੀਨ ਬੈਲਟ ਵਿੱਚ ਚਾਰ ਲਾਈਨਾਂ ਲਈ ਥਾਂ ਤਿਕੋਣਾ ਹੋਣਾ, ਮੋੜ ਜਿਆਦਾ ਹੋਣ ਕਾਰਣ ਤੇ ਕੁੱਝ ਥਾਂ ਤੇ 15 ਮੀਟਰ ਹੀ ਰਕਬਾ ਹੋਣ ਕਾਰਣ, ਇੱਥੇ 2060 ਬੂਟੇ ਹੀ ਲੱਗਣ ਯੋਗ ਹਨ। ਜੇ ਕਿ 2060 ਬੂਟੇ ਜੰਗਲਾਤ ਮਹਿਕਮੇ ਨਾਲ ਸਬੰਧਤ ਜਿਵੇਂ ਕਿ ਨਿੰਮ, ਬਰਮਾ ਡੇਕ, ਸੁਖਚੈਨ, ਪਿਲਕਨ, ਅਰਜਨ ਆਦਿ ਲੱਗੇ ਚੁੱਕੇ ਹਨ। ਇਹ ਰਿਪੋਰਟ ਆਪ ਦੀ ਜਾਣਕਾਰੀ ਅਤੇ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਹਿੱਤ ਹੈ ਜੀ।



DEPUTY DISTRICT OFFICER
BATHINDA



ਡਿਪਟੀ ਡਾਇਰੈਕਟਰ ਬਾਗਬਾਨੀ
ਬਠਿੰਡਾ।

**Office Deputy Director Horticulture, Bathinda**

(60)

Number: 902

Dated: 23/07/14

To,

The Commissioner,

Municipal Corporation, Bathinda

Subject :- regarding report of the plantation on the MSW Plant site.

In reference to the above cited subject, it is requested that today on 23/7/2014, a visit was made to MSW Plant, Mansa Road, Bathinda with the officers of the Forest Department. There is 284 meters length of a 5 meter green belt and on the other side the length of the belt with 15 meters width is 1632 meters. 2348 saplings were planted in this entire area, but keeping this area as the main area, there is room for four lines in the green belt all around, due to the many turns and the area being only 15 meters in some places, only 2060 saplings could be planted here. These 2060 trees related to forest department are such as Neem, Burma Deck, Sukhchain, Pilkhan, Arjan etc. have been planted. This report is for your information and necessary action please.

(sd)
Forest Range Officer
Bathinda

(sd)
Deputy Director Horticulture
Bathinda

PUNJAB POLLUTION CONTROL BOARD

Application form for obtaining 'Consent to establish' (NOC)/'Consent to Operate' u/s 25/26 of the Water (Prevention & Control of Pollution) Act, 1974 and u/s 21 of the Air(Prevention & Control of Pollution) Act, 1981/Authorization under Rule 5 of the Hazardous Wastes(Management, Handling and Trans-boundry Movement) Rules, 2008.

Industry ID :- R13BTI403329
Application ID :- 403432

From:

JITF Urban Waste Management (Bathinda) Limited
Mansa Road,Near ITI Chowk,Bathinda
BATHINDA
BATHINDA

To

The Member Secretary,
Punjab Pollution Control Board,
Patiala.

I/We hereby, apply for obtaining,

- ✓ (i) 'Consent to establish' (NOC) under the provisions of the Water(Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.
- (ii) 'Consent to operate' u/s 25/26 of the Water(Prevention & Control of Pollution) Act, 1974.
- (iii) 'Consent to operate' u/s 21 of the Air(Prevention & Control of Pollution)Act,1981.
- (iv) Authorization under Rule 5 of the Hazardous Wastes (Management, Handling and Trans-boundary Movement) Rules, 2008.

1. The detailed information pertaining to my/our industry/project is given in the Annexure-I to this form attached herewith.

2. I/We undertake to furnish any further information sought by the Board from time to time in connection with this application.

3. I/We undertake to obtain revised/varied/fresh consent as the case may be, in case there is any change in the process/product/effluents/hazardous waste etc. before the aforesaid change is affected.

4. I/We that the information furnished herewith is correct to best of my/our knowledge and nothing has been concealed therein. The Board would be at liberty to take penal action against the industry/project and the person(s) responsible to comply with the provisions of the pollution control statues in case information/document is detected as incorrect/false/misleading at any point of time.

5. I/We hereby agree to apply for obtaining renewal of 'consent to establish' (NOC) under the water (Prevention & Control of Pollution) Act, 1974, Air (Prevention & Control of Pollution) Act, 1981 and authorization under the Hazardous Wastes (management, Handling and Trans-boundry Movement) Rules, 2008 three months before the expiry of the previous consent(s)/authorization granted to the industry/project.

Date: 08/07/2013

Signature of Applicant:

Name: Rakesh Kumar Aggarwal

Designation: Director

Address:

Enclosures:

1. MCB Letter
2. Any Other Document 2
3. List of Directors/Partners of the industry/project alongwith a copy of memorandum and articles of associations/partnership deeds
4. Organisation Structure
5. Land Lease
6. LOI
7. Certificate from the district town planner/Seniour town planner regarding classification of the area in which the industry /Project is located. Where only Draft master plans (statutory/Non -statutory have been prepared , the certificate should not be more then 2 months old.)
8. Manufacturing process Details alongwith process Flow chart
9. Site/Location plan of the industry/project clearly indicating the main features/landmarks situated within a radius of 500 mts, such as residential areas, educational institutions , historical religious places, historical monuments, wildlifes/zoo
10. Certificate from Any other , Granted by Concerned Authority
11. manufacturing process involved
12. Certificate from the Deptt. of Town and Country Planning
13. EnvirImpactAttach

**** This is Computer Generated filled Application Form ****

PART-A: GENERAL INFORMATION:

1. **Name & Address of the Industry** : JITF Urban Waste Management
(Bathinda) Limited
Mansa Road,Near ITI
Chowk,Bathinda
BATHINDA,BATHINDA
2. **Name & Designation of the Applicant** : Rakesh Kumar Aggarwal/Director
3. (i) **Name(s) and Designation of the Occupier** : Rakesh Kumar Aggarwal/Director
- (ii) **Name(s) and Designation of the Director(s)/ Partner(s)/ Proprietor** : Indresh Batra
Managing Director
28,Shivaji Marg,Moti Nagar,New Delhi
Telephone:-01145021983
- (iii) **Name(s) of person(s) authorized to sign the application form. (Please attach self attested copy of resolution/certificate)** : Rakesh Kumar Aggarwal
- (iv) **Ownership of Industry** : Private Limited Company
4. **Communication Details(Telephone No./Fax No./e-mail etc.)** : 011-45021982
-
deepika.sharma@jindalecopolis.com
5. **Address of Correspondence** : 28,Shivaji Marg,Moti Nagar,New Delhi, New Delhi, New Delhi, 110015
6. **Total investment of the industry/project**
- (i) **Total cost of the industry/project(in Lacs)** : 2800.0
- (ii) **Cost of Plant & Machinery(in Lacs)** : 1400.0
7. (i) **Scale of the Industry(Large/Medium/Small)** : Medium
- (ii) **Category/Type of the Industry** : RED / Other
8. **Name and address of the City/Town/Village/Plot/Khasra/Patwari Halka No. with PIN code where the project site is located** : Mansa Road, Near ITI
Chowk, Bathinda
Bathinda
Pin - 151001
9. (i) **Total Land area of the industry/project (in square meters)** : 80937
- (ii) **Built up area of the project(to be mentioned in case of construction/area development projects only) (in square meters)** : 60702

10. Whether the site of the industry/project is located within or outside the municipal limits (please attach a certificate from the M.C. in this regard) : Within M.C. limit
11. Whether the site of the industry/project is situated in any Focal Points/Industrial Estate developed by the Govt. or any other authorized by the Govt. (please attach a copy of allotment letter of plot/land) : No
12. (i) Whether the site of the industry/project is located within the notified/draft Master Plan/LPA (Local planning Area) of any town/city and if yes, the classification of the area in which the site is located. (Please attach the certificate from the Deptt. of the Town & Country Planning, Punjab in this regard.) : (Enclosures Attached)
- (ii) In case the industry/project is not satisfied in the approved industrial area within the notified/draft Master Plan/LPA, whether it has obtained the change of land Use (CLU) from the competent authority of the State or not and if yes, please attach a copy of the same : No
- (iii) In case the industry/project is not covered under (i) and (ii) above ; please attach a certificate from the deptt. of Town & Country Planning, Punjab regarding the classification of the area in which the site is located and whether CLU is required or not : No
13. Whether the industry/project is located in Critically Polluted Area or not and if yes, please indicate the code assigned to the industry by the CPCB/MoEF : NO
14. Month and Year in which the industry was commissioned/is likely to be commissioned : Mar/2014
15. Undepreciated value of the fixed assets of the industry (Please indicate the date as on which the value of fixed assets has been considered) (Applicable in the cases of 'consent to operate' only) :
16. Details of consent fee deposited:

Sr. No.	Fee For	Amount (In Rupees)
1	CTE	40000.0
2	Application Form	500.0

17. Total No. of average working days in a year and total no. of working shifts per day : 330 days / 2 shifts
18. (a) Total No. of Workers including officials working in industry : 117
- (b) No. of Workers and officials residing in the industrial permises: :
- (c) Total population to be served, (i) during construction phase :
(ii) during operation phase :

(To be mentioned in case of construction/area development projects only)

19. Whether the industrty/project:
- (i) is covered under the Environment Impact Assessment (EIA) Notification dated 14.9.2006 as amended from time to time or not and if yes, the status of obtaining environment clearance from MoEF/State Level Environment Impact Assessment Authority : YES / Granted
- (ii) is covered under the 1st Schedule of Factories Act, 1948 or not if yes, the status of obtaining site clearance from SCA-cum-SAC : NO /
- (iii) is covered under Press Note-17 (1984 series) or not and if yes, the status of obtaining the environmental from SCA-cum-SAC : NO /
20. Whether the industry has the complete machinery for which it had obtained 'consent to establish'(NOC) from the Board or not and if not, the details thereof. (To be filled up in case of 'consent to operate' cases only : NO /

PART-B: TECHNICAL INFORMATION(GENERAL):**1. Raw Material & Chemicals Details:**

Sr. No.	Name of the Raw-material/Chemicals used/to be used	Quantity of the Raw-material/Chemicals used/being used	Unit
1	Municipal Solid waste Management	350	Metric Tonnes/Day

2. Production Detail:

Sr. No.	Name of the Product produced/to be produced		Quantity of Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
1	Refused Derived Fuel	Metric Tonnes/Day		250	125	150
2	Compost	Metric Tonnes/Day		100	80	100

Sr. No.	Name of the By-Products produced/to be produced		Quantity of By-Products produced/to be produced.			
			Licensed production capacity	Installed Production Capacity	Avg. Actual Production	Average Actual production for which the consent is sought
-----NIL-----						

3.Details of Power Load/power consumption:

(i) Total power load available with the : 1000.0 industry(in KW)

(ii) Power Load required by the industry(in : 0.0 KW)

(iii) Estimated power consumption for : 800.0 intended production per day(in Units consumed per day)

4. Manufacturing Proseses involved : / (Enclosures Attached)

(please attach separate sheet, in case the space provided herein with is insufficient)

5. Solid Waste Generation Details:

Sr. No.	Source of Generation of Solid Waste		Nature/Type of solid waste	Quantity of Solid Waste generated/to be generated per day	Mode of Disposal
1	Process rejects from Compost & RDF	Metric Tonnes/Day	Inerts	85	Transported & disposed to Engineered Landfill site at Mandi Khurd

PART-C: TECHNICAL INFORMATION REQUIRED FOR CONSENT UNDER WATER ACT, 1974 :

1. Source of Water Supply :

(Own Tubewell/Municipal Supply/Surface Water)

Sr. No.	Source Type	Source Name	Quantity (KLD)
1	Tubewell	Tubewell	45

2. Details of flow measuring devices provided by the industry/project

- (i) for measurement of water consumed : Measurement by water flow meter that would be installed on the incoming pipeline
- (ii) for measurement of,
- (a) Waste water generated : Measurement by electro-magnetic flow meter
- (b) Waste water recycled : Measurement by electro-magnetic flow meter
- (c) Waste water discharged : Measurement by electro-magnetic flow meter

3. Water Consumption Details:

Sr. No.	Water Consumed For	Quantity(KLD)
1	Domestic	5.0
2	Process	35.0
3	Domestic	5.0

4. Wastewater Generation Details:

Sr. No.	Wastewater Generated	Quantity(KLD)
1	Domestic	4.0
2	Process	22.0

5. Wastewater Treatment Details:

Sr. No.	Use	Effluent Generation(KLD)	Treatment Arrangement Status	Treatment Details
1	Trade Effluent	26.0	Yes	ETP
2	Domestic Effluent	4.0	Yes	ETP

6. Characteristics of Wastewater:

Sr. No.	Type of Effluent	Parameters	Conc. of Pollutant		Unit
			Untreated	Treated	
1	Domestic Effluent	BOD	50	5	mg/l
2	Domestic Effluent	COD	100	20	mg/l
3	Domestic Effluent	Suspended Solids	50	5	mg/l
4	Domestic Effluent	Dissolved Solids	250	200	mg/l
5	Domestic Effluent	pH	7	7.5	mg/l
6	Trade Effluent	BOD	600	30	mg/l
7	Trade Effluent	COD	1200	150	mg/l
8	Domestic Effluent	Ammonical Nitrogen	40	5	mg/l
9	Trade Effluent	Suspended Solids	300	30	mg/l
10	Trade Effluent	Dissolved Solids	2100	2000	mg/l
11	Trade Effluent	pH	7.5	7	mg/l
12	Trade Effluent	Ammonical Nitrogen	50	5	mg/l

7. Treated Wastewater Disposal Details:

Sr. No.	Wastewater Disposal System	Quantity	Mode of Disposal(please indicate the land area in acres in case of disposal onto land for plantation/irrigation)
(i)	Wastewater being / to be recycled with or without treatment	28	
(ii)	Wastewater being/ to be discharged after treatment		
1	Trade Effluent	2.0	Disposal on green belt area and on windrows ; 2 KLD into sewer

8. Power consumption details of wastewater treatment facilities :

(i) Total power load conected to Wastewater treatment facilities(in KW) : 0

(ii) Average daily power consumption on wastewater treatment facilities(i.e. no. of units consumed/day) : 0



M/s JITF Urban Waste management (Bathinda) Ltd.,
Mansa Road, ITI Chowk, Bathinda

ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਰੋਕਥਾਮ ਬੋਰਡ
PUNJAB POLLUTION CONTROL BOARD
Zonal Office, Power House Road, Street No. 12, Bathinda.

310

No. 3629

Regd.

Dated 29-10-13

To

M/s JITF Urban Waste management (Bathinda) Ltd.,
Mansa Road, ITI Chowk,
Bathinda.

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Sub: **"Consent to Establish" (NOC) from Pollution Angle under the provisions of Water (Prevention & Control of Pollution) Act 1974 & Air (Prevention & Control of Pollution) Act, 1981.**

The Punjab Pollution Control Board has "No Objection" for establishing MSW processing plant at Mansa Road, Bathinda in an area of 20 acres and landfill facility site located at Mandi Khurd in an area of 36.8 acres details tabulated below, subject to the following terms and conditions:-

Name of Applicant	Sh. Rakesh Kumar, Aggarwal, Director
NOC Fee Details	<ul style="list-style-type: none"> Rs. 40,000/- vide UTR. no. AXISF1317205005 dt. 21/06/2013 & Rs. 7,000/- vide R. no. 93/3598 dt. 28/10/2013
Scale / Category of Industry	Large / Red
Product / Machinery	Refused Derived Fuel (RDF) @ 250 MTD & Compost @ 100 MTD
Source of Water Pollution	<ul style="list-style-type: none"> Trade Effluent. Domestic effluent.
Quantities of effluent and mode of disposal	<ul style="list-style-type: none"> Trade Effluent @ 26 KLD onto land for plantation. Domestic effluent @ 4 KLD onto land for plantation after treatment in septic tank.
Sources of Air Pollution /fuel/ APCD	<ul style="list-style-type: none"> 1 no. DG set of 250 KVA capacity with canopy.
Standards applicable	As prescribed by the PPCB/CPCB/Govt. from time to time.
NOC No. ZO/BTI/2013/NOC/ 113	Date of Issue : 29/10/2013

- The NOC is valid for one year, or till the commissioning of the industry for expansion process, whichever is earlier.
- The orders to be issued by the Hon'ble National Green Tribunal shall be applicable to the facility.
- As the proposed facility site is surrounded by residential area, as per the notified master plan, Bathinda, hence operator shall provide 15 m broad leaf trees all along the boundary.
- The agency will install ETP for treatment of leachate before disposing off this leachate onto windrows.

Contd....2...

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-2-

- The industry shall apply for consents of the Board as required under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 and the Air (Prevention & Control of Pollution) Act, 1981 at the time of applying clearance certificate.
6. The industry shall provide adequate arrangements for fighting the accidental leakages/discharge of any air pollutant/gas/liquids from the vessels, mechanical equipments etc. which are likely to cause environmental pollution.
 7. The project has been approved by the Board from pollution angle and the industry shall obtain the approval of site from other concerned departments, if need be.
 8. The industry shall comply with any other conditions laid down or directions issued by the Board under the provisions of the Water Act, 1974 and the Air Act, 1981 from time to time.
 9. Nothing in this N.O.C. shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities or penalties to which the applicant is or may be subjected under the provisions of the Water/Air Acts respectively.
 10. The industry shall plant suitable varieties of trees at the density of not less than 1000 trees per acre along the boundary of the industrial premises.
 11. The industry shall dispose off the domestic effluent onto land for irrigation and shall not allow it to stagnate anywhere inside or outside of its premises.
 12. The industry shall not irrigate the vegetable crops with treated effluents which are used /consumed as raw.
 13. The industry shall ensure that at any time the emission do not exceed the emissions standards laid down by the Board from time to time.
 14. The industry shall install stack with the D.G. set as per following criteria:-

Capacity of diesel generating set	Height of the Stack
0-50 KVA	Height of the building + 1.5Mt.
50-100 KVA	-do- + 2.0Mt.
100-150 KVA	-do- + 2.5Mt.
150-200 KVA	-do- + 3.0Mt.
200-200 KVA	-do- + 3.5Mt.
250-300 KVA	-do- + 3.5Mt.

For higher KVA rating stack height H (in meter) shall be worked out according to the formula:

$$H = h + 0.2 (KVA)^{0.5}$$

Where h = height of the building in meters where the generator set is installed.

15. The industry shall provide terminal manhole at the end of each collecting system and a manhole upstream of final outlet (s) out of the premises of the industry for measurement of flow and for taking samples.

-3-

16. All the under ground water retaining structures shall be lined with an impervious layer so as to avoid seepage and contamination of sub-soil/water.
17. The industry shall, for the purpose of measuring and recording of quantity of water consumed, affix meters of such standards at such places as approved by the Environmental Engineer, Pollution Control Board, Regional Office, Faridkot.
18. The industry shall not discharge any fugitive emissions/odour. All gases shall be emitted through a stack of suitable height/as per the norms fixed by the Board from time to time.
19. The industry shall keep the height of exhaust pipes with ventilation equipments etc. at least 3 meters above the roof level.
20. The industry shall ensure that the emissions from the each stack shall conform to the emission standards laid down by the Board from time to time.
21. The industry shall comply with the effluent standards laid down by the Board from time to time.
22. The industry shall not consume any fuel without the prior written permission of the Board.
23. All amendments/revisions made by the Board in the effluent and/or emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.
24. The adequacy and efficacy of the pollution control devices will be the entire responsibility of the industry.
25. The industry shall adopt the proper measures for the control of pollution.
26. The industry shall provide proper canopy around the D.G. set to contain the noise level within the limits prescribed for D.G. sets from time to time.
27. The industry shall put up display board indicating Environment data at the main entrance gate.
28. The Board reserves the right to revoke the consent to establish (NOC) granted to the industry at any time in case the industry is found violating any of the conditions of the consent to establish (NOC) granted under the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981.

Ramprasad
29/10/13
For Senior Environmental Engineer

Endst. No

Dated.....

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Bathinda for information & necessary action.

Sd -
For Senior Environmental Engineer

Annexure R-6

PUNJAB POLLUTION CONTROL BOARD
Zonal Office, Power House Road, Street No. 12, Bathinda

Website:- www.ppcb.gov.in

Industry ID:R13BTI403329

Date :23/03/2016

Application No :3687304

To

M/s Jitf urban waste management (bathinda) limited
 Mansa road, near iti chowk, bathinda
 Bathinda
 151001
 Tehsil: Bathinda
 District: Bathinda

Subject:- Grant of consent to operate u/s 21 of Air(Prevention & Control of Pollution)Act, 1981 for discharge of emissions arising out of premises.

With reference to your application for consent to operate an industrial plant u/s 21 of Air(Prevention & Control of Pollution)Act, 1981, you are hereby, authorized by Punjab Pollution Control Board to operate an industrial plant for discharge the emissions arising out of your premises subject to the following conditions:

A. Particulars of the Industry

Name of the Applicant		Sh. Jitf urban waste management (bathinda) limited			
Address of Industrial premises		Mansa road, near iti chowk, bathinda			
Capital Investment of the Industry		1979.2 lakhs			
Scale of the Industry		Large			
Office District		Bathinda			
Consent Fee Details		--			
Fee For	Bank Name	Branch Name	Draft No./Money Receipt No.	Date	Amount (In Rupees)
CTO Air	AXIS BANK	NEW DELHI	0000	18/02/2016	94000.0
Raw Material, name with quantity/per day		Municipal Solid Waste @ 350 TPD (at full capacity)			

Products with quantity/per day	RDF @ 174 TPD Compost @ 32 TPD Inerts @ 67 TPD Recyclables @ 3 TPD
By-products, if any, with quantity/day	--
Details of the machinery and processes	Raw MSW, ASP Composting using thermophilic enzymes in 12 nos.(6x2) pits, Manual Sorting for recovery of recyclables and inerts, metal separation/screening using ballistic separators for separation of compost from waste, Shredding of left over waste by using shredders and destoners, RDF
Quantity of fuel required in TPD and capacity of boilers/ Furnace/Thermo heater etc.	HSD for DG set of capacity 250 KVA
Type of Air Pollution Control Devices installed	Canopy with DG set of capacity 250 KVA
Stack height provided with each boiler/thermo heater/Furnace etc.	Stack of adequate height has been provided with the DG set
Sources of emissions and type of pollutants	Odour from the ASP composting process DG set of capacity 250 KVA
Standards to be achieved	As prescribed by the PPCB/CPCB/MOEF.

B. Particulars of Consent to Operate of the industry

No. R16BTICTOA3687304	Date of issue :23/03/2016
	Date of expiry :30/06/2016

A. MAIN CONDITIONS

1. The project promoter along with Municipal Corporation, Bathinda will control the odour generated from the operation of the facility jointly so as to prevent nuisance in the nearby areas.
2. The project promoter along with Municipal Corporation, Bathinda shall set up ambient air quality monitoring stations in all the four directions so as to monitor the ambient air quality data on regular basis.
3. The project promoter will clear the green belt of unwanted construction material and plant fresh saplings all around the boundary of the site to make it of 15 meters width (except the STP area), within one month, so as to comply with the EC conditions and judgment of Hon' ble NGT, New Delhi. The project promoter would maintain this green belt and submit the compliance report to the Board on fortnightly basis.
4. The project promoter will submit the proposal to develop engineered landfill facility at Mansa Road, Bathinda adjoining its site within 1 month, so as to dump the inerts from the plant in scientific manner.
5. The project promoter will get the environmental clearance amended in respect of change in the composting technology from the windrow composting to agitated static piling (ASP) composting process and change in sanitary land fill site from Mandi Khurd to Mansa Road, Bathinda as submitted in Model Action Plan & DPR.

6. The industry will comply with all the conditions of environmental clearance granted to it by Ministry of Environment and Forests, Govt. of India.
7. The gases generated from the Landfill facility shall be collected and disposed / utilized as per rules.
8. The orders issued by the Hon'ble National Green Tribunal from time to time shall be applicable to the facility.

B. GENERAL CONDITIONS

1. The industry shall apply for renewal / extension of validity of this consent to operate atleast two months before its expiry.
2. The industry shall ensure that at any time the emission do not exceed the emissions standards laid down by the Board from time to time.
3. The industry shall submit performance study of its air pollution control devices, carried out by Board's lab. as per the frequency for such type of industry and submit analysis report to the Board time to time.
4. The industry shall discharge all gases through a stack of minimum height as specified in the following standards laid down by the Board -

a) Stack height for diesel generating sets:

Capacity of diesel
generating set Height of the Stack

0-50 KVA Height of the building	+ 1.5 mt.
50-100 KVA -do-	+ 2.0 mt.
100-150 KVA -do-	+ 2.5 mt.
150-200 KVA -do-	+ 3.0 mt.
200-200 KVA -do-	+ 3.5 mt.
250-300 KVA -do-	+ 3.5 mt.

For higher KVA rating stack height H (in meter) shall be worked out according to the formula:

$$H = h + 0.2 (KVA)^{0.5}$$

where h = height of the building in meters where the generator set is installed.

For higher KVA rating stack height H (in meter) shall be worked out according to the formula:

$$H = h + 0.2 (KVA)^{0.5}$$

where h = height of the building in meters where the generator set is installed.

6. The industry shall not consume any fuel except HSD for DG set (s) without the prior written permission of the Board.
7. The industry will install the separate energy meter for running pollution control devices and shall maintain record with respect to operation of air pollution control devices so as to ensure the regular operation of air pollution control devices and monthly reading may be sent to the Board by the fifth of the following month.
8. The industry shall provide port-holes, platforms and/or other necessary facilities as may be required for collecting the samples of emissions from any chimney, flue or duct or any other outlets.

Specifications of the port-holes shall be as under:-

i) The sampling ports shall be provided at at least 8 times chimney diameter down stream and 2 times up stream from the flow disturbance. For a rectangular cross section the equivalent diameter (De) shall be calculated from the following equation to determine upstream, downstream distance:-

$$De = 2LW / L+W$$

Where L=Length in mts. W=Width in mts.

ii) The sampling port shall be 7 to 10 cm in diameter.

9. The industry shall comply with any other conditions laid down or directions issued in due course by the Board under the provisions of the Air (Prevention & Control of Pollution) Act, 1981.

10. Nothing in this consent shall be deemed to neither preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected to under this or any other Act.

11. A green belt of minimum 15 m width shall be provided all around the periphery of the project site and 5 m on the side abutting to the STP.

12. The industry shall plant minimum of three suitable varieties of trees at the density of not less than 1000 trees per hectare all along the boundary of the industrial premises.

13. Any amendments/revisions made by the Board in the emission/stack height standards shall be applicable to the industry from the date of such amendments/revisions.

14. The industry shall dispose off its solid wastes generated in a proper manner and to the satisfaction of the Board to avoid public nuisance and air pollution problem.

15. The air pollution control equipments shall be kept at all time in good running condition & ;

(i) All failures of control equipments.

(ii) The emissions of any air pollutant into the atmosphere in excess of the standards laid down by the Board occurring or being apprehended to occur due to accident or other unforeseen act or event.

"Shall be intimated through fax to the Environmental Engineer, Regional Office, Bathinda as well as to the Director of Industries, Punjab Chandigarh as required under rule 10 of the Punjab State Board for the Prevention and Control of Air Pollution Rules, 1983".

16. The industry shall ensure that no air pollution problem or public nuisance is created in the area due to discharge of emissions / odour from the industry.

17. The industry shall maintain the following record to the satisfaction of the Board :-

a) Log books for running of air pollution control devices or pumps/motors used for running of the same.

b) Register showing the results of various tests conducted by the industry for monitoring of stack emissions and ambient air.

c) Register showing the stock of absorbents and other chemicals to be used for scrubbers.

18. The industry shall provide adequate arrangements for fighting the accidental leakages/discharge of any air pollutant/gas/liquids from the vessel, mechanical equipment's etc. which are likely to cause environmental pollution.

19. The existing control equipment shall be altered or replaced in accordance with the direction of the Board, and no control equipment or chimney shall be altered or as the case may be erected or re-erected except with the previous approval of the Board.

20. The industry shall not discharge any fugitive emissions and all gases shall be emitted through a stack of suitable height, as per the norms fixed by the Board from time to time.

21. The industry shall make arrangements for the monitoring of ambient air quality and location of stations shall be

selected in consultation with the Environmental Engineer, Regional Office, Bathinda

22. The industry shall cover the presence of following parameters which shall be measured in micrograms per cubic meter:-

- i) Suspended particulate matter (SPM)
- ii) Any other (to be specified)

The sample shall be analyzed according to the procedure specified by ISI/State Board or with any standard method.

23. The industry will obtain authorization as required under the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules, 2008 for the handling of hazardous wastes generated by it.

24. The industry shall dispose off the sludge generated from the effluent treatment plant / recirculation system as per provisions of the Hazardous Wastes (Management, Handling & Transboundary Movement) Rules, 2008 in an environmentally sound manner.

25. The industry shall submit balance sheet regarding its gross fixed assets at the end of each financial year to the Environmental Engineer, Regional Office, Bathinda.

26. The industry shall operate its air pollution control devices regularly and scientifically so as to achieve prescribed standards for all the times.

27. The industry shall provide proper canopy with D.G. sets to contain the sound pressure level within the standards laid down by the Ministry of Environment & Forests.

28. The industry will comply with the provisions of Municipal Solid Waste (Management & Handling) Rules, 2000.

29. The pollution control devices shall be interlocked with the manufacturing process of the industry.

30. The industry will maintain proper record of chemicals used for treatment of wastewater / emissions.

31. The industry will submit environment statement 30th September every year as required under the Environment (Protection) Act, 1981.

32. The industry shall put up display board in the prescribed format giving details about pollution load at main entrance gate.

33. The Board reserves the right to revoke / cancel the consent granted to the industry at any time in case the industry is found violating any of the conditions of the consent under Air (Prevention & Control of Pollution) Act, 1981 as amended time to time.

For Senior Environmental Engineer

Endst. No. _____ Dated : _____

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Bathinda for information & further necessary action.

For Senior Environmental Engineer

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PUNJAB POLLUTION CONTROL BOARD
Zonal Office, Power House Road, Street No. 12, Bathinda

Website:- www.ppcb.gov.in

Industry ID:R13BTI403329

Date :23/03/2016

Application No :3687401

To

M/s Jitf urban waste management (bathinda) limited
Mansa road, near iti chowk, bathinda
Bathinda
151001
Tehsil: Bathinda
District: Bathinda

Subject:- Grant of consent to Operate an outlet u/s 25/26 of Water(Prevention & Control of Pollution)Act, 1974 for discharge of effluent.

With reference to your application for consent to operate an outlet for discharge of the effluent u/s 25/26 of Water(Prevention & Control of Pollution)Act, 1974, you are, hereby, authorized by the Board to discharge the effluent(s) arising out of your premises at Mansa road, near iti chowk, bathinda subject to the following conditions:

A. Particulars of the Industry

Name of the Applicant		Jitf urban waste management (bathinda) limited		
Address of industrial premises		Mansa road, near iti chowk, bathinda		
Capital investment of the industry		1979.2 lakhs		
Scale of the industry		Large		
Office District		Bathinda		
Consent Fee Details		--		
Bank Name	Branch Name	Draft No./Money Receipt No.	Date	Rupees
AXIS BANK	NEW DELHI	00000	18/02/2016	70000.0
Raw Materials, name with quantity per day		Municipal Solid Waste @ 350 TPD (at full capacity)		
Products with quantity per day		RDF @ 174 TPD Compost @ 32 TPD Inerts @ 67 TPD Recyclables @ 3 TPD		

By-Products, if any, with quantity per day	--
Details of the machinery and processes	Raw MSW, ASP Composting using thermophilic enzymes in 12 nos.(6x2) pits, Manual Sorting for recovery of recyclables and inerts, metal separation/screening using ballistic separators for separation of compost from waste, Shredding of left over waste by using shredders and destoners, RDF
Details of the Effluent Treatment Plant	The facility has provided civil work for the ETP, which is being used as recirculation tanks at present and no leachate is discharged anywhere.
Mode of Disposal	Trade effluent @ 26 Kl/day - (leachate generated from composting process during feeding of raw municipal solid waste into the treatment facility). Re-used into composting through collection / settling tanks (recirculation tanks). Domestic effluent @ 4 Kl/day – discharged into green belt along the site of the project after passing through septic tank.
Standards to be achieved	As prescribed by the PPCB/CPCB/MOEF.

B. Particulars of Consent to Operate granted to the industry

No.R16BTICTOW3687401	Date of issue :23/03/2016
	Date of expiry :30/06/2016

C. Main Conditions:

1. The project promoter along with Municipal Corporation, Bathinda will control the odour generated from the operation of the facility jointly so as to prevent nuisance in the nearby areas.
2. The project promoter along with Municipal Corporation, Bathinda shall set up ambient air quality monitoring stations in all the four directions so as to monitor the ambient air quality data on regular basis.
3. The project promoter will clear the green belt of unwanted construction material and plant fresh saplings all around the boundary of the site to make it of 15 meters width (except the STP area), within one month, so as to comply with the EC conditions and judgment of Hon' ble NGT, New Delhi. The project promoter would maintain this green belt and submit the compliance report to the Board on fortnightly basis.
4. The project promoter will submit the proposal to develop engineered landfill facility at Mansa Road, Bathinda adjoining its site within 1 month, so as to dump the inerts from the plant in scientific manner.
5. The project promoter will get the environmental clearance amended in respect of change in the composting technology from the windrow composting to agitated static piling (ASP) composting process and change in sanitary land fill site from Mandi Khurd to Mansa Road, Bathinda as submitted in Model Action Plan & DPR.
6. The industry will comply with all the conditions of environmental clearance granted to it by Ministry of Environment and Forests, Govt. of India.
7. The leachate from the facility shall be collected and treated to meet the prescribed standards before its reuse.

8. The proponent shall obtain necessary clearance from the Groundwater Authority for abstraction of ground water, if required.
9. Periodical ground water / soil monitoring to check the contamination in and around the site shall be carried out as per the provisions of Municipal Solid Wastes (Management and Handling) Rules, 2000 / Punjab Pollution Control Board requirements.
10. Proper shed shall be provided for the compost yard to prevent the rain water coming in contact with the material in the compost yard.
11. The orders issued by the Hon'ble National Green Tribunal from time to time shall be applicable to the facility.

D. General Conditions:

1. The effluent discharged through the authorized outlet shall conform to the standards prescribed by the Board as per Board's Notification issued from time to time for such discharges onto land for plantation / irrigation.
2. The industry shall regularly operate and maintain the effluent treatment plant installed by it to ensure that the treated trade effluent conforms to the standards laid down by the Board for such discharges.
3. The industry will maintain plantation area developed by it scientifically so as to ensure that no stagnation occurred at any time due to the discharge of its treated trade effluent in the said area.
4. The industry will get its effluent samples analyzed from Board's lab as per policy of the Board and submit analysis report to the Board, accordingly time to time.
5. The industry shall make necessary and adequate arrangements to hold back the effluent in case of failure of effluent treatment plant.
6. The industry shall comply with the following stipulations;
 - i. The industry shall apply for renewal of consent atleast two months before expiry of the consent.
 - ii. The issuance of this consent does not convey any property right in either real or personal property, or any exclusive privileges, nor it authorize any injury to private property or any invasion of personal rights, nor any infringement of Central, State or Local Laws or Regulations.
 - iii. The consent does not authorize or approve the construction of any physical structures or facilities for undertaking of any work in any natural water course.
 - iv. Nothing in this consent shall be deemed to preclude the institution of any legal action nor relieve the applicant from any responsibilities, liabilities or penalties to which the applicant is or may be subjected under this or any other Act.
 - v. During the period beginning from the date of issuance and the date of expiration of this consent, the applicant shall not discharge floating solids or visible foam.
7. The industry shall discharge domestic effluent onto land for plantation after proper treatment through septic tank.
8. Any amendments/revisions made by the Board in the tolerance limits for discharges shall be applicable to the industry from the date of such amendments/revisions.
9. The authorized outlet and mode of disposal shall not be changed without the prior written permission of the Board.
10. The industry shall not use any unauthorized out-let(s) for discharging effluents from its premises.
11. The industry shall not change or alter the manufacturing process (es) so as to change the quality and/or quantity of the effluents generated without the written permission of the Board.
12. Any upset conditions in the plant/plants of the factory, which is likely to result in increased effluent

Rules, 2008 in an environmentally sound manner.

28. The industry will maintain proper record of water used by it, wastewater reused back into the processes and treated wastewater discharged onto land for plantation.

29. The industry will maintain proper record of chemicals used for treatment of wastewater / emissions.

30. The industry will comply with the provisions of Municipal Solid Waste (Management & Handling) Rules, 2000.

31. The industry will submit environmental audit report for the financial year ending 31st March on the prescribed Performa every year.

32. The industry shall put up display board indicating Environment data at the main entrance gate.

33. The industry will install piezometers at different locations along its premises for assessment of ground water quality.

34. The Board reserves the right to revoke the consent granted to the industry at any time in case the industry is found violating any of the conditions of the consent under Water (Prevention & Control of Pollution) Act, 1974 as amended time to time.

For Senior Environmental Engineer

Endst. No. _____ Dated : _____

A copy of the above is forwarded to the Environmental Engineer, Punjab Pollution Control Board, Regional Office, Bathinda for information & further necessary action.

For Senior Environmental Engineer

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“ This is computer generated document from OCMMS by PPCB ”

Without Prejudice

Annexure R-7

To,

Municipal Corporation of Bathinda,
Mall Road,
Near Railway Station
Bathinda, Punjab

Kind Attention: The Municipal Commissioner

Date: 22.08.2025

Subject: In reference to the Arbitral Award dated 21.05.2025: Remittance of the Awarded Amount towards Outstanding Tipping Fees.

Ref: Reply to letter Ref: No. 2251 dated 29.7.2025

Dear Sir,

1. We, M/s JITF Urban Waste Management (Bathinda) Limited, the Concessionaire of the Processing Facilities situated at Mansa Road, Bathinda, write to you as under:
2. The Arbitral Award in the matter titled JITF Urban Waste Management (Bathinda) Ltd. vs. Municipal Corporation, Bathinda & Anr. was pronounced on 21.05.2025 by the Ld. Arbitral Tribunal.
3. In the Arbitral Award dated 21.05.2025, the Ld. Tribunal under Claim No. 1 awarded an amount of Rs. 1,83,57,074/- towards Outstanding Tipping Fees. It is also pertinent to state that along with the aforesaid amount, the Ld. Tribunal was pleased to grant:
 - a. Pendente-lite Interest on Rs. 1,83,57,074/- in terms of Article 7.7 of the Concession Agreement, i.e., prevailing annual PLR of the SBI; (*Para 286 of the Award*)
 - b. Interest on delayed payments of Tipping Fee as per Articles 7.7(i) and 15.2 of the Concession Agreement for those invoices which fall within three years of the invocation of the arbitration, i.e., 19.03.2019, after deducting the amount of deductions/penalties imposed and (*Para 206 of the Award*)
4. The Municipal Corporation, Bathinda, has partially remitted an amount of Rs. 1,83,57,074/- on 28.07.2025. Please note that the Concessionaire has received the said amount **under protest and without prejudice** to its right and remedy available under law, including against the Arbitral Award dated 21.05.2025.

5. Please note that the Municipal Corporation, Bathinda, has failed to remit the pendente lite interest and future interest on the Rs. 1,83,57,074/- and interest on the delayed payment Tipping Fee.

22/8/25
नाराज निवासे, बठिंडा



6. In view of the above, the Municipal Corporation Bathinda is hereby requested to remit the following:
- Interest on Rs. 1,83,57,074/- from the 20.01.2019 till 21.05.2025 at the prevailing PLR of SBI.
 - Interest on delayed payment of outstanding Tipping Fees for the invoices from 20.03.2016 till 20.03.2019, after deducting the amounts of deductions/penalties imposed at the prevailing PLR of SBI.
 - Future interest at the prevailing PLR of the State Bank of India from 22.05.2025 till 28.07.2025.
7. The Municipal Corporation, Bathinda, is hereby requested to remit the aforesaid amount, which the Concessionaire will be receiving under protest and without prejudice to its right and remedy under law, including against the Arbitral Award dated 21.05.2025.
8. Notwithstanding and without prejudice to the above, it is stated that all rights and remedies of the Concessionaire in respect of the Arbitral Award dated 21.05.2025 are reserved. Please note that the Concessionaire has preferred an Objection Petition under Section 34 of the Arbitration and Conciliation Act, 1996, which is pending before the competent court of law, i.e., District Court, Chandigarh, wherein notice has been issued to the Municipal Corporation Bathinda and Department of Local Government, Govt. of Punjab.
9. Notwithstanding and without prejudice to anything stated herein, please note that this letter will not be read, understood, or amount as any admission, consent, concurrence, waiver, or agreement on the part of the Concessionaire. The Concessionaire also reserves its rights under law and in contract to take appropriate action against the Concessioning Authority. Any action by the Concessionaire is without prejudice to its rights, which have not been waived or renounced.

Thanking You.

Yours Sincerely,

For and on behalf of



JITF Urban Waste Management (Bathinda) Limited
Authorized Signatory

Copy to

1. Department of Local Government



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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 2025-10-28 13:05

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

Cc Kumar Shashwat Singh Sawno <Shashwat@sandalawoffices.com>; Rahul Saraswat <Rahul.s@sandalawoffices.com>

📎 1 attachment (14 MB)

Additional Response on behalf of Respondent No. 3- 28.10.2025 1 (1).pdf;

Dear Mr. Jadon

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

Kindly find attached herewith the Additional Response on behalf of M/S JITF Urban Waste Management (Bathinda) Limited in furtherance of the Hon'ble NGT's Order dated 18.09.2025.

Yours sincerely,

Gunita Pahwa | Joint Managing Partner|



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