

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
ORIGINAL APPLICATION No.413 OF 2021

IN THE MATTER OF:

BIKRAMJEET SINGH SHERGILL

...APPLICANT

VERSUS

STATE OF PUNJAB

...RESPONDENT

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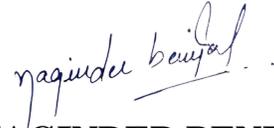
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FILED BY:

DATED:23-07-2024

NEW DELHI



(NAGINDER BENIPAL)

ADVOCATE

CHAMBER NO.493, LAWYES CHAMBERS BLOCK-1,
SHERSHA ROAD, DELHI HIGH COURT, DELHI-110003

Contact: +91 99 99 32 92 99

Email: benipal@naginderbenipal.com

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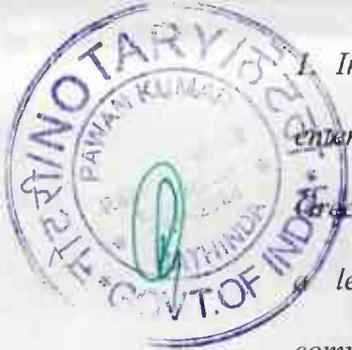
**REPLY ON BEHALF OF MUNICIPAL CORPORATION, BATHINDA
IN COMPLIANCE OF ORDER DATED 02.04.2024**

IT IS MOST RESPECTFULLY SHOWETH:

1. That I, Rahul, Commissioner is filing this reply on behalf of Municipal Corporation, Bathinda, Punjab.
2. That this Hon'ble Tribunal vide order dated 05.07.2024 had directed:

1. In its reply Municipal Corporation, Bhatinda This original application was entertained in exercise of Suo-moto jurisdiction under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') on the basis of letter petition dated 07.07.2021 received from Bikramjit Singh Shergill communicating about dumping of solid waste at Bhatinda by Municipal Corporation, wherein there was a fire incident on 06.06.2021. The fire erupted from the large quantity of inflammable material lying in the open space at dumpsite. Municipal Corporation had engaged M/S JITF, Urban Waste Management, Bhatinda for handling management and disposal of solid waste but it was not properly functioning and processing municipal waste as per agreement.

2. The Tribunal found the complaint to be correct and various orders were passed from time to time.



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3. *Since responsibility was sought to be shifted from one body to another. Municipal Corporation tried to place entire blame upon concessioner of Municipal Solid Waste Processing Facility at Bhatinda i.e., JITF Urban Waste Management Bhatinda Ltd.*
4. *However, we are clearly of the view that the prime responsibility with regard to management, handling and processing of solid waste is that of Municipal Corporation, Bhatinda in view of Rule 15 of Solid Waste Management Rules, 2016 and it has miserably failed to discharge its functions. Therefore, admittedly, it has violated mandate of the said provisions which also amounts to offence under the provisions of Environment (Protection) Act, 1986.*
5. *We also find from record that though there is a large-scale violation of statutory provisions related to environment on the part of Municipal Corporation, Bhatinda, no appropriate action has been taken by Punjab State Pollution Control Board (hereinafter referred to as 'PPCB') either by imposing environmental compensation or initiating criminal prosecution or by taking any other remedial punitive and preventive action.*
6. *The Municipal Commissioner, Mr. Rahul is present and states that the daily collected solid waste is regularly being processed but from record we do not find relevant material to demonstrate as a matter of fact, that the entire daily generated waste is being processed properly at the relevant sites.*
7. *Learned counsel appearing for Municipal Corporation at this stage seeks sometime to file an additional affidavit placing on record all relevant facts in this regard. He may do so within ten days.*
8. *Additional reply/ action taken report be filed by email at judicialngt@gov.in in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF at least one week before the date of hearing hereby fixed which is 01.08.2024.*
3. That the Grievance of the applicant is regarding a fire incident on 06.06.2021 at M/s JITF waste plant, Bhatinda, Punjab. The applicant had

submitted that the fire erupted from the large quantity of inflammable material lying in the open space at dumpsite which shows that M/s JITF is not processing the city waste as per agreement.

4. Municipal Corporation Bathinda executed an agreement with M/s JITF Urban Waste Management Bathinda Ltd. to manage the MSW of Bathinda city & surrounding 17 ULBs scientifically in Nov., 2011. M/s JITF has established a waste processing facility at Mansa Road, Bathinda of 350 TPD. It is operational since Oct., 2015. At present, approximately 110 Ton per Day of solid waste is being processed by M/s JITF Urban Waste Management (Bathinda) Ltd., Bathinda. The daily processing report provided by JITF is attached at **Annexure-A**
5. The land where waste was dumped was given to M/s JITF Urban Waste Management (Bathinda) Limited; (Concessionaire) by Municipal Corporation, Bathinda on 01.02.2012 to setup an Integrated Municipal Solid Waste Management project of capacity 350 TPD on lease. Arbitration proceedings are pending before Arbitral Tribunal because of claims and counter claims by both the parties for non-compliance of the Terms of the Concession agreement executed between the parties. Both the parties are continuing to perform their respective obligations under the said agreement, till further directions or until arbitral award is published without prejudice day to their rights to make adjustments in accordance of said award. The daily collected segregated waste is

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transported by MC Bathinda at MSW facility being run by JITF. After weighing the garbage on weighbridge, the wet waste is deposited in compost pits 12 in numbers each having size 15mtr X 18mtr X 4mtr. **(Capacity of each pit is Approx 900 MT)**. Using two grab bucket machines the waste is transferred to hoppers from there through belt conveyors it is fed to Ballistic Separator. C&D material, if any is taken out manually when waste is on Conveyor Belts. The lighter material i.e. RDF is separated and further fed to shredder after screening which is sold to the biomass/WTE plants by JITF. Heavier portion of bio soil is obtained, which after sieving and curing turns into City Compost. This compost is used/taken by the farmers.

6. Municipal Corporation, Bathinda in Compliance to MSW Rules, 2016 has been managing waste in Bathinda. The activities carried out by Municipal Corporation, Bathinda in compliance to these Rules are as below:

- a. Segregated door to door waste collection on daily basis. The segregation of waste is done in 5 categories viz. dry, wet, domestic hazardous waste, Construction & demolition waste and horticulture waste. 72 Tippers and 328 workers are deployed for collection of dry, wet and domestic hazardous waste whereas 6 trolleys and 24 workers are deployed for collection of Construction & demolition waste and horticulture waste. 48 routes have been carved out in the city for



ensuring that each of the property is accessed for waste collection on daily basis. These 72 Tippers work in two shifts and their movement is tracked through GPS system centrally. Photographs attached as **Annexure 6a.**

- b. Manual & mechanical sweeping is carried out in all commercial, residential and public areas of the city on daily basis. Whole city is divided into beats and 26 attendance points have been fixed, where daily attendance of safai sewaks is taken twice a day i.e. at 6 am and at 3 pm. 745 workers are deployed for daily road/street sweeping. Photographs attached as **Annexure 6b.**
- c. Night sweeping and mechanical sweeping is carried out in main Commercial areas and main roads of the City on daily basis in order to clean them properly avoiding issues of parked vehicles and street vendors. 45 workers are deployed for night sweeping. 6 Road Sweeping machines and 16 workers are deployed for mechanical Sweeping. Photographs attached as **Annexure 6c.**
- d. The first scientific Waste Processing facility in State of Punjab is established in Bathinda and it has been working satisfactorily since Oct., 2015. RDF and City Compost are produced here. RDF is being sold to biomass based Power Plants. Regular Consent to Operate (CTO) this facility is obtained/ renewed from Punjab Pollution Control Board.

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Besides this one MRF is constructed near old city area wherein movement of Tippers is not feasible because of narrow lanes. Tricycle rickshaws collect waste from such areas and collected waste is taken to MRF facility developed in this area for sorting of recyclables. Photographs attached as **Annexure 6d.**

- e. Green Belt of 15m width is provided all along the periphery of the Processing plant and Legacy Waste dump site, which is regularly maintained. Besides this plantation drives in many other parts of the City where any vacant land is found is carried out with the help of Local residents and NGOs. Treated water from Sewage Treatment Plant is used for watering of plantation. Photographs attached as **Annexure 6e.**
- f. Compost pits in various parks, educational institutes have been constructed for the processing of horticulture waste. Besides this 2 Green Waste Processors have been deployed in Rose Garden, Bathinda for quick processing of Green waste. The Compost so produced is used in parks and various Green Belts of the City. General Public also uses this compost for their kitchen gardens/home plantation. Photographs attached as **Annexure 6f.**
- g. Municipal Corporation, Bathinda is the first ULB of the State which started using plastic in bituminous road construction. State has made

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use of plastic in bituminous road construction compulsory in Urban Roads thereafter. Photographs attached as **Annexure 6g**.

- h. Construction and demolition waste is collected by Municipal Corporation itself. After its collection same is processed and used for making Kerb stones, which are used by Municipal Corporation for making footpaths and around Planted Trees for protection. Only small quantity of waste that is lying on main roads is processed so far. A new Construction and demolition waste Processing Facility is being developed on the Land which has been reclaimed after remediation of Legacy Waste lying at waste dumping site. Tenders for setting up of this Processing facility have already been invited on 11.07.2024. These tenders shall be opened on 02.08.2024. Photographs / Tender Notice attached as **Annexure 6h**.
7. Municipal Corporation Bathinda took over the work of door to door waste collection by engaging 72 compartmentalized tippers (Tata Ace) for Door-to- Door Collection which are GPS enabled. These tippers are working in two shift in a day (i.e 6 AM to 2 PM and 2 PM to 10 PM) as directed by Hon'ble National Green Tribunal in Appeal No. 70 of 2012 titled as Capt. Mal Singh versus State of Punjab.
8. For Disposal of inert and non- recyclable wastes,one acre land has been identified adjacent to land handed over to JITF,at which MCB has made one SLFof size 150'x10'0x11'. **Annexure B**



9. For effective management legacy management, required machinery (Trammel and Conveyor System) are installed by MC, Bathinda. The work for remediation of Legacy waste has been allotted to Ecostan Infra Pvt Ltd. vide MCB letter No. 1192/w dated 23.12.2022 and the process of bio-remediation has been completed 75%. 2,35,000 cum out of 2,77,000 cum of awarded quantity of Legacy waste in 10 acres of land has already been remediated. The RDF/plastic recovered from treatment of Legacy waste is being supplied to M/s BCL Industries, Sangat, District Bathinda (Distillery) in sacks as per their demand and to various Waste to Energy (WTE) Plant to Shree Cement Ltd., near Andheri Deon in Rajasthan. The soil recovered has been used for filling in low lying areas along road sides in Industrial Growth Center, Mansa Road. The inert recovered has been deposited into Sanitary Landfill developed nearby. The Photographs of the work in progress are attached at annexure C. It is submitted that all the land wherein Legacy waste was lying, was in the possession of JITF. This land was taken over from M/s JITF as MC had already given this land to M/S JITF by executing land lease agreement to set up a Waste Processing Facility. MCB has requested JITF vide letter No. 1363 dated 24.05.24 (attached as ANNEXURE D) to clear the site of legacy waste as per PPCB guidelines. Municipal Corporation Bathinda vide letter no 1719 dated 05.07.2024 (attached as ANNEXURE E) again asked JITF submit action plan for clearing of MSW dump from site under their

jurisdiction. M/s JITF in reply to this letter vide their letter dated 01.07.24 (attached as ANNEXURE F) has written that they are storing the RDF temporarily and will supply the same to Biomass based power plants and will share the action plan within two to three months' time. In this way they are neither clearing the site themselves nor allowing MCB to clear the dump site.

10. But, due to insistence by PPCB to clear all the Legacy waste, MCB took over additional 4.5 acre land from JITF on 08.07.24 and has started the work of Legacy waste bio remediation work on this land. The bio remediation of the legacy waste will be completed by 30.09.24. Rest of the land (about 5 acre) where Legacy waste is lying is still with JITF. The Photographs of the Municipal Solid Waste dumpsite (Mansa Road) are annexed herewith as ANNEXURE G.

11. There are deadlines of 11 parameters fixed by Ministry of Environment, Forest and Climate Change, Govt. of India under Municipal Solid Waste Management Rules, 2016. Municipal Corporation, Bathinda has already achieved all of these parameters as detailed below:



Sr. No.	MSW Rules Item	Target date from date of Notification of MSW Rules, 2016	Date of achievement by MC Bathinda
1	Identification of suitable sites for setting up solid waste processing facilities	1 Year	Identified in Master plan of Bathinda city in Year 2010
2	Identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more .	1 Year	NA
3	procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 Years	Processing Facility Site in Year 2010, SLF Site in Year 2011
4	enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source	2 Years	Punjab Solid Waste Management and Sanitation Byelaws notified in 2020
5	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities.	2 Years	Achieved in Year 2012
6	ensure separate storage, collection and transportation of construction and demolition wastes	2 Years	Achieved in Nov., 2015
7	setting up solid waste processing facilities by all local bodies having 100000 or more population	2 Years	Achieved in Oct., 2015

8	Setting up solid waste processing facilities by local bodies and census towns below 100000 population.	3 Years	NA
9	setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 Years	Achieved in June, 2016
10	setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3 Years	NA
11	bio-remediation or capping of old and abandoned dump sites (Commencement)	5 Years	Already in progress since Nov., 2020

Therefore, there is no non-compliance to any of the deadline given in MSW Rules, 2016.

12. It is submitted that Municipal Corporation, Bathinda is fully committed to comply with the provisions of Solid Waste Management Rules, 2016 and protection & conservation of environment. All efforts are being made for scientific management of legacy waste before given date of 30.09.24. It is also submitted that the Municipal Corporation, Bathinda has always been top ranker in Sawachhta Sarvekshan rankings in State and all India level as detailed below:

Sr. No.	Year	Swachhta Sarvekshan Rank in State	Swachhta Sarvekshan Rank in Country
1	2016	No Participation	No Participation
2	2017	2	132
3	2018	1	104

4	2019	1	31
5	2020	1	79
6	2021	3	84
7	2022	5	132
8	2023	4	121

13. That Municipal Corporation, Bathinda has always been diligent and committed to comply with provisions of Solid Waste Management Rules, 2016 and protection and conservation of Environment. It is also submitted that all necessary steps are being taken by the applicant for upkeeping the scientific management of waste being produced. It is also submitted that Municipal Corporation, Bathinda has always been compliant to the orders and directions issued by the Hon'ble Tribunal.

I Identified The Deponent

Bathinda Ptd. Yr.
Municipal Corporation Bathinda
Municipal Corporation Bathinda
Municipal Corporation Bathinda


DEPONENT

VERIFICATION

Verified at Bathinda of the 19th day of July, 2024 that the contents of the above reply in so far as they relate to factual position are true upon the information derived from the official record and in so far as they relate to the legal submissions are true upon the advice received and believed by me to be true. Rest is by way of submissions before this Hon'ble Tribunal.


DEPONENT

DATE: 19 JUL 2024

PLACE: Bathinda

ATTESTED

PAWAN KUMAR ADVOCATE
NOTARY PUBLIC, BATHINDA

19 JUL 2024

Entered in my Notarial Register
at Sr. No. 695 Register No. 1/2024
Dated 19 JUL 2024

Certified that the content of the document are read over to the Deponent/Executant and after understanding the true & correct He has put signed/pl. thumb impression in my presence of witness

Annexure -A

				Monthly	MTD	YTD	Remarks
				Actual			
Date:- 06/07/2024							
operation & production	MSW	MSW Intake		41.49	559.64	8970.5	
		MSW Processed		129.4	817.70	11018.2	
		Moisture loss		27.1	171.20	2307.5	
	Saleable Products	SF - Compost		20.5	129.40	1742.8	
		Semi-Finished RDF		33.5	211.34	2847.7	
		Finished RDF		10.0	62.00	722.0	
		Finished Compost		0.0	0.00	0.0	
		Inert/ Rejects		48.4	305.80	4120.5	
Sales	RDF	No Customer Name		0.0	0.00	0.0	
		1	Viaton Energy, Mansa	0.00	0.00	657.5	
		2	Malwa Power Pvt. Ltd.	0.0	0.00	0.0	
		3	Universal Bio-Mass Energy Pvt. Ltd.	9.3	20.79	20.8	
		4	DEE Development Engineers Ltd.	0.0	0.00	0.0	
		Total		9.31	20.79	678.3	
	Compost	1	National Fertilizer Ltd. (NFL)	0.0	0.00	0.0	
		2	Municipal Corporation BTI	0.0	0.00	0.0	
		Total		0.0	0.00	0.0	
	Inventory/ Stock Position				Opening Stock	Closing Stock	
Inventory	Raw	MSW		23155.3	23067.3		
	Semi-Finished Products	Semi-finished Compost		37976.4	37896.9		
		Semi-Finished RDF		39918.3	39951.7		
	Saleable Products	Finished RDF		43.9	44.6		
		Finished Compost		210.0	210.0		0.0
Note-							
Request to kindly issue necessary directions to M/s Viaton Energy Pvt. Ltd., M/s Malwa Power Pvt. Ltd., M/s Universal Bio-mass Energy Pvt. Ltd. and M/s DEE Development Engineers Ltd. for clearing outstanding payments of RDF							
Customer Name		RDF Amount		Freight Amount		Total	
Viaton Energy Pvt. Ltd.		476000.00		0		476000.00	
Malwa Power Pvt. Ltd.		0		0		0.00	
Universal Bio-mass Energy		4220		0		4220.00	
DEE Development Engined		0		0		0.00	
Total		480220.00		0		480220.00	

Report dated 06.07.2024 provided by JITF for MSW facility.

JITF ECOPOLIS		BATHINDA P&D - DAILY PLANT REPORT (DPR)					
INTEGRATED WASTE MANAGEMENT		Date:- 29/06/2024					
		Monthly Actual	MTD	YTD	Remarks		
Operative production	MSW	MSW Intake	107.28	2098.00	9419.9		
		MSW Pre-processed	41.2	3300.20	10200.5		
		Moisture loss	8.6	691.20	2138.3		
		SF - Compost	0.5	521.90	1610.4		
		Semi-Finished RDF	10.5	652.93	2536.4		
		Finished RDF	10.0	242.00	850.0		
		Finished Compost	0.0	0.00	0.0		
		Inert/Rejects	16.5	1034.30	3014.7		
Sales	RDF	No	0.0	0.00	0.0		
		Customer Name					
		1	Viaton Energy, Manza	12.42	240.90	657.5	
		2	Malwa Power Pvt. Ltd	0.0	0.00	0.0	
		3	Universal Bio-Mass Energy Pvt. Ltd	0.0	0.00	0.0	
		4	DEE Development Engineers Ltd.	0.0	0.00	0.0	
Total		12.42	240.90	657.5			
Inventory	Raw	MSW	23259.9	23326.0			
		Semi-finished Compost	37881.0	37867.6			
		Semi-Finished RDF	39729.0	39740.4			
Inventory	Semi-finished Products	Finished RDF	5.0	3.4			
		Finished Compost	210.0	210.0		0.0	
		Total	0.0	0.00	0.0		
Inventory Stock Position		Opening Stock	Closing Stock		Unit: MT		

Note:-
Request to kindly issue necessary directions to M/s Viaton Energy Pvt. Ltd., M/s Malwa Power Pvt. Ltd., M/s Universal Bio-mass Energy Pvt. Ltd. and M/s DEE Development Engineers Ltd. for clearing outstanding payments of RDF

Customer Name	RDF Amount	Freight Amount	Total
Viaton Energy Pvt. Ltd.	476000.00	0	476000.00
Malwa Power Pvt. Ltd.	0	0	0.00
Universal Biomass Energy Pvt. Ltd.	4220	0	4220.00
DEE Development Engineers Ltd.	0	0	0.00
Total	480220.00	0	480220.00

June 2024 daily & monthly report provided by JITF for MSW facility.

JITF ECOPOLIS		BATHINDA P&D - DAILY PLANT REPORT (DPR)					
INTEGRATED WASTE MANAGEMENT		Date:- 30/03/2024					
		Monthly Actual	MTD	YTD	Remarks		
Operative production	MSW	MSW Intake	106.11	2735.29	36607.4		
		MSW Pre-processed	129.4	3347.10	38511.3		
		Moisture loss	27.1	701.8	8065.2		
		SF - Compost	20.5	529.30	6119.7		
		Semi-Finished RDF	33.5	065.12	9924.9		
		Finished RDF	0.0	550.00	3317.7		
		Finished Compost	0.0	0.00	0.0		
		Inert/Rejects	48.4	1251.00	14351.0		
Sales	RDF	No	0.0	0.00	0.0		
		Customer Name					
		1	Viaton Energy, Manza	23.0	590.33	3350.7	
		2	Malwa Power Pvt. Ltd.	0.0	0.00	0.0	
		3	Universal Bio-Mass Energy Pvt. Ltd	0.0	0.00	60.6	
		4	DEE Development Engineers Ltd.	0.0	0.00	0.0	
Total		23.0	590.33	3451.2			
Inventory	Raw	MSW	26138.9	26111.6			
		Semi-finished Compost	36233.6	36264.1			
		Semi-Finished RDF	37388.8	37399.3			
Inventory	Semi-finished Products	Finished RDF	23.9	0.9			
		Finished Compost	210.0	210.0		0.0	
		Total	0.0	0.00	0.0		
Inventory Stock Position		Opening Stock	Closing Stock		Unit: MT		

Note:-
Request to kindly issue necessary directions to M/s Viaton Energy Pvt. Ltd., M/s Malwa Power Pvt. Ltd., M/s Universal Biomass Energy Pvt. Ltd. and M/s DEE Development Engineers Ltd. for clearing outstanding payments of RDF sales at the earliest. Details of outstanding payment is as follows -

Customer Name	RDF Amount	Freight Amount	Total
Viaton Energy Pvt. Ltd.	1008549.00	0	1,008,549
Malwa Power Pvt. Ltd.	0	0	0
Universal Biomass Energy Pvt. Ltd.	4220	0	4,220
DEE Development Engineers Ltd.	0	0	0
Total	1012769	0	1,012,769

Yearly report (2023-24) provided by JITF for MSW facility

Annexure 6a



Segregated Waste in Tipper (Dry, Wet, Domestic and Hazardous)

Annexure 6b



Manual Sweeping (Day time)

Annexure 6c



Manual Sweeping (Night time)



Mechanical Sweeping

Annexure 6d



MRF Centre

Annexure 6e



Green Belt



Green Belt

Annexure-6f



Green waste processor in Rose Garden



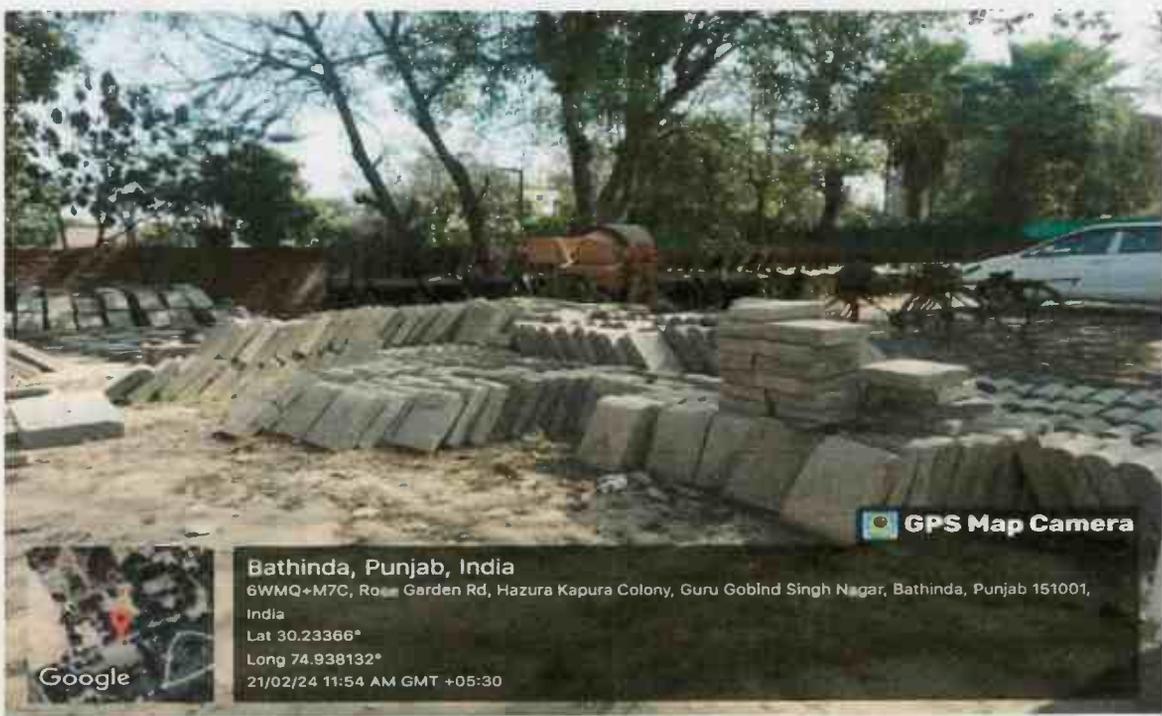
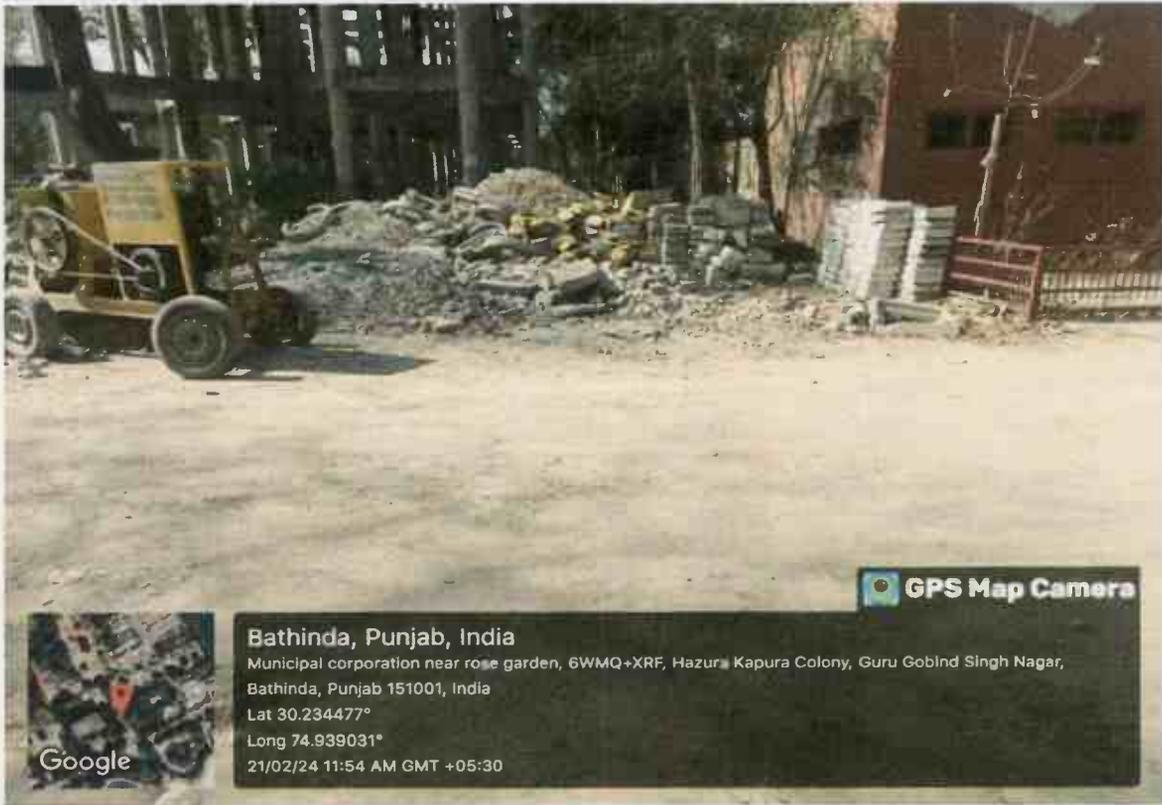
Compost Pits

Annexure-6g



Construction of Road using plastic

Annexure -6h



C&D Plant

Annexure -B

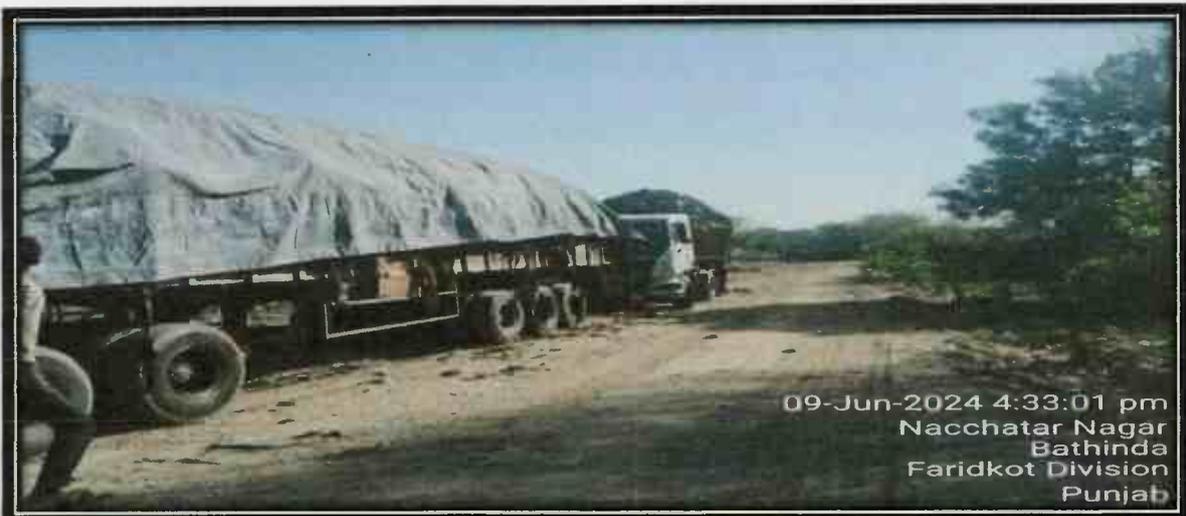


SLF

ANNEXURE -C



Disposal of byproduct of bioremediation of legacy waste (Bio-soil)



Disposal of RDF from bio remediation of legacy waste process

Annexure-D

ਦਫਤਰ ਨਗਰ ਨਿਗਮ, ਬਠਿੰਡਾ



ਨੇੜੇ ਰੇਲਵੇ ਸਟੇਸ਼ਨ, ਬਠਿੰਡਾ, ਪੰਜਾਬ 151001, ਫੋਨ ਨੰ. 0164-2252812,

ਨੰ. 1363

ਇ-ਮੇਲ:- cmcbathinda@gmail.com

ਮਿਤੀ:- 24/05/24

To

M/s JTF Urban Waste Management
Limited Mansa Road, Bathinda

Sub:

Regarding submission of action Plan for Clearing of MSW Dumpsite.

It is brought to your notice that Municipal Corporation Bathinda is executing the project of Bioremediation of Legacy Waste at Mansa Road Bathinda as per the NGT/Govt Guidelines and processing of legacy waste in the demarcated area has almost completed. During the progress assessment of the work done, it is observed that a very large quantity of Mix waste/Refused Derived Fuel (RDF) was lying at site handed over to you and is under your jurisdiction. As per NGT/PPCB guidelines, the dumpsite should be cleared immediately completely. Also The chairman, Punjab Pollution control Board Patiala in meeting/Hearing held on 26.03.2024, directed Municipal Corporation Bathinda that whole of the dumpsite whether under the control of MCB or JTF should be free from legacy waste immediately as per NGT guidelines to avoid Environmental Compensation.

During the visit of processing facility by undersigned, you were instructed to clear the site of legacy west after remediation as per PPCB guidelines & submit action plane regarding the same. However, neither the site cleared nor any action plan is submitted till date. You are hereby directed to submit the time bound action plane for clearance of site of legacy waste/RDF as per PPCB/Govt./NGT guidelines.


Commissioner,
Municipal Corporation,
Bathinda

Endst No. 1364

Copy to: The Chairman, Punjab Pollution Control Board, Patiala for information Please.

o/c


Commissioner,
Municipal Corporation,
Bathinda.

Annexure-E

ਦਫਤਰ ਨਗਰ ਨਿਗਮ, ਬਠਿੰਡਾ



ਨੇੜੇ ਰੋਲਵੇ ਸਟੇਸ਼ਨ, ਬਠਿੰਡਾ, ਪੰਜਾਬ 151001, ਫੋਨ ਨੰ. 0164-2252812,

ਨੰ. 1719

ਇ-ਮੇਲ

:- cmcbathinda@gmail.com

ਮਿਤੀ:- 05/07/24

To

M/s JITF Urban Waste Management Ltd.
Mansa Road,
Bathinda.

Subject: - Regarding the submission of action plan for clearing of MSW Dumpsite.

Reference: - Your reply vide letter received in MC office dated 01.07.2024 on subject cited above.

It is brought to your notice that Municipal Corporation Bathinda has already completed the processing of legacy waste in 10 Acres of Parcel of Land and disposal of its Bio Products is in progress. It is also again brought to your notice that as per NGT/PPCB directions, all the land is to be set free from Legacy waste. In compliance of that Municipal Corporation Bathinda has planned to demarcate the land on Monday dated 08.07.2024 for completion of Bio-Remediation of legacy waste work. Therefore, you are requested to co-operate & make presence while demarcation of land so that whole of the Legacy waste can be processed in demarcated area and rest of the portion of the land is to be made available where RDF can be stored from processing of daily waste as per your request.

After demarcation of land, the claim of the recovered material from Bio-remediation process will be the MC Bathinda and JITF will be of no right on that land. Also, universal Biomass energy limited vide letter no. UBEPL/V. P/2024-25/17 dated 15.05.2024 informed that RDF from JITF not received since 13.05.2023 which shows that you are not deliberately providing the RDF to the Biomass/WTE plants.

You are therefore requested to make your presence for demarcation of Parcel of land on 08.07.2024 and submit the action plan for clearing of Parcel of land under your jurisdiction.


Commissioner,
Municipal Corporation,
Bathinda.

Annexure-F

JTF URBAN WASTE MANAGEMENT (BATHINDA) LIMITED
 JTF Centre, 28 Shree Mang, New Delhi-110015, Tel No. 011-66443983/84, Fax No. 011-66443982

By Registered Post (AD)/Courier/E mail



पं.सं.	CSD
उपस्थिति	
सं.सं.	f

Municipal Corporation, Bathinda
 Mall Road,
 Near Railway Station
 Bathinda (Punjab)

Kind Attn: The Commissioner

Date:

Our Ref. No.:

Subject: Reply to MC Bathinda's Letter (No. 1363) dated 24.05.2024 regarding submission of action plan for clearing MSW Dumpsite

Dear Sir,

1. We, M/s JTF Urban Waste Management (Bathinda) Limited, the Concessionaire of MSW Processing Facility at Bathinda, are in receipt of your above-mentioned letter bearing number 1363 dated 24.05.2024 and our response to the same is as follows.
2. At the outset, the Concessionaire denies and disputes each and every contention of the letter dated 22.03.2024.
3. Please note that alleged mix waste is nothing but the legacy waste which has been lying on the site for the past 25-30 years. Please also note that the processing of legacy waste is under the scope of work of Municipal Corporation, Bathinda and not the Concessionaire.
4. In any case, in terms of the Concession Agreement executed between the parties, the dumping of MSW was to be at the risk and responsibility of Concessioning Authority, till the Project achieved COD-P&D. Therefore, Concessionaire is not required to maintain or clear the dumpsite from the legacy waste.
5. Without Prejudice to the above, please also note that PPCB in the hearing dated 26.03.2024 has directed MC Bathinda to clear the legacy waste from the dumpsite whether under the control of MCB or JTF.
6. Therefore, Concessionaire is not under any obligation to clear the legacy waste from the dumpsite as the same is the obligation of the Municipal Corporation, Bathinda.

(Signature)



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

7. Insofar as the RDF is concerned, please also note that MC Bathinda is not following the directions of the Hon'ble NGT dated 01.12.2017 passed in the matter of Capt. Mall Singh vs State of Punjab & Ors. Whereby the Hon'ble NGT directed the State Govt. and MC Bathinda to ensure that the biomass plants purchase the RDF produced by the Concessionaire. In this regard, you are once again requested to ensure that the biomass plants purchase the RDF from the Concessionaire, as directed by the Hon'ble NGT.
8. Without Prejudice and in addition to the above, please note that we are storing the RDF temporarily and will supply the RDF lying at the site to Biomass plants. We will share the action plan for the same within two to three months.
9. Notwithstanding and without prejudice to anything stated herein, this letter will not be read, understood, or amount to any admission, consent, concurrence, waiver, or agreement on the Concessionaire's part whatsoever. Any action by the Concessionaire is without prejudice to its rights, which have not been waived or renounced.

Thanking You.

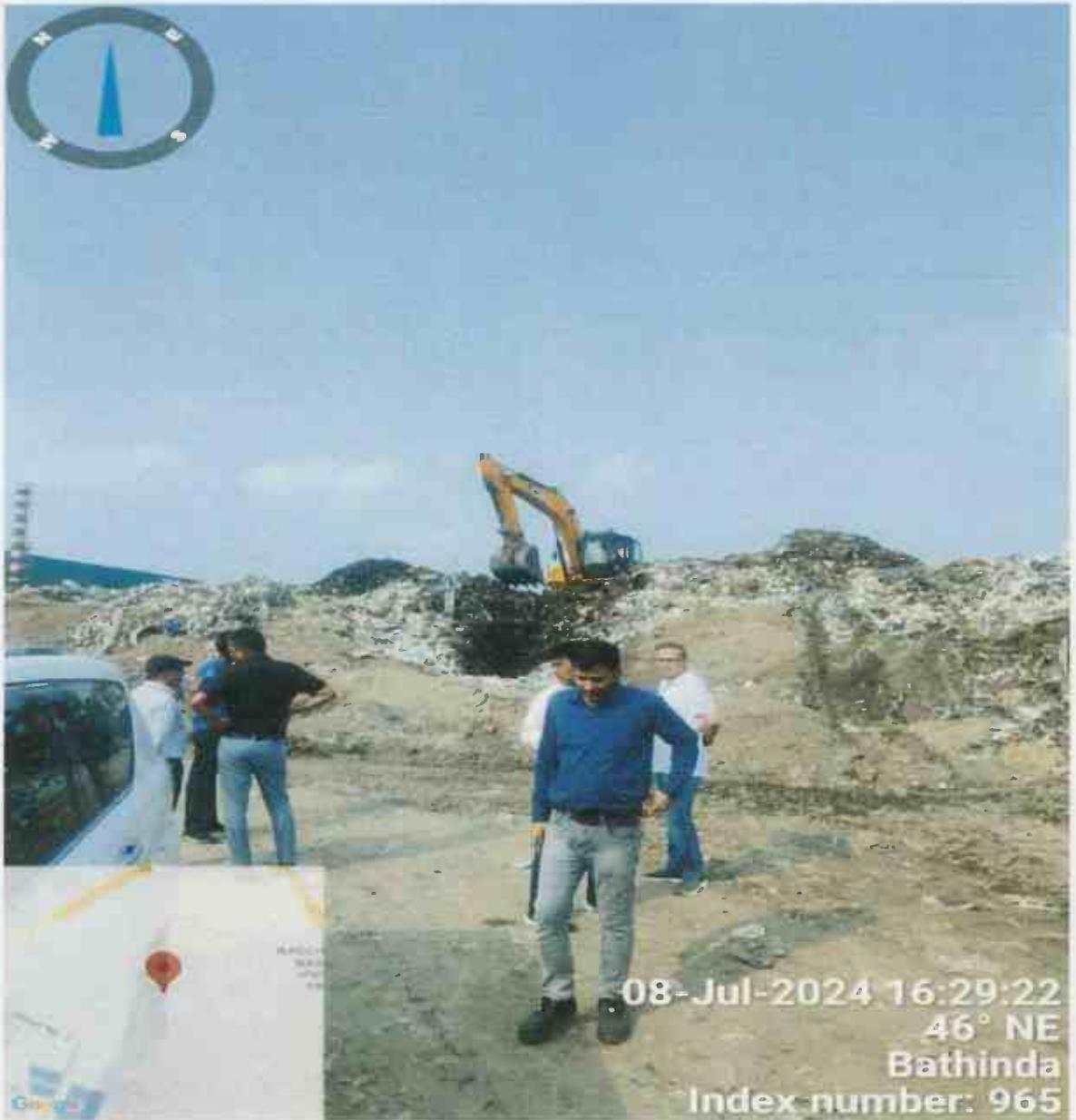
Yours Sincerely,

For and on behalf of

JTF Urban Waste Management (Bathinda) Limited
Authorized Signatory



Annexure-G



Demarcation of additional 4.5 acre land from JITF



