

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

Original Application No. 1358/2024

In the matter of:

Archit Arora

... Applicant

Versus

State of Punjab & Ors.

... Respondents

I N D E X

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THROUGH


Manu Aggarwal & Ishita Pandey

Counsels for Respondent No. 4

D-106 SF Defence Colony

New Delhi – 110024

office@manulawoffices.com

9810007854

Date: 10.01.2025

Place: New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL
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**Reply on behalf of Respondent No. 4 – Think Gas Ludhiana
Private Limited in compliance of Order dated 17.12.2024**

MOST RESPECTFULLY SHEWETH:

1. The answering Respondent was granted authorization by Petroleum and Natural Gas Regulatory Board (“PNGRB”) for development of infrastructure and supply of natural gas in the authorized geographical area of ‘Ludhiana (except area already authorized), Barnala & Moga Districts’ (“**the Ludhiana GA**”), including Khanna area, on 26.10.2018, which is the subject matter of the present petition. The GA is spread over an area of 7,138 sq. km. This authorization was granted pursuant to an open bidding process, with the primary bidding criterion being the commitment made by the bidding entity towards development of infrastructure. In its bid, the answering Respondent *inter alia* committed to

develop 1486 inch-km of steel pipeline in the GA over a period of 8 years.

A copy of the letter of authorization dated 26.10.2018 issued by PNGRB to the answering Respondent is annexed herewith and marked as **Annexure – R4/1**.

2. On perusal of the present Application filed by the Applicant abovenamed, it is observed that the Petitioner is seeking enforcement of directions earlier issued by this Hon'ble Tribunal and/ or to seek fresh directions, for steel units in Khanna, Punjab to switch the fuel used in these units from coal to piped natural gas.

3. It is stated that natural gas exists in gaseous form at room temperature and it is ordinarily transported via pipelines laid specifically for the purpose of carrying natural gas. Natural gas is transported from the source (a gas field; or an LNG terminal where imported natural gas in liquid form is converted into gaseous state) to various parts of the country, via bulk transmission pipelines called common carrier pipelines. Once the gas reaches in the vicinity of an area in which it is to be used as fuel, it is distributed within such area by way of a distribution network known as "city or local natural gas distribution network" ("**CGD network**"). The license for laying down the CGD network in a given

area, known as a “geographical area” (“GA”), is granted by the PNGRB.

4. Until 31.12.2024, the answering Respondent has been able to complete the following works in the Ludhiana GA:

Particulars	Numbers
Steel Inch Pipeline	1,434 Inch Km
MDPE	1,493 Km

As per the annual infrastructure targets (called the Minimum Work Programme) stipulated in the authorization issued by PNGRB to the answering Respondent for Ludhiana GA, this is more than the pipeline target to be achieved by 31.12.2026. Further, it is to be noted that till date the answering Respondent has connected and converted 75 industrial units to using natural gas in the Ludhiana GA as on 31.12.2024.

5. The role of the CGD licensee has been recognized in the “Fuel Policy for the Industries of State of Punjab” notified by the Punjab Department of Science Technology and Environment under Section 19(3) of Air (Prevention & Control of Pollution) Act, 1981, as follows:

“Upon the availability of supply of CNG / PNG / CBG etc. in various geographical areas of the state by the respective licensees authorized by the Petroleum and Natural Gas Regulatory Board (PNGRB), the State Government in consultation with the State Pollution Control Board shall issue appropriate directions and timelines to the industries and other stakeholders for conversion to such cleaner fuels considering techno-economic and legal feasibility.”

This was taken note of by this Hon’ble Tribunal in its order dated 22.02.2024 passed in O.A. No. 295/2023 titled *Dimpal Kumar v. State of Punjab*.

6. Khanna Action Plan was formulated on 30.04.2019, *inter alia* recommending shifting over the industries from coal/ pet coal/ furnace oil to CNG. This Action Plan was formulated pursuant to the order dated 13.12.2018 passed by this Hon’ble Tribunal in OA No. 1038/2018 titled ‘News item published in "The Asian Age" Authored by Sanjay Kaw Titled "CPCB to rank industrial units on pollution levels"’. This Hon’ble Tribunal took note of the action plans in its order dated 10.07.2019 and issued further directions, *inter alia* for enforcement of the action plans.

7. It is stated that Respondent No. 2 – Punjab Pollution Control Board had issued a show cause dated 08.01.2021 *inter alia* directing the answering Respondent to show cause as to why action should not be initiated against it for not able to speed up the process of laying pipelines in Khanna. This show cause notice was challenged by the answering Respondent as the answering Respondent was already in the process of laying down its network in terms of its contract with PNGRB and there was no violation of any law dealing with the violation of any of the pollution laws. The said challenge is pending in the Punjab and Haryana High Court for disposal.

8. In order to support the cause of environment and reduce the pollution levels in Khanna, the answering Respondent, despite various challenges and in order to comply with the PPCB order, has completed the work of laying pipeline network for major area of Khanna industrial area and as on date the network is ready for 65 steel rolling mills in Khanna area out of 71 such mills. This was done by substantially deviating from its network design and implementation plan for the entire Ludhiana GA. It is further submitted that the answering Respondent has spent about Rs. 400 crores for infrastructure development in Ludhiana GA, a substantial

part of which has been spent in development of network in Khanna region.

9. The answering Respondent has taken the following steps to provide PNG connectivity to the steel rolling mills in the Khanna area:
 - i) The majority of pipeline network within Khanna Industrial Region was completed by October 2021. It is stated that the answering Respondent has laid a total of 135 km of pipeline in Khanna for gas distribution.
 - ii) The answering Respondent entered into Hooking-up agreement with GAIL for the Bhamandi tap-off, which is situated 8-9 km from Khanna region on 30.07.2021. The construction work of the tap-off facility and the pipeline from tap-off point till Khanna, was completed by February 2022, and the same was intimated to GAIL by the answering Respondent vide letter 23.02.2022, a copy whereof is annexed herewith and marked as **Annexure – R4/2**.

10. It is submitted that as a result of the above efforts, the answering Respondent has completed laying of pipeline network in majority of the Khanna region, as also created the midstream infrastructure for sourcing the natural gas

from GAIL for supply in Khanna region. For convenience, infrastructure map showing the pipeline network availability in Khanna region marked as **Annexure – R4/3**. The infrastructure map clearly shows the network laid by the answering Respondent passing through the vicinity of the steel mills in the Khanna area.

11. It is stated that the answering Respondent is in a position to commence supply of PNG to 65 steel rolling mill in Khanna within a period of 4 weeks from the signing of the agreement for the supply of natural gas. This is subject to the rolling mills having sufficient infrastructure within their premises required to off take the gas and use it as a fuel.

12. The answering Respondent, despite all odds, completed the pipeline network in Khanna and duly complied with the PPCB directions. As mentioned above, the answering Respondent has spent about Rs. 400 crores for supplying natural gas through its network in the concerned GA. However, none of the rolling mills has switched over to PNG as a fuel which is causing severe pollution in the Khanna area. Further, if the pipelines remain without the supply of natural gas, they may corrode with time and may get damaged and unusable. Thus, rendering the investments made redundant.

13. In view of the above, it is prayed that suitable directions may be issued by this Hon'ble Tribunal.

Date: 10.01.2025
Place: New Delhi



Respondent No. 4

THROUGH

A handwritten signature in blue ink, appearing to read "Ishita", is written above the name of the law firm.

Manu Aggarwal & Ishita Pandey
Counsels for Respondent No. 4
D-106 SF Defence Colony
New Delhi – 110024
office@manulawoffices.com
9810007854

Date: 10.01.2025
Place: New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
Original Application No. 1358/2024**

In the matter of:

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AFFIDAVIT

I, Susheel Jad, s/o Shri. BL Jad, aged about 56 years, am the authorized representative of Think Gas Ludhiana/ Respondent No. 4, having its registered office at Unit No. 305, Third Floor, Worldmark 2, Asset 8 Hospitality District, Aerocity, NH-8, New Delhi-110037, am presently at New Delhi, do hereby solemnly affirm and declare as under:

1. That I am the authorized representative of Respondent No. 4 Company and am conversant with the facts of this case and thus competent to swear this Affidavit.
2. That the contents of the accompanying reply have been drafted by my counsel under my instructions and the contents thereof have been read over and understood by me and the same are true to my knowledge and may kindly be read as part of this affidavit and the same is not being repeated herein for sake of brevity.



3. That the above are my true and correct statements.

[Signature]
 DEPONENT

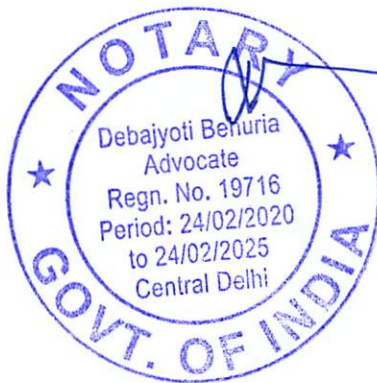


Mou
 12/1537/2006
 I identified the deponent who
 has signed in my presence.

10 JAN 2025 VERIFICATION

Verified on this 10th day of January, 2025 that the contents of my
 aforementioned affidavit are true to my knowledge and nothing
 has been concealed therefrom and no part thereof is false.

[Signature]
 DEPONENT

CERTIFIED THAT THE DEPONENT
 Sri/Smt./Km. *Suneel Dada*
 S/o, W/o, D/o. *BL. Dada*
 R/o. *Mou. Dada*
 identified by Shri/Smt. *Mou. Dada*
 as Solely my affairs before me on
 New Delhi on **10 JAN 2025** Reg. No. *20*
 That the Contents of the affidavit which have
 been read & explained to him are true and
 Correct to this knowledge.

[Signature]
 Notary Public

Schedule D

[see regulations 10 (1) and 18 (7)]

Grant of authorization for laying, building, operating or expanding CGD network

To
Consortium of Think Gas Investments Pte. Ltd. and Think Gas Distribution Private Limited,
 308, Plot H-1, Garg Tower,
 Netaji Subhash Place, Pitampura Delhi West,
 Delhi-110034

Subject: Grant of Authorization to Consortium of Think Gas Investments Pte. Ltd. and Think Gas Distribution Private Limited for development of City Gas Distribution Network in the Geographical Area of Ludhiana (except area already authorized), Barnala & Moga Districts.

Sir,

With reference to your application-cum-bid for grant of authorization for laying, building, operating or expanding the CGD network in Ludhiana (except area already authorized), Barnala & Moga Districts in the state of Punjab, it has been decided to grant you the authorization subject to the Petroleum and Natural Gas Regulatory Board (Authorizing Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008 and the following terms and conditions:

1. The Authorised Area for laying, building, operating or expanding the proposed CGD Network shall cover an area of <7138.66> square kilometre and as depicted in the enclosed drawing or map,
2. The activities of laying, building, operating or expansion of the CGD Network shall commence immediately after the issuance of this authorisation.
3. The activities permitted above shall have to be completed as per the work programme mentioned below, namely: -

Serial Number	Description of work	Numbers
1	Number of CNG Stations (Online and Daughter Booster stations) to be installed within 8 contract years from the date of authorisation	47

ARVIND KUMAR
 Additional Advisor
 Petroleum & Natural Gas Regulatory Board
 1st Floor, World Trade Centre
 Baber Road, New Delhi - 110001



2	Number of domestic Piped Natural Gas connections to be achieved within 8 contract years from the date of authorisation	451317
3	Inch-km of steel pipeline to be laid within 8 contract years from the date of authorisation	1486

The entity shall be required to achieve the year-wise work programme within 8 contract years as per details given below:

PNG Connections (cumulative)		CNG Stations (cumulative)		Inch-km of steel pipeline (cumulative)	
By the end of contract year	% of work program	By the end of contract year	% of work program	By the end of contract year	% of work program
1 st	Nil	1 st	Nil	1 st	5
2 nd	10	2 nd	15	2 nd	20
3 rd	20	3 rd	30	3 rd	40
4 th	30	4 th	45	4 th	60
5 th	40	5 th	60	5 th	70
6 th	60	6 th	75	6 th	80
7 th	80	7 th	90	7 th	90
8 th	100	8 th	100	8 th	100

Note - In case derived numbers are in fraction, the same shall be rounded off to the nearest whole number and 0.5 shall be rounded off to next higher whole number.

4. Any failure on the part of the entity in complying with the milestones prescribed in the work programme shall lead to consequences as specified under regulation 16.
5. The entity shall design and install an optimal size of the infrastructure in terms of pipelines of various types including steel belting of the authorised area, online compressors of adequate capacity for compressing of natural gas into CNG, allied equipment and facilities in the CGD network depending upon the potential demand for natural gas. The infrastructure in the CGD network should be adequate to maintain uninterrupted flow of natural gas in the pipelines and be also able to maintain supplies at adequate pressure to online CNG stations.
6. The entity shall maintain an uninterrupted supply of natural gas to all categories of customers in the CGD network. In the event of any disruption in the supply of natural gas in the CGD Network, first priority shall be accorded to restoration of supplies to domestic PNG customers. In case of disruption of supply to domestic PNG customers for more than twelve hours, the entity shall restore the domestic customer on the following manner, namely: -

ARVIND KUMAR
Additional Advisor
Directorate of PNG
Petroleum & Natural Gas Regulatory Board
1st Floor, World Trade Centre
Barber Road, New Delhi-110001



- (a) the normative volume of natural gas consumption for the first domestic PNG connection for cooking requirements based on last three months weighted average consumption per day to be applied for each day's disruption and multiplied by ten;
- (b) normative value of natural gas consumption shall be based on last three months' weighted average billing price of natural gas for supplies to the first domestic PNG connection for cooking requirements; and
- (c) the value of compensation shall be equal to normative volume of natural gas consumption as per clause (a) above multiplied by normative value as per clause (b) and shall be adjusted by allowing a credit to the domestic PNG Customer in the next billing cycle or in the next pre-paid smart card in case of smart card metering.

In case the disruption of supplies is attributed to any fault of the domestic PNG customer, no compensation shall be payable by the entity.

7. The entity is allowed an exclusivity period under the Petroleum and Natural Gas Regulatory Board (Exclusivity for City or Local Natural Gas Distribution Networks) Regulations, 2008, in respect of the following, namely: -

- (a) 300 months from the date of issue of this communication for laying, building and expansion of the CGD network; and
- (b) 96 months from the date of issue of this communication in terms of an exemption from the purview of common carrier or contract carrier for the CGD network:

Provided that the entity meets the obligations in line with the Petroleum and Natural Gas Regulatory Board (Exclusivity for City or Local Natural Gas Distribution Networks) Regulations, 2008:

Provided further that the period of exclusivity allowed under sub-clause (a) or sub-clause (b) may be terminated before the expiry of the period mentioned above in line with the provisions under Petroleum and Natural Gas Regulatory Board (Exclusivity for City or Local Natural Gas Distribution Networks) Regulations, 2008.

8. The authorised entity shall be required to take prior approval from the Board for creation of any lien, charge or hypothecation of the CGD network to secure finances for the project and furnish details of utilisation of funds. And, in case of raising funds from any financial institution or bank, the entity will be required to only inform the Board of the sanction of the funds within a period of seven

अतिरिक्त सचिव
ARVIND KUMAR
 अधिकारी
 Additional Adviser
 अधिकांश नगर क्षेत्रों के लिए प्राधिकरण के
 अध्यक्ष & नगर क्षेत्रों के प्राधिकरण (Board)
 नगर क्षेत्रों के लिए प्राधिकरण
 1st Floor, World Trade Centre
 बबर रोड, नई दिल्ली - 110001
 Bابر Road, New Delhi-110001



9. The entity shall submit a detailed and clear financial closure report to the Board within a period of two hundred and seventy days from the date of authorisation issued by the Board under regulation 10.
10. The entity shall publish on its website the transportation rate for CGD and transportation rate for CNG in the authorised area as per the following table namely: -

Serial Number	Description	Rate
1	Transportation rate for CGD - in rupees per million British Thermal Unit (Rs./MMBTU) for the first contract year	30
2	Transportation rate for CNG - in rupees per kilogram (Rs. /kg) for the first contract year	2

Note - Annual escalation shall be considered from the second contract year and onwards based on the "Wholesale Price Index (WPI) Data (2011-12 = 100)" for "All Group / Commodity", as normally available on the website of the Office of the Economic Adviser, Government of India, Ministry of Commerce and Industry, Department of Industrial Policy and Promotion (DIPP) on the link "<http://eaindstry.nic.in/home.asp>."

11. The entity shall publish the applicable retail selling price of PNG for all categories of customers and also for the purpose of invoicing in Rs. / MMBTU.
12. The entity shall publish and display the retail selling price of natural gas for the purpose of invoicing to CNG customers in Rs. / Kg at all-natural gas dispensing stations.
13. The furnishing of performance bond of Rs. 330 Million is a guarantee for timely commissioning of the project as per the prescribed work programme in the bid and for meeting the service obligations during the operating phase of the project.
14. The entity shall comply with the applicable provisions under the Petroleum and Natural Gas Regulatory Board (Authorising Entities to Lay, Build, Operate or Expand City or Local Natural Gas Distribution Networks) Regulations, 2008, the Petroleum and Natural Gas Regulatory Board (Exclusivity for City or Local Natural Gas Distribution Networks) Regulations, 2008, relevant regulations for technical standards and specifications, including safety standards, any other regulations as may be applicable and the provisions of the Act.
15. In case the authorisation of the entity is terminated, the Board may assign the rights and obligations of the entity to any agency or another entity on such terms and conditions, as it may deem fit. Further, the entity may be required, as per the authorisation of the Board, to continue the operations of the CGD network at the

20/11/2011
 ARVIND KUMAR
 Secretary
 Petroleum & Natural Gas Regulatory Board
 1st Floor, World Trade Centre
 55th Ave, 11th Floor - 110001
 Babar Road, New Delhi-110001



- * same level till another agency or entity appointed by the Board takes over the full control of the CGD network.
16. The entity shall comply with any other term or condition which may be notified by the Board in public interest from time to time.
17. You are requested to confirm your acceptance by filling-in the acceptance of the grant of authorisation provided below and return the same in original.

Yours faithfully,

Dated: 26.10.2018

अरविन्द कुमार
ARVIND KUMAR
अतिरिक्त सलाहकार
Additional Adviser
ऑफिस अवे नैचुरल गैस रेगुलेशन अथॉरिटी
Natural Gas Regulation Authority U.S.
भारत, नई दिल्ली
1st Floor, World Trade Centre
NIRV Stn, 1st Floor - 110001
Babar Road, New Delhi-110001

Arvind Kumar
26/10/2018

Name and Designation of Officer
On behalf of the PNGRB

Official Seal

Acceptance of the Grant of Authorisation

I / We hereby accept the grant of authorisation issued by the PNGRB vide letter ref.

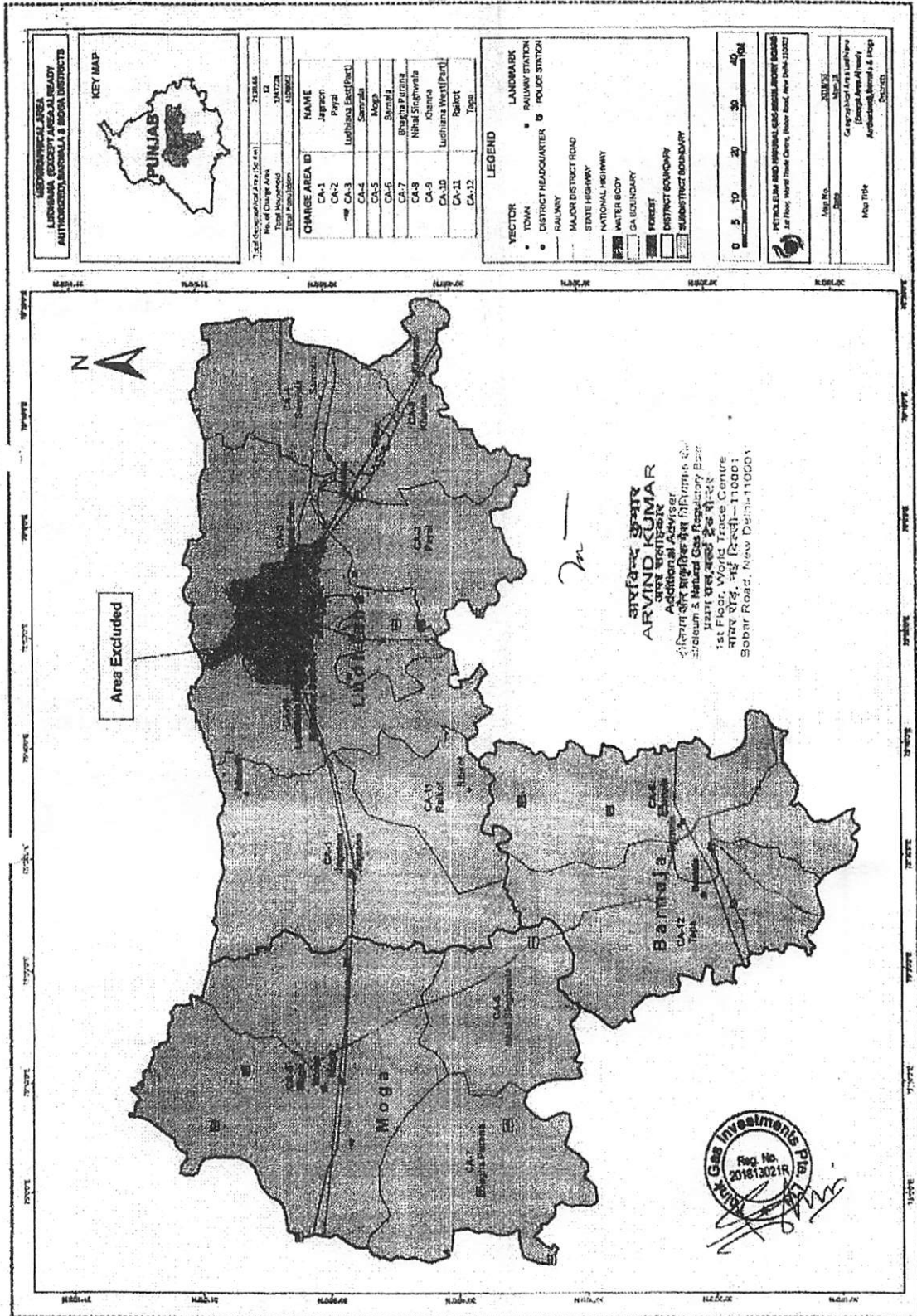
< > dated < > and agree to comply with all the terms and conditions subject to which I/ We have been granted the authorisation for laying, building, operating or expanding city or local natural gas distribution network in the authorised area of _____ in the State or the Union Territory of _____.

Date:

Place:

Signature of the Entity or Authorised Signatory
Name and Official Seal





**ACBD for GRANT OF AUTHORIZATION FOR LAYING,
BUILDING, OPERATING OR EXPANDING CITY OR LOCAL
NATURAL GAS DISTRIBUTION NETWORK IN THE
GEOGRAPHICAL AREA OF Ludhiana (except area already
authorized), Barnala & Moga Districts**

**CORRIGENDUM - 3
TENDER No. - PNGRB/CGD/BID/2018/GA/53/PUNJAB**

DATE: 21.8.2018

Sr. No.	Section / Clause No.	Application-cum-Bid Document Page No.	Clause Description	Addition / Deletion / Modification
1.	Annexure-1	33	Map	Population data is corrected as 32,10,152 Household data is corrected as 5,89,880
2.		2 & 57	Bid Bond	Bid Bond value modified to 3,00,00,000



ਗਿਆਰਵ ਕੁਮਾਰ
ARVIND KUMAR
 ਆਈ ਐਚ ਐਚ ਐਚ
 Additional Adviser
 ਪੰਜਾਬ ਸੂਬਾਈ ਗੈਸ ਡਿਪਾਰਟਮੈਂਟ
 Petroleum & Natural Gas Deptt. Govt. of Punjab
 1st Floor, World Trade Center
 ਖਾਨਾ ਸਾਗਰ, ਆਈ ਡੀ ਡੀ 110001
 Jalandhar Road, Ludhiana-141001

True Print of



23rd February 2022

To,
Director (Marketing)
GAIL (India) Limited
16, Bhikaji Cama Place
New Delhi 110066

Subject: Connectivity at Bhammadi for Supply of Natural Gas to Khanna region

References:

1. Meeting with Petroleum and Natural Gas Regulatory Board (PNGRB) dated 7/5/2021 (attached) on supply of natural gas in Khanna Region
2. Letter to GAIL on Bhammadi City Gas Station dated 12/5/2021

Attn: Mr. Sanjay Kumar, ED (Marketing – NG & RLNG)

Dear Sir,


This is in reference to earlier communications as listed above.

We have signed the Hooking-up agreement, for Bhammadi (which is 8-9 Kms away from Khanna industrial region) on 30th July 2021. Subsequently, the construction work was started in August 2021.

Pipeline connectivity work downstream to the Bhammadi CGS up to the Khanna industrial region has been completed by us and we can supply piped natural gas to Khanna industrial area subject to receiving gas in our network.

As you are aware that there is a concern by Pollution Control Board under the order of National Green Tribunal to supply clean fuel to Khanna Industrial Area. Therefore, we request that you expedite the supply of natural gas at Bhammadi CGS to March 2022, so that we can start supplying piped natural gas in Khanna industrial region.

Thank you.
With warm regards,


Hardip Singh Rai
Director

Registered office
A-49, Ground Floor, Lane No. 1, Guru
Nanak Pura, Laxmi Nagar, Delhi 110092
CIN: U40200DL2018FTC342453

THINK Gas Ludhiana Private Limited
3rd Floor, Dhanraj Complex, Near Gate
No. 2, Punjab Agricultural University
Ludhiana - 141001, Punjab, India

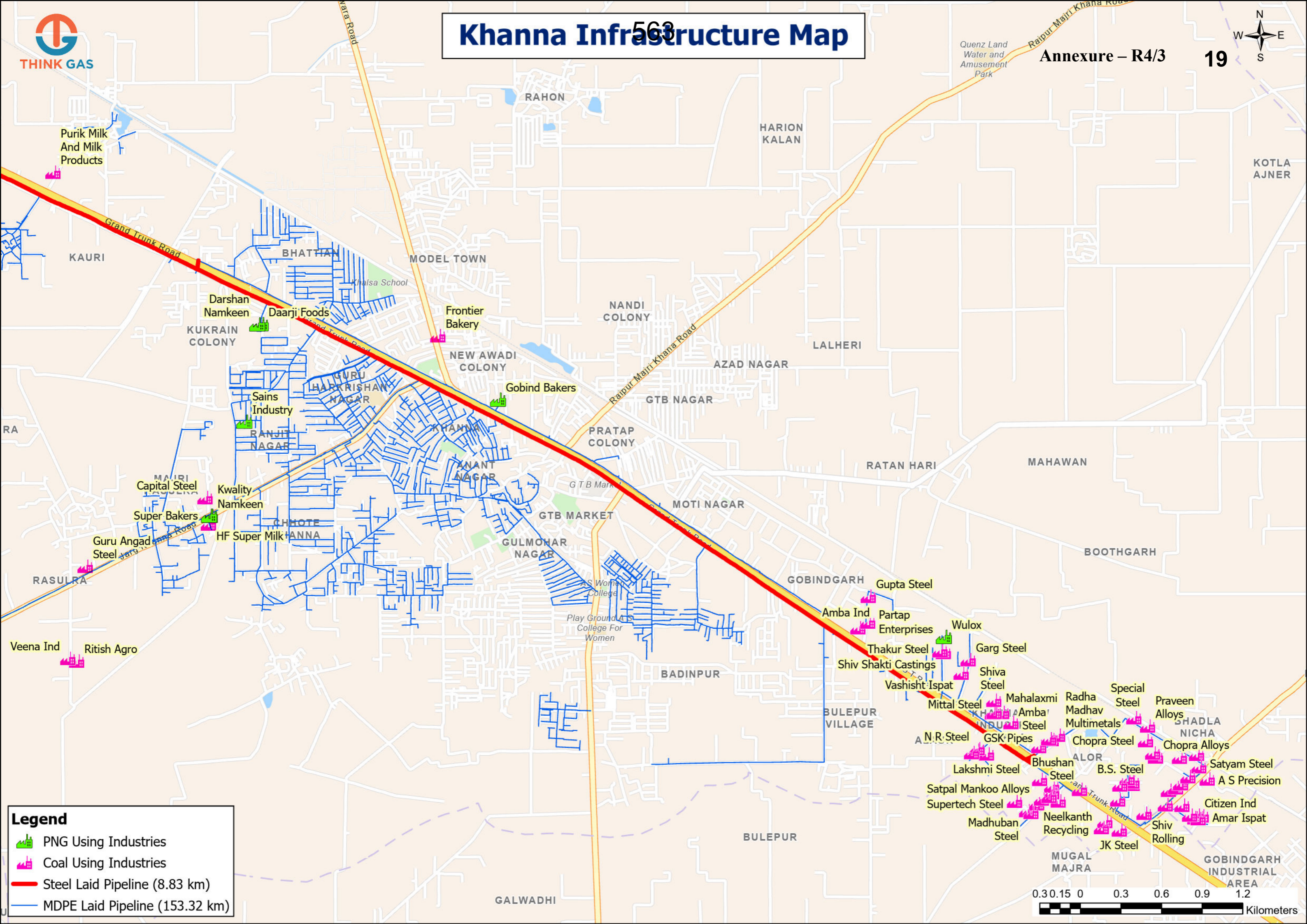
+91 161 5277000
info@think-gas.com
www.think-gas.com

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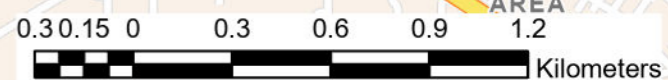
563 Khanna Infrastructure Map

Annexure – R4/3 19



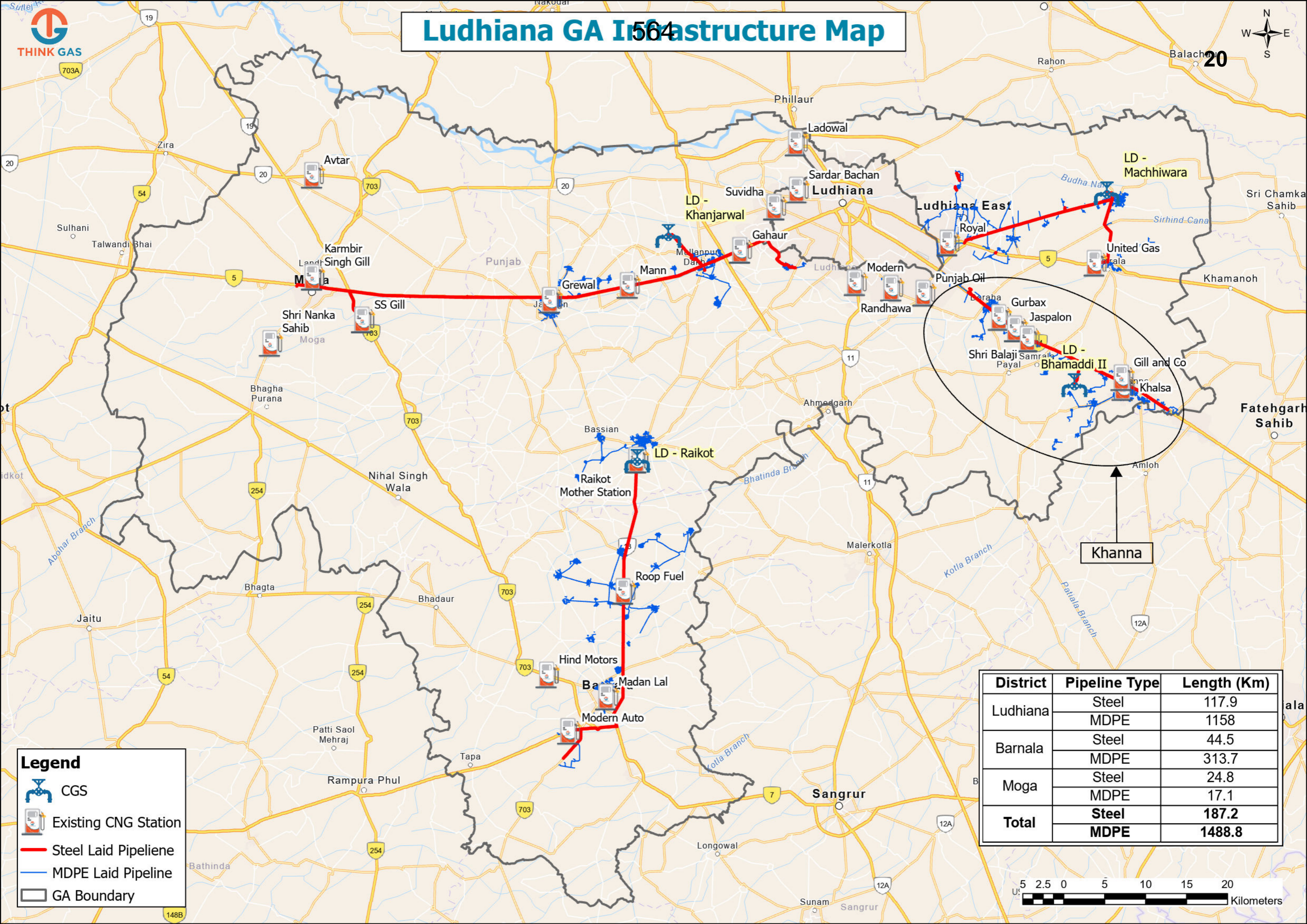
Legend

- PNG Using Industries
- Coal Using Industries
- Steel Laid Pipeline (8.83 km)
- MDPE Laid Pipeline (153.32 km)





Ludhiana GA Infrastructure Map



Legend

- CGS
- Existing CNG Station
- Steel Laid Pipeline
- MDPE Laid Pipeline
- GA Boundary

District	Pipeline Type	Length (Km)
Ludhiana	Steel	117.9
	MDPE	1158
Barnala	Steel	44.5
	MDPE	313.7
Moga	Steel	24.8
	MDPE	17.1
Total	Steel	187.2
	MDPE	1488.8





Ishita Pandey <ishita@manulawoffices.com>

In re: Archit Arora v. State of Punjab & Ors. [O.A. No. 1558 of 2024]

1 message

Ishita Pandey <ishita@manulawoffices.com>

10 January 2025 at 19:52


To: pallavipratap@hotmail.com

Cc: chairmanppcb@yahoo.com, cs@punjab.gov.in, aisra200@yahoo.com, Manu Law Offices <office@manulawoffices.com>

Dear Sir/Ma'am,

Please find attached herewith the Reply being filed on behalf of Respondent No. 4 - Think Gas Ludhiana Private Limited in the captioned matter.

Thanks & Regards,
Ishita Pandey

 **20250110 Reply by R4 Final.pdf**
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