

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

OANo.620/2022

INTHEMATTEROF:

KAUSHAL KISHORE VISHWAKARMA

...APPLICANT

VERSUS

STATE OF PUNJAB

...RESPONDENTS

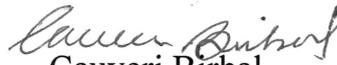
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Date: 25.08.2025

Place: New Delhi

Filed Through


Cauveri Birbal

Counsel for Respondent No. 5
Ch No. 185, Lawyers Chamber Block- II
Delhi High Court, Delhi 110003

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI**

OA No.620/2022

IN THE MATTER OF:

KAUSHALKISHOREVISHWAKARMA

...APPLICANT

VERSUS

STATE OF PUNJAB

...RESPONDENTS

SUBMISSIONS ON BEHALF OF SHUBHAM SALES CO.

1. That the present submissions are being filed in lieu of the liberty granted by this Hon'ble Tribunal vide order dated 21.07.2025 after hearing the submissions of the deponent.
2. That the deponent is the authorized contractor dealing in the lifting of carbon slurry and has been actively taking steps to lift the entire carbon slurry at the earliest.
3. That the deponent had submitted before this Hon'ble Tribunal that due to the stringent financial conditions the lifting of the carbon slurry is being hampered and even the extractable quantity differs from the exact quantity of the carbon slurry as mentioned in the tender, wherein this Hon'ble Tribunal directed Respondent No.4 and 7 to look in to the said aspects and take appropriate action.
4. That the answering Respondents herein were not able to file the present submission within stipulated time, as the present proposal required well perusal of the current situation of the respective sites. It is pertinent to mention that the Answering Respondents engaged several experts to rightly assess the balance material quantity, however during the last month there



was heavy rainfall at the respective sites, due to which the the process got delayed.

5. That after abovementioned assessment, the answering respondent is submitting the proposal to expeditiously lift carbon slurry from NFL Bathinda and NFL Panipat. Proposal to expeditiously lift carbon slurry from NFL Bathinda is enclosed herein and marked as **ANNEXURE A**. proposal to expeditiously lift carbon slurry from NFL Panipat is enclosed herein and marked as **ANNEXURE B**.

Place: New Delhi

Date: 24.08.2025



Mr. Nupinder Singh Sivia
(Partner Shubham Sales Co.)

ANNEXURE A

Proposal to expeditiously lift carbon slurry from NFL Bathinda

A. M/s Shubham sales deposited a sum of Rs 5,41,23,687/- in following manner:

1 ST Instalment Deposit	Rs. 2,47,55,020/-
2 ND Instalment Deposit	Rs. 2,47,55,020/-
EMD Deposit	Rs. 31,89,780
MSTC Commission	Rs. 14,23,867/-
Total	Rs. 5,41,23,687/-

- B. That a sum of Rs 1,60,00,000/- was released by NFL Bathinda to M/s Shubham Sales on 29.03.2025.
- C. That a sum of Rs.1,73,62,599.00/- had already been deducted from the deposit which includes the purchase amount of carbon slurry lifted from 01.06.2022 to 22.08.2025 along with the TCS, leaving behind a sum of Rs 2,07,61,088.00/- with NFL Bathinda.
- D. That M/s Shubham Sales shall lift all the remaining material against a lumpsum payment of Rs 10.00 Lakhs plus GST.
- E. That M/s Shubham Sales shall further submit a Bank Guarantee of Rs 31.90 Lakhs, against refund of balance deposit of Rs 2,07,61,088/- from NFL Bathinda. The aforesaid Bank Guarantee of Rs. 31.90 Lacs shall be returned by NFL Bhatinda at completion of lifting.
- F. Upon receiving refund of said deposit of Rs. 2,07,61,088/- from NFL Bathinda, M/s Shubham Sales will lift the balance material within 60 Days.



ANNEXURE B

Proposal to expeditiously lift carbon slurry from NFL Panipat

A. M/s Shubham sales deposited a sum of Rs 7,40,47,289/- in following manner:

Deposit with NFL Panipat	Rs. 6,30,13,863
NFL EMD Deposit	Rs. 91,95,000
MSTC Commission Paid	Rs. 18,38,426
Total	Rs. 7,40,47,289

B. That a sum of Rs. 60,06,768/- had already been deducted from the aforesaid deposits which includes the purchase amount of carbon slurry lifted till 30.06.2025 along with the TCS, leaving behind a sum of Rs 6,80,40,521 /- with NFL Panipat.

C. That M/s Shubham Sales shall lift all complete balance material with lumpsum payment of INR. Rs 25,00,000/- plus GST.

D. That M/s Shubham Sales shall also submit Bank Guarantee of Rs 91,95,000/-. The aforesaid Bank Guarantee shall be returned by NFL Panipat at completion of lifting.

E. That balance out of all advance deposits with NFL shall be refunded.

F. That the NFL Panipat shall extend the supply of Power, Steam and Water etc, without any costs.

G. That the entire work shall be completed within 36 months from the date of refund.



OR

- A. That on 25.03.2025 NFL Panipat gave the answering respondent an offer, wherein, the NFL Panipat offered to return an amount of Rs. 1,70,00,000/- along with supply of required power, steam and water etc. subject to submission of Undertaking-cum-Indemnity bond along with PDCs of same value as security against lifting of 4208 MT in 5 months. Copy of letter dated 25.03.2025 issued by NFL Panipat is enclosed herewith.
- B. That the answering respondent is initially willing to accept the aforementioned offer in order to expedite the lifting process subject to NFL Panipat releasing the remaining balance deposit as mentioned in aforesaid table as and when the balance material in NFL Bathinda is lifted.

A handwritten signature in black ink, appearing to be a stylized name, possibly 'J. Singh' or similar, written in a cursive style.



नेशनल फर्टिलाइजर्स लिमिटेड

(भारत सरकार का उपक्रम)

गोहाना रोड, पानीपत, हरियाणा - 132 106

(ISO-9001, ISO-14001 एवं OHSAS-18001 इकाई)

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ई-मेल: mpatil@nfl.co.in

GST No: 06AAACN0189N1Z8

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(A Government of India Undertaking)

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E-mail: mpatil@nfl.co.in

CIN: L74899DL1974GO1007417

website: www.nationalfertilizers.com

Ref. No.: NFP/ST/D-209/19-20/32756/01

Speed Post

Dated: 25.03.2025

→ M/s Shubham Sales Co.,
5.30 K.M Mile Stone,
Bhiwani Road,
Rohtak-124001, Haryana

GST: 06AEBFS9696F1ZJ

Sub: Lifting of Carbon Slurry Lying in Ponds at NFL, Panipat.

Ref: Your proposal vide letter dated 17.03.2025.

Dear Sir,

In reference to your above referred letter & meetings held at NFL, Panipat, we hereby confirm the acceptance of the following: -

1. To release an amount of Rs. 1,69,99,542/- (which is 25% of the balance advance amount deposited with NFL, Panipat) to M/s Shubham Sales Co., Rohtak against submission of Undertaking-cum-Indemnity Bond (as per Annexure-A enclosed) along with PDCs (Post-Dated Cheques) of same value as security, against which M/s Shubham Sales Co. shall be required to lift 4208 MT of carbon slurry within a period of 5 months from the date of issue of this Letter.
2. Supply of power on free of cost basis at one point in battery limit of NFL.
3. Providing free potable water in battery limit of NFL at one point.
4. Providing steam on free of cost basis at battery limit of NFL. Laying the header from there to site shall be in scope of M/s Shubham Sales Co. including necessary clearance from statutory bodies.
5. Allow M/s Shubham Sales Co., Rohtak for mobilizing & operation and maintenance of their mobile/skid mounted material handling, water load reducing unit at Pond site itself, for speedier clearance of actual carbon material at the earliest possible time. The said unit shall be designed, commissioned & operated as per best engineering, OHSAS, complying with environmental norms and rules of the time at their own cost and risk.

A copy of Undertaking-cum-Indemnity Bond is enclosed herewith.

Kindly acknowledge the receipt of above & submit duly filled, notarized Undertaking-cum-Indemnity Bond along with Post-Dated Cheques (PDC) as per format enclosed at the earliest, so that payment can be released.

You are also requested to expedite the lifting of Carbon Slurry.

For & on behalf of
National Fertilizers Ltd.,

(Mahesh Patil)
Chief Manager (Mtls.)