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.

…. **Respondents**

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Through

Counsel for Respondent No. 3
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Mobile-9999488489

Date: 26.10.2027
Place: New Delhi

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ADDITIONAL RESPONSE/REPLY ON BEHALF OF M/S JITF URBAN WASTE MANAGEMNT (BHATINDA) LIMITED PURSUANT TO THE ORDER DATED 23.09.2026

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. That the Hon'ble NGT, vide Order dated 23.09.2026, directed Respondent No. 3 to file an additional response. In compliance with the aforesaid Order dated 23.09.2026 of the Hon'ble NGT, Respondent No. 3 is filing the present additional response/ reply.

3. 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, 17.09.2025, 28.10.2025, 23.12.2025 and 22.09.2026 may be read along with and treated as part and parcel of the present reply, which is not being reiterated to avoid prolixity.

4. For the purposes of interpretation and understanding of the terms used herein, reference shall be made to the Concession Agreement. The definitions, meanings, and scope of such terms shall be ascribed in accordance with the provisions contained in the Concession Agreement dated 23.11.2011, unless expressly stated otherwise in the present response.

5. The table below provides the relevant contractual obligation under the Concession Agreement, which provides for the obligation of Respondent No. 3, along with the status of compliance along with reasons, issues and actions to be taken by other Respondents and issues being faced by Respondent No. 3 along with their resolution and suggestions and action plans:

S. No.	Contractual Obligation under the Concession Agreement	Compliance Status	Reason for non-compliance	Actions to be taken by other Respondents	Action Plan for Performance of the Contractual Obligation
A.	Article 5.1 (a) (i) read with Annexure 3.1 (a), (b), (c), (d), (e) To ensure door-to door collection of MSW from Waste generators in the MSW Supply Area and Other Cluster ULBs	No	The Hon'ble NGT in the matter titled *Capt. Mall Singh & Ors. Vs. State of Punjab & Ors.*, OA No. 70 of 2012, passed orders, with the consent and agreement of all the parties, including Respondent No. 1, 2, 3, dated 01.12.2017, read	MSW supplied by Respondent No. 2 is unsegregated and contains significant portion of debris and mixed material including construction and demolition waste, tree cutting residue, sewage sludge, and other contaminants which is direct	The obligation relating to Collection and Transportation ***("C&T")*** of MSW vests with Respondent No. 2. Accordingly, no action plan is required to be submitted by Respondent No. 3 in this respect thereof.

			with 21.12.2017 and 16.01.2018, whereby Respondent No. 2 was directed to undertake the C&T of MSW and provide 300 MT per day of MSW to Respondent No. 3 for processing with effect from 01.05.2018 till the construction of Waste to Energy Plant **("WTE")** and upon commissioning of the WTE plant, 500	violation of the Solid Waste Management **("SWM")** Rules 2026. Respondent No. 3 has notified Respondent No. 2 about the continuous supply of unsegregated MSW and its impact on the Processing Plant including quality of RDF. However, Respondent No. 2 continues to supply	

			MT per day was to be supplied. A copy of 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 before the Hon'ble NGT. A copy of Hon'ble NGT's Order dated 21.12.2017 is annexed as *Annexure R-3* in the Reply dated	unsegregated MSW in complete violation of SWM Rules, 2026. Respondent No. 3 refers to and relies upon Respondent No. 3's letter dated 24.01.2026, 06.02.2026 and 06.04.2026 which are annexed as Annexure R-2 and Annexure R-3, Annexure R-4, respectively with the Additional Affidavit filed by	

			24.10.2014. 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 before the Hon'ble NGT.	Respondent No. 3 dated 22.09.2026. Further, Respondent No. 3 prays this Hon'ble Tribunal to direct Respondent No. 2 to provide segregated MSW.	
B.	Article 5.1 (a) (i) read with 5.3 (a) read with Annexure 3.1 (f) To process MSW at the Processing	Respondent No. 3 has established the Processing Facilities, having a capacity of 350	Since the establishment of the WTE Plant was optional under the Concession Agreement, Respondent No. 3		The establishment of the WTE Plant was optional and not a mandatory obligation of Respondent No. 3 under the

	Facilities using appropriate technology, which shall comprise of Compost Plant, RDF plant and Power plant (optional): The Concessionaire shall carry out the operations and maintenance of the Project Facilities at its	TPD as per the terms of the Concession Agreement and compliance with the relevant engineering standards and guidelines. Admittedly, the Processing Facilities established at Mansa Road, Bathinda, have been	did not establish the WTE Plant.		Concession Agreement. Accordingly, no separate action plan is presently required to be submitted by Respondent No. 3.

	own risk in accordance with the provisions hereof.	operational since October 2015. 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. 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.			
C.	Article 5.1 (a) (i) read with Annexure 3.1 (g) & (h) To develop and operate the Engineered Sanitary Landfill Site at the designated Sites(s) as per Annexure 5	No	In accordance with Article 2.2.3.1(a) read with Annexure 5 of the Concession Agreement, Respondent No. 2 was obligated to provide 36.81 acres of land at village Mandi Khurd for the establishment of the Sanitary Landfill **("SLF")**. Although	Respondent No. 3 humbly prays before this Hon'ble Tribunal that Respondent No. 2 be directed to hand over adequate and suitable land along with all requisite permissions/ approvals to Respondent No. 3 and resolve the	No action plan is submitted by Respondent No. 2 for providing adequate unencumbered land with all requisite permissions/ approvals for establishment of SLF.

	during the term of the Project.		Environmental Clearance **("EC")** dated 30.08.2012 was granted for the said site, however, the said land was already under litigation, and by order dated 08.08.2012 in the case of *Jarnail Singh & Ors. vs. State of Punjab & Ors.* Civil Writ Petition No. 21960/2011, the Hon'ble Punjab and Haryana High Court directed status quo	issues pertaining to non-availability of land, so as to enable Respondent No. 3 to effectively manage and process the MSW supplied at the Processing Facility, including any additional quantity of waste, in accordance with the Concession Agreement and SWM Rules, 2026.	

			to be maintained. As a result, the land was never handed over and the SLF could not be established. 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* filed by Respondent No. 3 in its reply dated 04.02.2025 before the Hon'ble NGT.		

			Subsequently, in July 2016, Respondent No. 2 allotted an alternative 10-acre parcel of land at Mansa Road, Bathinda, on a temporary basis. However, this land was already being used as a dumping site, making it unsuitable for an engineered SLF. A copy of the lease deed dated 14.07.2016 for the		

			10 acres land at Mansa Road is annexed as *Annexure R-4* along with the reply filed by Respondent No. 3 dated 04.02.2025 before the Hon'ble NGT. Furthermore, despite repeated requests from Respondent No. 3, Respondent No. 2 failed to obtain the amendment of the EC for		

			establishment of SLF at Mansa Road Site. Copies of the Letters dated 15.07.2016, 26.08.2016, 29.08.2016 and 01.06.2018 have been annexed as *Annexure 7*, *Annexure 8*, *Annexure 9 and Annexure 10* respectively in the reply dated 22.05.2023 filed by Respondent No. 3 before the Hon'ble		

			NGT. A copy of the Environmental Clearance dated 01.08.2013 is annexed as *Annexure R-5* along with the reply dated 04.02.2025 filed by Respondent No. 3 before the Hon'ble Tribunal.		
D.	Article 5.1 (b) (i), (ii) Obtain, maintain and renew all Applicable Permits,	No	Respondent No. 3 applied for Consent to Establish **("CTE")** on 08.07.2013 for setting up the Processing	Respondent No. 3 humbly prays before this Hon'ble Tribunal that Respondent No. 2 be directed to ensure renewal of	No action plan is provided by Respondent No. 2.

	including MSW authorizations and environmental clearances; comply with Applicable Laws and permit conditions.		Facilities, which was granted on 29.10.2013 by Respondent No. 4. A copy of Respondent No.3's application for CTE to Respondent No. 4 dated 08.07.2013 is annexed as *Annexure R-4* with Reply dated 28.10.2025 filed by Respondent No. 3 before the Hon'ble NGT. A copy of the CTE granted dated 29.10.2013 granted	all the applicable permits from time to time.	

			by Respondent No. 4 is annexed as *Annexure R-5* with Reply dated 28.10.2025 filed by Respondent No. 3 before the Hon'ble NGT. Thereafter, Respondent No. 3 obtained Consent to Operate **("CTO")** on 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 at Mansa Road, Bathinda, and continued to renew the same from time to time. During the personal hearing on 12.07.2024, Respondent No. 4 noted that the responsibility for obtaining CTO		

			rested with the Custodian, i.e., Municipal Corporation, Bathinda. Consequently, pursuant to the decision in the meeting dated 28.02.2023, Respondent No. 2 began applying for and obtaining CTO renewals from 2023 onwards, a fact also admitted by Respondent No. 2 in its affidavit dated		

			22.07.2025. A copy of the Proceedings of the personal hearing dated 12.07.2024 before Respondent No. 4 is annexed as *Annexure R-20* with the Reply dated 24.10.2024 filed by Respondent No. 3 before the Hon'ble NGT. A copy of the Minutes of the Meeting dated 28.02.2023 is annexed as *Annexure 18* with		

			the Reply dated 22.05.2023 filed by Respondent No. 3		

6. **OTHER ISSUES FACED BY RESPONDENT NO. 3:**

a. **Failure on part of Respondent No. 1, Respondent No. 2 & Respondent No. 4 in complying with SWM Rules 2026**: Rule 11 of the SWM Rules, 2026 states as follows:

> ***Duties of the industrial units and waste to energy plants located within specified distance from refuse derived fuel plants based on solid waste***. — *(1) The industrial units utilizing solid fuel shall use Refuse-Derived Fuel or Segregated Combustible Fraction or agri-residue, as the case may be, as per the table given below. The industrial units using solid fuel and located within specified distance from a solid waste based refuse-derived fuel plant shall make arrangements to replace their solid fuel requirement with combustible fraction produced from solid waste conforming with standards prescribed by Central Pollution Control Board.*

b. Respondent No. 1 and Respondent No. 2 vide Order dated 01.12.2017 were directed by the Hon'ble NGT in the matter titled *Capt. Mall Singh & Ors. Vs. State of Punjab & Ors.*, OA No. 70 of 2012 to pass an order for the distribution of the Refuse-Derived Fuel **("RDF")** produced by Respondent No. 3 in the State of Punjab and ensure implementation of the same. A copy of 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 before the Hon'ble NGT.

c. Furthermore, Respondent No. 4 vide order dated 05.09.2024 directed its Environmental Engineer to follow up with the industries to make an agreement with the concerned Urban Local Bodies **("ULBs")** and ensure replacement of 5% of solid fuel used with the RDF. A copy of the PPCB order dated 05.09.2024 is annexed as *Annexure R-9* by Respondent No. 3 in its reply dated 24.10.2024 filed before the Hon'ble Tribunal.

d. However, to the best of the knowledge of Respondent No. 3, no agreement has been executed by Respondent No. 2 with the concerned industrial units for ensuring regular and continuous offtake/disposal of the RDF produced by Respondent No. 3. Thus, despite specific judicial and regulatory directions, the mechanism contemplated for continuous utilization of RDF has not been effectively implemented.

e. Notwithstanding and without prejudice to the rights and contentions of Respondent No. 3, Respondent No. 3 is taking efforts towards disposal and supply of RDF. In this regard, Respondent No. 3 has been addressing correspondence to various industries since December 2017 for disposal of RDF produced by Respondent No. 3. Copies of letters dated 22.12.2017, 28.02.2018, 31.03.2018 and 23.05.2018 have been annexed by the

Concessionaire as *Annexure 15 (Colly)* to its Reply dated 22.05.2023 filed before this Hon'ble Tribunal.

f. Respondent No. 3, vide letters dated 16.09.2024 and 08.10.2024, further requested various biomass plants to comply with Rule 18 of Solid Waste Management Rules 2016 and directions of Respondent No. 4 and ensure replacement of 5% of solid fuel used with the RDF. Copies of letters dated 16.09.2024 and 08.10.2024 are annexed as *Annexure R-10 (Colly)* along with reply dated 24.10.2024 filed by Respondent No. 3.

g. Furthermore, Respondent No. 3 vide its letter dated 09.10.2024 requested Respondent No. 2 to approach the biomass plants as mentioned in the order dated 05.09.2024 of Respondent No. 4 and enter into agreement with biomass plants and other industrial units. A copy of letter dated 09.10.2024 is annexed as *Annexure R-11* along with reply dated 24.10.2024 filed by Respondent No. 3.

h. Respondent No. 3 once again had requested various biomass and other plants to purchase RDF and comply with the Solid Waste Management Rules, 2016. Copy of letters dated 17.10.2024 is annexed as *Annexure R-13 (Colly)* along with reply dated 24.10.2024 filed by Respondent No. 3.

i. It is further pertinent to mention herein that Respondent No. 3 vide letter dated 20.08.2026 had informed

Respondent No. 2 that Respondent No. 3 is continuously making efforts for disposal of RDF and due to its own efforts, a LOI for supply of 10000 MT of RDF to M/s Ambuja Cements Limited was secured on29.07.2026 and a LOI for supply of 4500MT of RDF to M/S JSW Cements Limited based in Rajasthan. Respondent No. 3 once again requested Respondent No. 2 for its assistance and support for effective and continuous disposal of RDF. A copy of the letter dated 20.08.2026 addressed to Respondent No. 2 is annexed as *Annexure R-5* along with reply dated 22.09.2026 filed by Respondent No. 3.

j. In these circumstances, the allegation that accumulation of semi-processed RDF is attributable to any act or omission of Respondent No. 3 is wholly misconceived. Despite repeated and continuous efforts by Respondent No. 3, effective disposal of RDF remains dependent upon its regular offtake and utilization by the concerned industrial units. The non-utilization of RDF by such units, coupled with the absence of an effective mechanism ensuring compliance with Rule 11 of the SWM Rules, 2026, has materially impeded its continuous disposal. Active intervention and cooperation of Respondent Nos. 1, 2 and 4 is therefore indispensable for ensuring compliance by the concerned industrial units and continuous and effective disposal of the RDF generated by Respondent No. 3.

k. Notwithstanding and without prejudice to the rights and contentions of the Respondent No. 3 and commitment towards expeditious resolution of the issue, Respondent No. 3, in larger public interest, has also provided NOC to Respondent No. 2 for engaging a third party i.e., M/s Echo Clean Enviro Services, for lifting of semi-finished RDF for processing and safe disposal of the accumulated semi-finished RDF. A copy of Respondent No. 2's letter dated 14.09.2026 and Respondent No. 3's letter dated 17.09.2026 are annexed herewith and marked as **Annexure R-2** and **Annexure R-3**, respectively.

7. **NON-REMEDIATION OF LEGACY WASTE IS SOLELY ATTRIBUTABLE TO RESPONDENT NO. 2**

a. It is respectfully submitted that 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.

b. Furthermore, the Joint Committee appointed by this Hon'ble NGT in its report dated 24.08.2022 made the following recommendation that:

a) The Municipal Corporation, Bathinda shall make proper arrangement for the immediate lifting of the processed /remediated waste from the legacy waste site.

b) The Municipal Corporation, Bathinda shall stop the practice of dumping of fresh mixed waste at the legacy waste site

c. 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 the processing of legacy waste. A copy of the minutes of hearing dated 28.02.2023 is annexed as *Annexure 18* with Respondent No. 3's reply dated 22.05.2023 filed before this Hon'ble Tribunal.

d. 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) as was confirmed by Respondent No. 2 in its affidavit dated 28.06.2024 filed before this Hon'ble Tribunal.

e. 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.

f. Respondent No. 2 further in its affidavit dated 08.10.2024, filed before this Hon'ble Tribunal stated that it had successfully remediated 2,54,000 cum out of 3,53,000 cum of legacy waste in 10 acres of land. Respondent No. 2 further stated in the said affidavit that it has taken up the work in the remaining portion of approximately 5-acre land for remediation of legacy waste.

g. Respondent No. 2, in its affidavit dated 28.10.2025 filed before this Hon'ble Tribunal, stated that the remediation of legacy waste had been completed. However, contrary to the said assertion, approximately 30,000 MT of legacy waste continues to remain on a 2.8-acre parcel of land and has not been remediated. In this regard, Respondent No. 3, vide its letter dated 27.04.2026, identified the portion comprising the remaining unprocessed legacy waste and requested Respondent No. 2 to undertake its scientific processing and disposal in accordance with applicable environmental norms. A copy of Respondent No. 3's letter dated 27.04.2026 is annexed as *Annexure R-6* with the additional affidavit filed by Respondent No. 3 dated 22.09.2026.

h. It is pertinent to note that Respondent No. 4 visited the Processing Facility on 13.08.2026 whereby Respondent No. 4 observed that:

"Legacy waste was also found dumped at site and processing machinery installed specifically for processing of legacy waste found in non-operational condition and the physical condition of the machinery reveals that that it has not been operated since long."

A copy of the Show Cause Notice dated 11.09.2026 issued by Respondent No. 4 is annexed as *Annexure R-7* with the additional affidavit filed by Respondent No. 3 dated 22.09.2026.

i. It is most respectfully submitted that the continued existence of legacy waste is causing obstruction in operations of the Processing Facilities and adversely affecting the environment.

8. That the Respondent No. 3 has always been diligent and committed to comply with provisions of the Solid Waste Management Rules 2026 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 processed. It is also submitted that Respondent No. 3 has always been compliant

with the orders and directions issued by this Hon'ble Tribunal.

Through:



Counsel for Respondent No. 3
Kumar Shashwat Singh Sawno
S&A Law Offices,
E-337, East of Kailash, New Delhi-110065
Email: Shashwat@sandalawoffices.com
Mobile-9999488489

Date: 26.10.2027
Place: New Delhi

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IN THE MATTER OF:

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..... 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/reply 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 Respondent No. 3, and nothing has been concealed therefrom.

DEPONENT

TO BE ENTERED IN MY NOTARIAL REGISTER No. 31 AT SR. No. 199 DATE 26/10/26

PARKASH NOTARY BATHINDA

VERIFICATION

26 OCT 2026

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.

DEPONENT

ATTESTED AS & IDENTIFIED

PARKASH
ADVOCATE CUM
NOTARY BATHINDA

26 OCT 2026

JITF ECOPOLIS
INTEGRATED WASTE MANAGEMENT

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

ANNEXURE R-1

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

JITF Urban Waste Management (Bathinda) Limited

Municipal Corporation Bathinda

Near Railway Station, Bathinda Punjab 151001 Tel.No0164 2252812,
E-mail:- cmcbathinda@gmail.com

No: MCB/SBM/1182 Date: 14/09/2026

To

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

Subject: Submission of Time-bound Action Plan for disposal of approx. accumulated 65,000 MT of Processed / Semi-processed waste / RDF/Compost lying at SWM Plant Site, Bathinda - as per your Daily Progress Report and Quantity Survey Report

Ref:

1. **Concession Agreement dated 23.11.2011 and Arbitral Award dated 21.05.2025.**
2. **Hon'ble NGT Order dated 04.08.2026 in OA No. 413 of 2021.**
3. **Quantity Survey Report - 93395 Cum (approx. 74715 MT @ 0.80 density).**
4. **Your Daily Progress Report dated 07.09.2026 showing ~64,000 MT accumulated waste.**
5. **This office letter No. 2474 dated 26.08.2026.**

With reference to above subject, it is brought to your notice that as per your own Daily Progress Report dated 07.09.2026, a huge quantity of approx. 64,000 MT of processed / semi-processed RDF waste etc. is lying accumulated at the Integrated MSW Facility site, Bathinda.

Further, as per Quantity Survey conducted by MC Bathinda (Vol. 93395 cum - approx. 74715 MT), the actual quantity lying at site is approx. 75,000 MT, which includes your reported 64,000 MT.

As per Concession Agreement and SWM Rules 2016, Processing and Disposal is entirely in your scope. As per Arbitral Award dated 21.05.2025, the Concession Agreement is still in force and both the parties are bound to continue complete Project till 2036 or till its valid Termination.

Further, this accumulation has been viewed seriously by Hon'ble National Green Tribunal in OA 413/2021. The accumulation of 64,000 MT of semi-finished RDF/waste is non-compliance of SWM Rules on your part.

You are therefore requested to submit within 03 days from issue of this letter, a detailed time-bound Action Plan for 100% disposal of approx. 64,000 MT of accumulated waste, covering following points:

1. Daily processing capacity vs daily disposal capacity for each fraction.

2. Tie-up / MoU with Cement Plants / Waste-to-Energy Plants / Buyers for RDF off-take - Name, Quantity per day, Copy of MoU/Agreement.

3. Plan to dispose of non-recyclable / non-combustible fractions as per SWM Rules.

4. deployment of additional machinery, manpower, vehicles to be deployed to clear backlog, if required.

5. Month-wise / Week-wise timeline to clear 64,000 MT.

6. It has been observed from your daily reports that disposal of finished RDF was only 6.78 MT/day from 04.07.2026 to 03.08.2026 and it increased to 68.28 MT/day after

NGT hearing on 04.08.26. It implies that you can dispose of RDF hence forth at the current Rate. An undertaking about disposal of RDF at current rate will be maintained.

7. Undertaking that no future accumulation will happen and daily generation will be disposed of on daily basis.

Please note that your daily RDF disposal has increased from 6.78 MT to 68.28 MT only after NGT hearing dated 04.08.2026 (Total 2390 MT sold since last hearing and finished RDF stock reduced from 903 MT to 76 MT). This shows you have capacity & Ability but it is not utilizing earlier. You are requested to speed up the disposal as you have executed in last month so that compliance can be made.

If you do not submit aforesaid Action Plan within 03 days, it will be presumed that you have no plan to clear the Semi-finished RDF/waste and MC Bathinda will engage third party i.e. M/s Echo Clean Enviro Services who has already started lifting of balance unprocessed waste w.e.f. 11.09.2026 and is ready to lift balance Semi-finished RDF/waste for processing & safe disposal of your accumulated 64,000 MT at your risk. No claim/compensation will be entertained later for disposal of Semi-finished RDF/waste lying at site as indicated in Field Survey drawing.

This may be treated as MOST URGENT in the light of NGT order dated 04.08.26.

Corporation Engineer
Municipal Corporation,
Bathinda

Endst.No. MCB/SBM/1183 **Date** 14/09/2026

Copy to:-

1. **Commissioner, Municiplal Corporation Bathinda.**
2. **Superintending Engineer, Municiplal Corporation Bathinda**
3. **SDO (SWM), JE (SWM) to tie up with the agency and follow up accordingly.**

Corporation Engineer
Municipal Corporation,
Bathinda

O/C

JITF ECOPOLIS
INTEGRATED WASTE MANAGEMENT

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

WITHOUT PREJUDICE

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

Kind Attn: The Commissioner, MCB

Date: 17.09.2026
Our Ref. No.: JITF/2026-27/17.09.2026
Subject: **Reply to MC Bathinda's Letter (No. MCB/SBM/1182) dated 14.09.2026 regarding Submission of a time-bound action plan for disposal of approx. accumulated 65,000 MT of Processed/ Semi-processed waste/ RDF/ Compost lying at SWM Plant Site, Bathinda, as per your Daily Progress Report and Quantity Survey Report**

Respected Madam,

With reference to your letter No. **MCB/SBM/1182 dated 14.09.2026**, received from your office, we would like to inform you that, without prejudice to our rights, remedies, claims and entitlements under the Concession Agreement and applicable law, we have no objection to MCB engaging a third party, i.e. M/s. Echo Clean Enviro Services, for lifting the balance semi-finished RDF, of a total quantity of approximately 64,000 MT, for processing and safe disposal of the accumulated semi-finished RDF.

The Concessionaire further places on record that the plant has capacity to process up to 350 TPD, whereas approximately 130–140 TPD is presently being supplied. Any increase in supply will require resolution of the existing constraints, particularly availability of the **36.8-acre SLF land at Mandi Khurd**,

JITF ECOPOLIS INTEGRATED WASTE MANAGEMENT

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

supply of segregated MSW and disposal of RDF. In the absence of these critical requirements, efficient processing of additional MSW will be severely constrained.

In addition to above, we humbly request MCB on the following:

- Still unsegregated waste is being supplied to our plant till date. Please ensure supply of **segregated MSW** in compliance with the Solid Waste Management Rules;
- provide the required **encumbrance-free land, particularly for the SLF**; and
- facilitate **sale/disposal of RDF** in accordance with the directions of the Hon'ble NGT and PPCB.

In furtherance to the above, due to supply of unsegregated MSW supply at the plant by MCB and non-facilitation of the sale/ disposal of RDF by MCB, our plant has remained underutilized.

The above no-objection is provided without prejudice to the rights and obligations of the parties under the Concession Agreement and applicable law and without creating or being construed as acceptance of any liability whatsoever on the part of JITF Urban Waste Management (Bathinda) Limited in relation to the said lifting, transportation, processing, handling or safe disposal of the accumulated semi-finished RDF.

Yours faithfully,

For JITF Urban Waste Management (Bathinda) Limited

JITF Urban Waste Management (Bathinda) Ltd. BATHINDA

From: Kumar Shashwat Singh Sawno
Sent: Tuesday, October 27, 2026 3:17 PM
To: Arvind Sandhu; cmcbathinda; Chairman PPCB; Member Secretary PPCB; pgrs.lg.pb; info; ladurnerequipment
Cc: Rahul Saraswat; Kushagra Kaul
Subject: Advance Service of Reply in BikramJeet Singh Shergill Vs. State of Punjab and Ors OA 413 of 2021.
Attachments: _Bikramjeet Shergill- Draft Reply dated (Client) (1).pdf

Dear Sir,

We write on behalf of M/s JITF Urban Waste Management (Bathinda) i.e. Respondent No. 3 in the captioned matter which is listed before the Hon'ble National Green Tribunal on 28.10.2026.

Please find attached the additional response filed by Respondent No. 3 by way of advance service in the captioned matter.

Please do acknowledge the mail at the earliest.

Best,
Shashwat

Kumar Shashwat Singh Sawno
Partner

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