BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

Appeal No. 70 of 2012
And
M.A. No. 1203 of 2015
In
Original Application No. 106 of 2013
And
Original Application No. 69 of 2016
(Earlier OA No. 36 of 2013)

IN THE MATTER OF:

Capt. Mall Singh & Ors. Vs. State of Punjab & Ors.

And
Gaurav Jain Vs. State of Punjab & Ors.

And
Rajinder Singh & Ors. Vs. State of Punjab & Ors.

CORAM: HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON HON'BLE MR. BIKRAM SINGH SAJWAN, EXPERT MEMBER

Appeal No. 70 of 2012
Present: Applicant:

Respondents: Mr. Kamal Jeet Singh, AAG and Sukriti Singh,

State of Punjab

Mr. Naginder Benipal, Adv., for PMIDC Mr. Rajul Shrivastav, Adv. M.P.P.C.B.

Mr. Manoj K. Singh, Ms. Naliva Bandhopadhyay; and Mr. Manish Gopal Singh Lakhwat, Advs. for

Project Proponent

M.A. No. 1203/2015 in

Original Application No. 106 of 2013

Present: Applicant: Parul Gupta, Adv.

Respondent Mr. Kamal Jeet Singh, AAG and Sukriti Singh,

State of Punjab

Mr. Naginder Benipal, Adv., IAS for PMIDC Mr. Manoj K. Singh, Ms. Naliva Bandhopadhyay; and Mr. Manish Gopal Singh Lakhwat, Advs. for

Project Proponent

Original Application No. 69 of 2016 (Earlier O.A. No. 36/2013)

Present: Applicant:

Respondent Mr. Kamal Jeet Singh, AAG and Sukriti Singh,

State of Punjab

Mr. Naginder Benipal, Adv., for PMIDC

Date and Remarks	Orders of the Tribunal		
Item No. 01 to 03	The Learned counsel appearing for the State of		
September 06, 2017	Punjab submits that the plant is functioning satisfactorily		
SS & NT	and particularly there is no malodor and public agitation		
	He however points out that there are two major		
	difficulties, one is that the Project Proponent is not		
	starting the waste to energy plant in accordance with the		

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terms of contract and the second is that the Refuse

Derived Fuel (RDF) which generated is not being accepted

by the end user.

Though, we have directed the State Government, probably the requisite RDF does not have the requisite caloric value for effective use in power generation process. The Learned counsel appearing for the Project Proponent submits that they have supplied the samples of the RDF manufactured in pursuance to the Government letter dated 31st August, 2017.

The Learned counsel appearing for the Project Proponent submits that he has no objection to provide sample to any authority as stated in the orders of the Tribunal. According to him, the RDF generated meets the requisite parameters. He further states that if the State Government provides fair terms then the Project Proponent will be willing to establish waste to energy plant. However, he needs specific instructions in relation to the same.

The Learned counsel appearing for the State submits that the State would put in every possible effort in terms of contract and help the Project Proponent to establish such plant. In light of the above, we pass the following directions:-

- The samples of the RDF produced by the Project
 Proponent shall be provided to the Central Pollution
 Control Board, Punjab State Pollution Control Board
 and Punjab Engineering College, Chandigarh for
 testing.
- 2. The samples should be furnished by tomorrow positively. It shall be the responsibility of the

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- Project Proponent to deliver the samples against receipt to all these institutions.
- 3. The RDF be analysed with reference to critical parameters like calorific value, moisture content, inert, etc. and report thereof, be submitted to the Tribunal by the next date of hearing.

The Learned counsel appearing for the Project Proponent may also seek instructions as to establishment of waste to energy plant, by using most modern technology, which would not result in unhealthy or environmentally hazardous emissions released in the surrounding areas.

The plant will continue to operate in terms of our earlier order.

List this matter on 12th September, 2017.

On that day, the Chamber meeting will be held at 01:30 PM in NGT, subsequent upon that, the matter will be taken up for directions.

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(Swatanter	Kumar)	,
J.		 EN
(Rikram Sin		.,