

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

**Original Application No. 82 of 2017  
(Earlier OA No. 667 of 2016)**

**IN THE MATTER OF:**

**Elephant Energy Private Limited  
Vs.  
Municipal Corporation Shimla**

**CORAM : HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**Present:** Applicant: Mr. Anip Sachthey, Mr. Chetanya Singh, Ms. Anjali Chauhan and Ms. Ria Sachthey, Advs.  
HPPCB Mr. Ajay Marwah, Adv.  
Mr. D.K. Thakur, AAG and Ms. Seema Sharma, DAG for State of Himachal Pradesh  
Mr. Sharan Thakur, Ms. Natasha Thakur, Mr. Siddhartha Thakur and Mr. Parshuram A.L., Advs.

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>Item No. 12  September 11, 2017  sn</b>	<p>The Learned Counsel appearing for the Project Proponent submits that their Waste to Energy Plant is not functional as the machinery of the energy plant has been sent back to Germany for appropriate mechanical and other corrections. He further states that they are ready to transport the RDF generated by them to the Ambuja Cement Plant in terms of the Memorandum of Understanding executed by them. Let the RDF be transported to the Cement Plant without any further delay and due record of the dispatch and receipt of the RDF shall be maintained. Any compliant in that behalf, be made to the State of Himachal Pradesh who shall supervise and ensure that RDF plant operates to its optimum capacity and effectively. We make it clear that in the event of default now, at least with regard to RDF, we will hold the Project Proponent responsible for the breach and consequences thereof. The cement plant may</p>

	<p><b>Item No.</b> <b>12</b></p> <p><b>September</b> <b>11, 2017</b></p> <p><b>sn</b></p>	<p>reimburse the cost of the transportation to the industry from the plant, in terms of the above.</p> <p>List this matter for hearing on 5<sup>th</sup> October, 2017.</p> <p>The Bailable warrant issued, shall not be executed.</p> <p>.....,CP (Swatanter Kumar)</p> <p>.....,JM (Raghuvendra S. Rathore)</p> <p>.....,EM (Dr. Nagin Nanda)</p>
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