

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BRANCH, NEW DELHI  
EXECUTION APPLICATION NO. 23 OF 2023  
IN  
ORIGINAL APPLICATION NO. 75 OF 2023  
(IA NO. 645 OF 2023)**

**IN THE MATTER OF:**

JAISHREE BANSAL ... APPLICANT  
VERSUS  
UTTAR PRADESH POLLUTION ... RESPONDENT  
CONTROL BOARD & ORS.

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FILED BY



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**DATE: 02.08.2025  
NEW DELHI**

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**AFFIDAVIT**

I, Dr. Mithilesh Kumar Singh, s/o Shri Bhushan Singh, aged about 48 years, working as City Health Officer at Ghaziabad Nagar Nigam, presently in New Delhi, do hereby solemnly affirm and declare as under:

1. I am the City Health Officer of Municipal Corporation of Ghaziabad and am fully conversant with the facts and circumstances of the present case and therefore competent to sign and depose the present Affidavit.
2. I state that it is the case of the Applicant that the garbage / solid waste has captured approx. 200 sq. feet of the applicant's private land at village Jagjeevanpur, Pargana Jalalabad, District Ghaziabad and leachates oozing out from the garbage has destroyed 1500 sq. feet of the Applicant's private land.



3. I affirm that by way of this affidavit, I wish to apprise this Ld. Tribunal of the (i) status of the waste generation, its treatment, processing and availability of facilities; (ii) response to the submissions made by the Applicant vide Submissions dt. 07.05.2025, and (iii) the challenges being faced by the Nagar Nigam.

**I. DISCLOSURE OF DETAILS ON WASTE GENERATION, ITS TREATMENT, PROCESSING AND AVAILABILITY OF FACILITIES**

4. The aspects of waste generation are as follows:

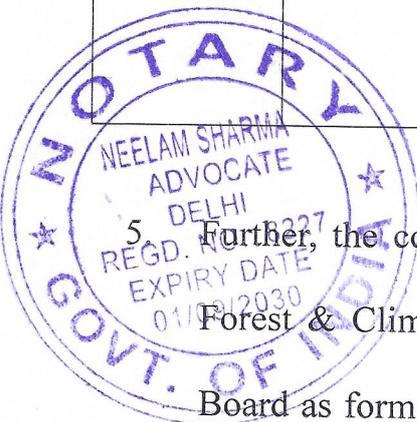
Location	Waste to Compost Capacity (TPD)	Operations at Site	Timeline to complete	Current Status
Jagjivanpur Fresh Waste Processing	Installed Capacity: 3,200 TPD (2000 TPD for fresh waste and 1200 TPD shifted from legacy waste site)	(i) Site is operational from July 2023. (ii) Total fresh waste generated in Ghaziabad of approx. 1600-1800 TPD was being sent to pipeline site. (iii) MSW Processing Facilities at site: 8 Trommel Machines (Each having capacity of 300 TPD) +	Approximately 3.10 lakh MT of waste is currently at the site. The target for processing the waste and clearing the site is set for January 2026.	(i) As on 06th July 2025, Waste Transportation to this site is closed. Currently approx. 3.10 lakh MT waste is present on the site. (ii) The fresh waste from 6th July 2025 is being transported to new processing site at Dabarsi. The Consent to Establish (CTE) is received.



		1 Super Sonic Segregation Machine (Capacity: 2000 TPD) + 12 Pokelane + 5-8 Dumpers.		
Jagjivanpur / Bhikanpur Legacy Waste Site having 2.69 lac ton	1200 TPD	The legacy waste processing started from October 2023 and the entirety of legacy waste has been processed. The space created by processing of legacy has been continuously used for fresh MSW storage and processing.		As per the report of the Committee set up by the Hon'ble NGT and a third party survey conducted by IIT Delhi, the legacy waste has been processed, after which the two sites were merged due to lack of availability of land. <u>The land which was vacated from legacy waste was being used for storing fresh MSW which is now being transported to the new processing site at Dabarsi</u>

Further, the committee comprising of officials from Ministry of Environment, Forest & Climate Change along with officials from Central Pollution Control Board as formed by this Hon'ble Tribunal via its report dt. 01.10.2024 had also

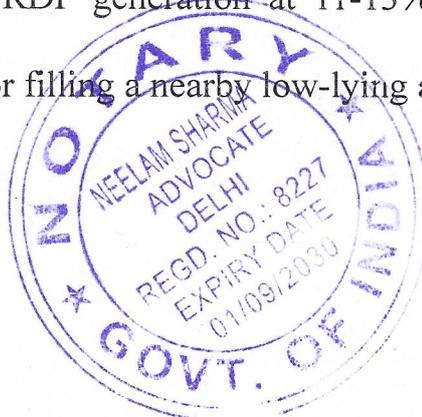
categorically confirmed that there is no spillage of waste into the premises of the Applicant and no leachate is flowing into the premises of the Applicant. Moreover, as per Order dt. 01.04.2024, a joint survey of Pipeline and Morta Waste Treatment Site was conducted by Ghaziabad Municipal Corporation from



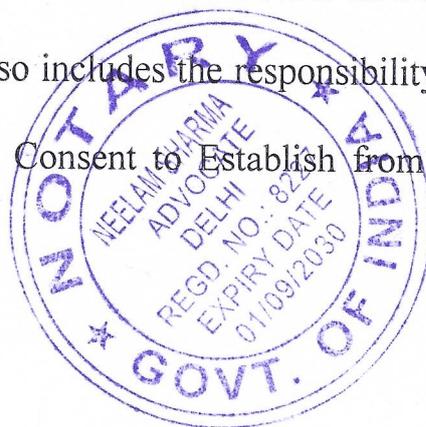
the Indian Institute of Technology (IIT), Delhi and an on-site visit was conducted on 18.05.2024 on basis of which an interim report was prepared. The data for the capacity of waste-to-energy generation plant and the extent of the waste being used therein (as per tests conducted in March 2024) is as follows:

S. NO.	PARAMETERS	PERCENTAGE
1.	Organic Waste	75-80
2.	Glass	0.8-1.1
3.	Plastic	1.5-1.8
4.	Metals	0.1-0.3
5.	Mix waste for RDF	11.0-13.0
6.	Silt and debris	6.6-7.0

6. I state that the waste treatment facilities were confirmed to be operational by the CPCB in its report dated 01.10.2024 in the interim report of IIT Delhi. The aforementioned data indicates a daily waste disposal of 1,967 tons. The consent to operate of the waste-to-energy plant reports a capacity of 75 tons per day (TPD) using a 2.5 million kilocalorie per hour thermic fluid heater. The brick production plant's waste-to-energy facility, currently being commissioned, has a projected capacity of 340 TPD which is going towards WTE and paper mills. The combined RDF utilization capacity is 415 TPD, approximately 20% of the total daily waste, with current RDF generation at 11-13%. The decomposed organic waste is being utilized for filling a nearby low-lying area.

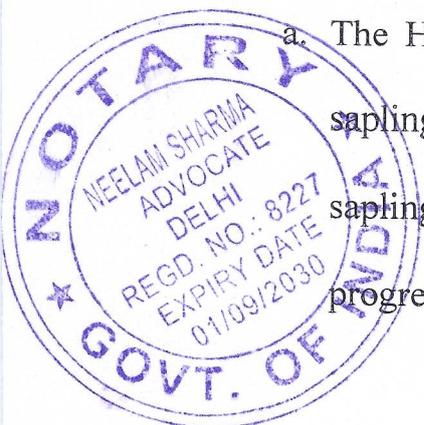


7. I state that the legacy waste accumulated at Jagjeevanpur Site-I (amounting to 2.50 lakh metric tonnes) was processed and disposed off by the concerned firm during June/July 2024. However, due to the absence of an alternative site for the collection and windrow processing of the fresh municipal solid waste (approximately 1600-1700 TPD) generated within the limits of GMC, the land vacated post-processing of the legacy waste at Site-I was merged into the Jagjeevanpur Site-2 for the purpose of fresh waste collection and its processing through the windrow method. This was also carried out after due inspection by the Central Pollution Control Board in its letter dt. 16.05.2024. **Presently, the fresh waste from the said site is being transported to new processing site at Dabarsi. The Consent to Establish for the same has also been received.** It is also worthy to be noted that the Applicant has approached this Ld. Tribunal with unclean hands as she has no requisite license to operate the facility for veterinary hospital and nor she has secured any building plans approval from GDA for the same. Thus, the Applicant is operating an unlawful and illegal facility in absolute violation of the statutory laws and regulations.
8. The Municipal Corporation, Ghaziabad through an e-tender process selected a new firm for solid waste processing and issued a work order on 10.01.2025. The scope of work for the selected firm also includes the responsibility of providing land. The selected firm has obtained Consent to Establish from the Regional



Pollution Control Board on 05.04.2025 and has installed the necessary machinery for the processing plant and it is in the process of obtaining CTO.

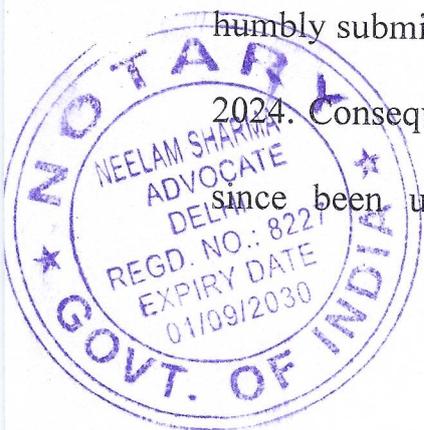
9. For the successful disposal of the solid waste generated within Ghaziabad and in view of the short-term action plan, a processing plant has already been established in Dabarsi. Further, for the inert waste produced after processing, a bilateral agreement has been executed with the Greater Noida Authority for the use of the SLF (Sanitary Landfill Facility) located in village Astauli on cluster based approach.
10. Furthermore, the Material Recovery Facility (MRF) at Ret Mandi has a capacity of 250 TPD, and the MRF at Sihani also processes 200 TPD and a third MRF, with a capacity of 50 TPD. Thus, the total capacity of the MRFs stands at 500 TPD handling solid waste for disposal. After processing of waste, refuse-driven fuel (RDF) is transported to the paper plant located at Muzaffarnagar.
11. With respect to the previously allocated land at Galand, as per the Status Report dated 02.05.2025 by Ghaziabad Municipal Corporation to the Joint Secretary, Urban Development Section-5, Government of Uttar Pradesh:
  - a. The Horticulture Department is developing a buffer zone by planting saplings along the outer periphery of the subject land. So far, 17,000 saplings have been planted and fenced; remaining planting is in progress.



- b. A tender for boundary wall construction on the subject land was invited on 26.11.2024 and the work order for the same was issued in 25.01.2025. But the execution is pending availability of police protection at the site.
- c. Vide letter dt. 27.04.2025, GMC has requested the Vice Chairman of GDA, an inquiry and removal of unauthorized constructions near the 44.25-acre site in Galand that are obstructing the buffer zone required for the Waste-to-Energy Plant.
- d. On 06.08.2024, the Municipal Commissioner, Municipal Corporation, Ghaziabad held discussions with the villagers and encouraged them to visit operational Waste-to-Energy plants in Delhi, Indore and other states. However, no positive response was received from the villagers. A meeting was also convened under the chairpersonship of the then Divisional Commissioner with Hapur District Administration and villagers, but a permanent solution could not be reached.

## II. RESPONSE TO ADDITIONAL SUBMISSION DT. 07.05.2025 BY THE APPLICANT

12. The contents of Para 1 are denied as being erroneous and misconceived. It is humbly submitted that the legacy waste at the site had been fully cleared in June 2024. Consequently, the said site was rendered vacant of legacy waste and has since been utilized for temporary storage of fresh waste, owing to the



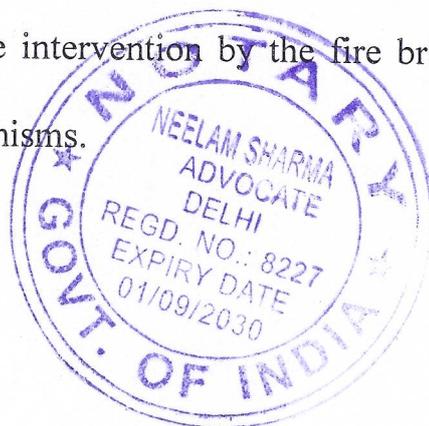
unavailability of any alternate land site with the Nagar Nigam at the relevant time.

13. The contents of Para 2 are denied as erroneous. It is humbly submitted that legacy waste had been processed and cleared but the continued utilisation of the site for fresh waste was necessitated solely due to the lack of any other viable land for such purpose.
14. The contents of Para 3 are denied as erroneous. It is humbly submitted that the current fresh waste lying at the Jagjivanpur site shall be cleared and remediated by March 2026.
15. The contents of Para 4 are denied as erroneous. It is humbly submitted that the dumping of fresh waste has been completely stopped at the Jagjivanpur site since 04.07.2025. A new site at Dabarsi has been duly identified and earmarked for the receipt, storage, and processing of fresh waste on a daily basis.
16. The contents of Para 5 are denied as the same is erroneous. It is humbly submitted that the Respondent has complied with all directions and obligations stipulated by the Hon'ble Tribunal, including the joint inspection and survey conducted by the Committee comprising officials from the Ministry of Environment, Forest and Climate Change and the Central Pollution Control Board.
17. The contents of Para 6 are denied as the same is erroneous. It is humbly submitted that there exists no contradiction in the factual matrix. The waste processing machinery has been duly installed and is operational, processing



waste on a continuous basis. The Refuse-Derived Fuel (RDF) generated is being transported to plants duly approved by the Pollution Control Board (PCB). Additional machinery has also been deployed to ensure complete processing of all remaining waste by March 2026. Further, the dumping of fresh waste at the site was discontinued on 04.07.2025. It is further submitted that the MSW lying in proximity to the dog shelter is being prioritized for processing, with a view to clear the surrounding area and mitigate any inconvenience to the complainant.

18. The contents of Para 7 are denied as the same is erroneous. It is humbly submitted that a boundary wall was duly constructed at the site. In the event any portion thereof has sustained any damage due to unforeseen circumstances, the same shall be promptly repaired and restored.
19. The contents of Para 8 & 9 are denied as being erroneous. It is humbly submitted that underground water samples have been collected by the CPCB from multiple locations surrounding the site. No anomalies or deviations have been found in the test results.
20. The contents of Para 10 are denied as being erroneous. It is humbly submitted that the fire incident dt. 24.04.2025 occurred due to causes that remain undetermined. However, the situation was effectively brought under control through immediate intervention by the fire brigade and deployment of on-site fire control mechanisms.



### III. CHALLENGES BEING FACED BY THE NAGAR NIGAM GHAIZABAD

21. It is pertinent to note that the Nagar Nigam Ghaziabad is facing the following challenges:
- a. The possession of designated land for MSW Processing at Galand is hampered due to public protest since 2019;
  - b. No provision of land for MSW processing has been incorporated by Ghaziabad Development Authority in the current Master Plan. Ghaziabad Nagar Nigam has written to Ghaziabad Development Authority to include all facilities in Master Plan 2031 which is currently in its finalization stage; and
  - c. Owing to rapid urbanization, the land cost is very high in Ghaziabad due to which land for MSW purposes is not easily available.
22. I state that everything stated above has been stated by me in my official capacity based on and derived from the official records maintained by the Ghaziabad Nagar Nigam in the official capacity and I state that nothing material has been concealed therefrom.



  
DEPONENT

**VERIFICATION**

I, the above-named deponent, do hereby solemnly verify that the contents of the aforesaid affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.

Verified at N Delli on this \_\_\_ day of July 2025.

02 AUG 2025



My  
DEPONENT

**ATTESTED**

Neelam Sharma  
NOTARY (Govt. of India)  
Neelam Sharma, Advocate  
Enrol. No.-D1281/2001  
Ch. No. 165A, Gate No. 11  
Patiala House Courts,  
New Delhi-110001  
(M): 9899408301

I identified the deponent who  
has signed in my presence

02 AUG 2025

कार्यालय: नगर आयुक्त, गाजियाबाद नगर निगम।

OFFICE OF THE MUNICIPAL COMMISSIONER, GHAZIABAD MUNICIPAL CORPORATION

दूरभाष: 0120-2790425, 2713580

ई-मेल: gzb.nagar.nlgam@gmail.com

पत्रांक: 461...../न0आ0/2024

दिनांक: 19/10/2024

प्रेषक,

नगर आयुक्त  
गाजियाबाद नगर निगम।

सेवा में,

जिलाधिकारी  
गाजियाबाद।विषय ठोस अपशिष्ट प्रबन्धन हेतु भूमि उपलब्ध कराने के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक सादर अवगत कराना है कि नगर निगम गाजियाबाद के स्वास्थ्य विभाग द्वारा अपनी आख्या दिनांक 20.09.2024 के द्वारा अवगत कराया गया है कि निगम द्वारा पूर्व से स्थापित ठोस अपशिष्ट प्लांट पर ठोस अपशिष्ट डालने की जगह न होने के कारण शहर से ठोस अपशिष्ट के उठान कार्य में कठिनाई का सामना करना पड़ रहा है जिस कारण जनता एवं समाचार पत्रों में आये दिन ठोस अपशिष्ट न उठाने की शिकायतें हो रही है। इस प्रकार ठोस अपशिष्ट प्रबन्धन के अन्तर्गत नगर निगम सीमान्तर्गत उत्सर्जित होने वाले 1600-1700 एमटी ठोस अपशिष्ट के वैज्ञानिक पद्धति से निस्तारण में अत्यधिक कठिनाई का सामना करना पड़ रहा है जिसका मुख्य कारण भूमि की अनुपलब्धता है।

गाजियाबाद नगर निगम सीमान्तर्गत उत्सर्जित होने वाले ठोस अपशिष्ट के वैज्ञानिक पद्धति से निस्तारण हेतु वर्ष 2018 में ग्राम गालन्द जिला हापुड में 44.25 एकड़ भूमि अधिकृत कर वेस्ट टू एनर्जी प्लांट स्थापित किये जाने हेतु नीदरलैंड की कम्पनी मैसर्स जी0सी0 इंटरनेशनल के साथ शासन स्तर पर अनुबन्ध किया गया था किन्तु भारी जन-विरोध होने के कारण उक्त भूमि पर वाउ-ड्रावॉल निर्माण आदि का कार्य प्रारम्भ नहीं किया जा सका है। उक्त प्रकरण में पुलिस प्रशासन जिला हापुड से लगातार समन्वय स्थापित कर अग्रिम कार्यवाही हेतु अनुरोध किया जा रहा है। ठोस अपशिष्ट प्रबन्धन के सम्बन्ध में 01 वाद मा0 उच्चतम न्यायालय एवं 04 वाद मा0 एन0जी0टी0 में योजित है। वर्तमान में फर्म मैसर्स जिरोन इन्जी0 प्रा0लि0 द्वारा ठोस अपशिष्ट के निस्तारण हेतु पाईप लाईन रोड पर कार्य किया जा रहा है किन्तु पर्याप्त भूमि उपलब्ध न होने के कारण उक्त स्थल पर भी ठोस अपशिष्ट प्रबन्धन में अत्यधिक कठिनाईयों का सामना करना पड़ रहा है।

गाजियाबाद विकास प्राधिकरण द्वारा भी मास्टर प्लान में भी ठोस अपशिष्ट प्रबन्धन/प्रसंस्करण तथा निस्तारण हेतु भूमि का प्रावधान नहीं किया गया है ऐसे में पर्याप्त भूमि उपलब्ध कराने में गाजियाबाद विकास प्राधिकरण का भी सहयोग अति-आवश्यक है।

उक्त परिस्थितियों के दृष्टिगत नगर निगम गाजियाबाद को ठोस अपशिष्ट प्रबन्धन हेतु अति-शीघ्र 40 एकड़ भूमि की अत्यन्त आवश्यकता है जिससे कि नगर निगम सीमान्तर्गत उत्सर्जित होने वाले ठोस अपशिष्ट के बेहतर प्रबन्धन के साथ-साथ मा0 न्यायालय में दायर विभिन्न वादों का भी सफलतापूर्वक निस्तारण किया जा सके।

अतः आपसे अनुरोध है कि कृपया उपरोक्त के दृष्टिगत प्राथमिकता पर ग्राम गालन्द में भूमि उपलब्ध कराने/कब्जा दिलाने में सहयोग करने का कष्ट करें।

भवदीय  
19/10/24  
(विक्रमादित्य सिंह मलिक)  
अ.स.स.

नगर आयुक्त

प्रतिलिपि:-मण्डलायुक्त, मेरठ मण्डल, मेरठ को सादर अवलोकनार्थ प्रेषित।

(विक्रमादित्य सिंह मलिक)  
अ.स.स.

नगर आयुक्त



कार्यालय: नगर आयुक्त, गाजियाबाद नगर निगम।  
 OFFICE OF THE MUNICIPAL COMMISSIONER, GHAZIABAD MUNICIPAL CORPORATION  
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 फ़ॉन: 0120-2790425/2023-24 दिनांक: 25.11.2023

प्रिय,

नगर आयुक्त  
 गाजियाबाद नगर निगम।

सेवा में,

1. जिलाधिकारी  
 गाजियाबाद।
2. उपायुक्त  
 गाजियाबाद विकास प्राधिकरण, गाजियाबाद।

विषय: घोत अपशिष्ट प्रबन्धन हेतु भूमि उपलब्ध कराने के सम्बन्ध में।  
 महोदय,

उपरोक्त विषयक त्तर अवगत कराना है कि नगर निगम गाजियाबाद द्वारा घोत अपशिष्ट प्रबन्धन के अन्तर्गत नगर निगम सीमान्तर्गत उत्तर्जित होने वाले 1400-1500 एमटी घोत अपशिष्ट के वैज्ञानिक पद्धति से निस्तारण में अत्यधिक कठिनाई का सामना करना पड़ रहा है जिसका मुख्य कारण भूमि की अनुपलब्धता है। गाजियाबाद नगर निगम सीमान्तर्गत उत्तर्जित होने वाले घोत अपशिष्ट के वैज्ञानिक पद्धति से निस्तारण हेतु वर्ष 2018 में ग्राम गालन्द जिला हापुड में 42.25 एकड़ भूमि अतिक्रमण कर वेस्ट टू एनर्जी प्लांट स्थापित किये जाने हेतु नॉदरलीण्ड की कम्पनी मैसर्स जी०सी० इण्टरनेशनल के साथ शासन स्तर पर अनुबन्ध किया गया था किन्तु भारी जन-विरोध होने के कारण उक्त भूमि पर बाउण्ड्रीवॉल निर्माण आदि का कार्य प्रारम्भ नहीं किया जा सका है। उक्त प्रकरण में पुलिस प्रशासन जिला हापुड से लगातार समन्वय स्थापित कर अग्रिम कार्यवाही हेतु अनुरोध किया जा रहा है। घोत अपशिष्ट प्रबन्धन के सम्बन्ध में 01 वाद मा० उच्चतम न्यायालय एवं 04 वाद मा० एन०सी०टी० में दायर है। वर्तमान में फर्म मैसर्स जिरोन इन्जी० प्रो०सि० द्वारा घोत अपशिष्ट के निस्तारण हेतु पाईप लाईन रोड पर कार्य किया जा रहा है किन्तु पर्याप्त भूमि उपलब्ध न होने के कारण से उक्त स्थल पर भी घोत अपशिष्ट प्रबन्धन में अत्यधिक कठिनाई का सामना करना पड़ रहा है। चर्चा यह भी अवगत कराना कि इन्दिरापुरम जो कि गाजियाबाद विकास प्राधिकरण के नियंत्रण में है उनका घोत अपशिष्ट भी नगर निगम के द्वारा ही निस्तारण हेतु प्राप्त किया जाता है।

घोत अपशिष्ट प्रबन्धन नियमावली 2016 के नियम 11 के उप नियम (ए) एवं नगर विकास अनुभाग-5 के द्वारा दिनांक 29 जून 2018 के शासनादेश संख्या: 2221/नो-5-18-352ता/2016 में उल्लेखित घोत अपशिष्ट प्रबन्धन निति का प्रवर्धन के अनुसार घोत अपशिष्ट प्रबन्धन/प्रसंस्करण तथा निस्तारण हेतु भूमि को उपलब्ध कराये जाने में जिलाधिकारी महोदय के उत्तरदायित्व में सम्मिलित किया गया है, क्योंकि गाजियाबाद विकास प्राधिकरण द्वारा भी मास्टर प्लान में भी घोत अपशिष्ट प्रबन्धन/प्रसंस्करण तथा निस्तारण हेतु भूमि का प्रावधान नहीं किया गया है ऐसे में पर्याप्त भूमि उपलब्ध कराने में गाजियाबाद विकास प्राधिकरण का भी सहयोग अति-आवश्यक है।

उक्त परिस्थितियों के दृष्टिगत नगर निगम गाजियाबाद को घोत अपशिष्ट प्रबन्धन हेतु अति-धीम 40 एकड़ भूमि की अत्यन्त आवश्यकता है जिससे कि नगर निगम सीमान्तर्गत उत्तर्जित होने वाले घोत अपशिष्ट के बेहतर प्रबन्धन के साथ-साथ मा० न्यायालय में दायर विभिन्न वादों का भी सफलतापूर्वक निस्तारण किया जा सके। अतः आपसे अनुरोध है कि कृपया उपरोक्त के दृष्टिगत प्रावधिकरण पर भूमि उपलब्ध कराने में सहयोग करने का कष्ट करें।

भवदीय  
 (विभागाध्यक्ष सिंह/मलिक)  
 अ.स.स.  
 नगर आयुक्त

