

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: 27.01.2025
NEW DELHI

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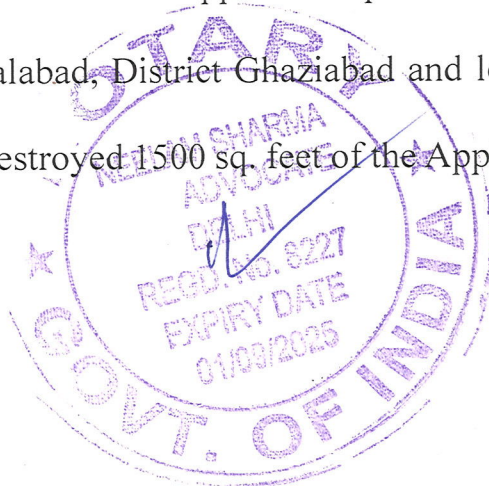
UTTAR PRADESH POLLUTION
CONTROL BOARD & ORS.

... RESPONDENT

AFFIDAVIT

I, Avanindra Kumar, S/o Sh.Yogendra Singh, aged about 43 years, working as Additional Municipal Commissioner at Ghaziabad Nagar Nigam, presently in New Delhi, do hereby solemnly affirm and declare as under:

1. I am the Additional Municipal Commissioner in 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 leachate oozing out from the garbage has destroyed 1500 sq. feet of the Applicant's private land.

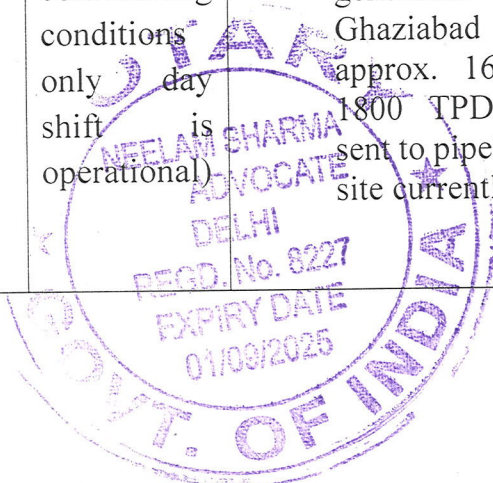


3. I affirm that this affidavit is in compliance of the Order dated 03.10.2024 passed by this Hon'ble Tribunal in the above captioned matter whereby this Hon'ble Tribunal was pleased to direct that a comprehensive report be filed disclosing (i) all the aspects of generation of daily waste, its treatment, processing and the facilities available in this regard, (ii) provide a response to the additional submission dt. 27.09.2024 by the Applicant that there is another dumping ground at Madhuban Bapudham, Ghaziabad and legacy waste is not being processed, and (iii) the challenges being faced by Ghaziabad Nagar Nigam.

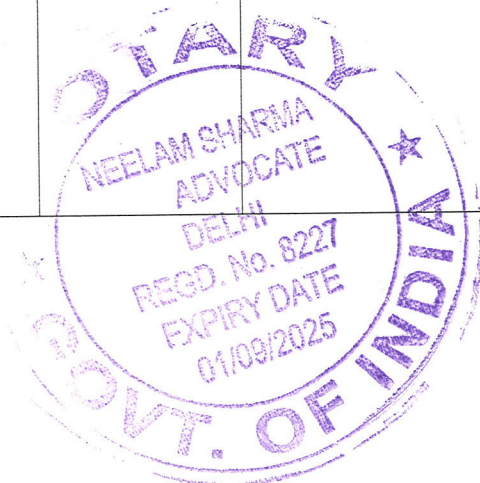
DISCLOSURE OF DETAILS ON WASTE GENERATION, ITS TREATMENT, PROCESSING AND AVAILABILITY OF FACILITIES

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 (Currently due to extreme cold and fog conditions only day shift is operational)	(i) Site is operational from July 2023. (ii) Total fresh waste generated in Ghaziabad of approx. 1600-1800 TPD is sent to pipeline site currently.	The target to shift fresh waste to new site is by March 2025. After that it will take time till June 2026 to completely process the existing waste at the site.	(i) Daily MSW Generation – 1600-1700 TPD (ii) Total MSW sent to plant since July 2023 till Dec 2024 = 9.3 Lakh MT (iii) Total MSW processed till Dec 2024 = 5.4 Lakh MT



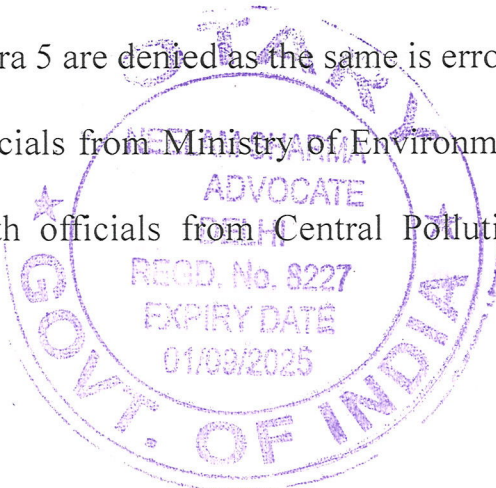
	<p>(iii) MSW Processing Facilities at site - 4 Trommel + 1 Super Sonic Segregation Machine + 12 pokelane + 5-8 dumpers.</p>		<p>(iv) Total Estimated MSW remaining at site till Dec 2024 = 3.9 Lakh MT</p> <p>(v) As per survey by CPCB, the waste quantity at site as on 4th Sep 2024 = approx. 3.3 Lakh MT</p> <p>(vi) MSW sent to plant from Sep 24 to Dec 24 = 2.3 lac MT</p> <p>(vii) MSW Processed from Sep 24 to Dec 24 = 1.7 lac MT</p> <p>(viii) Net addition of MSW since Sep 24 = 0.6 lac MT</p> <p>(ix) A new site has been identified and new work order has been issued. Work shall be started after getting necessary permissions from concerned departments as per SWM Rules 2016.</p>



Total	3200 TPD	New Site Identified and Work Order issued.	Shift to new site by March 2025 after getting necessary permissions from concerned departments.
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RESPONSE TO ADDITIONAL SUBMISSION DT. 27.09.2024 BY THE APPLICANT

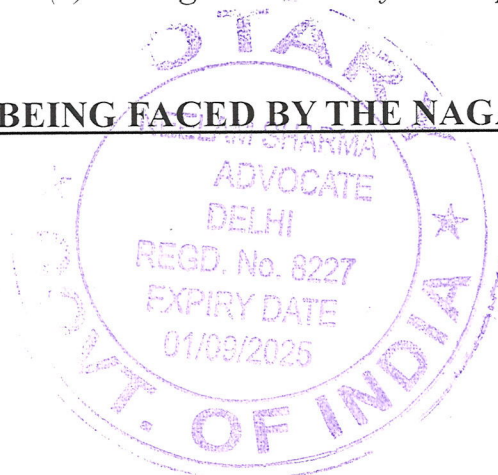
5. The contents of Para 1 merit no response as the same is a matter of record.
6. The contents of Para 2 are denied as erroneous. It is humbly submitted that the rectification of the boundary wall has been duly carried out. The photographs of the rectified wall have been annexed and marked herewith as **Annexure A**.
7. The contents of Para 3 & 4 are denied as erroneous. There is no leachate and unprocessed mixed waste in Applicant's land. The same can also be evinced from the photographs which clearly demonstrate that there is no spilling of unprocessed mixed waste or leachate onto the Applicant's land. The photographs of the area have been annexed and marked herewith as **Annexure B**.
8. The contents of Para 5 are denied as the same is erroneous. 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 have already submitted the report dt. 01.10.2024 before this Hon'ble Tribunal.

9. The contents of Para 6 comprising of newspaper article are denied.
10. The contents of Para 7 are denied. It is humbly submitted that the dumping ground at Madhuban Bapudham referred to by the Applicant has already been shifted and disposed off as per the directions in O.A. No. 1090 of 2024 '*Madhuban Bapudham Welfare Society v. Nagar Nigam Ghaziabad & Ors.*' Moreover, the cleared land at the said site is being prepared for plantation and greening activities.
11. The contents of Para 8 & 9 are denied.
12. The contents of Para 10 are denied. It is submitted that the processing of waste has been carried out continuously at the site. It is humbly submitted that the waste processing capacity gets reduced due to rainy season but the said capacity is duly increased after the rainy season is over.
13. The contents of Para 11 & 12 are denied. It is humbly submitted that the Report dt. 01.10.2024 clearly verifies that there is no spillage of waste into the premises of Applicant (*refer Para 2.2.2, 3.0(b) at Page 588, 592 of the Report*) and no leachate is flowing into the premises of the Applicant (*refer Para 2.2.3, 3.0(c) at Page 589, 592 of the Report*).

CHALLENGES BEING FACED BY THE NAGAR NIGAM GHAIZABAD



14. 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 Master Plan so far; and
- c. Owing to rapid urbanization, the land cost is very high in Ghaziabad due to which Ghaziabad Nagar Nigam is unable to arrange / purchase land of its own for MSW purposes.

15. 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.

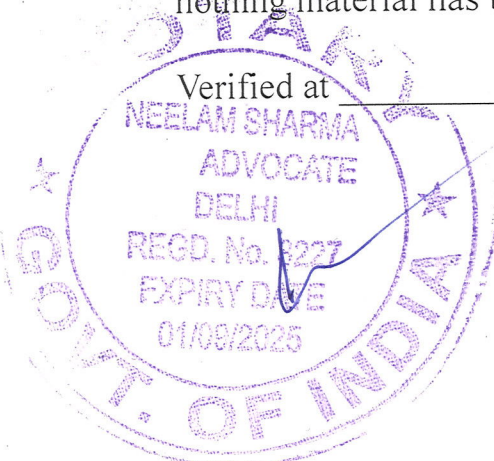
Sambhi
 D/10618/2025
 I identified the deponent who has signed in my presence

[Signature]
 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 _____ on this ____ day of January 2025.



ATTESTED
 NOTARY (Govt. of India)
 Neelam Sharma
 Advocate
 At No 105A, Gate No. No. 11,
 Patiala House Courts,
 New Delhi-110001
 Tel. 8899408301

[Signature]
 DEPONENT

27 JAN 2025

ANNEXURE A



ANNEXURE B









GPS Map Camera

Mahmudabad, Uttar Pradesh, India
Qc4w+82, Mahmudabad, Uttar Pradesh 201003, India
Lat 28.757492° Long 77.44381°
24/01/25 12:44 PM GMT +05:30

Google



