

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

Original Application No. 653 of 2025

IN THE MATTER OF:

Avadh Study Circle High School & Anr.

...Applicant

Vs

State of Uttar Pradesh & Ors.

...Respondents

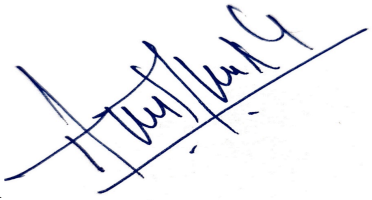
NDOH – 08.07.2026

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Respondent No. 3

Through



AMIT SHUKLA

**Advocate for the Uttar Pradesh
Pollution Control Board**

Office at: D-54, Sector-48, Noida – 201303

Email: amit.shukla@lexweb.in

Mobile No. 9999333220, 9999933220

Place: New Delhi

Date: 03.07.2026

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 653 OF 2025

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**AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 3, UTTAR
PRADESH POLLUTION CONTROL BOARD**

I, J.P Maurya, S/o Sh. Darbari Lal Maurya aged about 57 years, presently posted as the Regional Officer, Uttar Pradesh Pollution Control Board at Lucknow do hereby solemnly affirm and state on oath as under:

1. That in the official capacity mentioned above, I am acquainted with the facts and circumstances of the case and as such I am competent and authorized to swear this affidavit.
2. That the UPPCB has issued the Show Cause Notice dated 12.03.2026 to Lucknow Municipal Corporation. The said show cause notice dated 12.03.2026 was replied by the Municipal Corporation vide its reply dated 30.06.2026, wherein it was contended that:

"As per the directions of the Hon'ble National Green Tribunal (NGT) in O.A. No. 654/2022 (Priyadarshini Colony D, Residents Welfare Society vs. State of U.P. & Ors.), the Lucknow Municipal Corporation (LMC) has established closed compactor transfer stations at key strategic locations across the city to eliminate open, unhygienic dhalaos. These facilities utilize the most advanced "high-tech" waste management technology currently available in the country.




Since these Transfer Stations are categorized as secondary storage facilities and the Material Recovery Facility (MRF) functions strictly as a sorting node with an operational capacity of less than 5 TPD, they do not constitute "Industrial Processes" or "Waste Processing Plants." Consequently, they do not involve any chemical, biological, or thermal transformation, nor do they fall under any industrial categorization defined by the Central Pollution Control Board (CPCB). Based on this categorization, our understanding is that the standard Consent to Operate (CTO) requirements under the Water Act and Air Act would not typically apply to these units.

In the absence of specific compliance guidelines for such facilities from either the CPCB or the UPPCB, we earnestly request you to kindly consider our submission and withdraw the show cause notice for both facilities."

A true copy of the reply dated 30.06.2026 to Show Cause notice dated 12.03.2026 is annexed herewith and marked as **Annexure R3/1.**

DEPONENT

VERIFICATION:

Verified at Lucknow on this the 3rd day of July 2026 that the contents of above affidavit are true and correct to my knowledge based on records and information received and believed to be true, no part of it is false and nothing material has been concealed therefrom.

DEPONENT



Sworn and Verified before me.

30/7/26

NOOR JAHAN
Advocate & Notary
Civil Court, Lucknow
Registration No. 10943/18

I know & identify the deponent/Executed who has signed/put his T.T. before me

S. J. Aggarwal Advocate
Regn 6043/1999
Lucknow

NAGAR NIGAM LUCKNOW

From, Environment Engineer Lucknow Municipal Corporation Triloknath Marg, Lucknow	To, The Regional Officer, Uttar Pradesh Pollution Control Board, Lucknow.
Letter No.: - D/350/EE/26-27	Date: 30.06.2026
Subject: - Reply to Show Cause Notice (Reference No: H38886/C-5/L/Water-614/2026) regarding the FCTS and MRF Facility at Kesari Kheda, Zone-5.	

Reference:

1. Show Cause Notice issued by your office dated 12/03/2026.
2. Joint Inspection conducted on 16/02/2026.
3. Prior Clarification Letter No. D/1065/EE/2025 dated 26.02.2026.

Respected Sir,

This is in reference to the Show Cause Notice issued by your office dated 12/03/2026 regarding the Fixed Compactor Transfer Station (FCTS) and Material Recovery Facility (MRF) at Ward Kesari Kheda, Zone-5. We would like to bring to your attention that a detailed clarification was previously submitted via letter no. D/1065/EE/2025 dated 26.02.2026, following the joint inspection on 16/02/2026.

Despite our prior submissions demonstrating that these facilities are non-polluting secondary storage points, the current notice has been issued. We provide the following technical clarifications to address the concerns raised:

- 1. Nature of Facility:** It is formally clarified that the Fixed Compactor Transfer Station (FCTS) is not a waste processing unit. It serves exclusively as a secondary storage and transfer point designed to optimize waste transportation and improve collection efficiency as per CPHEEO guidelines.
- 2. Year of Establishment:** The Material Recovery Facility (MRF) was established in 2024, and the FCTS in 2025.
- 3. Plant, Machinery & Capacity:**

FCTS: The facility has a capacity of 50 TPD. It is equipped with 02 electric stationary compactors and 04 capsules (each with a 20m³ storage capacity). While separate compaction for dry and wet waste is available, approximately 80% of household waste currently arrives in mixed form; therefore, both compactors are presently utilized for mixed waste compaction to maintain operational efficiency.

MRF: The facility has an operational capacity of this is less than 05 TPD. The infrastructure includes 01 Phatka machine (for cleaning/dust removal), 01 Shredder, 01 Hydraulic Baling machine, and 01 Conveyor Belt for manual sorting. In strict accordance with environmental



norms, only segregated dry recyclable waste is accepted at this center. As no organic or wet waste is processed, there is no generation of odor or leachate. Furthermore, the manual sorting process is conducted in a controlled environment, ensuring there is no adverse impact on the surrounding environment or public health.

4. **Waste Quantity Logs:** Comprehensive logbooks are maintained on a daily basis to document the receipt of dry recyclable waste at the Material Recovery Facility (MRF) and mixed municipal waste at the Fixed Compactor Transfer Station (FCTS).
5. **Disposal Logs:** Detailed records of all compacted waste dispatched for final processing at the Shivri Waste Management Plant are maintained daily to ensure full traceability of waste movement.
6. **Scientific Leachate Management:** In compliance with CPHEEO hygiene norms, waste is not stored for more than 4 to 5 hours. Leachate generated during compaction is collected in a dedicated, closed collection tank. This is transported via a closed suction tanker to the Shivri Treatment Plant for scientific processing.
7. **Operating Hours:** The units operate daily from 08:00 AM to 05:00 PM.

8. **Pollution Control Measures:**

Direct Discharge: Waste is discharged directly into compactor hoppers to prevent ground littering.

Sanitation: The station floor is washed twice daily for dust and odor suppression.

Vector Control: Regular anti-larva spraying and bleaching powder applications are enforced.

9. **Environmental & Siting Compliance:**

Siting: The facility is located approximately 50 meters from the applicant school and the residential population on three sides. As this is a secondary storage/transfer point and not a processing unit, we are currently reviewing the CPCB Buffer Zone guidelines (which primarily apply to large-scale processing/disposal sites) to ensure full statutory alignment.

Mitigation: To ensure enhanced protection for the immediate surroundings, peripheral green belt development and plantation work are currently in progress around the FCTS. This initiative adheres to the recommended environmental safeguards for secondary storage and transfer points, providing a natural ecological buffer.

MRF Impact: The MRF has a capacity of less than 5 TPD and exclusively handles segregated dry recyclable waste through manual sorting. Since no organic or biodegradable waste is accepted at this unit, there is no generation of leachate or foul odor. The manual sorting process is designed to be low-impact, ensuring that no significant dust, noise, or environmental nuisance disturbs the neighboring school or residential population.

Operational Integrity: The central LMC processing facility is located 30 to 35 km away from the city, making the direct transport of all primary collected waste to the plant logistically unfeasible without such strategic transfer points. The storage and compaction

technology currently utilized by LMC is among the most advanced, high-tech, and eco-friendly systems available in the country for Municipal Solid Waste (MSW) management. **1006**

10. Legal Precedent & NGT Compliance

As per the directions of the Hon'ble National Green Tribunal (NGT) in O.A. No. 654/2022 (Priyadarshini Colony D, Residents Welfare Society vs. State of U.P. & Ors.), the Lucknow Municipal Corporation (LMC) has established closed compactor transfer stations at key strategic locations across the city to eliminate open, unhygienic dhalaos. These facilities utilize the most advanced "high-tech" waste management technology currently available in the country.

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In the absence of specific compliance guidelines for such facilities from either the CPCB or the UPPCB, we earnestly request you to kindly consider our submission and withdraw the show cause notice for both facilities.

Regards,



(Sanjeev Pradhan)
Environment Engineer
Lucknow Municipal Corporation

Copy to (For your kind information) :-

1. Member Secretary, Uttar Pradesh Pollution Control Board.
2. Municipal Commissioner, LMC.
3. Additional Municipal Commissioner (PS), LMC.



Environment Engineer
Lucknow Municipal Corporation