



BEFORE THE NATIONAL GREEN TRIBUNAL (PB)

NEW DELHI

O.A. No.108/2023

**IN THE MATTER OF:**

Lokesh Khurana

...Applicant

Vs

State of U.P. & Ors.

...Respondents

**AFFIDAVIT**

I, Lokesh Khurana, S/o Lekhraj, aged about 50 years, resident of 70 Purana Peer Baksh (91, Shorab Gate) Meerut, Uttar Pradesh and presently at Meerut, Uttar Pradesh do solemnly affirm and state on oath as under:

1. That the deponent is the applicant in the present matter and as such well conversant with the facts and circumstances of the present case.
2. That the applicant has filed the original application complaining the violation of the Solid Waste Management Rules, 2016 and the violation of Environment Protection Act, 1986, Air Act, 1981 and Water Act, 1974.
3. That all the violations are cognizable by this Hon'ble Tribunal and the respondent Meerut Municipal Corporation is continuously violating the above rules and statutory provisions.
4. That it is the false version of the Municipal Corporation Meerut that they are having adequate facilities for the management of fresh waste generated within the municipal limits of Meerut. This fresh waste is treated by them at site situated at Gawdi.



*Lokesh Khurana*

5. That again, it is the false version of Meerut Municipal Corporation that they are adequately remediating the legacy waste situated at site of Lohiya Nagar.
6. That the correct factual position was identified by the Joint Committee conducting inspection of Lohiya Nagar site on 02.05.2024. The Joint Committee categorically found that mixed waste was regularly being dumped at Lohiya Nagar.
7. That further, this Hon'ble Court ordered that garland drain was to be constructed around legacy waste site at Lohiya Nagar. It is indeed true that feeble attempts were made to construct the garland drain, however, the garland drain was inadequate and so narrow that after the onset of monsoon, the sludge, leachate and waste filled the garland drain and even the slight attempt made by Municipal Corporation Meerut went into vein.
8. That from time and again, Meerut Municipal Corporation gave the undertaking alongwith timeline for the remediation of legacy waste. Instead of remediating the legacy waste, all what Meerut Municipal Corporation is doing is adding more waste to the legacy waste site by fresh dumping and also polluting the site at Gawdi. There is no effective treatment/ processing of fresh waste at Gawdi. Mixed waste is being dumped now at two locations – Gawdi and Lohiya Nagar.
9. That the pictures, documents and undertakings furnished by Meerut Municipal Corporation are just an eye wash from 2023 and after the lapse of 03 years, the situation of solid waste management in Meerut has gone from bad to worse.

10. That the deponent is annexing the google images from 2011 until 25.01.2025. The following are the details of the Lohiya Nagar legacy waste site:

S. No.	Year	Area
1	2016	26,825.20 m <sup>2</sup>
2	2017	50,969.93 m <sup>2</sup>
3	2018	50,969.93 m <sup>2</sup>
4	2019	62,602.93 m <sup>2</sup>
5	2021	86,408.76 m <sup>2</sup>
6	2022	99,576.29 m <sup>2</sup>
7	2023	108,743.37 m <sup>2</sup>
8	2025	147,753.14 m <sup>2</sup>

11. That the google images obtained from google earth are annexed herewith and marked as **ANNEXURE -A-1**. The photographs of Gawdi are annexed as **ANNEXURE -A-2**.
12. That the falsity of Meerut Municipal Corporation is apparent from the photographs annexed with this rejoinder affidavit. The other replies submitted by the Meerut Municipal Corporation during the course of time are an eye wash solely intending to evade liability and penalty.
13. That in the light of the facts and circumstances, exemplary environmental compensation be imposed on the Meerut Municipal Corporation alongwith direction for the prosecution of the arraying officers who have failed to carry out their statutory obligations for

the solid waste management of the city regarding fresh waste and for the bioremediation of the legacy waste.

**14.** That the facts and figures furnished by the Meerut Nagar Nigam in their reply dated 02.02.2026 are completely inconsistent ex-facie. The inconsistency in the reply dated 02.02.2026 are extracted as under:

a) In paragraph 3, the submission of Meerut Nagar Nigam has been reproduced by the Hon'ble Tribunal. In doing so, this Hon'ble Tribunal reproduced the report of Meerut Nagar Nigam whereby Meerut Nagar Nigam is stated to do composting at the rate of 900 TPD. The submission of the Nagar Nigam is factually incorrect as nowhere in world 900 tone per day composting can be processed for the sole reason that it takes minimum 35 days to generate compost and therefore huge land will be required for this purpose and several hundred composting pits will be required for such composting. Therefore, it is clear that Meerut Nagar Nigam is misleading the Tribunal by making false claims and trying to justify their compliance without even doing right mathematics.

b) In paragraph 6 of their reply, the Meerut Nagar Nigam state that the waste of Lohiya Nagar site is contained in 90 acres of land and the total waste is 672489 MT. Thereafter, in paragraph 7, Meerut Nagar Nigam State that the same will be processed within 18 months and the land will be

bioremediated. For bioremediation, Meerut Nagar Nigam states to have one ballistics separator of 35 TPD, one trommel 65 TPH and another trommel will be made functional and is under trial. Both ballistic separator and trommel are stated to be functional in two shifts and 08 hours each. Therefore, the ballistic separator can process 560 TPD and trommel can process a maximum of 1040 TPD. Collectively, it can process only 1600 TPD. This processing is only segregation and not disposal.

- c) On the basis of above figures, the processing capacity at Lohiya Nagar site if functionally calculated, it comes to 1600 TPD. If plant is functional for entire 365 days, in 12 months it will only process 584000 MT. A total buffer of three months has been taken by the Meerut Nagar Nigam for processing of legacy waste in its timeline. This buffer is unrealistic because there will be seasonal constrain and machine breakdown. The enhancement of capacity to 2640 TPD is nothing but paper compliance because no road map has been given. Further with an attempt to misguide the Tribunal, in paragraph 7, the 65 TPH trommel is described to work 32 hours in a day of 24 hours.
- d) In paragraph 9, the processing of legacy waste for December, 2025 is set to 44811 MT and for January, 2026, it is stated to be 48802 MT. This comes to 1445.5 and 1574.25 MT per day. The logbook is annexed, but there is

no certificate of utilization. Further, as has been pointed out by the Joint Committee in its observation contained on page 181 at serial no.3.4 (v) and 3.4 (vi) there is no monitoring mechanism for Meerut Nagar Nigam project and there is no weighing bridge for their waste at processing site. Therefore, it is astonishing how Meerut Nagar Nigam arrived at such precise figure in absence of any weighing bridge.

- e) In paragraph 11, Meerut Nagar Nigam states that segregated RDF is available at the site and will be transported for disposal. Therefore, this itself illustrates that there is gross violation of SWM Rules because there is no fruitful purpose will be served by segregating the legacy waste and storing it at the same place. Further, the figures stated in the paragraph 11 of the compliance affidavit dated 02.02.2026 states that the RDF segregated is being sent to the paper mills for disposal. No certificate of utilization has been filed by the Meerut Nagar Nigam illustrating the utilization of the RDF. Further, neither CTA nor CTE for any mill where the RDF is stated to be sent for utilization is annexed. Further, for the processing enhancement at Lohiya Nagar, no CTE or CTO is available on record. Similarly, for C&D waste and bio-soil which are stated to have been processed as segregated are stated to be laying at the site itself which means that no effective compliance has been made by the Meerut Nagar Nigam.

- f) For the fresh waste, Meerut Nagar Nigam states that total generation is about 900 TPD with dry waste to be 110 TPD and wet waste as 790 TPD reliance it placed on the reply given by Meerut Nagar Nigam to the Government of India on page No.344-345 where the fresh BD and NBD waste is categorized. It is understood and settled that wet waste corresponds to 55% of the total collected waste. However, Meerut Nagar Nigam stated that the fresh wet waste in the Municipal Limits is 790 TPD of 900 TPD which is equivalent to 87.7% therefore it is clear that the Meerut Nagar Nigam is deposing falsely on affidavit as this as fresh waste cannot constitutes 87% of the total generated waste in the Municipal limits.
- g) For the processing of fresh waste, Meerut Nagar Nigam states that the fresh RDF generated in the Municipal Limits is send to M/s Brijendra Energy. M/s Brijendra Energy is stated to process 110 TPD of segregated dry waste. For the fresh wet waste, it is stated that the same was being transported to Gawdi and Lohiya Nagar. It is astonishing how can fresh waste land to Lohiya Nagar site. Secondly, Gawdi site was completely remediated previously. The bioremediated site can only be used for processing of waste however, as has been stated by Meerut Nagar Nigam, the processing capacity at Gawdi is limited to 300 TPD and therefore from the bare perusal of the fact itself, it is clear that the fresh BW waste is being converted into legacy

waste at the rate of 490 TPD. This 490 TPD is accumulating daily and mountain of fresh waste is now visible. Photographs are annexed.

- h) In paragraph 16 of the affidavit Nagar Nigam states that they have transferred 300 TPD plant from Lohiya Nagar site to Gawdi for operational capacity of 600 TPD. No CTO or CTE has been taken by Meerut Nagar Nigam for the transfer of processing plant from Lohiya Nagar to Gawdi. It is not open to ULB to make operational or transfer processing plant as per their own will and decision without obtaining approval from the concerned State Pollution Control Board.
- i) From paragraph 17 the averment of deponent is established where Nagar Nigam states in itself that the waste collected at Gawdi will be processed within three months.
- j) In paragraph 18, the total land area of the Gawdi site is written has 45 acres it is noteworthy to mention that this site is adjacent to Kali river and the generation of legacy waste at Gawdi and also the processing is impermissible as the same within 200 mtr from the river.
- k) In paragraph 22, a very small leachate is there, the waste is dumped in open and the affidavit given by Nagar Nigam is proved to be false from the bare perusal of the photographs of Gawdi Nagar site which is only 200 mtr from river Kali.

By unscientific dumping of the waste, the Meerut Nagar Nigam is now polluting Gawdi as well and causing air and water pollution.

- l) In paragraph 23, the gap in current waste generation and processing is highlighted. It states that 600 TPD plant at Lohiya Nagar is non-operational which is being shifted to Gaudi and paragraph 23 and 24 clearly admitted that from September 2025 onwards fresh waste is being dumped at Gawdi and a site which was already bioremediated presently has been converted into a legacy waste site.
- m) The fact of the matter is that Meerut Nagar Nigam is not processing any waste. All the documents submitted before the Tribunal are paper formalities and thus, huge environmental compensation should be imposed on Meerut Nagar Nigam.

**15.** That the facts and figures in the entire compliance affidavit dated 02.02.2026 furnished by the Meerut Nagar Nigam are improbable and completely inconsistent and therefore, the concerned authorities/officials be also held responsible for violating environmental norms and for furnishing false affidavit and accordingly the said officials of the Nagar Nigam may also be prosecuted in terms of law and interest of justice.

*L. K. Khurana*  
DEPONENT

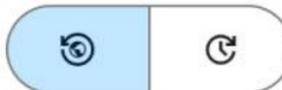
**VERIFICATION:**

Verified at Meerut, Uttar Pradesh on this 06<sup>th</sup> day of March, 2026 inter-alia stating that all contents of the present affidavit are true and correct to the best of my knowledge derived from the records and that nothing material has been concealed herefrom.

*L. K. Khurana*  
DEPONENT



**ATTESTED**  
*S. P. Singh*  
**NOTARY PUBLIC MEERUT**  
11/3/26



Historical Imagery < Dec 25, 2011 >



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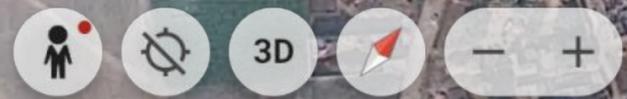
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कॉलेज ऑफ एजुकेशन

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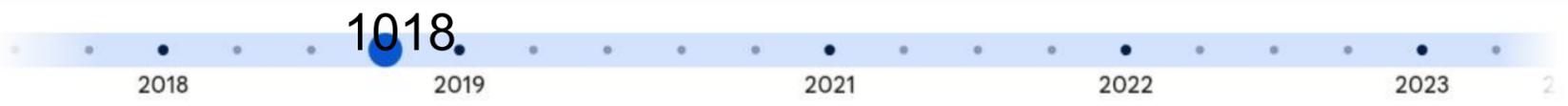
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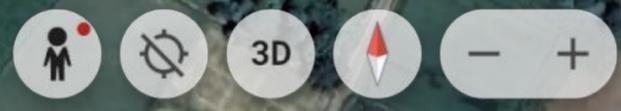
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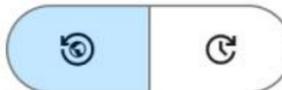
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Historical Imagery < Mar 23, 2021 >



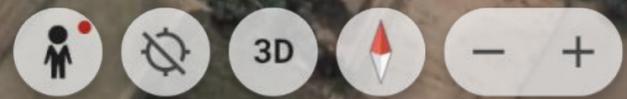
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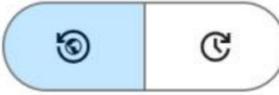
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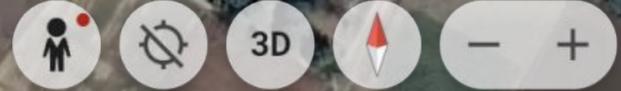
Historical Imagery < Mar 12, 2022 >



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Historical Imagery < Nov 12, 2022 >



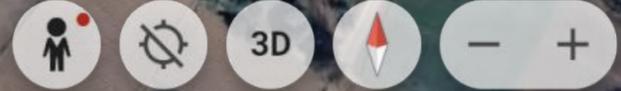
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Meerut, Uttar Pradesh, India

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