

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

Execution Application No. 23/2023

In

M.A. No. 33 / 2023

In

Original Application No. 75/2023

(I.A. No. 645/2023)

IN THE MATTER OF:

JAISHREE BANSAL

... APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT, FORESTS AND CLIMATE
CHANGE AND OTHERS

... RESPONDENT(S)

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Place: New Delhi

APPLICANT

Dated: 01.11.2025

Through

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**CONSOLIDATED SUBMISSIONS ON BEHALF OF THE APPLICANT,
JAISHREE BANSAL**

MOST RESPECTFULLY SHOWETH:

The Applicant submits this consolidated plea for the kind consideration of this Hon'ble Tribunal to highlight the wilful and persistent non-compliance and misrepresentation by the Respondents with the binding directions of this Hon'ble Tribunal and the Solid Waste Management Rules, 2016. This submission synthesizes all documents on record, including affidavits, reports, objections, additional submissions, and NGT orders (since 21.07.2023 to 05.08.2025), alongside recent evidence such as the Applicant's Additional Submissions (post-03.10.2024), Objections to the Committee Report (01.10.2024), and GNN Affidavits (27.01.2025 and 02.08.2025). This submission lays bare the critical breach of trust and the stark mismatch between claimed processing capacities and actual disposal, ongoing leachate hazards (evidenced by the 19.10.2025 cow rescue incident, Annexure-P1 at Page No. 846 - 849), towering garbage heaps exceeding 30 meters (photographs, Annexure-P2 at Page No. 850 - 854), and systemic procedural lapses. The Applicant seeks stringent directions to ensure compliance with the Solid Waste Management Rules, 2016, and restoration of affected private land of the Applicant.

I. SEQUENCE OF KEY EVENTS AND ACTIONS

1. Initiation of the Matter (2023): The Original Application No. 75/2023 was filed highlighting illegal municipal solid waste dumping at Village Jagjeevanpur, Pargana Jalalabad, District Ghaziabad, encroaching Approximately 200 square feet of the Applicant's private land and causing leachate damage to an additional 1,500 square feet, in violation of the Solid Waste Management Rules, 2016.

2. Tribunal Directions and Initial Responses (April-May, 2024): Pursuant to this Hon'ble Tribunal's Order dated 01.04.2024, a joint survey of the Pipeline and Morta Waste Treatment Sites was conducted by Ghaziabad Municipal Corporation (GMC) with IIT Delhi. The on-site visit (18.05.2024) produced an Interim Report (Annexure-A, GMC Affidavit dated 03.07.2024, which is available on record at Page No. 496 - 503), estimating 2.69 lakh tonnes of legacy waste at Jagjeevanpur, with 54% processed by March 2024, and Bhikanpur's legacy waste capacity at 1,200 TPD.

3. Legacy Waste Processing Claims (June-July 2024): The GMC Commissioner through his Affidavit dated 03.07.2024 claimed that by June 2024, only 65,000 MT of legacy waste remained at Jagjeevanpur, fully processed by 30.06.2024. It cited a MoU with GCIND Solutions Pvt. Ltd. (Annexure-E at Page No.520 - 541) and a District Magistrate Ghaziabad letter dated 28.06.2024, which is Annexure-D at Page No.518 - 519, wherein, Fresh waste (1,600–1,700 TPD) was reportedly shifted to new sites, which was actually the same site, the Respondent (GMC) deliberately with malafide intentions referred the site in question, as Site-I and Site-II.

4. Committee Report and Inspections (October 2024): The Committee Report dated 01.10.2024 (CPCB, in compliance with NGT order dated 05.07.2024) inspected the Jagjeevanpur waste sites and recorded ongoing leachate concerns and potential environmental risks, contradicting the Municipal Corporation's claims of full waste processing. The Report confirmed that Site-I and Site-II had been merged into a single integrated facility (Site-II), which presently receives approximately 1,600–1,700 TPD of fresh municipal waste. As per the topographic contour survey conducted on 04.09.2024, approximately 3,30,635 metric tonnes of untreated waste (with >60% biodegradable fraction) and 8,079 metric tonnes of treated refuse-derived fuel (RDF) were found stored at the site (pp. 586–587). No waste spillage

or leachate flow into the applicant's land was observed during the visit, though a temporary leachate drain and soil bund were in place along the boundary.

5. Applicant's Objections (Post-October 2024): The Applicant's Objections (post-01.10.2024 report) highlighted contradictions, including persistent leachate flow (photographs dated 01.08.2024, 21.08.2024, 25.02.2024, Annexure-3, boundary wall destruction, and a misleading M/s Geron letter (26.11.2024, Annexure-4) attributing leachate to August rainfall. A Dainik Jagran article (03.09.2024, Annexure-5) reported increasing garbage height.

6. Hapur District Developments (2024-2025): The DM Hapur vide his Affidavit dated 25.01.2025, noted 44.25 acres land was allocated in Village Galand in District Hapur for a Waste-to-Energy (WTE) plant, stalled by protests of localites in Galand and Pipelhaida (Annexures 1-4). Alleged Meetings of 01.10.2024 and 18.10.2024 yielded no resolution pertaining to the site in question at District Ghaziabad.

7. GNN Affidavit (January 2025): Filed on 27.01.2025, it claimed boundary wall rectification (Annexure-A photographs) and no leachate near the Applicant's land (Annexure-B photographs, ~January 2025).

8. Government of Uttar Pradesh Reply (May 2025): Filed on 08.05.2025 (annexures 08.07.2024–06.05.2025), it reiterated processing timelines, including a work order (10.01.2025, Annexure A-9) and report (02.05.2025, Annexure A-10), referencing fresh waste shifting to Village Dhabarsi.

9. GNN City Health Officer Affidavit (August 2025): Filed on 02.08.2025 at Page Nos. 819–829, it claimed full processing of 2.50 lakh MT legacy waste at Jagjeevanpur Site-I by June/July 2024, Site-I/II merger for fresh waste (post-CPCB inspection, letter 16.05.2024), and transportation to Dhabarsi with Consent to Establish. Letters dated (19.10.2024, 25.11.2023, Annexure-A) and photographs (Annexure-B) are relevant to refer.

10. Applicant's Additional Submissions (Post-October 2024): Filed post-03.10.2024 hearing (pages 545–550), these provided evidence of deteriorating boundary walls (21.08.2024, Annexure-1), leachate on private land (01.08.2024, 24.08.2024, 26.09.2024, Annexure-2), damaged Delhi Jal Board pipeline (Dainik Jagran, 03.09.2024, Annexure-3), an undisclosed dumping site (Dainik Jagran, 11.08.2024, Annexure-4), villager protests (newspaper articles, 13.08.2024–

26.09.2024, Annexure-5), and night-time dumping (23.09.2024, Annexure-6). Recent photographs (20.10.2025, Annexure-P2) depict towering garbage stacks (~30 meters), persistent leachate seepage, and site deterioration.

11. Recent Incident (October 2025): On 19.10.2025, a cow was trapped in leachate-formed mud 15–20 feet from Jagjeevanpur’s garbage pile, required a one-hour crane rescue in non-rainy conditions, underscoring ongoing leachate hazards (photographs, Annexure-P1).

II. FACTUAL CONTRADICTIONS AND INCONSISTENCIES

12. Discrepancy in Legacy Waste Processing Completion: The GNN Affidavit (dated 02.08.2025, page 823, point 7) and State of Uttar Pradesh’s Reply (dated 08.05.2025, page 770, point 11(a)) claim full processing of 2.50 lakh MT legacy waste at Jagjeevanpur Site-I by June/July 2024, with Site-II merger for fresh waste (post-CPCB inspection, 16.05.2024). The claims of full processing are entirely false and intentional misrepresentation on the face of the record. This is directly contradicted by the independent Committee Report (01.10.2024, page 586, point 2.2.1), Applicant’s Objections (pages 673–677), and Additional Submissions (pages 545–550), which document persistent leachate seepage and active garbage heaps now exceeding 30 meters, confirming that fresh waste is being illegally dumped over uncleared legacy waste (Annexure-P2). The Applicant’s Submission (dated 27.09.2024, para 6) confirms no legacy waste processing took place post-05.07.2024.

13. Inconsistent Waste Quantities and Timelines: The IIT Delhi Interim Report (Annexure-A, GMC Affidavit, 03.07.2024) estimated 2.69 lakh tonnes at Jagjeevanpur, with 54% processed by March 2024 (65,000 MT remaining as of 18.05.2024). GNN claims full processing by 30.06.2024, but the Committee Report (01.10.2024), Applicant’s Objections (page 675, point 4), and the 19.10.2025 cow incident (Annexure-P1) evidence persistent waste and leachate. Night-time dumping (23.09.2024, Annexure-6) and recent photographs (20.10.2025, Annexure-P2) confirm ongoing accumulation, suggesting overstated processing or inadequate bio-remediation.

14. Machine Capacity vs. Actual Disposal Mismatch: Ghaziabad generates 1,600–1,700 TPD of MSW, but operational capacities (e.g., Bhikanpur at 1,200 TPD, smaller plants at 250–300 TPD each) total ~1,200–1,500 TPD, with actual

processing at 900–1,200 TPD due to logistical constraints and site saturation (CAG Report 2025; Hindustan Times, 03.09.2024). Jagjeevanpur’s windrow composting (rated 1,200 TPD) is overwhelmed, leading to 30-meter garbage stacks (Annexure-P2). Dhabarsi processes ~900 TPD against a planned 1,500 TPD, hindered by protests and FIRs (Hindustan Times, 12.08.2025). Galand’s WTE plant (2,300 TPD planned) remains non-operational due to protests since 2018 (CAG 2025). This leaves 400–800 TPD of Ghaziabad’s fresh MSW entirely unaccounted for daily, which is confirmed by the ongoing accumulation and the 30-meter garbage stacks at Jagjeevanpur (Annexure-P2), a site claimed to be fully remediated.

15. Contradictions on Leachate and Boundary Wall: GNN Affidavits (27.01.2025, 02.08.2025) claim no leachate near the Applicant’s land (Annexure-B) and boundary wall rectification (Annexure-A). These are contradicted by the Applicant’s evidence: leachate flow photographs (01.08.2024–26.09.2024, Annexure-2, Annexure-3), deteriorating walls (21.08.2024, Annexure-1), re-destroyed refabricated wall (Objections, page 674), and the 19.10.2025 cow incident (Annexure-P1). The Committee Report (page 589, point 2.2.3) notes a temporary leachate drain, but ongoing seepage in non-rainy conditions (Annexure-P2) refutes claims. M/s Geron’s letter (26.11.2024, Annexure-4) misattributes leachate to rainfall. The persistence of leachate, culminating in the 19.10.2025 cow rescue incident (Annexure-P1) in non-rainy conditions, conclusively establishes a continuing public nuisance and a trespass onto the Applicant’s land.

16. Site Allocation and Approvals Mismatch: The DM Ghaziabad Report (EA No. 23/2023) identifies Galand as the primary disposal site, but GNN’s Affidavit (02.08.2025) cites Dhabarsi without providing statutory approvals (e.g., environmental clearances, land use permissions) or allotment duration. An undisclosed site (Dainik Jagran, 11.08.2024, Annexure-4) and Madhuban Bapudham (Applicant’s Submission, 27.09.2024) indicate unauthorized operations. Dhabarsi’s ~900 TPD processing (against 1,500 TPD planned) is disrupted by five-month-long protests and FIRs against locals (Hindustan Times, 12.08.2025), mirroring Galand’s issues. The reliance on Dhabarsi without complete statutory approvals and the use of an undisclosed site constitute gross violations of SWM Rule 15 and 16, confirming that GNN’s operations are fundamentally illegal and non-compliant.

17. Contradictions in Jagjeevanpur Site Usage: Claims of vacating Jagjeevanpur post-legacy waste processing (GMC Affidavit, 03.07.2024) are undermined by its merger into Site-II for fresh waste (GNN Affidavit, 02.08.2025; Committee Report, page 586) and ongoing leachate (Annexure-P1). While Respondents claim a shift of

fresh waste to Dhabarsi since July 2025 (GNN Affidavit, page 826), the October 2025 evidence confirms that legacy remediation remains incomplete, with persistent 30 meter garbage heaps and leachate hazards rendering the site unusable and violative of SWM Rules (Annexure-P1 & P2). The MoU with GCIND Solutions (Annexure-E) lacks implementation verification, indicating oversight lapses. Garbage height exceeding 30 meters (Objections, page 675; Annexure-P2) contradicts remediation claims.

18. Hapur WTE Plant Delays and Protests: The DM Hapur Affidavit (25.01.2025) confirms 44.25 acres allocated for a 2,300 TPD WTE plant in Galand, stalled for over six years due to protests (Annexures 1-4; Hindustan Times, 03.09.2024). Meetings (01.10.2024, 18.10.2024) failed to resolve concerns over air and water pollution risks to Galand and Pipelhaida villages (CAG 2025). This Hon'ble Tribunal's Order dated 29.01.2025 in para 4 notes the State's "helplessness" in land acquisition, violating public participation under SWM Rules, 2016. This contrasts with UP's progress claims (08.05.2025), delaying regional waste solutions.

19. Waste Burning and Fire Incidents: This Hon'ble Tribunal vide its Order dated 21.07.2023, in para 2 records waste burning at Jagjeevanpur, supported by a Fire Department report (01.05.2023–20.05.2023) detailing a fire requiring 417,300 litres of water. This unaddressed air pollution hazard persists in Respondents' submissions.

III. PROCEDURAL LAPSES AND GROUND REALITY

20. Lack of Statutory Approvals: No comprehensive approvals (e.g., Consent to Operate, EIAs) have been provided for Jagjeevanpur's initial or merged use, nor for Dhabarsi beyond "Consent to Establish." The 19.10.2025 cow incident (Annexure-P1) and 20.10.2025 photographs (Annexure-P2) reveals ineffective leachate drains, causing soil contamination in non-rainy conditions. Dhabarsi's protests and partial operation (~900 TPD) indicate saturation risks akin to Jagjeevanpur's 30-meter garbage heaps, impacting nearby schools, temples, and villages (kindly refer Applicant's Submissions dated 27.09.2024 particularly the contents of para 9).

21. Ongoing Environmental Violations: Leachate persists (Annexure-P1), violating SWM Rule 15. Protests (Annexure-5), undisclosed sites (Dainik Jagran, 11.08.2024), and waste burning (NGT Order, 21.07.2023) signal systemic non-

compliance. The damaged Delhi Jal Board pipeline (Dainik Jagran, 03.09.2024, Annexure-3) underscores infrastructure risks.

22. Misleading Remediation Claims: Respondents cite accelerated work (GMC Affidavit, 03.07.2024), but post-monsoon inspections (Committee Report, 01.10.2024) and recent evidence (Annexure-P2) show incomplete remediation. The Applicant's land and boundary walls remain unrestored (Objections, Annexure-1, -2, 2022–2025). Madhuban Bapudham's clearance (31,713 MT by Jan 2025, NGT Order 29.01.2025, para 7) is a temporary fix, with its potential as an alternate site ignored.

23. Inadequate Accountability: Repeated correspondences (UP Annexures A-1 to A-12, 08.07.2024–06.05.2025; GNN letters, 02.08.2025) lack of independent verification or penalties for delays (NGT Order, 29.01.2025, para 5). Galand's six-year delay and Dhabarsi's protests highlight failures in site selection and community engagement (CAG 2025).

IV. RELIEF SOUGHT

In view of the foregoing, the Applicant humbly prays that this Hon'ble Tribunal may be pleased to:

- a. Direct the Respondents to furnish all statutory approvals, including environmental clearances, land allotment orders, and consents (with durations), for Jagjeevanpur, Galand, Dhabarsi, Madhuban Bapudham, and any undisclosed sites used by GNN, with verification of processing capacities against actual disposal.
- b. Direct an immediate and permanent prohibition on the reuse of the Jagjeevanpur legacy waste site for fresh MSW dumping, and mandate its full, scientific bio-remediation, including robust and permanent leachate management systems, with a strict time-bound plan verified by an independent agency (e.g., IIT Delhi, CPCB), addressing the 30-meter garbage height (Annexure-P2).
- c. Order an immediate joint inspection of Jagjeevanpur by a Committee (CPCB, UPPCB, and an independent expert) to assess leachate management, waste residues, garbage height, boundary wall conditions, damage to the Applicant's land, waste burning, and impacts on nearby sensitive areas, with a report within specific time.

d. Impose exemplary Environmental Compensation on the erring authorities (GNN, UPPCB, State of U.P.) under the 'Polluter Pays' principle for the delays, misrepresentations, and egregious violations (leachate flow, waste burning, infrastructure damage, and failure to operationalize alternate sites); and further, direct the complete restitution and restoration of the Applicant's private land and boundary walls at the Respondents' cost.

e. Direct the State of Uttar Pradesh to submit a detailed and verifiable action plan on Jagjeevanpur's utility, waste processing adequacy, and WTE plans (per NGT Order, 29.01.2025), and impose penalties for past non-compliance and future default in the plan's execution.

f. Pass any other order(s) as this Hon'ble Tribunal deems fit in the interest of justice and environmental protection.

Place: New Delhi

APPLICANT

Dated:

Through



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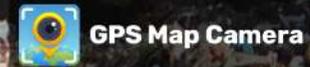
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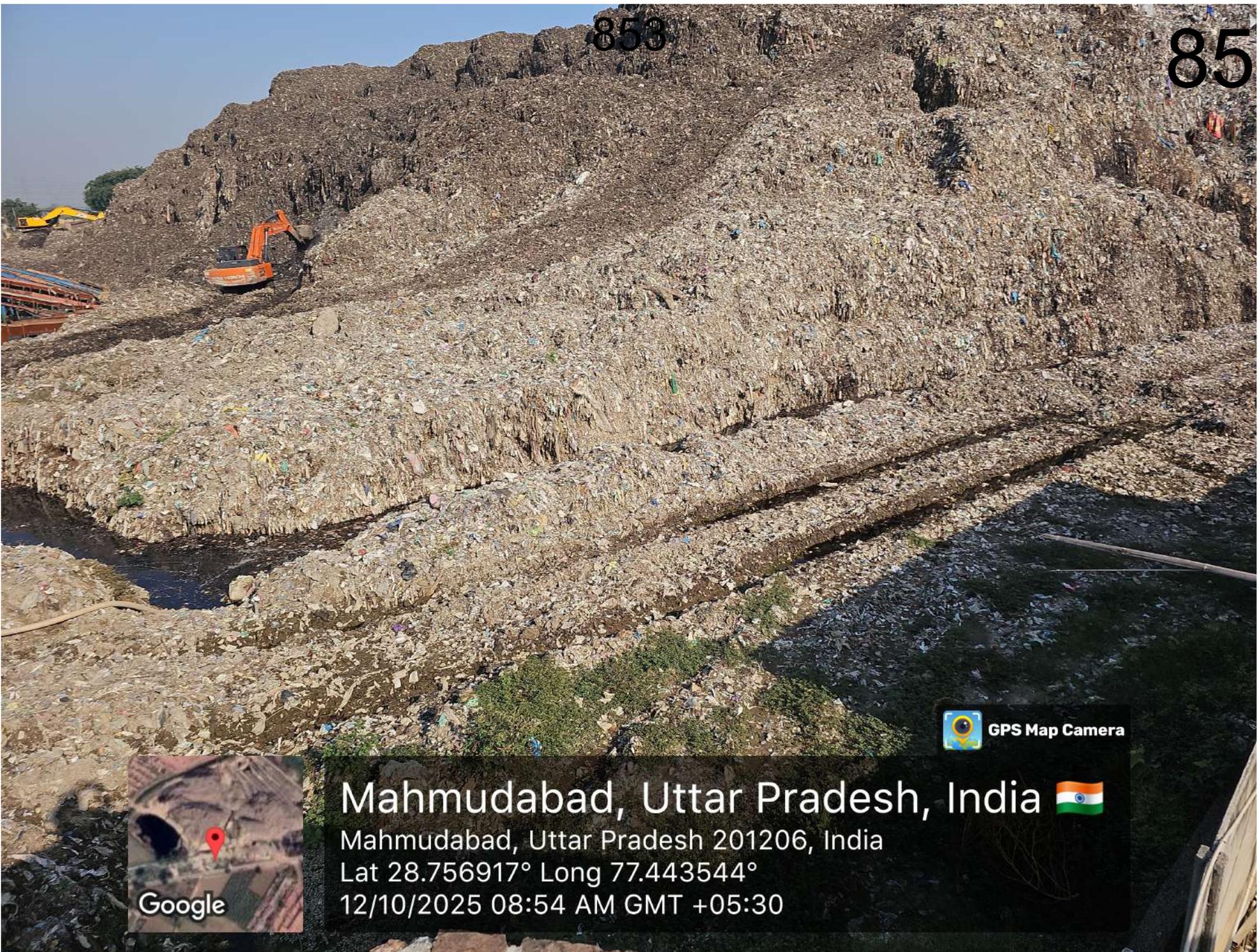
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