

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 949/2024

IN THE MATTER OF:

LAXMI NARAIN

.....APPLICANT

VERSUS

MUNICIPAL CORPORATION, GHAZIABAD & ORS.

.....RESPONDENT(s)

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THROUGH COUNSEL



BHANWAR PAL SINGH JADON

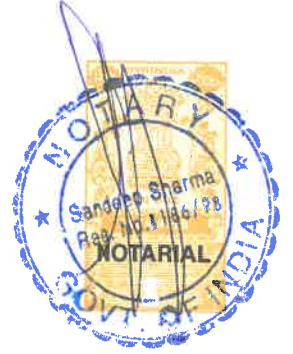
COUNSEL UTTAR PRADESH POLLUTION CONTROL BOARD

EMAIL- bhanwar09jadon@gmail.com

DATE: 03.03.2025

PLACE: Ghaziabad

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 949/2024**



IN THE MATTER OF:

LAXMI NARAIN

.....**APPLICANT**

VERSUS

MUNICIPAL CORPORATION, GHAZIABAD & ORS.

.....**RESPONDENT(S)**

**INSPECTION REPORT ON BEHALF OF UTTAR PRADESH
POLLUTION CONTROL BOARD IN COMPLIANCE OF THE ORDER
DT. 11.11.2024 PASSED BY THE HON'BLE NATIONAL GREEN
TRIBUNAL**

I, Vikas Mishra aged about ...45... years S/o G. S. Mishra..., presently posted as Regional Officer, Uttar Pradesh Pollution Control Board, Ghaziabad, do hereby solemnly affirm and state on oath as under:

1. That I, the Deponent in the above captioned matter am fully conversant with the facts of the case and is competent and authorized to swear the present reply.
2. That in the present matter, the plea of the applicant is that illegal secondary collection point has been setup near Apsara border of Ghaziabad adjoining Delhi on GT Road at District Ghaziabad. The allegation in the O.A. is in



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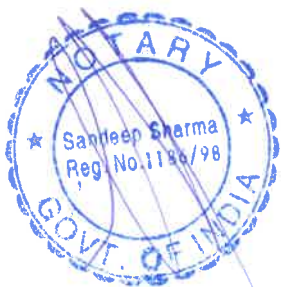
respect of mismanagement and illegal throwing of garbage in that secondary collection point.

3. That the matter was last listed for hearing on 11.11.2024, wherein the Hon'ble Tribunal directed as under:

"3. Learned Counsel for Respondent No. 2 has also informed that the Officer of UPPCB had visited the site and found that the solid waste was unauthorizedly dumped in an area of 1600 sq.m. He has pointed out that there is no sanction/approval granted by the UPPCB in respect of this secondary collection point. He has sought two weeks' time to file the reply."

4. That in compliance with the aforementioned order, the officers of the Uttar Pradesh Pollution Control Board (hereinafter referred to as "UPPCB") conducted an inspection of the site in question on 24.02.2025. During the said inspection, Shri S.P. Singh, Manager of M/s Metro Waste Handling Pvt. Ltd. (hereinafter referred to as the "Transport Company"), was present. The during the said inspection the observations of the officers are as under:

- i. The total area of the site in question measures 1600 sq.m.
- ii. Municipal Solid Waste (hereinafter referred to as "MSW") is regularly generated from four nearby wards through a door-to-door collection process through tippers and is temporarily collected at the said site. The collected MSW is subsequently transported to the final processing site at Jagjivanpur Pipe Line Road, Ghaziabad, via dumpers operated by the Transport Company.
- iii. At the time of inspection, approximately 40 metric tons (MT) of MSW was found lying at the site.



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- iv. At the time of inspection no leachate or sewage from the waste was observed to be flowing into the adjoining storm water drain.
- v. The site was found to be in an unhygienic condition with a foul odor, and waste was scattered in the surrounding area due to the absence of a boundary wall.
- vi. That no CTO/CTE has been obtained by the site in question and the processing site by the Uttar Pradesh Pollution Control Board.
- vii. Water samples were collected from the handpump and borewells installed at the site, and the analysis results are incorporated within the inspection report.

A Copy of the inspection report has been attached herewith as **ANNEXURE A-1.**

5. That with respect to the aforementioned observations, the recommendations of the inspection committee are as under:

“(i) Proper boundary wall should be provided at Garbage Collection Center and area should be covered by shed to avoid foul smell problem in nearby areas.

“(ii) Municipal Corporation, Ghaziabad shall ensure MSW processing plant situated at Jagjivanpur Pipe line road, Ghaziabad, shall obtain Consent to operate from the UPPCB.”



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6. That subsequently, the Uttar Pradesh Pollution Control Board, Ghaziabad has written a letter dt. 19.09.2024 to the City Health Officer, Nagar Nigam, Ghaziabad to take remedial measures upon the aforementioned issues in matter and to furnish a report regarding the action taken.
7. That with respect to no reply to the aforementioned letter dt. 19.09.2024, another reminder letter dt. 28.02.2025 was written to the City Health

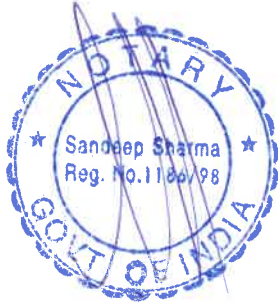
Officer, Nagar Nigam, Ghaziabad. That the reply from the City Health Officer, Nagar Nigam, Ghaziabad is still awaited.

Copies of the letters dt. 19.09.2024 and 28.02.2025 are annexed herewith as **ANNEXURE A-2 (COLLY)**.

8. Hence, the present report is being submitted for the kind perusal of this Hon'ble Tribunal. It is prayed that the same be taken on record.

9. That I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.


DEPONENT



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VERIFICATION

Verified at Ghaziabad on this 03 day of March, 2025, that the contents of the above affidavit from paragraphs 1 to 9 are believed to be true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.


DEPONENT



ATTESTED

(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Ghaziabad (U.P.)

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Inspection of site in question in compliance of Hon'ble National Green Tribunal, New Delhi order dated 11.11.2024 in OA No-949/2024 (I.A. No-334/2024) in the matter of Laxmi Narian Vs Municipal Corporation Ghaziabad & Ors.

1. Background :

The grievance of applicant is against illegal secondary collection point which has been setup near Apsara Border of Ghaziabad adjoining Delhi on G.T. road District-Ghaziabad. The applicant has further alleged about miss management and illegal throw of garbage at the said premises. Hon'ble National Green Tribunal, New Delhi has passed an order dated 11.11.2024 in OA No-949/2024 (I.A. No-334/2024) in the matter of Laxmi Narain Vs Municipal Corporation Ghaziabad & Ors. The relevant para of order are reproduced hereunder:-

“.....3. Learned Counsel for Respondent No. 2 has also informed that the Officer of UPPCB had visited the site and found that the solid waste was unauthorized dumped in an area of 1600 sq.m. He has pointed out that there is no sanction/approval granted by the UPPCB in respect of this secondary collection point. He has sought two weeks' time to file the reply.....”

2. Compliance: -

In compliance to order dated 11.11.2024, inspection of site in question was carried out on 24.02.2025 to ascertain the truthfulness of allegations. During visit Shri S.P. Singh, Manager of M/s Metro Waste Handling Pvt. Ltd. was present at site. Observations made during visit are as follows:-

- i. During inspection it was observed that Municipal Corporation, Ghaziabad has setup a Garbage Collection Centre near Apsara Border of Ghaziabad adjoining Delhi of G.T. Road Sahibabad, Ghaziabad having total area of 1600 SQ.M. Secondary collection point of MSW involves the movement of waste



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ATTESTED
(Sandeep Sharma)
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NOTARY PUBLIC
Ghaziabad (U.P.)

from local to final disposal site or processing facilities. Geo-coordinates of said premises is Latitude 28.676107 and Longitude 77.325613.

- ii. During inspection it was informed by representative of M/s Metro Waste Handling Pvt. Ltd that MSW generated from nearby area of 04 wards is collected at the said premises through door to door collection through tippers and thereafter waste is sent to processing site through dumpers operated by the Transport Company located at Jagjivanpur Pipe line road, Ghaziabad, for which CTE/CTO is not issued by UPPCB.
- iii. It was also informed that the work of lifting the MSW is done regularly at the processing site.
- iv. During inspection it was reported that approximately 40 MT of MSW is lying at the said premises.

ATTESTED

(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Ghaziabad (U.P.)

- v. At the time of inspection no leachate or sewage from the waste was observed to be flowing into the adjoining storm water drain.

- vi. During inspection ground water samples were collected from Hand pump/Bore wells installed near the collection center and submitted to Regional Laboratory of UPPCB, Ghaziabad. Analysis results are given below:-



S. No.	Sampling Point	pH	Colour	Odour	Cond. (μ S/cm)	T.D.S (mg/l)	Total Hardness (as CaCO ₃) (mg/l)	Ca. (as Ca) (mg/l)	Mg. (as Mg) (mg/l)	Chloride (mg/l)
1.	Sulabh Sauchalay, Apsara Border, Gzb	6.49	Colorless	Odorless	2640.0	1714.0	838.0	289.6	27.36	430.0
	Drinking Water Standard	6.5-8.5	5-15 Hz	-	-	500-2000	200-600	75-200	30-100	250-1000

- vii. During inspection smell/unhygienic conditions were observed at the said palace.

- viii. It has been observed that the said garbage collection point does not have boundaries and waste is scattered on nearby area.
- ix. UPPCB has issued a letter to City Health Officer, Nagar Nigam, Ghaziabad on 19.09.2024 & 28.02.2025 to take remedial measures on the above matter and informed about action taken. Reply of same is awaited. Copy of said letter is attached as **Annexure-I**.
- x. Photographs of site is given below:-



Conclusion/Recommendation:-

- Proper boundary ball should be provided at Garbage Collection Center and area should be covered by shed to avoid foul smell problem in nearby areas.
- Municipal Corporation, Ghaziabad shall ensure MSW processing plant situated at Jagjivanpur Pipe line road, Ghaziabad, shall obtain Consent to operate from the UPPCB.



(Signature)
(N.K. Pandey)
A.E.E.

(Signature)
(Vipul Kumar)
A.E.E.

ATTESTED

(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Ghaziabad (U.P.)

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क्षेत्रीय कार्यालय-उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad
Website- www.uppcb.com, e-mail: roghaziabad@uppcb.in



संख्या : 1584/एनजीटी-223/ओ०ए०-949/2024

दिनांक 12/03/2024

सेवा में,

नगर स्वास्थ्य अधिकारी
नगर निगम,
गाजियाबाद।

विषय: मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या- 949/2024 (IA No. 334/2024) Laxmi Narain Vs Municipal Corporation Ghaziabad & Ors. में पारित आदेश दिनांक 31.07.2024 के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या- 949/2024 (IA No. 334/2024) Laxmi Narain Vs Municipal Corporation Ghaziabad & Ors. में पारित आदेश दिनांक 31.07.2024 में निम्न आदेश पारित किये गये हैं:-

"1. In this Original Application, the plea of the applicant is that illegal secondary collection point has been setup near Apsara border of Ghaziabad adjoining Delhi on GT Road at District Ghaziabad. The allegation in the O.A. is in respect of mismanagement and illegal throwing of garbage in that secondary collection point.

2. The applicant has made a complaint that the garbage is spewing over the road with the onset of monsoon, dead animals are been thrown directly on the heap of trash lying in the area and not only the garbage and waste of Ghaziabad but waste from other areas of Delhi and Haryana are brought and thrown in this secondary collection point....."

उपरोक्त आदेश के अनुपालन में अपसरा बार्डर, दिल्ली जी०टी० रोड, गाजियाबाद में नगरीय ठोस अपशिष्ट को डम्प किये जाने सम्बन्धी प्रकरण पर आवश्यक कार्यवाही करने का कष्ट करे तथा कृत कार्यवाही से अवगत कराये। उल्लेखनीय है कि प्रकरण में अग्रिम सुनवाई की तिथि दिनांक 11.11.2024 नियत है।



ATTESTED

(Sandeep Sharma)
Reg. No. 1136/98
NOTARY PUBLIC
Ghaziabad (U.P.)

03 MAR 2025

(विकास मिश्र)
क्षेत्रीय अधिकारी

क्षेत्रीय कार्यालय : आई०एन०एस०-2, सेक्टर-16, वसुन्धरा, गाजियाबाद-201012 फोन-0120-4180108
मुख्यालय : TC-12V, विभूति खण्ड, गोमती नगर, लखनऊ 226010



क्षेत्रीय कार्यालय-उ०प्र० प्रदूषण नियंत्रण बोर्ड, गाजियाबाद
Regional Office, U.P. Pollution Control Board, Ghaziabad
Website- www.uppcb.com, e-mail: roghaziabad@uppcb.in

संदर्भ संख्या : 2612/एनजीटी-223/ओ०ए०-949/2025

दिनांक 28/3/2025

सेवा मे,

अनुस्मारक-1

नगर स्वास्थ्य अधिकारी
नगर निगम,
गाजियाबाद।

विषय: मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या- 949/2024 (IA No. 334/2024) Laxmi Narain Vs Municipal Corporation Ghaziabad & Ors. के सम्बन्ध में।

महोदय,

उपर्युक्त विषयक इस कार्यालय के पत्रांक 1484/एनजीटी-223/ओ०ए०-949/2024 दिनांक 19.09.2024 का संदर्भ ग्रहण करने का कष्ट करें। उक्त पत्र के माध्यम से अवगत कराया गया था कि मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या- 949/2024 (IA No. 334/2024) Laxmi Narain Vs Municipal Corporation Ghaziabad & Ors. में पारित आदेश दिनांक 31.07.2024 में निम्न आदेश पारित किये गये हैं:-

"1. In this Original Application, the plea of the applicant is that illegal secondary collection point has been setup near Apsara border of Ghaziabad adjoining Delhi on GT Road at District Ghaziabad. The allegation in the O.A. is in respect of mismanagement and illegal throwing of garbage in that secondary collection point.

2. The applicant has made a complaint that the garbage is spewing over the road with the onset of monsoon, dead animals are been thrown directly on the heap of trash lying in the area and not only the garbage and waste of Ghaziabad but waste from other areas of Delhi and Haryana are brought and thrown in this secondary collection point....."

उपरोक्त आदेश के अनुपालन में आपसे पुनः अनुरोध है कि अपसरा बार्डर, दिल्ली जी०टी० रोड, गाजियाबाद में नगरीय ठोस अपशिष्ट को डम्प किये जाने सम्बन्धी प्रकरण पर आवश्यक कार्यवाही करने का कष्ट करें तथा कृत कार्यवाही से अवगत कराने का कष्ट करें। उल्लेखनीय है कि प्रकरण में अग्रिम सुनवाई की तिथि दिनांक 04.03.2025 नियत है।



ATTESTED

(Sandeep Sharma)
Reg. No. 1186/98
NOTARY PUBLIC
Ghaziabad (U.P.)

भवनीय

(विकास मिश्र)
क्षेत्रीय अधिकारी

प्रतिनिधि: निम्नलिखित को सादर सूचनार्थ प्रेषित।

1. जिलाधिकारी महोदय, गाजियाबाद।
2. नगर आयुक्त महोदय, नगर निगम, गाजियाबाद।

क्षेत्रीय अधिकारी

03 MAR 2025

क्षेत्रीय कार्यालय : आई०एन०एस०-2, सेक्टर-16, वसुन्धरा, गाजियाबाद-201012 फोन-0120-4160108
मुख्यालय : TC-12V, विभूति खण्ड, गोमती नगर, लखनऊ 226010