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

O.A. No. 53 /2024

**In the matter of**

Farha Khan

Applicant

Versus

State of Uttar Pradesh & Ors

Respondents

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**Date:15.01.2025**

**New Delhi**

**FILED BY:-**



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

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**OBJECTIONS TO THE REPLY FILED BY THE RESPONDENT NO.4  
MOST RESPECTFULLY SHOWETH:**

1. That the NPP Muzaffar Nagar (R-4) in its reply dated 24.06.2024 and further in reply dated 19.09.2024 has shifted its responsibility on State Govt and GC International regarding processing of the Municipal Solid Waste. It is submitted that MOU dated 05.11.2018, for establishment of the Waste to Energy Plant, outlines only the identification of Private Partner (GC) and which has been approved and assigned by the State Govt. However as per the said MOU, the planning and implementation will be carried out by the GC International in coordination with NPP Muzaffar Nagar as clear from the terms and conditions mentioned in the Letter of Acceptance dated 05.11.2018.
2. That as per the letter dated 05.11.2018, the land has to be provided by the NPP Muzaffar Nagar for carrying out the establishment of WTE Plant. Further the approach road etc was to be provided by the NPP Muzaffar Nagar. It is submitted that the various extensions have been given to the establishment of WTE Plant by the GC International. And in one of the letter at running

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page no. 186, the reason for extension is non availability of land. And the NPP Muzaffar Nagar has not come out with any reason for delay in providing the land for establishment of WTE Plant.

3. It is submitted that R-4 has statutory duty to follow the SWM Rules 2016 and there is no bar on the R-4 to establish the SWM processing facility and it cannot sit and wait for the Project of GC International to become functional.
4. It is submitted that on one hand R-4 is trying to establish that State Govt has delegated all the tasks related to the MSW to the GC International, while on the other hand R-4 has contracted with the ROLLZ India Waste Management Private Ltd on 14.10.2020 for repairing the A2Z processing Plant. Further R-4 has contracted with M/S Environmental Techno & M/S Dayacharan and Company for disposal of legacy waste. (The relevant para is para no.20 and 21 at running page no. 151).

It means the R-4 was neither bound to wait for functioning of the proposed WTE Plant nor it has done so. Further although, it has made some efforts for processing of daily MSW and legacy waste. However such efforts are highly inadequate. It is therefore submitted that R-4 has failed to comply with the SWM Rules 2016.

5. It is submitted that the UPPCB in its reply at running page no.403-406 has placed certain photographs showing the Secondary collection points. Those alleged collection points include below Govt Hospital wall, Gate of Govt Inter College, Near DAV College, Pond at village Kukda. It is submitted that such sensitive places cannot be used for waste collection points.

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6. That at para no.4 running page no. 315, the R-4 has stated that it has complied with the order of the Hon'ble Tribunal dated 3<sup>rd</sup> July 2024 regarding removal of waste from sensitive areas.

It is however submitted that there has been only paper compliance and the MSW is still lying at the wall of Govt Hospital. The latest photographs are annexed as **ANNEXURE A/1**.

## PRAYER

In light of the above, it is humbly prayed before the Hon'ble Tribunal to take on record the above objections and submissions

New Delhi

15.01.2025



Applicant

Through



Counsel



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

OA No. 53 /2024

In the matter of

Farha Khan

Applicant

Versus

Nagal Palika Parishad Muzaffar Nagar & Ors

Respondents

**AFFIDAVIT**

I, FARHA KHAN, D/O JAWED KHAN AGE 27 YEARS R/o 571, Gali no.12, Sakat Road, Malhupura, Muzaffar Nagar Uttar Pradesh 251002, do hereby solemnly affirm and declare as under :

1. That I am the Applicant in the Original Application and well being and acquainted with facts and circumstances of the case and thus competent to swear this affidavit.
2. That the accompanying submissions along with photographs has been drafted and placed by my counsel under my instructions and contents thereof have been read over and explained to me in my vernacular which are true and correct to my knowledge, the contents thereof may kindly be read as part and parcel to this affidavit also and not repeated herein.

NOTARY

*Farha Khan*  
DEPONENT

Verification

It is verified at Muzaffar Nagar on \_\_\_ that the contents of the present application are true and correct and nothing has been concealed therefrom.

*Farha Khan*  
 I, the deponent, do hereby declare that the contents of the present application are true and correct and nothing has been concealed therefrom.  
 I have satisfied myself by examining the deponent who understands the contents of the affidavit and has been read over and explained by me to the deponent. Fee.....  
 Charged Rs.....  
 NOTARY DIST. MUZAFFARNAGAR


*Farha Khan*  
DEPONENT

Identified by  
*[Signature]*

PRERNA TYAGI  
NOTARY  
MUZAFFARNAGAR

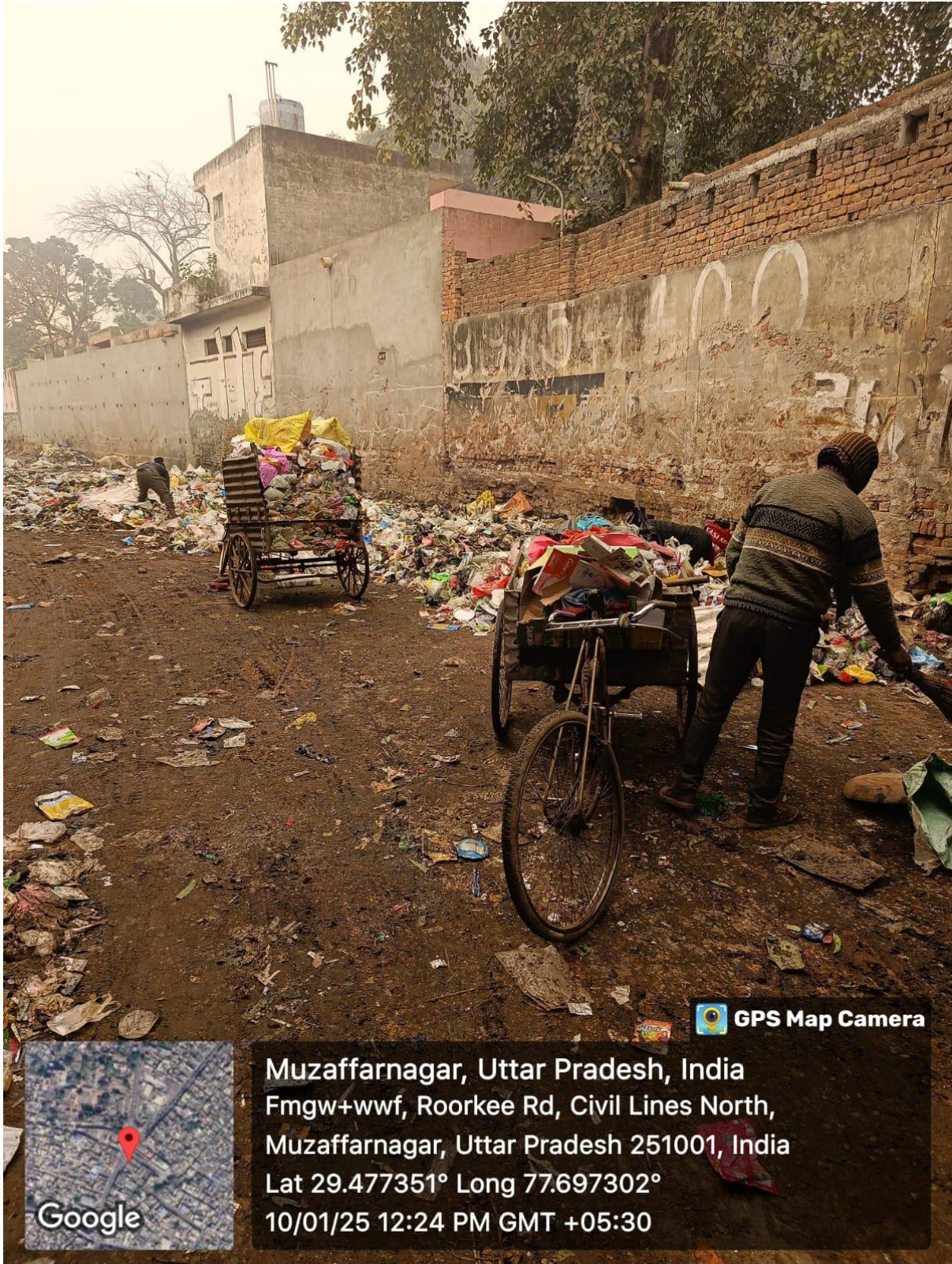
14 JAN 2025



 GPS Map Camera



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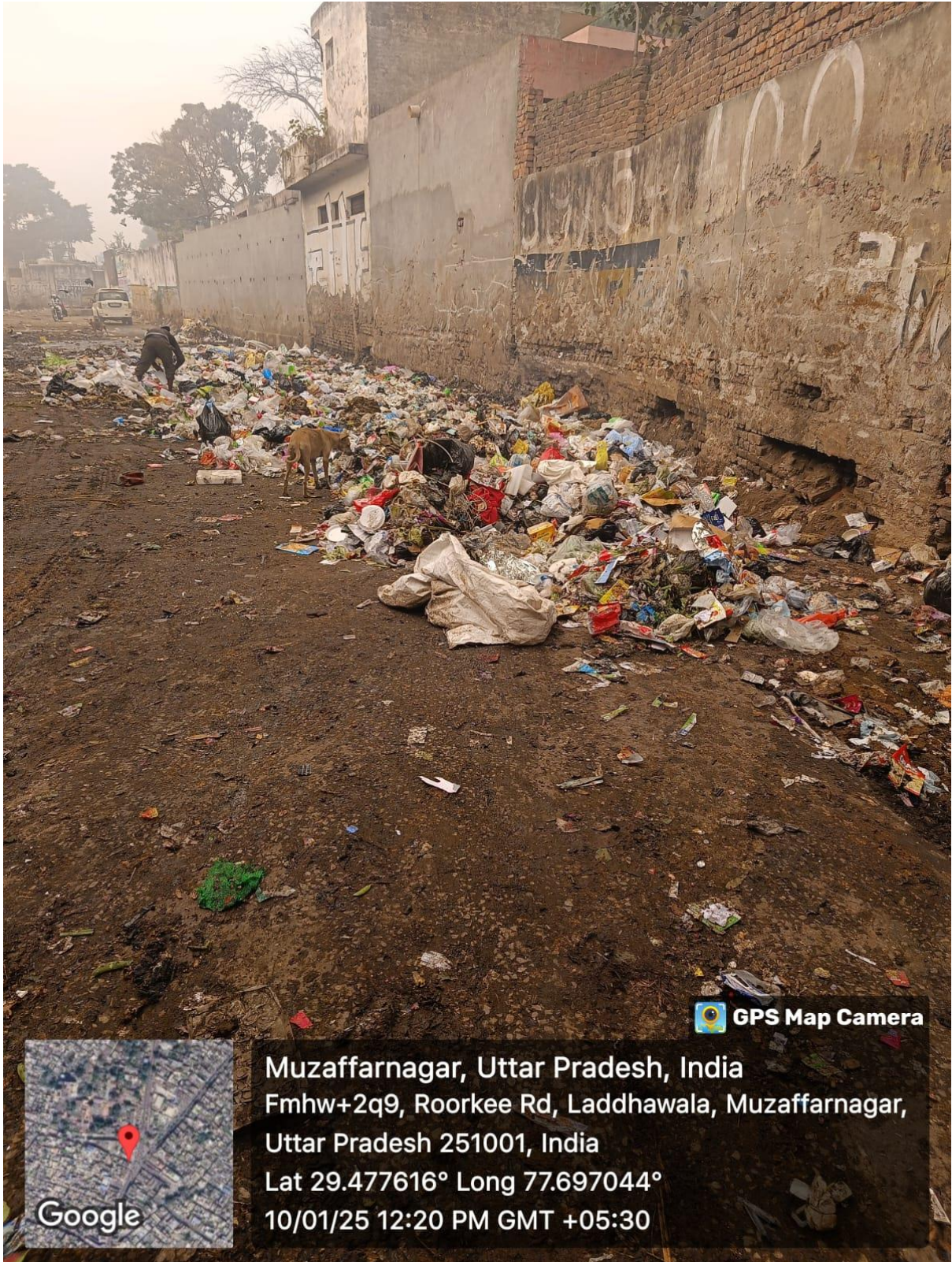




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