

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH AT NEW DELHI**

**MISC. APPLICATION IN DISPOSED OF CASES NO. 73 OF 2025**

**IN**

**ORIGINAL APPLICATION NO. 840 OF 2022**

**WITH**

**ORIGINAL APPLICATION NO. 773 OF 2022**

**IN THE MATTER OF:**

**DR. SANJAY KULSHRESTHA**

**... APPLICANT**

**VERSUS**

**GOVERNMENT OF UTTAR PRADESH & ORS.**

**... RESPONDENTS**

**WITH**

**RAJESH PAREEK**

**... APPLICANTS**

**VERSUS**

**GOVERNMENT OF UTTAR PRADESH & ORS.**

**... RESPONDENTS**

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**NEW DELHI**

**DATED: 20.12.2025**



**(PRADEEP MISRA & DALEEP DHYANI)**

Counsel for U.P. Pollution Control Board

138, New Lawyers Chamber,

Supreme Court of India,

New Delhi-110001

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

M.A. NO: 73/2025  
ORIGINAL APPLICATION NO. 840/2022  
WITH  
ORIGINAL APPLICATION NO. 773/2022

IN THE MATTER OF:

DR. SANJAY KULSHRESTHRA ...Applicant(s)

Versus

GOVERNMENT OF UTTAR PRADESH  
& OTHERS ...Respondent(s)

WITH

RAJESH PAREEK ...Applicant(s)

Versus

GOVERNMENT OF UTTAR PRADESH  
& OTHERS ...Respondent(s)

REPLY AFFIDAVIT ON BEHALF OF THE UTTAR  
PRADESH POLLUTION CONTROL BOARD

I, Pankaj Yadav, aged about 44 years, S/o Shri Lalmani Yadav, presently posted as Regional Officer, Uttar Pradesh Pollution Control Board (hereinafter UPPCB), Mathura, do hereby solemnly affirm and state on oath as under:

1. That I in the above noted capacity, am well conversant with the facts and records of the present case, hence am competent and authorized to swear this affidavit.
2. That in compliance to the directions passed by Hon'ble



NOTARIAL STAMP  
Ramvir Singh  
Advocate Notary  
District Court Mathura

Tribunal vide order dated 22.09.2025 UPPCB vide letter dated 12.12.2025 has issued letter to Municipal commissioner Nagar Nigam Agra and Mathura Vrindavan to deposit the Environmental Compensation imposed by Hon'ble Tribunal vide order dated 24.04.2024. UPPCB has communicated the above letter dated 12.12.2025 to Urban Development Department Government of Uttar Pradesh to issue directions to Nagar Nigam Agra and Nagar Nigam Mathura Vrindavan for deposition of Environmental Compensation to UPPCB. A true copy of the letter dated 12.12.2025 is being annexed herewith and marked as Annexure-1

3. That furthermore the Hon'ble Supreme Court of India vide its order dated 04.08.2025 passed in Civil Appeal No(s). 757-760 of 2013, D.P.P.C. Versus Lodhi Property Co. Ltd. Etc., has observed, though the present calculation is placed only in compliance of the directions of The Hon'ble Tribunal and not impose any environmental compensation as directed by Hon'ble Supreme Court. Hon'ble Supreme Court has directed that Union of India be impleaded in the above case and will inform the Hon'ble Court about the Rules and Regulations to be framed by it.
4. That it is submit here that the calculations for the evaluation of Environmental Compensation after 07.12.2023 (the last date taken by Hon'ble Tribunal in its EC imposition vide order dated 24.04.2024) i.e. From 08.12.2023 to 10.12.2025 against Nagar Nigam, Agra is given below:-



**A. Based on gap in sewage treatment facilities**

- As per the information provided by the Jal Nigam Agra and Jal Kal Vibhag Agra there are 90 drains in Agra having total flow of 286 MLD.
- Total STP in Agra are 9 with treatment capacity of 220.75 MLD.
- From the above there is clear gap of 65.25 MLD.

Considering above the amount of Environmental Compensation after  
From 08.12.2023 to 10.12.2025

= 65250000 litre x 733 x 1 paisa per litre

=Rs. 47,82,82,500/- (Rs. Forty Seven crore Eighty two Lakhs  
Eighty two Thousand Five Hundred Only)

**B. Based on gap in utilized capacity**

- Total established STP are 9
- Total installed treatment capacity is 220.75MLD.
- Total utilized capacity is 175 MLD
- From the above there is clear utilization gap of 45.75 MLD.

Considering above the amount of Environmental Compensation after  
From 08.12.2023 to 10.12.2025

= 45750000 litre x 733 x 1 paisa per litre

=Rs. 33,53,47,500/- (Rs. Thirty Three crore Fifty Three Lakhs  
Forty Seven Thousand Five Hundred Only)

**C. Based on the performance of STP's**

- There are 9 STP's
- From 08.12.2023 to 10.12.2025 the status of STP's which are found non complying is given below:
  - UPPCB is conducting weekly monitoring of the STP's. Chart of date wise monitoring



data on which the STP's are found non complying is annexed herewith as **Annexure No. 2**

- The 36 MLD STP is found non complying in 7 samples and 50 days of non compliance. The STP has discharged 36 MLD of sewage which does not meet the norms for 50 days.

Considering above the amount of Environmental Compensation after From 08.12.2023 to 10.12.2025 for non meeting discharge

= 36000000 litre x 50 x 1 paisa per litre

=Rs. 1,80,00,000 /- (Rs. One crore Eighty Lakhs Only)

The total cumulative EC evaluated = A+B+C= Rs. 83,16,30,000/- (Rs. Eighty Three crore Sixteen Lakh Thirty Thousand Only)

5. That it is submit here that the calculations for the evaluation of Environmental Compensation after 07.12.2023 (the last date taken by Hon'ble Trinunal in its EC imposition vide order dated 24.04.2024) i.e. From 08.12.2023 to 10.12.2025 against Nagar Nigam, Mathura Vrindavan is given below:-

**A. Based on gap in sewage treatment facilities**

- As per the information provided by the Jal Nigam (Rural) Agra there are 36 drains in Mathura Vrindavan having total flow of 110 MLD.
- Total STP in Mathura Vrindavan are 7 with treatment capacity of 82.06 MLD.
- From the above there is clear gap of 27.94 MLD.

Considering above the amount of Environmental Compensation after From 08.12.2023 to 10.12.2025



= 27940000 litre x 733 x 1 paisa per litre

=Rs. 20,48,00,200/- (Rs. Twenty crore Forty Eight Lakhs Two Hundred Only)

**B. Based on gap in utilized capacity**

- Total established STP are 07
- Total installed treatment capacity is 82.06 MLD.
- The 14.5 MLD STP is continuously running from Dt. 07/01/2025 with 50 % capacity (7.25 MLD).
- As 2.76 MLD STP Goverdhan is not operational since from 28/02/2025 .
- Total utilized capacity from Dt. 07/01/2025 to Dt. 27/02/2025 is 74.81 MLD
- From the above there is clear utilization gap from Dt. 07/01/2025 to Dt. 27/02/2025 is 7.25 MLD.
- Total utilized capacity is from Dt. 28/02/2025 to Dt. 10/12/2025 is 72.05 MLD
- From the above there is clear utilization gap from Dt. 28/02/2025 to Dt. 10/12/2025 is 10.01 MLD.

Considering above the amount of Environmental Compensation after From Dt. 07/01/2025 to Dt. 27/02/2025

= 7250000 litre x 52 x 1 paisa per litre =Rs. 37,70,000.00

Considering above the amount of Environmental Compensation after From Dt. 28/02/2025 to Dt. 10/12/2025

= 10010000 litre x 286 x 1 paisa per litre =Rs. 2,86,28,600.00

=The Total Environmental Compensation Based on utilization gap is 3770000 + 28628600 = Rs.3,23,98,600/- (Rs. Three Crore Twenty Three Lakh Ninety eight Thousand Six Hundred Only)

**C. Based on the performance of STP's**



- There are 7 STP's
- From 08.12.2023 to 10.12.2025 the status of STP's which are found non complying is given below:
  - UPPCB is conducting weekly monitoring of the STP's. Chart of date wise monitoring data on which the STP's are found non complying is annexed herewith as **Annexure No. 3**
  - The 2.76 MLD Govardhan STP is found non complying for 462 days. The STP has discharged 2.76 MLD of sewage which does not meet the norms for 462 days.
  - The 8 MLD STP is found non complying for 91 days. The STP has discharged 8 MLD of sewage which does not meet the norms for 91 days.
  - The 6.8 MLD Masani STP is found non complying for 56 days. The STP has discharged 6.8 MLD of sewage which does not meet the norms for 56 days.
  - The 14.5 MLD STP is found non complying for 387 days. The STP has discharged 14.5 MLD of sewage which does not meet the norms for 36 days ( From 15.05.2024 to 19.06.2024) and has discharged 7.25 MLD of non complying discharge for 361 days as the plant is operating on 50% utilization.



Considering above the amount of Environmental Compensation after From 08.12.2023 to 10.12.2025 for non meeting discharge norms is tabulated below:

Name of STP	Number of days of discharge not meeting norms	Total discharge (MLD)	EC (in Rs.)=Litres x days x 1 paisa per litre
2.76 MLD Govardhan	462	2.76	EC=1,27,51,200
8 MLD	91	8	EC=72,80,000
6.8 MLD	56	6.8	EC=38,08,000
14.5 MLD	36	14.5	EC=52,20,000
	361	7.25	EC=2,61,72,500
Total EC (Rs.)			EC= 5,52,31,700

The total cumulative EC evaluated = A+B+C= Rs. 29,24,30,500/- (Rs. Twenty Nine Crore Twenty Four Lakh Thirty Thousand Five Hundred Only)

The above report is placed on behalf of the Uttar Pradesh Pollution Control Board before this Hon'ble Tribunal for its kind perusal and consideration.

  
DEPONENT

**VERIFICATION:**

I, the above named deponent, do hereby verify that the contents of above affidavit are true to my knowledge derived from official record. No part of the same is false and nothing has been concealed there from.

VERIFIED ON THIS THE 20 DAY OF DECEMBER, 2025 AT MATHURA



Document read over and explained to Shri Pankaj Yadav who is identified by Shri Ramvir Singh on oath attested to day on S.No. 01 has been read over at my office and fees Rs. 2000/-

Ramvir Singh  
Advocate Notary  
Distt. Court Mathura

  
DEPONENT

Pankaj Yadav  
को न. 01 है, कर्मचारी के समक्ष  
ए. अक्षय/वकील

र. पहरानकला



उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड  
UTTAR PRADESH POLLUTION CONTROL BOARD



संदर्भ संख्या- **135707** /री-4/एन10जी0टी0-163/2025

पंजीकृत  
दिनांक- **12-12-25**

सेवा में,

Email

1 नगर आयुक्त,  
नगर निगम आगरा।

2 नगर आयुक्त,  
नगर निगम, मथुरा-वृन्दावन, मथुरा।

विषय: माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित एम0ए0 संख्या 73/2025 इन ओ0ए0 संख्या-773/2022 राजेश पारिक तथा ओ0ए0 संख्या-840/2022 संजय कुलश्रेष्ठ बनाम उत्तर प्रदेश सरकार एवं अन्य में पारित आदेश दिनांक 22.09.2025 के अनुपालन के सम्बन्ध में।

महोदय,

कृपया उपरोक्त विषयक माननीय राष्ट्रीय हरित अधिकरण, नई दिल्ली में योजित एम0ए0 संख्या-73/2025 इन ओ0ए0 संख्या-773/2022 राजेश पारिक तथा ओ0ए0 संख्या-840/2022 संजय कुलश्रेष्ठ बनाम उत्तर प्रदेश सरकार एवं अन्य में पारित आदेश दिनांक 22.09.2025 (छायाप्रति सलग्न) का सज्ञान लेना चाहेंगे। उक्त प्रकरण में माननीय अधिकरण द्वारा निम्न आदेश पारित किये गये हैं:-

".....6. Learned counsel appearing for the UPPCB submits that so far as the recovery of EC of Rs. 58,39,20,000/- from the Agra Nagar Nigam and of Rs. 7,20,10,000/- from the Mathura-Vrindavan Nagar Nigam is concerned 5 the UP PCB will take expeditious steps but so far as the EC for the subsequent period is concerned the UPPCB will disclose the details of calculation of EC in the next affidavit before the Tribunal. In that affidavit the UP PCB will also disclose the status of compliance of norms by the STPs in Mathura-Vrindavan as also in Agra and status of drains. 7. Let notice be issued to the Commissioner, Municipal Corporation Agra and the Commissioner, Municipal Corporation Mathura Vrindavan by the Registry for filing their reply by way of affidavit disclosing status of compliance of the order of the Tribunal passed in the OA.."

प्रकरण में अयगत कराना है कि नगर निगम आगरा, एवं नगर निगम मथुरा-वृन्दावन के अन्तर्गत सीवेज मैनेजमेंट के संदर्भ में माननीय राष्ट्रीय हरित अधिकरण द्वारा पूर्व में पारित निर्णय दिनांक 24.04.2024 द्वारा नगर निगम आगरा के विरुद्ध रू0-58,39,20,000/- एवं नगर निगम मथुरा वृन्दावन के विरुद्ध रू0-7,20,10,000/- की पर्यावरणीय क्षतिपूर्ति अधिसापित की गयी है एवं उक्त पर्यावरणीय क्षतिपूर्ति धनराशि आदेश के दिनांक से 03 माह के अन्दर उ0प्र0 प्रदूषण नियंत्रण बोर्ड के खाते में जमा किये जाने हेतु निर्देशित किया गया है। नगर निगम आगरा एवं नगर निगम मथुरा-वृन्दावन द्वारा उक्त पर्यावरणीय क्षतिपूर्ति धनराशि उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड में जमा नहीं की गयी है।

कृ०प०उ०

(2)

माननीय राष्ट्रीय हरित अधिकरण द्वारा उक्त प्रकरण में सुनवाई की अग्रिम नियत तिथि 22 12 2025 नियत है। माननीय राष्ट्रीय हरित अधिकरण द्वारा अधिसूचित पर्यावरणीय क्षतिपूर्ति की धनराशि को उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड के खाते में payment gateway (URL : <http://erp.eshiksa.net/DirectFeesv3/UPPCB>) के माध्यम से Dedicated Account में जमा कराये जाने हेतु आवश्यक कार्यवाही करने का कष्ट करे। Payment gateway के Homepage के dropdown में निम्नवत विशिष्ट सूचना का चयन करे-

- |  |                 |
|--|-----------------|
| 1- Nature of Pollution / प्रदूषण की प्रकृति-             | Water Pollution |
| 2- Regional Offices / क्षेत्रीय कार्यालय -               | Agra/ Mathura   |
| 3- EC imposed in compliance / अनुपालन में ईसी लगाया गया- | NGT             |

सलाहक-यथोपरि

भवदीय,

Digitally signed by  
SANJEV KUMAR SINGH  
Date: 11/12/2025  
16:44:52

प्रतिलिपि:-

- 1 प्रमुख सचिव, नगर विकास विभाग, उत्तर प्रदेश शासन को इस अनुरोध के साथ कि उक्त प्रकरण में शासन स्तर से नगर आयुक्त नगर निगम आगरा, एवं नगर आयुक्त नगर निगम मथुरा-वृन्दावन, मथुरा आवश्यक निर्देश जारी कराये जाने हेतु सम्बन्धित को निर्देशित करना चाहेंगे।
- 2 जिलाधिकारी, आगरा को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित।
- 3 जिलाधिकारी, मथुरा को सूचनार्थ एवं आवश्यक कार्यवाही हेतु सादर प्रेषित।
- 4 क्षेत्रीय अधिकारी उत्तर प्रदेश प्रदूषण नियंत्रण बोर्ड, आगरा एवं मथुरा को इस निर्देश के साथ कि उक्त पत्र की प्रति सम्बन्धित को प्राप्त कराते हुए प्रकरण में आवश्यक कार्यवाही सुनिश्चित कराए।

ohc

emk  
12/12/2025

Uttar Pradesh Pollution Control Board					
Agra (Dec.2023-Dec.2025)					
Sl. No.	Name and Address of STP	Date of Inspection	Achieving/ Not Achieving (As per MOEFCC notification dated 13.10.2017)	Installed Capacity (MLD)	Utilized Capacity (MLD)
1	36 MLD Sadarwan (Bichpuri) New	22.06.2024	Not Achieving	36	36
		28.06.2024	Not Achieving		
		08.07.2024	Not Achieving		
		12.07.2024	Not Achieving		
		20.07.2024	Not Achieving		
		29.07.2024	Not Achieving		
		03.08.2024	Achieving		
		30.10.2024	Not Achieving		
		07.11.2024	Achieving		
		Total -50 Day's			

Uttar Pradesh Pollution Control Board					
Mathura (Dec.2023-Dec.2025)					
Sl. No.	Name and Address of STP	Date of Inspection	Achieving/ Not Achieving (As per MOEFCC notification dated 13.10.2017)	Installed Capacity (MLD)	Utilized Capacity (MLD)
1	2.76 MLD Goverdhan STP	12.12.2023	Not Achieving	2.76	2.76
		19.12.2023	Not Achieving		
		26.12.2023	Not Achieving		
		02.01.2024	Not Achieving		
		09.01.2024	Not Achieving		
		23.01.2024	Not Achieving		
		30.01.2024	Not Achieving		
		06.02.2024	Not Achieving		
		13.02.2024	Not Achieving		
		20.02.2024	Not Achieving		
		27.02.2024	Not Achieving		
		05.03.2024	Not Achieving		
		12.03.2024	Not Achieving		
		19.03.2024	Not Achieving		
		27.03.2024	Not Achieving		
		02.04.2024	Not Achieving		
		16.04.2024	Not Achieving		
		07.05.2024	Not Achieving		
		15.05.2024	Not Achieving		
		21.05.2024	Not Achieving		
		28.05.2024	Not Achieving		
		04.06.2024	Not Achieving		
		11.06.2024	Not Achieving		
		19.06.2024	Not Achieving		
		25.06.2024	Not Achieving		
		02.07.2024	Not Achieving		
		06.08.2024	Not Achieving		
		13.08.2024	Not Achieving		
		20.08.2024	Not Achieving		
		28.08.2024	Not Achieving		
		03.09.2024	Not Achieving		
		10.09.2024	Not Achieving		
		17.09.2024	Not Achieving		
		24.09.2024	Not Achieving		
01.10.2024	Not Achieving				
08.10.2024	Not Achieving				
15.10.2024	Not Achieving				
22.10.2024	Not Achieving				
29.10.2024	Not Achieving				
05.11.2024	Not Achieving				
11.11.2024	Not Achieving				
20.11.2024	Not Achieving				
26.11.2024	Not Achieving				
03.12.2024	Not Achieving				

		10.12.2024	Not Achieving		
		17.12.2024	Not Achieving		
		24.12.2024	Not Achieving		
		31.12.2024	Not Achieving		
		07.01.2025	Not Achieving		
		14.01.2025	Not Achieving		
		04.02.2025	Not Achieving		
		12.02.2025	Not Achieving		
		18.02.2025	Not Achieving		
		25.02.2025	Not Achieving		
		Total -462 Day's			
		04.03.2025 to 28.11.2025			Not-Operational (Under Maintenance)
2	6.8 MLD, Masani, Mathura	07.05.2024	Not Achieving	6.8	6.8
		15.05.2024	Not Achieving		
		21.05.2024	Not Achieving		
		28.05.2024	Not Achieving		
		04.06.2024	Not Achieving		
		11.06.2024	Not Achieving		
		19.06.2024	Not Achieving		
		25.06.2024	Achieving		
		02.07.2024	Not Achieving		
		09.07.2024	Achieving		
		Total -56 Day's			
		07.05.2024	Not Achieving		
		15.05.2024	Not Achieving		
		21.05.2024	Not Achieving		
		28.05.2024	Not Achieving		
		04.06.2024	Not Achieving		
		11.06.2024	Not Achieving		
		19.06.2024	Not Achieving		
		25.06.2024	Achieving		
		07.01.2025	Not Achieving		
		15.01.2025	Not Achieving		
		21.01.2025	Not Achieving		
		29.01.2025	Not Achieving		
		04.02.2025	Not Achieving		
		11.02.2025	Not Achieving		
		18.02.2025	Not Achieving		
		25.02.2025	Not Achieving		
		04.03.2025	Not Achieving		
		11.03.2025	Not Achieving		
		19.03.2025	Not Achieving		
		25.03.2025	Not Achieving		
		01.04.2025	Not Achieving		
		09.04.2025	Not Achieving		
		15.04.2025	Not Achieving		

3	14.5 MLD Trans-yamuna, Jamunapar, Mathura	22.04.2025	Not Achieving	14.5	14.5				
		29.04.2025	Not Achieving						
		06.05.2025	Not Achieving						
		14.05.2025	Not Achieving						
		20.05.2025	Not Achieving						
		27.05.2025	Not Achieving						
		03.06.2025	Not Achieving						
		10.06.2025	Not Achieving						
		18.06.2025	Not Achieving						
		24.06.2025	Not Achieving						
		02.07.2025	Not Achieving						
		08.07.2025	Not Achieving						
		15.07.2025	Not Achieving						
		22.07.2025	Not Achieving						
		29.07.2025	Not Achieving						
		05.08.2025	Not Achieving						
		12.08.2025	Not Achieving						
		19.08.2025	Not Achieving						
		26.08.2025	Not Achieving						
		04.09.2025	Not Achieving						
		09.09.2025	Not Achieving						
		17.09.2025	Not Achieving						
		24.09.2025	Not Achieving						
		04.10.2025	Not Achieving						
		09.10.2025	Not Achieving						
		25.10.2025	Not Achieving						
		29.10.2025	Not Achieving						
		04.11.2025	Not Achieving						
		18.11.2025	Not Achieving						
		21.11.2025	Not Achieving						
		28.11.2025	Not Achieving						
		03.12.2025	Not Achieving						
		Total -387				Not Achieving			
		4	08 MLD STP Near 100 Bed Hospital Vrindavan, Manth road			04.02.2025	Not Achieving	8	8
						11.02.2025	Not Achieving		
						18.02.2025	Not Achieving		
						25.02.2025	Not Achieving		
						04.03.2025	Not Achieving		
11.03.2025	Not Achieving								
18.03.2025	Not Achieving								
26.03.2025	Not Achieving								
02.04.2025	Not Achieving								
08.04.2025	Not Achieving								
15.04.2025	Not Achieving								
22.04.2025	Not Achieving								
29.04.2025	Not Achieving								
06.05.2025	Achieving								
Total -91 Day's									