

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO.-1317/2024**

**IN THE MATTER OF:**

**PRAYATNA PRAKASH**

**....APPLICANT(s)**

**VERSUS**

**STATE OF U.P.**

**...RESPONDENT(s)**

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THROUGH



BHANWAR PAL SINGH JADON

COUNSEL FOR THE DISTRICT MAGISTRATE, GHAZIABAD

EMAIL- [bhanwar09jadon@gmail.com](mailto:bhanwar09jadon@gmail.com)

**DATE: 30.01.2025**

**PLACE: NOIDA**

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ORIGINAL APPLICATION NO.-1317/2024**



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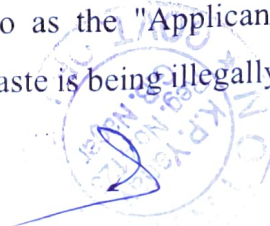
**...RESPONDENT(s)**

**REPLY ON BEHALF OF DISTRICT MAGISTRATE, GHAZIABAD IN  
COMPLIANCE OF THE ORDER DT. 08.01.2025 PASSED BY THE  
HON'BLE NATIONAL GREEN TRIBUNAL, DELHI**

I, Deepak Meena, aged about .38... years, S/o .Sh. R. C. Meena., posted as District Magistrate, Ghaziabad, Uttar Pradesh , do hereby solemnly affirm and state as under:

1. That I, the Deponent in the above captioned matter am fully conversant with the facts of the case and am competent and authorized to swear the present reply.
2. That I state that the contents of the reply have been drafted by my counsel on my instructions and the contents of the same are true to my knowledge and nothing material has been concealed therefrom.
3. That in the present matter the residents of M/s Gaur Green Vista Residents Welfare Association (hereinafter referred to as the "Applicants") have alleged, through a letter petition, that solid waste is being illegally dumped

1



by the authorities in an open parcel of land adjacent to the power sub-station at Makanpur Colony, Sector-62, Noida (hereinafter referred to as the "site in question").

4. That the matter was last listed for hearing on 08.01.2025, wherein the Hon'ble National Green Tribunal directed as under:

*"3. In view of the averments made in the application which prima-facie raise substantial questions relating to environment arising out of implementation of the enactments specified in Schedule I of the NGT Act, 2010 we consider it appropriate to seek the response of (1) State of Uttar Pradesh through ACS, Environment, Forest and Climate Change, Government of Uttar Pradesh, (2) Chief Executive Officer, NOIDA, (3) District Magistrate, Gautam Buddha Nagar, (4) District Magistrate, Ghaziabad and (5) Municipal Corporation, Ghaziabad, who stand impleaded as respondents No. 1 to 5."*

That in compliance with the aforesaid directions of the Hon'ble Tribunal, the present reply is being submitted.

5. That it is pertinent to mention that the grievance of the Applicant in the present matter is with regards to the same location as admitted in the O.A. No. 1257/2024, Gaur Green Vista vs State of U.P. by the Hon'ble Chairperson Bench of the Principal Bench, National Green Tribunal, New Delhi, and O.A. No. 70/2024, Deepak Joshi vs State of U.P., as admitted by the Hon'ble Tribunal.

6. That the District Magistrate, Gautam Budh Nagar vide e-mail dated 16.11.2024 directed the concerned authorities i.e. Ministry of Environment, Forest and Climate Change, Central Pollution Control Board



and Uttar Pradesh Pollution Control Board to direct their representatives to inspect the site in question on 20.12.2024 in compliance of the directions issued by the Hon'ble Tribunal.

7. That on 16.12.2024, the District Magistrate, Gautam Budh Nagar (nodal agency) had also directed the officers from Ghaziabad Development Authority, Municipal Corporation, Ghaziabad and Nagar Palika Parishad, Khoda-Makanpur, Ghaziabad to be present on the site for assistance of the Joint Committee. That furthermore, the Deponent, had issued directions to the aforesaid officers, pursuant to which they duly attended the inspection of the site in question.
8. That during the inspection it was informed by the officers of the Nagar Palika Parishad, Khoda, Noida Authority as well as Municipal Corporation, Ghaziabad that no waste from the Municipal Corporation Ghaziabad region is being brought in the said area. However, the Executive Officer, NPP, Khoda, Makanpur, Ghaziabad had informed that the fresh waste is only collected at the said location and is being disposed of through M/s Brij Enterprises who have their plant at Village Nahal, Dasna, Ghaziabad.
9. That a topographical contour survey of the site in question was conducted on 15.10.2024 by M/s Arya Surveyor. That as per the said survey the legacy waste on the site in question was estimated to be around 72009.20 MT and the said legacy waste was found to be spread across an area of around 28,128.633 sq meter.  
A Copy of the topographical survey has been attached herewith as **ANNEXURE A-1**.

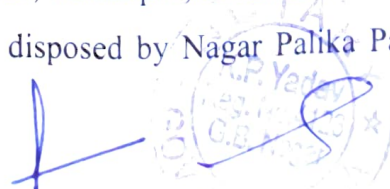


10. That it is pertinent to highlight that a letter dt. 24.01.2025 was issued by the Nagar Palika Parishad Khoda, Makanpur, Ghaziabad to the District Magistrate, Gautam Budh Nagar, Uttar Pradesh comprising of the report regarding the disposal and processing of legacy waste in Makanpur Khoda by the Nagar Palika Parishad, Khoda-Makanpur, Ghaziabad. That the said report was communicated with reference to the letter dt. 03.01.2025 written by the District Magistrate, Gautam Budh Nagar. That the said letter states that the waste at the site in question would be cleared by 15.02.2025.

A Copy of the letter dt. 24.01.2025 has been annexed herewith as **ANNEXURE A-2.**

11. That it is germane to mention that the issue of waste management in the said site is already pending before the Hon'ble Tribunal in the matter of ***Deepak Joshi Vs. State of Uttar Pradesh (OA 70 of 2024)***. That the details of the processing legacy waste and daily generated waste has been apprised to the Hon'ble Tribunal by the Nagar Palika Parishad, Khoda-Makanpur, Ghaziabad in the said matter. That it is pertinent to mention here that for the processing of legacy waste, the Nagar Palika, Khoda- Makanpur, Ghaziabad has executed an agreement with M/s Brij Enterprises. That the said agreement involves collection, transportation and treatment of the legacy waste in compliance of the Municipal Solid Waste Rules, 2016 issued by MOEF&CC. Furthermore, a total of 22 vehicles have been allocated for transporting to the processing plant operated by M/s Brij Enterprises at Khasra No. 502 and 503, Village Nahal, Dasna, Ghaziabad.

12. That a declaration dt. 27.01.2025 was issued from the offices of Executive Officer, Municipal Corporation, Khoda, Makanpur, Ghaziabad stating that the legacy waste is currently being disposed by Nagar Palika Parishad,



Khoda-Makanpur, Ghaziabad and till 25.01.2025, 17,000 metric tonnes of garbage is disposed of in the area of 6500 square meter.

A Copy of the letter dt. 27.01.2025 has been annexed herewith as **ANNEXURE A-3.**

13. That in light of the aforementioned facts and circumstances, the present reply is being submitted for the kind perusal of this Hon'ble Tribunal, and it is most respectfully prayed that the same be taken on record.

14. Hence, the reply has been submitted for the kind perusal of this Hon'ble Tribunal. It is prayed that the same be taken on record.

15. 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**

### VERIFICATION

Verified at \_\_\_\_\_ on this \_\_\_\_ day of January, 2025, that the contents of the above affidavit from paragraphs 1 to 15 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**  
**K.P. YADAV**  
**NOTARY PUBLIC**

**13<sup>th</sup> JAN 2025**



# ARYA SURVEYOR

## Land survey & Mapping Solution

Topography, Demarcation, Contouring, Water Pipe Line, NH, PMGSY Road,  
City & Village Survey, Lay-Out Survey & Hiring Survey  
Email: [aryasurveyors2012@gmail.com](mailto:aryasurveyors2012@gmail.com), Mob-8800634488,

### To Whom So Ever It May Concern

Objective of Survey – Topographical Survey to determine the Area and Volume of Treated and Untreated MSW present at the site

### Details of Survey Report

S. No.	Item	Details
1	Name & Location of Site	NAGAR PALIKA PARISHAD KHODA MAKANPUR GHAZIBAD
2	Description	Volumetric Survey Analysis
3	Survey Date	15-10-2024
4	Type of Survey	Topographical Contour Survey of MSW Waste
5	Grid Interval	5 Meters in both directions
6	Latitude & Longitude	Lat – 28.667 / Long – 77.449
7	Total Land Area of Site	53472.2 Sq.M
8	Total Volume of Untreated MSW present at site. Unit Considered from Cum to MT considered at 0.8	123725.349 Cum 123725.349 X 0.8 = 98980.279 MT
9	Avg. height of Untreated MSW above Datum	2.302 meter
10	Reference Drawing No.	TS/PVD/2023-24

End of report

Seal & Signature  
ARYA SURVEYOR

Office Address: Ground Floor, 1155/3, Gafi NO 3, Rajiv Nagar Gurgaon, Harvana, 122001

कार्यालय: नगर पालिका परिषद् खोड़ा-मकनपुर, गाजियाबाद।

लीगेसी वेस्ट साइट से कूड़ा उठाने से पहले एवं बाद के फोटो

**-: BEFORE:-**



**-: AFTER :-**



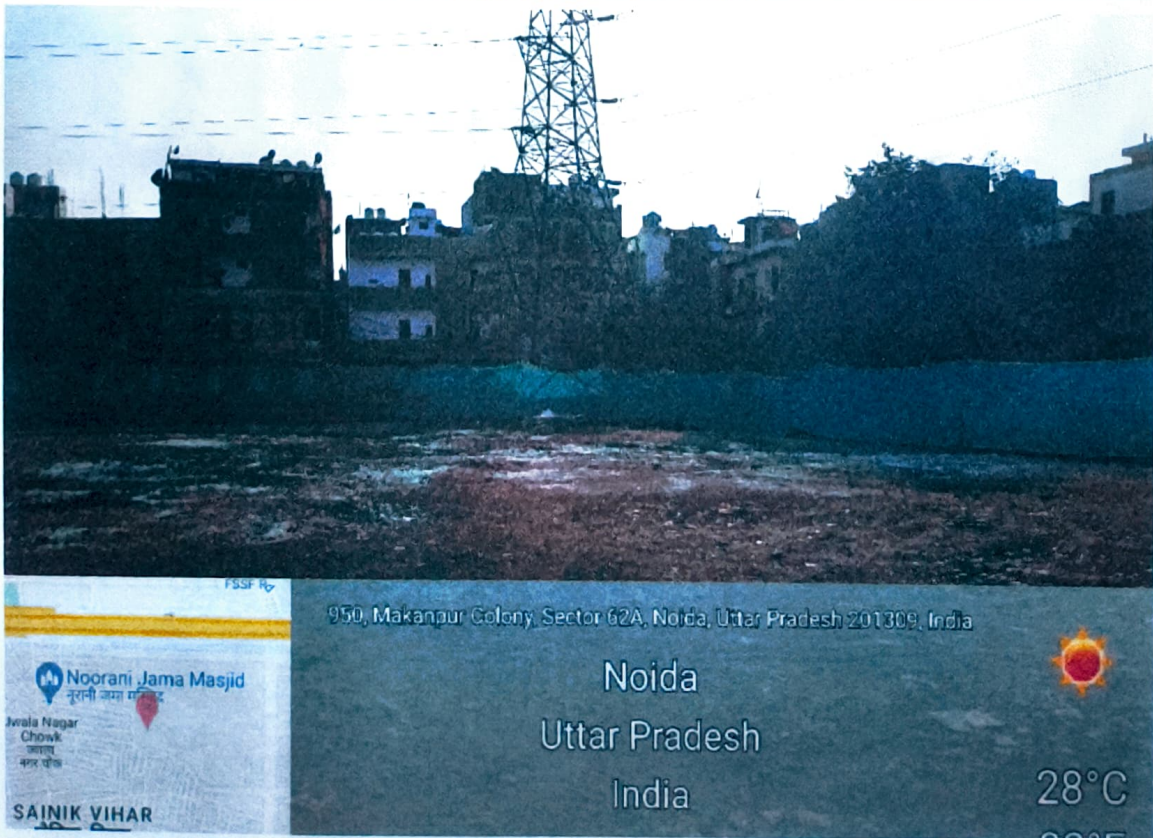
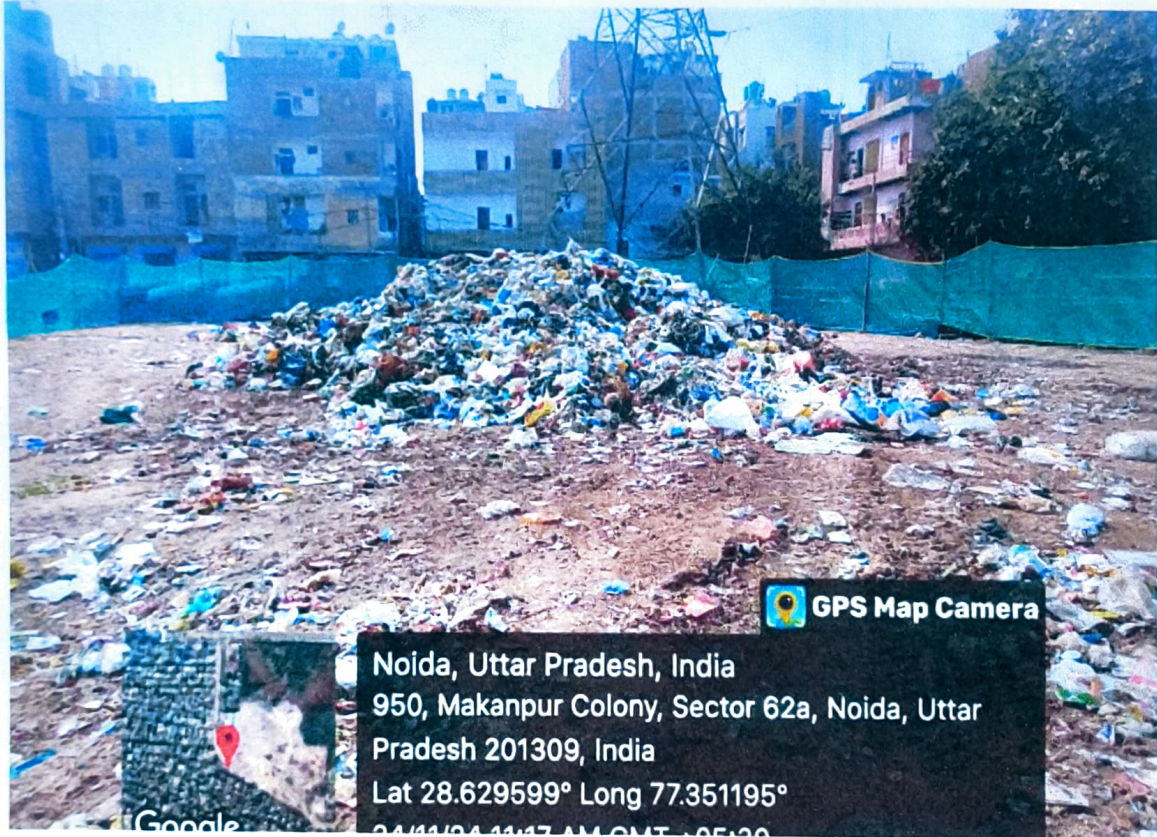
कार्यालय: नगर पालिका परिषद् खोड़ा-मकनपुर, गाजियाबाद।

-: लीगेसी वेस्ट साइट से कूड़ा उठाने के बाद पानी के छिड़काव के फोटो:-



कार्यालय: नगर पालिका परिषद् खोड़ा-मकनपुर, गाजियाबाद।

-: दैनिक कूड़े के निस्तारण के फोटोग्राफ :-



कार्यालय: नगर पालिका परिषद् खोड़ा-मकनपुर, गाजियाबाद।

-: लीगेसी वेस्ट साइट से कूड़ा उठाने के बाद दिनांक: 26.01.2025 का गणतंत्र दिवस के अवसर पर क्रिकेट खेलते हुए बच्चों की फोटो:-





कार्यालय: नगर पालिका परिषद् खोड़ा-मकनपुर, गाजियाबाद।

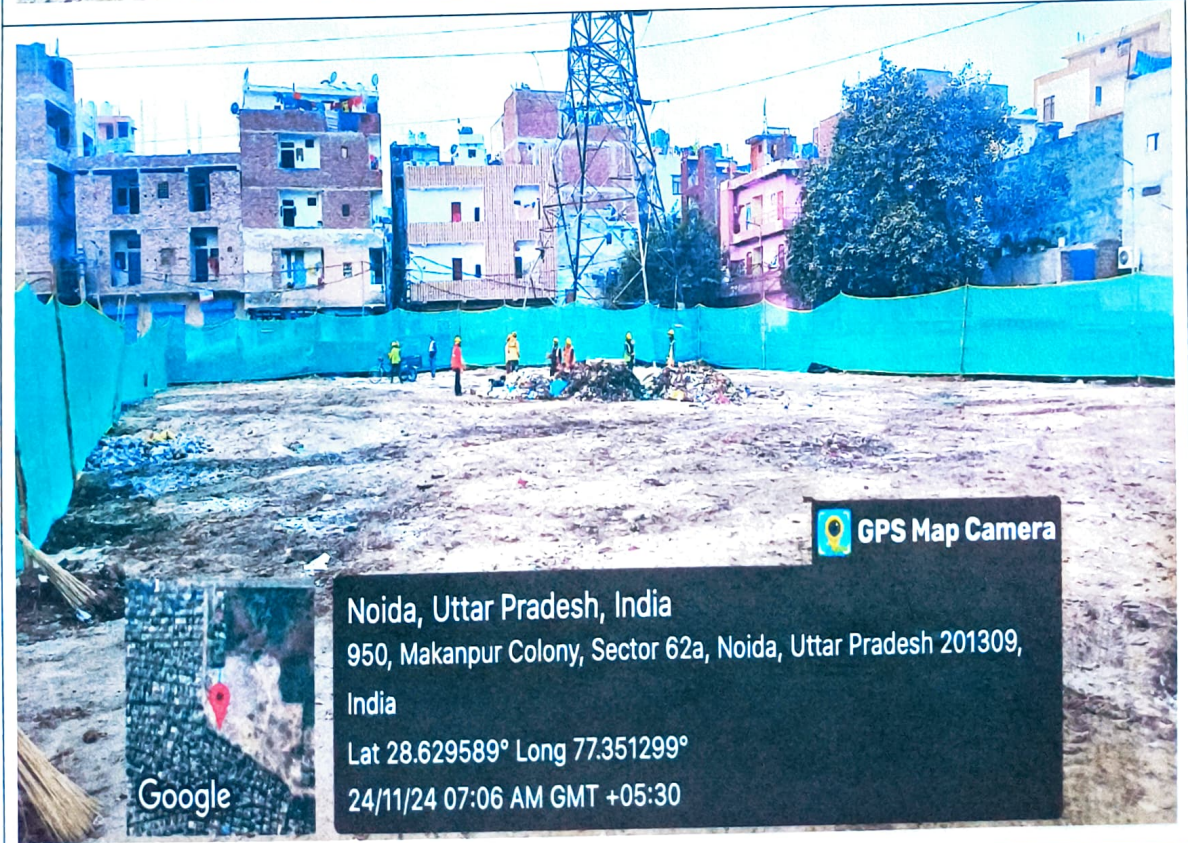
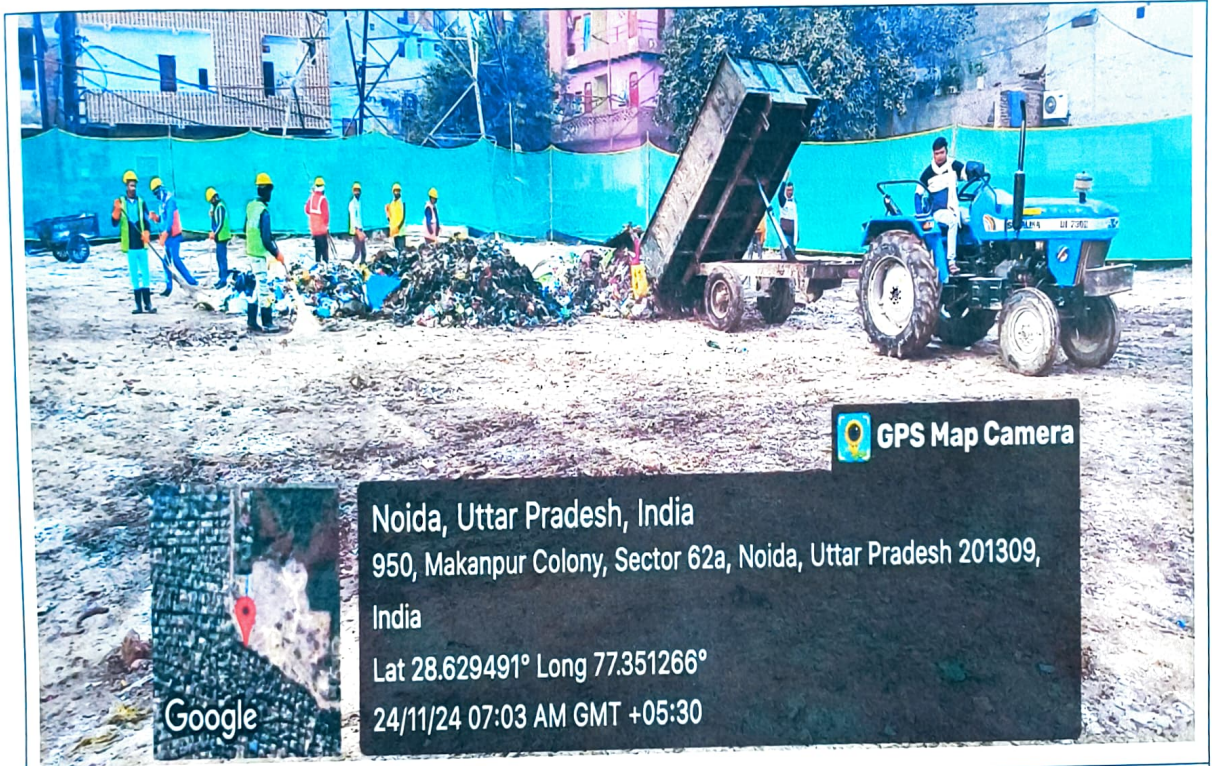
-: लीगेसी वेस्ट साइट से कूड़ा उताने क दिनांक: 27.01.2025 की फोटो:-



कार्यालय: नगर पालिका परिषद खोड़ा-मकनपुर, जनपद-गाजियाबाद।

-: दैनिक जनित कूड़े का संग्रह एवं परिवहन :-

(कूड़े का संग्रह)







24-Nov-2024 11:47:49 am  
Sector 62A  
Noida  
Meerut Division

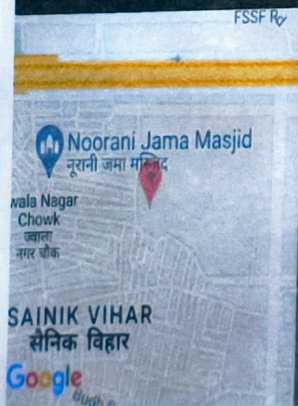
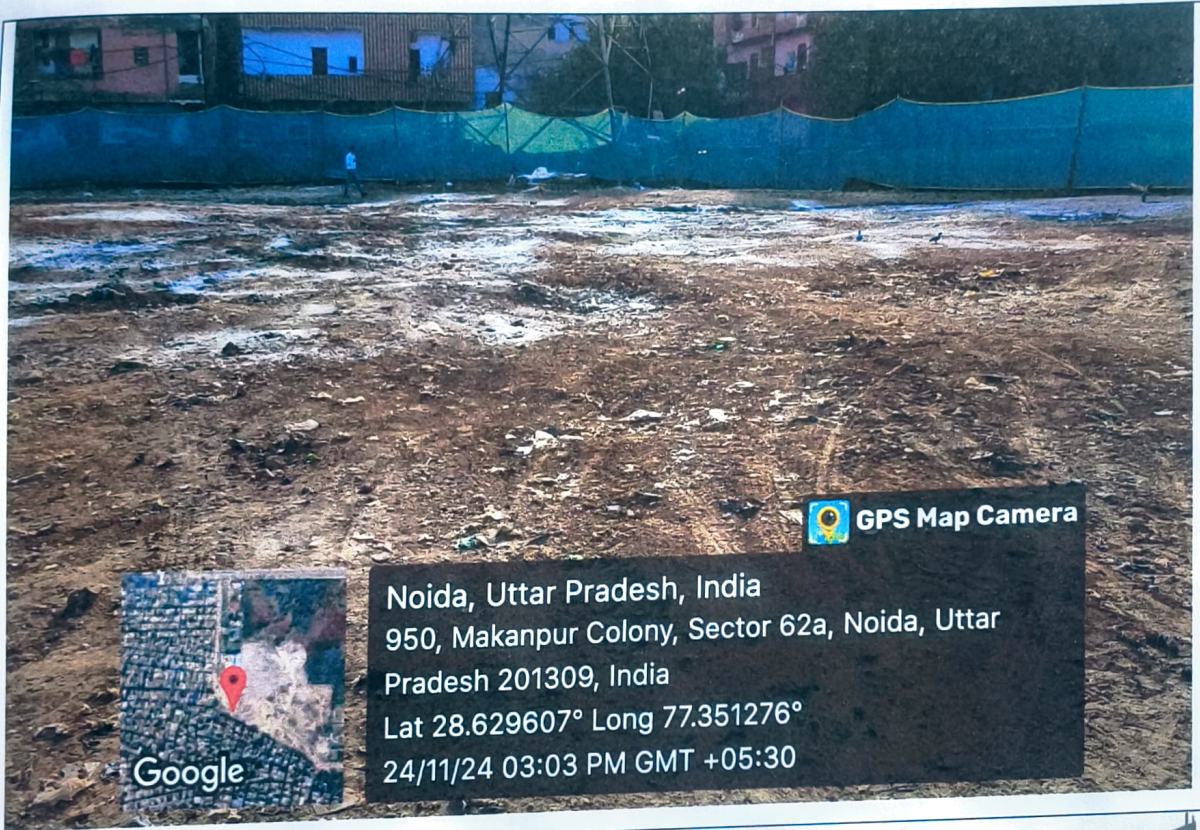


24-Nov-2024 11:59:30 am  
Sector 62A  
Noida  
Meerut Division  
Uttar Pradesh

कार्यालय: नगर पालिका परिषद खाड़ा-मकनपुर, जनपद-गाजियाबाद।

-: दैनिक जनित कूड़े का संग्रह एवं परिवहन :-

(परिवहन के बाद सफाई)



950, Makanpur Colony, Sector 62A, Noida, Uttar Pradesh 201309, India

Noida  
 Uttar Pradesh  
 India

28°C  
 82°F

2024-11-24(Sun) 03:05(PM)

**NAGAR PALIKA PARISHAD KHORA-MAKANPUR GHAZIABAD**

Ref no-71 /N.P.P.K.M.-2025

Dated- 24-01-2025

TO,

**DISTRICT MAGISTRATE,  
GAUTAM BUDH NAGAR**

FROM,

**EXECUTIVE OFFICER,  
NAGAR PALIKA PARISHAD,  
KHODA MAKANPUR GHAZIABAD****SUBJECT: Report regarding the disposal and processing of legacy waste in Makanpur Khoda  
by the Nagar Palika Parishad**

Reference: Letter no. 951/L-207/2024 dated 03.01.2025

Sir/Ma'm,

With reference to the above- mentioned letter, it is submitted that the processing of the municipal solid waste is being carried out by the Nagar Palika Parishad, Khoda. The legacy waste is to be cleared by 15<sup>th</sup> February, 2025. It is submitted that the processing and clearance of the legacy waste and daily generated municipal solid waste at Makanpur Khoda is being overssen by the Hon'ble National Green Tribunal in **O.A. 70/2024 Deepak Joshi vs State of Uttar Pradesh**. The details and the processing of the legacy waste and daily generated municipal solid waste have been apprised to the Hon'ble Tribunal by the Nagar Palika Parishad, Khoda.

For the processing of legacy waste, the Nagar Palika has executed an agreement with M/s Brij Enterprises. The agreement involves the collection, transportation, and treatment of legacy waste from Makanpur Khoda, with processing in compliance with the Municipal Solid Waste (Management and Handling) Rules, 2016 issued by the Ministry of Environment, Forest, and Climate Change (MoEF&CC). A total of 22 vehicles have been allocated for transporting the waste to the processing plant operated by M/s Brij Enterprises at Khasra No. 502 and 503, Village Nahal, Ghaziabad, Uttar Pradesh.

The collection, treatment and proper disposal of the 72009.300 MT legacy waste is currently underway by the Project Proponent at present and is expected to be completed by 15<sup>th</sup> February, 2025.

That with regards to O.A. No. 1257/2024 Gaur Green Vista vs State of U.P., the matter pertains to the disposal of municipal solid waste approximately 200 meters from the National Expressway-3. However, the area of concern cited by the applicant does not fall within the jurisdiction of the Nagar Palika Parishad, Khoda. Consequently, the Nagar Palika Parishad, Khoda is not responsible for the actions or details related to the dumping and processing of municipal solid waste in the area specified in O.A. No. 1257/2024.

**(ABHISHEK KUMAR)  
EXECUTIVE OFFICER  
NAGAR PALIKA PARISHAD  
MAKANPUR KHODA GHAZIABAD**

**कार्यालय: नगर पालिका परिषद खोड़ा-मकनपुर, जनपद-गाजियाबाद।**

पत्रांक: 1 / 75 / लीगेसी वेस्ट / न०पा०प०खो० / 2025

दिनांक: 27 जनवरी 2025

नगर पालिका परिषद खोड़ा-मकनपुर, जनपद-गाजियाबाद द्वारा वर्तमान में जिस लीगेसी वेस्ट का निस्तारण किया जा रहा है। उसमें दिनांक: 25 जनवरी 2025 तक लगभग 6500 वर्ग मीटर क्षेत्र में 17000 मीट्रिक टन कूड़ा निस्तारण हेतु अवशेष है।

अधिरक्षसी अधिकारी  
न०पा०परि० खोड़ा-मकनपुर,  
गाजियाबाद।