

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL  
BENCH, NEW DELHI  
O.A. NO. 664 OF 2024**

**IN THE MATTER OF: -**

DR. SHARAD GUPTA

...APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT, FOREST AND  
CLIMATE CHANGE & ORS.

...RESPONDENTS

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**THROUGH**



**ANG PARTNERS  
ADVOCATES & SOLICITORS**

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Email Id: [angpartnerslawyers@gmail.com](mailto:angpartnerslawyers@gmail.com)

Date: 21.04.2025

Place: New Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL  
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MINISTRY OF ENVIRONMENT, FOREST AND  
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**REJOINDER ON BEHALF OF THE APPLICANT TO THE REPLY FILED  
BY THE RESPONDENT NO. 6, TAJ TRAPEZIUM ZONE AUTHORITY**

**MOST RESPECTFULLY SHOWETH:**

**PRELIMINARY SUBMISSIONS:**

1. That the Counter Affidavit filed by the Respondent No. 6, Taj Trapezium Zone Authority (*hereinafter* referred as “**Respondent Authority**”) as is not only misconceived but also evasive and baseless. The contentions of the Respondent Authority are untenable under the eyes of law. All assertions made by the Respondent No. 7 in its Reply Affidavit are completely denied unless specifically admitted herein. It is submitted that the Reply filed by the Respondent No. 6 is devoid of any merit and therefore, liable to be dismissed.
2. It is submitted that the present Original Application was instituted before this Hon'ble Tribunal seeking appropriate directions for the

scientific processing and clearing of municipal solid waste, including legacy waste accumulated in significant heap volumes at the Kuberpur landfill site, Agra, which falls within the Taj Trapezium Zone (hereinafter referred to as "TTZ"). The Applicant explicitly raised concerns regarding the failure of the Respondent Authorities to duly perform their statutory duties, which has resulted in grave environmental and public health concerns for the citizenry.

3. it is submitted that the situation has not improved significantly, as the geotagged photographs dated 14.03.2025 unequivocally depict a veritable mountain of accumulated waste still existing at the landfill site, thereby belying the Respondents' claims.

Geotagging photographs of the Kuberpur landfill site dated 14.03.2025 are marked and annexed *hereto* as **ANNEXURE R-1 (Colly)**.

4. It is also submitted that the **Respondents No. 4 and 5, i.e., CPCB and UPPCB, have, in their respective Replies, explicitly submitted that the Respondent no. 7, Agra Municipal Corporation has demonstrably failed to furnish the requisite Compliance Status Reports concerning the Directions dated 27.01.2021 and 26.05.2022 issued by the CPCB for biomining of legacy waste and management of fire incidents, respectively.**

Moreover, it is further stated that the Respondent Municipal Corporation has also failed to dispose of the segregated screened waste generated through biomining, which was found stored at the Kuberpur landfill site, in contravention of established protocols and regulatory requirements.

It again draws the attention of this Hon'ble Tribunal to the submissions made by Respondents No. 4 and 5, i.e., CPCB and UPPCB, in their respective Replies, wherein it is stated that the Waste to Energy Plant of 15 MW is currently in the construction stage. It was observed during the site visit on 10.01.2025 that land filling and leveling work was being carried out through JCB and compactor machines at the proposed site of the WTE plant. The aforementioned Respondents have notably stated that neither any building was found constructed at the site, nor was any machinery installed, indicating a significant lack of progress in the establishment of the Waste to Energy Plant.

Photographs dated 10.01.2025 which extracted from the Reply of Respondent No. 4 i.e. CPCB clearly depict that construction work of Waste to Energy Plant at Kuberpur landfill site, Agra is at initial stage of land filling and leveling are marked and annexed *hereto* as **ANNEXURE R-2 (Colly)**.

5. It is also submitted that, despite being fully aware of the Respondent Municipal Corporation's manifest failure to effectively comply with the provisions of the SWM Rules 2016, all the other Respondents particularly Respondent No. 4 CPCB, 5 UPPCB, and 6 TTZ Authority, have miserably failed to initiate necessary action against the Respondent no. 7 Agra Municipal Corporation for its dereliction of duty to keep clean environment under environment laws i.e. the Environment Act 1986 and SWM Rules 2016, etc., even after repeated directions from this Hon'ble Tribunal to pay due attention

to clearing the mounting legacy waste, leachate recirculation, and treatment as per SWM Rules, 2016.

### **PARA WISE REPLY**

6. That the contents of paragraph 1 and 2 of the Reply need no comments.
7. That in Reply to the contents of paragraphs 3 and 4 of the Reply, it is submitted that the Respondent Authority not only empowers to monitor the implementation of various schemes and programs for protection and improvement of environment of the Taj Trapezium Zone, to ensure compliance of emission and fuel quality standards in the said Zone but also explicitly empowers to exercise powers under Section 5 and 19 of the Environment (Protection) Act, 1986. The relevant provisions with regard to Environment (Protection) Act, 1986 are reproduced below –

***“5. Power to give directions.—Notwithstanding anything contained in any other law but subject to the provisions of this Act, the Central Government may, in the exercise of its powers and performance of its functions under this Act, issue directions in writing to any person, officer or any authority and such person, officer or authority shall be bound to comply with such directions.***

*Explanation.—For the avoidance of doubts, it is hereby declared that the power to issue directions under this section includes the power to direct—*

*(a) the closure, prohibition or regulation of any industry, operation or process; or*

*(b) stoppage or regulation of the supply of electricity or water or any other service.*

**19. Cognizance of offences.**—No court shall take cognizance of any offence under this Act except on a complaint made by,—

(a) the Central Government or any authority or officer authorised in this behalf by that Government; or

(b) any person who has given notice of not less than sixty days, in the manner prescribed, of the alleged offence and of his intention to make a complaint, to the Central Government or the authority or officer authorised as aforesaid”.

It is pertinently submitted that despite having absolute powers to issue directions and take cognizance, the Respondent Authority has miserably failed to ensure effective compliance with environmental laws. This is clearly evident from the deteriorating environmental conditions particularly the severe air pollution and the contamination of water bodies, including rivers, ponds, and groundwater that the said Zone has been suffering from for several years.

8. That the contents of paragraphs 5 and 6 of the Reply, it is submitted that the Respondents No. 4 and 5, i.e., CPCB and UPPCB, have, in their respective Replies, clearly stated that the Respondent Municipal Corporation has demonstrably failed to furnish the requisite Compliance Status Reports concerning the Directions dated 27.01.2021 and 26.05.2022 issued by the CPCB for biomining of legacy waste and management of fire incidents, respectively.
9. That in Reply to the contents of paragraphs 7 and 8 of the Reply, it is submitted that the situation has not improved significantly, as the geotagged photographs dated 14.03.2025 unequivocally depict a

veritable mountain of accumulated waste still existing at the landfill site, thereby belying the Respondents' claims.

The aforesaid Geotagging photographs dated 14.03.2025 of the Kuberpur dumpsite are already marked as **Annexure R-1 (Colly)** as mentioned in Para 3 of this Rejoinder.

It is further submitted that the data figure pertaining to processed Bio Mining of Legacy waste at the Kuberpur landfill site is characterized by a significant degree of vagueness and ambiguity, which is patently unacceptable in the eyes of the law. As it is submitted that, under Para 11 of the Form-IV dated 02.01.2024 of the Annual Report on solid waste management under the SWM Rules, 2016, submitted by the Respondent Corporation for the year 2023-24, the Respondent Corporation itself stated that “at the existing landfill site, bio-mining of legacy waste (9.40 Lacs MT) has been processed.”

That this Annual Report dated 02.01.2024 itself clearly stated that 9.40 Lacs MT legacy waste has been processed by the Respondent Corporation. It is pertinently submitted that the Para no. 9 of the Respondent Corporation Reply shows that from January 2024 till January 2025, 435978 MT legacy waste has been processed by them. Thus, it is submitted that till January 2025, only a total of 1375978 MT has been processed out of the accumulated legacy waste of 1784784 MT, a figure came out from the Calculation of Legacy waste which is the Annexure III of Status Report filed along with their Reply by the Respondent no. 4 i.e. CPCB.

Thus, presently, the remaining legacy waste amounts to a total of approximately 4,08,806 MT (i.e., 1784478-1375978) and not 26,814 MT, as belying states by the Respondent Corporation.

A copy of Form-IV dated 02.01.2024 (Annual Report on solid waste management) submitted by the Respondent Corporation under the SWM Rules, 2016 for the year 2023-24 is marked and annexed herewith as **ANNEXURE R-3**.

A copy of Calculation of Legacy waste which is the Annexure III of Status Report filed by CPCB is marked and annexed herewith as **ANNEXURE R-4**.

10. That in Reply to the contents of paragraph 9 of the Reply, It is submitted that the Hon'ble Supreme Court, vide its order dated 18.02.2021, granted permission to the Respondent Corporation for establishing the Waste to Energy Plant at the Kuberpur landfill site in Agra. Despite this, till date, the construction and commissioning work of this Waste to Energy Plant is still at a very initial stage and not at an advanced stage, as stated by the Respondent Corporation.

**Which is evident from the Replies filed by Respondents No. 4 and 5, i.e., CPCB and UPPCB, wherein they have explicitly stated that the Waste to Energy Plant of 15 MW is under construction stage, where land filling and leveling work was being carried out through JCB and compactor machines at the proposed site of the WTE plant. They further stated that neither any building was found constructed at the site, nor any machine was installed.**

It is also submitted that it demonstrates the lack of diligence and effort on the part of the concerned officials to ensure that functioning of the Waste to Energy Plant functional at the earliest, as they are still in the process of obtaining the requisite permissions, such as permission from the Air Port Authority of India, the Forest Department, and the Air Force Station, among others despite the Hon'ble Apex Court, vide its order dated 18.02.2021, granted the permission for the establishment of the said energy plant.

11. That in Reply to the contents of paragraph 10 of the Reply, It is submitted that it is quite evident how lacking in willingness and effort the Respondent Corporation is when it comes to the proper management of construction and demolition waste, given that they *themselves* accepted that the construction and demolition waste processing plant having capacity of 150 TPD is at an advanced stage of being completed, for which the Respondent Corporation entered into an agreement on 26.10.2017 with Friends Stone Crushing Company, Faridabad, Haryana.
12. That in Reply to the contents of paragraph 11 of the Reply, It is submitted that, despite being fully aware of the Respondent Corporation's manifest failure to effectively comply with the provisions of the SWM Rules 2016, the concerned authorities, i.e., all the other Respondents particularly Respondent No. 4, 5, and 6, have failed to initiate necessary action against the Respondent Corporation for its dereliction of duty to keep clean environment under environment laws i.e. the Environment Act 1986 and SWM Rules 2016, etc., even after repeated directions from this Hon'ble

Tribunal to pay due attention to clearing the mounting legacy waste, leachate recirculation, and treatment as per SWM Rules, 2016.

13. That the contents of Para 12 of the Reply need no comments.
14. That the contents of Paras 13 and 14 of the Reply are incorrect, vague and vehemently denied. The applicant herein has clarified the correct position in Para 8 to 9 of this Rejoinder.
15. That the contents of Paras 15 and 16 are incorrect, vague and vehemently denied. It is submitted that the Applicant was not in receipt of any response from the Respondent Corporation in lieu of Representation dated 28.01.2024, whereby the Applicant raised concerns about the negative impacts of legacy waste at the Kuberpur landfill site. In response, the CPCB and UPPCB asked the Respondent Corporation to take necessary action accordingly, but the Respondent 7 has miserably failed to do so.

It is pertinently submitted that the Replies of Respondents No. 4 and 5, i.e., CPCB and UPPCB, explicitly stated that the Waste to Energy Plant of 15 MW is under construction stage, where land filling and leveling work is being carried out through JCB and compactor machines at the proposed site of the WTE plant. They further stated that neither any building was found constructed at the site, nor any machine was installed.

A copy of Applicant's Representation dated 28.01.2024 along with annexures mentioned therein is marked and annexed herewith as **ANNEXURE R-5 (colly)**.

A copy of said response received from CPCB on 05.02.2024 in respect of aforesaid representation is marked and annexed herewith as **ANNEXURE R-6.**

A copy of said letter dated 06.02.2024 of the Regional Officer of UPPCB Agra in respect of Representation dated 28.01.20024 is marked and annexed herewith as **ANNEXURE R-7.**

16. That the contents of Para 17 and 18 of the Reply are incorrect, vague and vehemently denied. The applicant herein has clarified the correct position in Paras 10 and 15 of this Rejoinder.

17. That the contents of Para 19 are incorrect, vague and vehemently denied. It is submitted that the Respondent Corporation has miserably failed to process the legacy waste till date in terms of SWM Rules, 2016, despite repeated directions of this Hon'ble Tribunal asking to ensure the compliance of the SWM Rules, 2016, which leads to the utter violation of the fundamental right of citizens to a clean environment provided under Article 21 of the Indian Constitution, apart from the violation of the statutory Rules under the Environment (Protection) Act, 1986 (EP Act), which leads to serious harm to public health as well as the environment.

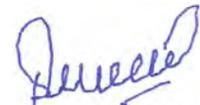
It is further submitted that, being very well aware that the Respondent Corporation is failing to effectively comply with the provisions of the SWM Rules 2016, the other Respondents have not initiated any appropriate action against the Respondent Corporation for failing to perform their duty under environment laws, especially the Environment Act 1986 and SWM Rules 2016, etc.

18. That the contents of Para 20 of the Reply are incorrect, vague and vehemently denied. It is submitted that the Respondent Authority has a duty to monitor the implementation of various schemes and programs for protection and improvement of environment of the Taj Trapezium Zone, to ensure compliance of emission and fuel quality standards in the said Zone. It is stated that, to do so, they have been empowered vide the Authority's notification to exercise powers under Sections 5 and 19 of the Environment (Protection) Act, 1986. Despite it, the failure of the Respondent Authority, apart from the violation of the fundamental right of citizens to a clean environment, is also a violation of the statutory environmental laws, for which they must be punished as per extant laws.
19. That the contents of Para 21 of the Reply merit no reply.
20. That the contents of Para 22 of the Reply are incorrect, vague, and vehemently denied. It is submitted that the Respondent Authority, along with other Respondents, are attempting to evade responsibility for their failure to comply with the SWM Rules 2016.
21. That in view of the submissions made above, the Applicant respectfully submits that this Hon'ble Tribunal may kindly be appoint a Local Commissioner to put a factual report on the issues therein after conducting the visit of site in question and also direct the all concerned authorities to ensure the processing of municipal waste in an adequate and scientific manner, as prescribed under the SWM Rules 2016.

**PRAYER**

In light of the above, it is humbly prayed before this Hon'ble Tribunal that, it may be pleased to:-

- i) Dismiss the Reply affidavit of the Respondent no. 6 i.e. TTZ Authority due to devoid of any merit;
- ii) Appoint a Local Commissioner/Committee to put a factual report on the issues therein after conducting the visit of landfill site in question;
- iii) Direct to concerned authorities for ensure processing of municipal waste in adequate scientific manners as prescribed under SWM rules 2016;
- iv) Initiate the penal action the Respondents for failing to effective compliance of SWM Rules, 2016;
- v) Issue an order, Constitute a committee to monitor the compliance of SWM rules 2016 in the area of Taj Trapezium Zone and submit periodical reports to this Hon'ble Tribunal
- vi) Pass such order(s) or such directions as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and to meet the ends of justice

**APPLICANT****THROUGH**



**ANG PARTNERS  
ADVOCATES & SOLICITORS**

Counsels for the Applicant  
C-38 (LGF), Panchsheel Enclave,  
New Delhi-110017

(O): 011-47015418 (M) 9205089671

Email Id: [angpartnerslawyers@gmail.com](mailto:angpartnerslawyers@gmail.com)

Date: 21.04.2025

Place: New Delhi

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PRINCIPAL BENCH, NEW DELHI  
O.A. NO. 664 OF 2024**

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DR. SHARAD GUPTA ...APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT, FOREST  
AND CLIMATE CHANGES & ORS. ...RESPONDENTS

**AFFIDAVIT**

I, Dr. Sharad Gupta, S/o Late Shri Deobrat Gupta, R/o 24, Heera Bagh Colony, Dayal Bagh, Agra, Uttar Pradesh - 282005, aged about 64 years, presently at New Delhi, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the above-captioned matter and am well versed with the facts and circumstances of the same and hence competent to swear this affidavit.
2. That the accompanying Rejoinder has been drafted by my counsel under my instructions and its contents have been read and understood by me.
3. That the facts stated in the accompanying Rejoinder are correct and true to my knowledge and may be read as a part and parcel of this Affidavit which are not being repeated herein for the sake of brevity.



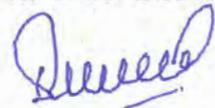
**DEPONENT**

19 APR 2025

**VERIFICATION:-**

Verified at Delhi on this \_\_\_\_\_ day of \_\_\_\_\_, 2025 that the contents of my above affidavit are true and correct to the best of my knowledge. No part of it is false and nothing material has been concealed therefrom.

19 APR 2025



**DEPONENT**

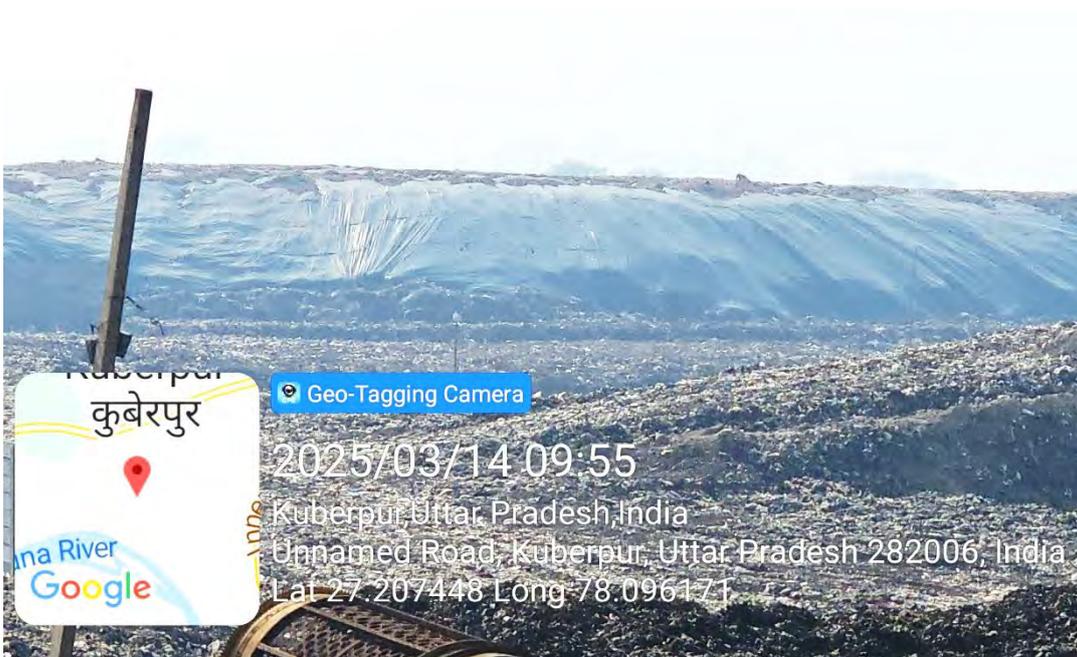
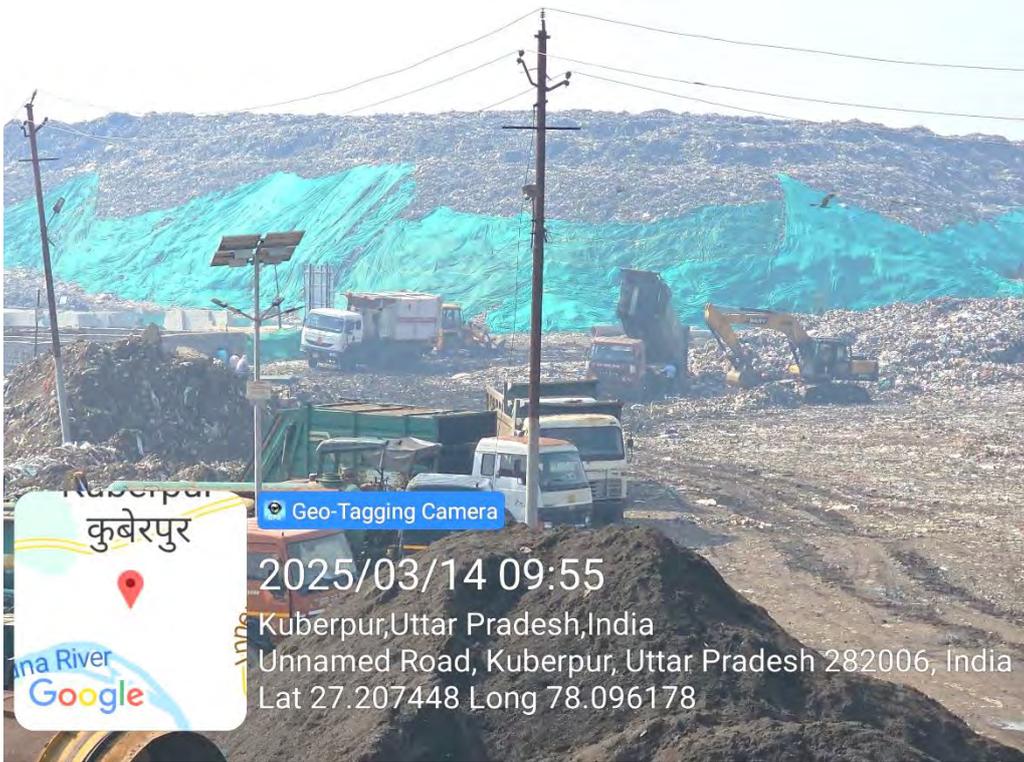


**ATTESTED**  
  
**NOTARY PUBLIC INDIA**

I Identify the deponent who has signed/Put T.I in my presence

**ANNEXURE R-1 (COLLY)**

**Geotagging photographs of the Kuberpur landfill site dated 14.03.2025 clearly depict a mounting of accumulated waste in a substantial quantity still existing at the landfill site**





## ANNEXURE R-2 (COLLY)

**Photographs dated 10.01.2025 clearly depict that construction work of Waste to Energy Plant at Kuberpur, Agra is at initial stage of land filling and leveling.**





कार्यालय: नगर निगम, आगरा।

19

प्रेषक,

प्रभारी स्वच्छ भारत मिशन,  
नगर निगम आगरा।

सेवा में,

राज्य मिशन निदेशक,  
स्वच्छ भारत मिशन-नगरीय,  
राज्य मिशन निदेशालय, उ०प्र०,  
सेक्टर-7, गोमती नगर विस्तार, लखनऊ।

पत्रांक:- 31/11/11/2024

दिनांक:- 02.02.2024

विषय :- ठोस अपशिष्ट प्रबंधन नियम, 2016 के नियम-24(2) के अन्तर्गत वार्षिक रिपोर्ट प्रेषित किये जाने के सम्बन्ध में।

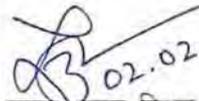
महोदय,

कृपया कार्यालय राज्य मिशन निदेशालय के पत्र संख्या पी०एम०यू०/9662/429(13)/2023 एवं पी०एम०यू०/9663/429(13)/2023 दिनांक 24.01.2024 के क्रम में ठोस अपशिष्ट प्रबंधन नियम, 2016 के नियम-24(2) के अन्तर्गत वार्षिक रिपोर्ट निर्धारित प्रारूपों पर सलंगन कर सादर प्रेषित है।

संलग्नक:- प्रारूप-4

प्रारूप-5

भवदीय,

  
02.02.24  
प्रभारी स्वच्छ भारत मिशन  
नगर निगम आगरा

प्रतिलिपि:- नगर आयुक्त महोदय को सादर सूचनार्थ।

  
प्रभारी स्वच्छ भारत मिशन  
नगर निगम आगरा

Office: Municipal Corporation, Agra.

Sender,  
Incharge Swachh Bharat Mission,  
Municipal Corporation Agra.

To,  
State Mission Director,  
Swachh Bharat Mission-Urban,  
State Mission Directorate,  
Uttar Pradesh, Sector-7,  
Gomti Nagar Extension,  
Lucknow.

Letter No.: 31/10/11/2024  
Date:- 02.02.2024

Subject :- Regarding submission of annual report under Rule-24 (2) of the Solid Waste Management Rules, 2016.

Sir,  
Please find enclosed the Annual Report in the prescribed formats sent respectively as per Rule 24 (2) of the Solid Waste Management Rules, 2016 in continuation of letter No. PMU/9662/429(13)/2023 & PMU/9663/429 (13)/2023 dated 24.01.2024 of the Office of State Mission Directorate.

Attachment:-  
Format-4  
Format-5

Sincerely,  
//SIGN//  
2.02.24  
Incharge  
Swachh Bharat Mission  
Municipal Corporation Agra

Copy:- For respectful information to the Municipal Commissioner.

Incharge Swachh Bharat Mission  
Municipal Corporation Agra

TRUE ENGLISH TRANSLATION

## Form-IV

[see rules 15(za), 24(2)]

Format for annual report on solid waste management to be submitted by the local body

CALENDAR YEAR:	DATE OF SUBMISSION OF REPORT
2023-24	

1.	Name of the City/Town and State	Agra Nagar Nigam Agra
2.	Population	1902845 approx pop. (2021)
3.	Area in sq. kilometres	141.00 As per New boundary
4.	Name & Address of local body Telephone No. Fax No. E-mail	Mahatma Gandhi Road, Near Sursadan, Sanjay Place, Wazirpura, Agra 0562-2850670/ 2520616 0562-2850499 amcagra1@gmail.com
5.	Name of officer in-charge dealing with solid waste management (SOLID WASTEM) Phone No : Fax No: E-mail:	Er Pankaj Bhushan 7300740631, 0562-2850670 0562-2850499 amcagra1@gmail.com
6.	Number of households in the city/town Number of non- residential premises in the city Number of election/administrative wards in the city/town	424901 104001 100
7.	Quantity of Solid waste (solid waste)	
	Estimated quantity of solid waste generated in the local body area per day in metric tones.	952 TPD
	per capita waste collected per day	500gm
	Quantity of solid waste collected per day	952 TPD
	Quantity of solid waste processed	661 TPD
	Quantity of solid waste disposed at dumpsite/landfill	291 TPD
8.	Status of Solid Waste Management Service	Active
	Segregation and storage of waste at source	Active
	Whether SOLID WASTE is source in domestic/commercial/institutional bins, if yes.	YES
	Percentage of households practice storage of waste at source in domestic bins	100%
	Percentage of non- residential premises practice storage of waste at source in commercial/institutional bins	100%
	Percentage of households dispose of throw solid waste in the streets	0%
	Percentage of non- residential premises dispose of throw solid waste on the streets	0%
	Whether solid waste is stored at source in a segregated form if yes	Yes
	Percentage of premises segregation the waste at source	60-70%
	Door to Door Collection of solid waste	100 Wards
	No. of households covered	424901
	No. of non-residential premises including commercial establishments hotels, restaurants educational institutions offices etc covered	104001
	Percentage of residential and non-residential premises covered in door to door collection through:	
	Motorized vehicle	351
	Containerized tricycle/handcart	128

	Other device	0%				
	If not,	N/A				
	Sweeping of streets	Yes				
	Length of roads, streets, lanes, bye-lanes in the city that need to be cleaned	2683.41 Km				
	Frequency of street sweepings and percentage of covered	frequency	Daily	Alternate	Occasionally	Twice a week
		% of population covered	100	-	-	-
	Tools used					
	Manual sweeping	70%				
	Mechanical sweeping	30%				
	Whether long handle broom is used by sanitation workers	Yes				
	Whether each sanitation worker is given handcart/tricycle for collection of waste	No				
	Whether handcart / tricycle is containerized	Yes				
	Whether the collection tool synchronizes with collection/ waste storage containers utilized	Yes				
	Secondary Waste Storage facilities	Yes, Transfer Station				
	No and type of waste storage depots in the city/town	No. Capacity in M <sup>3</sup>				
	<b>Open waste storage sites</b>					
	Masonry bins	0				
	Cement concrete cylinder bins	0				
	Dhalao/covered rooms/space	- -				
	<b>Covered metal plastic containers</b>					
	Upto 1.1 m <sup>3</sup> bins	137 157				
	2 to 5 m <sup>3</sup> bins	117 526				
	Above 5m <sup>3</sup> containers	72 612				
	Bin-less city	Not yet				
	Bin population ratio	1.7 bins / 10,000 population (Excluding litter bins)				
	Ward wise details of waste storage depots (attach): Ward No:  Area: Population: No. of bins placed Total volume of bins placed	Transfer Station List attached				
	Total storage capacity of waste storage facilities in cubic meters	1381 Cum				
	Total waste actually stored at the waste storage depots daily	300 MT				
	Give frequency of collection of waste from the depots Number of bins cleared	Frequency			No. of bins	
		Daily			230	
		Alternate day			62	
		Twice a week			34	
		Once a week			-	
		Occasionally			-	
	Whether storage depots have facility for storage of segregated waste in green, blue and black bins	Yes				
	Whether lifting of solid waste from storage depots is manual or mechanical, Give percentage	100% Mechanical				

(%) of Manual Lifting of solid waste	0%	
(%) of Mechanical listing	100%	
If mechanical - Specify the method used	Front-end loaders/ DP/RC	
Whether solid waste is lifted from door to door and transported to treatment plant directly in a segregated form	Yes	
Waste transportation per day Type and Number of vehicles used	No. trips made	Waste Transported
Animal cart -	-	-
Tractors-	-	-
Nos. of tipping Truck (Hywa)- 14	2	255
Tipping Truck- 34	2	260
Dumper Placers- 36	1	50
Refuse collectors- 21	1	100
Compactors- 8	2	200
Others- (Tata 407/Tata ACE)	37	110
JCB/loader - 35	-	-
Frequency of transportation of waste	Frequency (%) of waste transported MSW = Daily	
Quantity of waste transported each day	952 TPD	
Percentage of total waste transported daily	100%	
Waste Treatment Technologies used	Composting, RDF, Recycling	
Whether solid waste is processed	YES	
If yes. Quantity of waste processed daily	661 TPD	
Whether treatment is done by local body or through an agency	Agency	
Land(s) available with the local body for waste processing (in Hectares)	29.01 Ha (72 Acres)	
Land currently utilized for waste processing	29.01 Ha (72 Acres)	
Solid waste processing facilities in operation	<ul style="list-style-type: none"> <li>• 500 TPD WTC Plant at Kuberpur</li> <li>• 2 TPD Flower to compost Plant Rajnagar</li> <li>• 2 TPD Organic Waste to Compost Unit Rajnagar</li> <li>• 1 TPD Organic Waste to Compost Unit TP Nagar</li> <li>• 100 TPD Plant Kuberpur (Cow Dung)</li> <li>• 120 TPD MRF, Tedi Bagiya Hatras Road</li> <li>• 4 TPD Waste to Compost (BWG)</li> <li>• 5 TPD MRF Nunhai Shobha Nagar</li> <li>• 12 TPD Wet Waste Plant Babarpur</li> <li>• 15 TPD DRY Waste Plant Babarpur</li> </ul>	
Solid waste processing Facilities under construction	15MW Waste to Energy Plant	
Distance of processing facilities from City boundary	12Km	
Details of technologies adopted	Composting, RDF, Recycling	
Composting	Qty. raw material processed = 550 TPD Qty. final product produced = 20 TPD Qty, sold = 20 TPD Quantity of residual waste land-filled = 20 TPD	
Vermi composting	Qty. raw material processed <b>NIL</b> Qty. final product produced <b>NIL</b> Qty. Sold Quantity of residual waste landfilled <b>NIL</b>	
Bio-methnation	Qty. raw material processed <b>NIL</b> Qty. final product produced <b>NIL</b> Qty. Sold Quantity of residual waste landfilled <b>NIL</b>	
Refuse Derived Fuel	Stored for waste to Energy plant	
Waste to Energy technology such as incineration, gasification. paralysis or any other technology	Plant under construction  Qty. Sold Quantity of residual waste landfilled <b>NIL</b>	
Co-processing	None	

	Combustible waste supplied to cement plant	NIL
	Combustible waste supplied to solid waste based power plants	NIL
	Others	NIL
	Solid waste disposal facilities	
	No. of dumpsites available with the local body	NIL
	No. of sanitary landfill sites available with the local body	01
	Area of each such sites available for waste disposal	72 Acre
	Area of land currently used for waste disposal	72 Acres
	Distance of dumpsite/landfill facility from city/town	12 Km
	Distance from the nearest habitation	2.0 km
	Distance from water body	500 m
	Distance from State National Highway	1.50 Km
	Distance from Airport	20 Km
	Distance from important religious places or historical monument	8.1 Kms form Imad-ud-Daula 10Km from Agra Fort 6.3 Kms form Taj Mahal
	Whether it falls in flood prone area	N/A
	Whether it falls in earthquake fault line area	500 m from Fault Line Fracture
	Quantity of waste landfilled each day	546 TPD
	Whether landfill site is fenced	YES
	Whether Lighting facility is available on site	YES
	Whether Weigh bridge facility available	YES
	Vehicles and equipments used at landfill (specify)	Bulldozers, compacters, Excavators, Trucks/ Dumpers
	Manpower deployed at landfill site	21
	Whether covering is done on daily basis	N/A
	If not, Frequency of covering the waste deposited at the landfill	N/A
	Caover material used	N/A
	Whether adequate covering material is available	N/A
	Provisions for gas venting provided	N/A
	Provision for leachate collection	N/A
9.	Whether an Action Plan has been prepared for improving solid waste management practices in the city	Action Plan prepared and submitted under 15 <sup>th</sup> FC Grant
10.	What separate provisions are made for : Dairy related activities: Slaughter houses waste:  C&D waste (construction debris): 5 TPD	Yes Yes, Carcass utilization plant is under Constriction Yes, Construction and Demolition Waste (C&D) Plant of 5 TPD is operational. C&D Waste process Plant of 150 TPD is under process (agreement done).
11.	Details of Post Closure Plan	At existing landfill site, bio-mining of legacy waste (9.40 Lacs MT) has been completed and 37 Acres of land has been re-claimed.
12.	How many slums are identified and whether these are provided with Solid Waste Management facilities	217 Slums identified in Agra. All are provided with Solid Waste Management Facilities.
13.	Give details of: Local body's own manpower deployed for collection including street sweeping, secondary Storage, transportation, processing and disposal of Waste	Man power of Agra Nagar Nigam- <b>4663</b>
14.	Give details of: Contractor, concessionaire's manpower deployed for collection including street sweeping, secondary Storage, transportation, processing and disposal of	Total 1018

	waste	
15.	Mention briefly, the difficulties being experienced by the local body in complying with provisions of these rules	<ul style="list-style-type: none"><li>• land constraints for decentralization process</li><li>• Untrained manpower</li><li>• Lack of awareness among citizen for Segregation of waste</li></ul>
16.	Mentions briefly, if any innovative idea is implemented to tackle the problem related to solid waste, which could be replicated by other local bodies	--



Environment Engineer  
Nagar Nigam Agra

Date : 02/01/2024  
Place : Agra

## ANNEXURE R-4

**AGRA NAGAR NIGAM  
LEGACY WASTE PROCESSING**

Duration	Quantity of waste Intake at			Quantity of waste processed (TPD)			Quantity of waste left unprocessed Tons	Commulative Quantity of legacy waste being accumulated	waste lying untreated in Sanitary Landfill	Old Legacy waste (In Tons)	Waste processed (in MT)	Total accumulated legacy waste as on 31.01.2025 (In Tons)
	No. of Days	Average Waste intake (TPD)	Total waste (MT)	No. of Days (considering Rainy days)	Fresh waste processing TPD	Total waste (MT)						
A	B	C	D	E	F	G	H	I	J	K	L	M=854784+J+K-L
1 Nov. 2019 to 31 Oct 2020	365	712	259880	350	300	105000	154880	154880	130000	800000	1758000	26784
1 Nov. 2020 to 31 Oct 2021	365	712	259880	350	300	105000	154880	309760				
1 Nov. 2021 to 31 Dec. 2022	426	952	405552	406	300	121800	283752	593512				
1 Jan. 2023 to 31 Mar 2023	90	952	85680	88	300	26400	59280	652792				
1 Apr 2023 to 31 Mar 2024	365	952	347480	350	500	175000	172480	825272				
1 Apr 2024 to 31 Jan 2025	306	952	291312	295	1000	261800	29512	<b>854784</b>				

## E-mail/Speed-Post

To,  
**The Divisional Commissioner / Chairman,**  
Agra Division / Taj Trapezium Zone Authority,  
Commissionery, the Mall Road,  
Agra – 282001, Uttar Pradesh

Email- ttzpmu2@gmail.com  
commagr@nic.in

**Sub : Delay in commissioning of waste to energy plant at Kuberpur landfill site in Agra has led to accumulation of huge amount of legacy waste, becoming a health hazard to the people of Agra.**

Dear Madam,

I would like to draw your kind attention that in the year 2017, Agra Nagar Nigam signed a Memorandum of Understanding (MoU) with Spaark Bresson Pvt. Ltd., to develop a 15 MW Waste to Energy Plant at Kuberpur landfill site in Agra on the PPP mode.

Thereafter, in the W.P. Civil No. 13381 of 1984 "MC Mehta Vs Union of India & Ors" I.A. Nos. 172361, 172378, 172379 of 2018 was filed by Agra Nagar Nigam seeking permission from the Hon'ble Supreme Court of India to establish waste to energy plant at Kuberpur landfill site in Agra. In the said matter the Hon'ble Apex Court vide its order dated 22.02.2019 asked the Central Pollution Control Board (CPCB) and National Environmental Engineering Research Institute (NEERI) to conduct a viability study of the said Plant. Pursuant to the said order, the Joint Committee of CPCB and NEERI was filed its report on 03.04.2019.

Thereafter, on 22.11.2019, the Hon'ble Apex Court asked the Agra Nagar Nigam to submit the Environment Impact Assessment (EIA) of the said plant. Pursuant to the said order, on 23.01.2020, the EIA of this proposed plant was submitted before the Hon'ble Court.

It is submitted that the Hon'ble Supreme Court vide its order dated 18.02.2021 has granted the permission to establish the above said waste to energy plant at Kuberpur landfill site in Agra. The relevant Para of the aforesaid Order is quoted hereunder as:-

*"In these circumstances, we consider it appropriate to grant the application. The applications for directions are therefore allowed in terms of prayer 13(a) which reads as under:*

*"13(a) Allow to the applicant to establish waste to energy plant & construction & demolition plant in Kuberpur landfill site at Agra in accordance with law".*

A copy of the aforesaid order dated 18.02.2021 of the Hon'ble Apex Court is marked and annexed hereto as **ANNEXURE -1**.

It is noteworthy that in the context of the permission of the Honorable Supreme Court to develop the aforesaid plant, in Feb 2021 the officials of Agra Municipal Corporation had said that this plant will be built within the next 14 months and the then Mayor had also said that this plant is expected to take 14 months to be commissioned.

A copy of newspaper article is annexed herewith as **ANNEXURE-2**.

Thereafter, getting the approval of the Hon'ble Apex Court, the foundation stone for the development of the aforesaid plant worth around 350 crores was laid down by Hon'ble Chief Minister Shri Yogi Adityanath ji on 04.01.2022. Initially it was scheduled to be completed within 2 years. Whereas presently the development work of this plant is in initial stage.

Copy of press/media articles annexed herewith as **ANNEXURE-3 (colly)**.

It is also pertinent to mention that in October 2017, a Power Purchase Agreement (PPA) was signed between UP Power Corporation Limited (UPPCL) and Späak Bresson Pvt. Ltd., under which UPPCL agreed to purchase electricity produced at the said Waste to Energy plant, Agra. Wherein the plant was expected to be completed within 18 months. But the above said plant has not been commissioned till date.

It is submitted that around 750 tonnes per day (TPD) of municipal solid waste is generated in Agra, while the existing municipal waste treatment capacity of Agra is around 450 TPD, nearly 60 per cent of the total waste generated in the city. This means that every day the remaining approximately 300 TPD of untreated waste in Agra is sent directly to the landfill site, which creating mountains of legacy waste.

It is submitted that as per Minutes of the Review Meeting of Agra District Environment Management Plan held on 12.06.2023 under the chairmanship of Dr. Afroz Ahmad, Hon'ble Member National Green Tribunal (NGT), **legacy waste in Agra is about 4.5 Lakh tons besides the 700-750 tons of MSW that is dumped at the landfill site every day.**

A copy of Minutes of said meeting dated 12.06.2023 is annexed herewith as **ANNEXURE-4**.

It is submitted that Agra Municipal Corporation has failed to meet the prescribed measures of municipal waste management and its scientific disposal, which is one of the main reasons due to which the **City of Taj has slipped its**

position in the nationwide cleanliness ranking to 85th position in the Swachh Survekshan 2023, But as earlier it was 23<sup>rd</sup> in 2022.

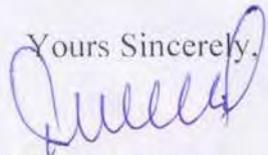
It is also pertinent to mention here that the Solid Waste Management Monitoring Report dated 31.07.2019 of the Justice D.P. Singh regarding Nagar Nigam Agra recommended Environmental Compensation on Agra Nagar Nigam was held that **Open municipal solid waste dumping and accretion of legacy waste at Municipal Solid Waste Treatment, Storage & Disposal Facility (MSWTSDF) Kuberpur, Agra, U.P. is causing serious air pollution as well as groundwater and surface water contamination in the absence of scientific waste processing, leachate and gas collection system, landfill lining, bioremediation etc. In view of above, it has become a health hazard for the people of the locality residing next to the waste processing facilities and dumpsites/landrill sites and requires to be dealt with firm deterrent punishment. Accordingly, Nagar Nigam Agra is accountable on account of non-compliance of statutory mandate. Report has also recommended that it is liable for punitive action within four corners of law. Hence on account of commission and omission, they have proposed to award environmental compensation under the Polluter Pays Principle.**

In view of this, it is necessary to investigate the reasons behind the issue due to which the commissioning of the above said Waste to Energy Plant could not be completed till date, whereas it was scheduled to be commissioned within 14 months from the foundation stone laying ceremony took place on 04.01.2022.

Therefore, you are requested to take appropriate action against the responsible officials and the said project development company as the humongous quantum of legacy waste in the city has become a health hazard for the people of the Agra. Please take punitive action for ensuring the commissioning of the said Waste to Energy Plant at Kuberpur landfill site, Agra at an earliest.

**Date:** 28<sup>th</sup> January 2024

**Annexure(s):** As above.

Yours Sincerely,  


**Dr. Sharad Gupta**

24, Heera Bagh Colony  
 Dayal Bagh, Agra – 282005  
 Mobile No. 9837036270

Email: sharadguptashikha@rediffmail.com

**Copy to: With a request to take appropriate action in the matter, which is an issue of grave concern:-**

01. The Registrar, Hon'ble Supreme Court of India, New Delhi.
02. The Registrar General, Hon'ble National Green Tribunal, New Delhi.

03. The Secretary, Ministry of Environment, Forest and Climate Change, Government of India, New Delhi. (Email: secy-moef@nic.in)
04. The Chief Secretary, Government of Uttar Pradesh, Lucknow. (Email: csup@nic.in)
05. The Addl. Chief Secretary, Uttar Pradesh Environment, Forest & Climate Change department.
06. The Member Secretary, U P Pollution Control Board, Lucknow.
07. The Municipal Commissioner, Agra Nagar Nigam, Agra
08. Shri M.C. Mehta, Senior Advocate, Supreme Court of India/ Petitioner in person in W.P. Civil No. 13381 of 1984.
09. Shri Anshul Gupta, Advocate Supreme Court of India, ANG Partners, Advocates and Solicitors.

**ANNEXURE-1**

ITEM NO.1 Court No.1 (Video Conferencing)

**REVISED****SECTION PIL-W****S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S****Writ Petition(s)(Civil) No(s).13381/1984****M.C. MEHTA****Petitioner(s)****VERSUS****UNION OF INDIA & ORS.****Respondent(s)****(IN RE: TAJ TRAPEZIUM ZONE(1) IA NO. 42482/2020 (APPLN. FOR MODIFICATION OF ORDER DT. 06.12.2019 ON BEHALF OF STATE OF U.P.)****(2) IA NOS. 196157, 196158 AND 196159/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O DR. SHARAD GUPTA)****(3) IA NOS. 183912, 183918 183919/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON BEHALF OF DR. SHARAD GUPTA)****(4) IA NOS. 77043, 77049 AND 77053/2020 (APPLNS. FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O DR. SHARAD GUPTA)****(5) IA NOS. 172361, 172378, 172379/2018, 10370 AND 10371 OF 2021 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O AGRA NAGAR NIGAM "ONLY" IN W.P. (C) NO. 13381/1984****Date : 18-02-2021 This petition was called on for hearing today.****CORAM :****HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.S. BOPANNA  
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN****Counsel for the parties:****Mr. A.D. N. Rao,Adv.****Mr. Anil Katiyar,Adv.****Mr. M.K. Maroria,Adv.****Mr. Tushar Mehta,SG  
Ms. Aishwarya Bhati,ASG  
Mr. G.S. Makker,Adv.  
Mr. D.L. chidananda,Adv.  
Ms. Suhasini Sen,Adv.**

Mr. S.S. Rebello, Adv.  
Mr. Kanu Agrawal, Adv.  
Ms. Archana Pathak Dave, Adv.

Mr. Tushar Mehta, Ld. S.G.  
Mr. Sanjay Upadhyay, Adv.  
Ms. Mayuri Raghuvanshi, AOR  
Ms. Vyom Raghuvanshi, Adv.  
Mr. Salik Shafique, Adv.  
Mr. Akshat Singh, Adv.

Ms. Aishwarya Bhati, Ld. ASG  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Siddharth Krishna Dwivedi, Adv.  
Mr. Ashwan Mishra, Adv.  
Mr. Kamendra Mishra, AOR

Mr. Vijay Panjwani, Adv.

Mr. Ankur Praksh, Adv.

Mr. K.C. Jain, Adv.  
Mr. Rajesh Kumar, Adv.  
Mr. E.C. Agrawala, Adv.

Mr. Siddhesh Kotwal, Adv.  
Mr. Divyansh Tiwari, Adv.  
Ms. Ana Upadhyay, Adv.  
Ms. Manya Hasija, Adv.  
Mr. Nirnimesh Dube, AOR

**Petitioner-in-person**

**Applicant-in-person, AOR**

Mr. Atishi Dipankar, AOR

Mr. Sudhir Kulshreshtha, AOR

Mr. M. R. Shamshad, AOR

Mr. Rakesh Mudgal, AAG  
Dr. Monika Gusain, Adv.

Mr. Vishwajit Singh, AOR

Mr. P. K. Manohar, AOR

Mr. Lakshmi Raman Singh, AOR

Mr. Nikhil Goel, AOR

Mr. Pradeep Misra, AOR  
Mr. Suraj Singh, Adv.

Mr. Ajit Sharma, AOR

Dr. (Mrs. ) Vipin Gupta, AOR

Mr. P. Parmeswaran, AOR

Mrs. Rachana Joshi Issar, AOR

Mr. Prashant Kumar, AOR

Mr. P. Narasimhan, AOR

Mr. Rajiv Tyagi, AOR

M/S. Manoj Swarup And Co., AOR

Mr. Ajay K. Agrawal, AOR

Dr. Sumant Bharadwaj, Adv.  
Ms. Mridula Ray Bharadwaj, AOR  
Mr. Vedant Bharadwaj, Adv.

Mr. Shiv Prakash Pandey, AOR

Mrs. Laxmi Arvind, AOR

Mrs. Suchitra Atul Chitale, AOR

Mr. Badri Prasad Singh, AOR

M/S. Lawyer S Knit & Co, AOR

Mr. Ravi Prakash Mehrotra, AOR

Mrs. Rachna Gupta, AOR

Mrs. Rachana Joshi Issar, Adv.  
Ms. Nidhi Tewari, Adv.

Mr. Abhinav Agrawal, AOR

Mr. Abhinav Shrivastava, AOR

Mr. Abhishek Chaudhary, AOR

Mr. Saurabh Mishra, AOR  
Mr. Onkar Singh, Adv.  
Ms. Neha Tripathi, Adv.

Mr. Gaurav Goel, AOR  
Mr. Rajesh Kumar, Adv.  
Mr. Anshul Gupta, Adv.  
Mr. Deepesh Raj, Adv.  
Mr. Nihaar Reddy, Adv.

Mr. Nischal Kumar Neeraj, AOR

M/S. Gsl Chambers, AOR

Ms. Aparna Bhat, AOR

Mr. Gaurav Agrawal, AOR

Mr. Arvind Kumar Sharma, AOR

Mr. Raghvendra Singh, Adv. General, UP  
Ms. Aishwarya Bhati, ASG  
Mr. Shantanu Krishna, AOR  
Mr. Kumar Ayush, Adv.  
Mr. Shashank Shukla, Adv.

Dr. Manish Singhvi, Sr. Adv.  
Mr. Sandeep Kumar Jha, AOR

UPON hearing the counsel the Court made the following  
O R D E R

I.A NO. 42482/2020

List this I.A. after two weeks along with I.A. No. 6853 of 2021 as mentioned by Mr. Abhay Gupta, learned counsel.

I.A NOS. 196157, 196158 AND 196159/2019

The proposal in these interlocutory applications may be vetted by Central Empowered Committee (CEC).

Ordered accordingly.

List these I.As after four weeks.

IA NOS. 183912, 183918 183919/2019

At the request of Ms. Aishwarya Bhati, learned Additional General for the respondent-State, list these I.As after six weeks.

**I.A NOS. 77043, 77049 AND 77053/2020**

List these I.As along with I.A. No. 11157 of 2019 as mentioned by Ms. Mridula Ray Bhardwaj, learned counsel after four weeks.

**I.A NOS. 172361, 172378, 172379/2018, 10370 AND 10371 OF 2021**

I.A. No. 172361 of 2021 for intervention is allowed for the purpose of passing orders in the instant interlocutory applications for directions.

By these interlocutory applications for directions, the Agra Nagar Nigam has prayed for permission to establish waste to energy plant & construction and demolition plant in Kuberpur landfill site at Agra.

Mr. Tushar Mehta, learned Solicitor General of India has pointed out to a letter dated 08.01.2021 by which the Vice-Chairman of the Agra Development Authority has written to the Municipal Commissioner, Agra, stating that an application may be filed again in the Taj Trapezium Zone (TTZ) after taking permission from this Court for the establishment of the plant.

We find that this question is squarely covered by our order dated 06.12.2019 in which this Court has clearly stated that there shall be no impediment for the authorities to consider the pending environmental clearance which are necessary to secure essential amenities within Taj Trapezium Zone (TTZ). This Court also observed that not allowing construction of such basic infrastructure can itself create new polluting waste and threaten the environment. We are informed that the Agra Nagar Nigam has obtained all necessary

clearances.

In these circumstances, we consider it appropriate to grant the application. The applications for directions are therefore allowed in terms of prayer 13(a) which reads as under:

"13(a) Allow to the applicant to establish waste to energy plant & construction & demolition plant in Kuberpur landfill site at Agra in accordance with law".

Ordered accordingly.

Rest of the interlocutory applications shall stand disposed of.

(MADHU BALA)  
AR-CUM-PS

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR

ITEM NO.1 Court No.1 (Video Conferencing) SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).13381/1984

M.C. MEHTA

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IN RE: TAJ TRAPEZIUM ZONE(1) IA NO. 42482/2020 (APPLN. FOR MODIFICATION OF ORDER DT. 06.12.2019 ON BEHALF OF STATE OF U.P.)

(2) IA NOS. 196157, 196158 AND 196159/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O DR. SHARAD GUPTA)

(3) IA NOS. 183912, 183918 183919/2019 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON BEHALF OF DR. SHARAD GUPTA)

(4) IA NOS. 77043, 77049 AND 77053/2020 (APPLNS. FOR IMPLEADMENT, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O DR. SHARAD GUPTA)

(5) IA NOS. 172361, 172378, 172379/2018, 10370 AND 10371 OF 2021 (APPLNS. FOR INTERVENTION, DIRECTIONS AND EXEMPTION FROM FILING O.T. ON B/O AGRA NAGAR NIGAM "ONLY" IN W.P. (C) NO. 13381/1984

Date : 18-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.S. BOPANNA  
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

Counsel for the parties:

Mr. A.D. N. Rao,Adv.

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Mr. Pradeep Misra, AOR

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Mrs. Rachana Joshi Issar, AOR  
Mr. Prashant Kumar, AOR  
Mr. P. Narasimhan, AOR  
Mr. Rajiv Tyagi, AOR  
M/S. Manoj Swarup And Co., AOR  
Mr. Ajay K. Agrawal, AOR  
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Ms. Mridula Ray Bharadwaj, AOR  
Mr. Vedant Bharadwaj, Adv.  
Mr. Shiv Prakash Pandey, AOR  
Mrs. Laxmi Arvind, AOR  
Mrs. Suchitra Atul Chitale, AOR  
Mr. Badri Prasad Singh, AOR  
M/S. Lawyer S Knit & Co, AOR  
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Mr. Abhinav Shrivastava, AOR  
Mr. Abhishek Chaudhary, AOR  
Mr. Saurabh Mishra, AOR  
Mr. Onkar Singh, Adv.  
Ms. Neha Tripathi, Adv.  
Mr. Gaurav Goel, AOR

Mr. Rajesh Kumar, Adv.  
Mr. Anshul Gupta, Adv.  
Mr. Deepesh Raj, Adv.  
Mr. Nihaar Reddy, Adv.

Mr. Nischal Kumar Neeraj, AOR

M/S. Gsl Chambers, AOR

Ms. Aparna Bhat, AOR

Mr. Gaurav Agrawal, AOR

Mr. Arvind Kumar Sharma, AOR

Mr. Shantanu Krishna, AOR

Dr. Manish Singhvi, Sr. Adv.  
Mr. Sandeep Kumar Jha, AOR

UPON hearing the counsel the Court made the following  
O R D E R

**I.A NO. 42482/2020**

List this I.A. after two weeks along with I.A. No. 6853 of 2021 as mentioned by Mr. Abhay Gupta, learned counsel.

**I.A NOS. 196157, 196158 AND 196159/2019**

The proposal in these interlocutory applications may be vetted by Central Empowered Committee (CEC).

Ordered accordingly.

List these I.As after four weeks.

**IA NOS. 183912, 183918 183919/2019**

At the request of Ms. Aishwarya Bhati, learned Additional General for the respondent-State, list these I.As after six weeks.

**I.A NOS. 77043, 77049 AND 77053/2020**

List these I.As along with I.A. No. 11157 of 2019 as mentioned by Ms. Mridula Ray Bhardwaj, learned counsel after four weeks.

I.A NOS. 172361, 172378, 172379/2018, 10370 AND 10371 OF 2021

I.A. No. 172361 of 2021 for intervention is allowed for the purpose of passing orders in the instant interlocutory applications for directions.

By these interlocutory applications for directions, the Agra Nagar Nigam has prayed for permission to establish waste to energy plant & construction and demolition plant in Kuberpur landfill site at Agra.

Mr. Tushar Mehta, learned Solicitor General of India has pointed out to a letter dated 08.01.2021 by which the Vice-Chairman of the Agra Development Authority has written to the Municipal Commissioner, Agra, stating that an application may be filed again in the Taj Trapezium Zone (TTZ) after taking permission from this Court for the establishment of the plant.

We find that this question is squarely covered by our order dated 06.12.2019 in which this Court has clearly stated that there shall be no impediment for the authorities to consider the pending environmental clearance which are necessary to secure essential amenities within Taj Trapezium Zone (TTZ). This Court also observed that not allowing construction of such basic infrastructure can itself create new polluting waste and threaten the environment. We are informed that the Agra Nagar Nigam has obtained all necessary clearances.

In these circumstances, we consider it appropriate to grant the application. The applications for directions are therefore

allowed in terms of prayer 13(a) which reads as under:

"13(a) Allow to the applicant to establish waste to energy plant & construction & demolition plant in Kuberpur landfill site at Agra in accordance with law".

Ordered accordingly.

Rest of the interlocutory applications shall stand disposed of.

(MADHU BALA)  
AR-CUM-PS

(INDU KUMARI POKHRIYAL)  
ASSISTANT REGISTRAR

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**THE TIMES OF INDIA****ANNEXURE-2**

# Supreme Court approves state-of-art waste-to-energy plant in Agra

TNN | Feb 20, 2021, 03.24 PM IST



AGRA: Garbage littered on roads of the city of Taj Mahal may soon be a thing of the past. The Supreme Court has cleared the project for a state-of-the-art waste-to-energy plant in Agra — a first for a city in Uttar Pradesh — which was pending for four years.

According to Agra Municipal Corporation (AMC) officials, the advanced municipal solid waste (MSW) processing plant will be built at the Kuberpur landfill site within the next 14 months.

It will also produce at least 10MW electricity by processing 500 metric tonnes of solid waste.

A huge amount of legacy waste (about 6 lakh tones as per AMC records) has accumulated over a period of time at the landfill site, besides the 700-750 tonnes of mixed MSW that is dumped at the

landfill site every day.

Agra Mayor Naveen Jain said, “Spaak Bresson Private Limited will be setting up a technologically advanced plant at Kuberpur landfill site to extract electric energy out of the MSW. The plant is expected to take 14 months to be erected.

Initially, it will produce at least 10MW of electricity every day.” He added, “The waste-to-energy technology is

especially important for the eco-sensitive Taj Trapezium Zone. Not only will it strengthen the city's solid waste management, but also check air pollution caused by burning of waste."

Additional municipal commissioner K B Singh said, "The technology that Spaak Bresson will adopt for the Agra plant is the same as the Zevo Malescie plant in Prague. It will ensure long-term sustainable solution for the disposal of solid waste, while emissions will meet all regulatory norms and flue gases will be cleaner. The entire plant will be automated and will achieve high efficiency level."

In October 2017, a Power Purchase Agreement (PPA) was signed in Lucknow between Uttar Pradesh Power Corporation Limited (UPPCL) and Spark Bresson, a Czech company, under which UPPCL agreed to purchase electricity produced at the waste-to-energy plant it would set up in Agra.

AMC executive engineer (environment) Rajiv Rathi said, "As per plan, AMC will have to provide at least 500 metric tonnes of solid waste to the concessionaire every day, from which it will produce 10MW of electricity. The amount of electricity produced will increase with rise in quantity of MSW supplied. The electricity produced out of the waste will be transmitted to a local substation. From there, it will be supplied to the power grid and then further distributed."

Explaining the mechanism, Rathi said, "The process of conversion of waste into energy involves combustion of solid waste at high temperature. Mud and stones mixed with waste will not create any problem. Only single-use polythene, metal and some other substances need to be segregated. The company has automatic machines to do the task. Emission of gases in the entire process will meet international standards."

## आगरा में कूड़े से बनेगी बिजली: मुख्यमंत्री ने प्रदेश के पहले वेस्ट टू एनर्जी प्लांट का किया वर्चुअल शिलान्यास

अमर उजाला ब्यूरो, आगरा Published by: मुकेश कुमार Updated Wed, 05 Jan 2022 12:25 AM IST

### आगरा

कूड़े से बिजली बनाने का प्लांट दो साल में बनकर तैयार हो जाएगा। इस प्लांट की क्षमता 15 मेगावाट है, लेकिन शुरुआत में 10 मेगावाट बिजली का उत्पादन किया जा सकेगा। हर दिन 800 मीट्रिक टन कचरे का इस्तेमाल इस प्लांट में किया जाएगा।

मुख्यमंत्री योगी आदित्यनाथ ने मंगलवार को शाम पांच बजे वर्चुअल तरीके से आगरा के कुबेरपुर लैंडफिल साइट पर कूड़े से बिजली बनाने के प्लांट का शिलान्यास किया। 280 करोड़ रुपये की लागत से 11 एकड़ जमीन पर प्लांट दो साल में बनकर तैयार हो जाएगा। सूबे में अपनी तरह के इस पहले प्लांट में प्रति दिन 15 मेगावाट बिजली का उत्पादन करने की क्षमता होगी। हर रोज 800 मीट्रिक टन कचरा निस्तारित किया जा सकेगा।

शिलान्यास के दौरान मुख्यमंत्री को आगरा नगर निगम ने 8 लाख मीट्रिक टन कचरे के पहाड़ हटाकर पार्क बनाने की प्रक्रिया दिखाई। मुख्यमंत्री ने प्रदेश की अन्य योजनाओं का लोकार्पण और शिलान्यास भी किया। उन्होंने आगरा स्मार्ट सिटी योजना के तहत ताज और किले के बीच बनाए गए हेरिटेज वॉक का लोकार्पण भी किया, जिसकी लागत 3.46 करोड़ रुपये है। शाम को नगर निगम सभागार में प्रधानमंत्री आवास योजना के 10 लाभार्थियों को प्रमाणपत्र वितरित किए गए। 235 लाभार्थियों के खातों में रकम ट्रांसफर की गई।

### **विधायक, नगर आयुक्त ने किया भूमि पूजन**

शिलान्यास से पहले दोपहर 3 बजे विधायक रामप्रताप सिंह चौहान और नगर आयुक्त निखिल टी फुंडे ने कुबेरपुर लैंडफिल साइट पर भूमि पूजन किया। कोरोना

संक्रमित होने से मेयर नवीन जैन इसमें शामिल नहीं हो सके। नगर आयुक्त ने बताया कि दो साल में प्लांट पूरा हो जाएगा। एनओसी ली जा रही हैं। चहारदीवारी, पहुंच मार्ग और अन्य निर्माण कार्य शुरू हो चुके हैं।

### **क्लर्क फाइलें न खो सकेंगे, न रोक सकेंगे**

नगर निगम की सभी सेवाएं ऑनलाइन करने के साथ ई-ऑफिस की व्यवस्था शुरू की गई है। मंगलवार शाम को नगर आयुक्त निखिल टी फुंडे ने इसका लोकार्पण किया। इस व्यवस्था में फाइलों के खोने की समस्या नहीं रहेगी। क्लर्क अपने पास तय समय से ज्यादा फाइल रोक भी नहीं सकेंगे।

नगर आयुक्त ने बताया कि इससे समय की बचत होगी। कागज का उपयोग कम होने से आर्थिक बचत भी होगी। एक क्लिक पर पूरी जानकारी मिल पाएगी। कर्मचारी तेजी से काम कर सकेंगे। यूपी डेस्को ने 3.50 लाख फाइलों को डिजिटलाइज्ड कर दिया है। फाइलों के गुम होने या फिर घर ले जाने की प्रवृत्ति पर रोक लगेगी। निगम में ई-मेजरमेंट बुक की शुरुआत हो चुकी है।

### **उपमुख्यमंत्री ने किया 119 कार्यों का शिलान्यास**

उपमुख्यमंत्री केशव प्रसाद मौर्य ने मंगलवार को आगरा में 119 सड़क, सेतु, भवन निर्माण कार्यों का शिलान्यास व 137 सड़कों का लोकार्पण लखनऊ से वर्चुअल किया। उन्होंने कहा कि प्लास्टिक कचरे को समाप्त कर उसका इस्तेमाल सड़क बनाने में किया जा रहा है। पहले चरण में प्रदेश में 1500 किमी. लंबाई में सड़क प्लास्टिक से बनाई जा रही हैं।

सर्किट हाउस में हुए वर्चुअल समारोह में उपमुख्यमंत्री ने 78 किमी लंबाई में बाह, खेरागढ़, फतेहपुर सीकरी, एत्मादपुर, फतेहाबाद, ग्रामीण क्षेत्रों में 26.73 करोड़ रुपये की लागत से बनीं 119 सड़कों का शिलान्यास किया है। वहीं नौ विधान सभा क्षेत्र में 215 किमी लंबाई की 137 सड़कों का लोकार्पण किया। इनकी लागत 44.11 करोड़ रुपये होगी।

# आगरा में कूड़े-कचरे से बनेगी बिजली, CM योगी ने किया 'वेस्ट टू एनर्जी' पावर प्लांट का शिलान्यास

उत्तर प्रदेश में यह चौथा वेस्ट टू एनर्जी प्लांट है. उत्तर प्रदेश नगर विकास विभाग इससे पहले कानपुर, गाजियाबाद और मुजफ्फरनगर में भी वेस्ट टू एनर्जी प्लांट लगाने की मंजूरी दे चुका है.

Edited By: Deepak Kumar Mishra |Reported By: Zee Media Bureau|Last Updated: Jan 04, 2022, 07:20 PM IST

**आगरा:** बिजली उत्पादन में उत्तर प्रदेश को आत्मनिर्भर बनाने के लिए योगी सरकार तेजी से प्रयास कर रही है. इसी क्रम में सरकार कचरे से बिजली तैयार करने की योजनाओं पर काम कर रही है. मुख्यमंत्री योगी आदित्यनाथ ने मंगलवार को आगरा के कुबेरपुर लैंडफिल साइट के 11 एकड़ जमीन पर प्रस्तावित वेस्ट टू एनर्जी पावर प्लांट का वर्चुअली शिलान्यास किया. आगरा के मेयर नवीन जैन मौके पर मौजूद रहे और उन्होंने इस प्रोजेक्ट का भूमि पूजन किया.

इस प्लांट के निर्माण में 280 करोड़ रुपये का खर्च आएगा, जिसकी क्षमता 15 मेगावाट बिजली उत्पादन की होगी. लेकिन शुरुआत में 10 मेगावाट बिजली का उत्पादन किया जाएगा. इस वेस्ट टू एनर्जी प्लांट में हर दिन 800 मीट्रिक टन कचरे का इस्तेमाल होगा. आगरा में हर दिन इतना ही कचरा निकलता है. यह कचरा रोज निस्तारित हो जाएगा और बिजली भी बनेगी, जो शहर के इस्तेमाल में आएगी. इसमें सरकार को कोई लागत नहीं लगानी पड़ेगी

मा० डॉ० अफरोज अहमद, सदस्य/न्यायाधीश, राष्ट्रीय हरित न्यायाधिकरण (एन०जी०टी०) की अध्यक्षता में आहूत जिला पर्यावरण प्रबन्धन योजना की समीक्षा बैठक दिनांक 12.06.2023 का कार्यवृत्त:-

मा० डॉ० अफरोज अहमद, सदस्य/न्यायाधीश, राष्ट्रीय हरित न्यायाधिकरण (एन०जी०टी०) की अध्यक्षता में आहूत जिला पर्यावरण प्रबन्धन योजना की समीक्षा बैठक दिनांक 12.06.2023 को आयोजित की गई जिसमें निम्न अधिकारी/पदाधिकारी उपस्थित रहें:-

1. जिलाधिकारी, आगरा।
2. पुलिस आयुक्त कमिश्नरेट, आगरा।
3. उपाध्यक्ष, आगरा विकास प्राधिकरण, आगरा।
4. अपर नगर आयुक्तनगर निगम, आगरा।
5. प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, आगरा।
6. ACM-1, आगरा।
7. ACM-2, आगरा।
8. अपर पुलिस उपायुक्त, यातायात, आगरा।
9. उप प्रभागीय निदेशक, सामाजिक वानिकी प्रभाग, आगरा।
10. अधिशाषी अभियन्ता, लोक निर्माण विभाग, आगरा।
11. पर्यावरण अभियन्ता, नगर निगम, आगरा।
12. अधिशाषी अभियन्ता, जल निगम, आगरा।
13. जिला सूचना विज्ञान अधिकारी।
14. रीजनल इंस्पेक्टर, सड़क परिवहन कार्यालय।
15. जियोलॉजिस्ट, खनन विभाग।
16. अधिशाषी अभियन्ता, लोअर खण्ड, आगरा नहर, आगरा।
17. उप निदेशक, कृषि, आगरा।
18. जिला खनन अधिकारी, आगरा।
19. क्षेत्रीय अधिकारी, उत्तर प्रदूषण नियंत्रण बोर्ड, आगरा।
20. प्रोजेक्ट मैनेजर, यमुना प्रदूषण नियंत्रण इकाई, आगरा।
21. डिस्ट्रिक्ट प्रोजेक्ट मैनेजर, नगर विकास।
22. श्री जितेन्द्र शर्मा, संयुक्त जैव चिकित्सा व्यवस्था, आगरा।

1. ठोस अपशिष्ट के निस्तारण के सम्बन्ध में- सर्वप्रथम मा० एन०जी०टी० सदस्य द्वारा ठोस अपशिष्ट के सम्बन्ध में पूछे जाने पर नगर निगम के प्रतिनिधि द्वारा नगर निगम आगरा में कराये गये जागरूकता कार्यक्रम और डोर टू डोर कलेक्शन व्यवस्थाओं से अवगत कराया गया। उन्होंने बताया कि 300 वाहन सूखे और गीला कचरा उठाने के कार्य में लगाये गये हैं और 70 से 75 प्रतिशत अपशिष्ट सोर्स पर ही पृथक कर लिया जाता है गीले कचरे को कम्पोस्ट और सूखे कचरे को रिसाइकल द्वारा उपयोग किया जा रहा है। नगर निगम के प्रतिनिधि द्वारा बताया गया कि उनके द्वारा 15 मेगावाट का वेस्ट टू एनर्जी प्लान्ट बनाया जा रहा है, लीगेसी वेस्ट के बारे में बताया कि अभी नगर

निगम का लीगेसी वेस्ट 4.50 लाख टन है तथा उनके द्वारा ज्वलनशील पदार्थों को लैण्ड फिलिन्ग द्वारा निस्तारित किया जा रहा है। नगर निगम में वेस्ट निस्तारण हेतु 37 एकड़ भूमि विक्रयकी है। जिसे मा0 एन0जी0टी0 सदस्य द्वारा वन विभाग के समन्वय से वन हरियाली विकसित करने के निर्देश दिये।

2. नगर निकाय के प्रतिनिधि द्वारा डोर टू डोर कलैक्शन व्यवस्था से अवगत कराया गया कि उनके अन्तर्गत 210 वार्डस हैं जिसमें से 85 वार्डस में सोर्स पर ही पृथकरण हो रहा है। अभी नगर निकाय के पास ठोस अपशिष्ट के निस्तारण हेतु 5 टी0पी0डी0 के 11 एम0आर0एफ0 है। सदस्य द्वारा लीगेसी वेस्ट के बारे में पूछे जाने पर बताया गया कि नगर निकाय के 6 लीगेसी वेस्ट प्लान्ट्स हैं जिसमें से दो 5 टी0पी0डी0, दो- 10 टी0पी0डी0, दो- 15टी0पी0डी0 क्षमता वाले हैं।
3. प्लास्टिक वेस्ट के पूछे जाने पर नगर निकाय के सदस्य से पूछे जाने पर बताया गया कि उनके द्वारा पंचायतों में 11 प्लास्टिक वेस्ट कलैक्शन सेन्टर विकसित किये गये हैं। मा0 एन0जी0टी0सदस्य द्वारा प्लास्टिक वेस्ट से होने वाले नुकसान और इससे पर्यावरण को होने वाली क्षति से अवगत कराकर जागरूक कराये जाने के निर्देश दिये इसके साथ ही उत्तर प्रदेश के शासनादेश के अनुसार 120 माइक्रोन थिकनेस वाली प्लास्टिक को ही उपयोग करने और ऐसा न होने पर उस पर तुरन्त कार्यवाही करने के निर्देश दिये।
4. सीवेज ट्रीटमेंट के बारे में नगर निकाय के प्रतिनिधि द्वारा बताया गया कि दयालबाग में नगर पालिका में 4 ऑक्सीडेसन तालाब द्वारा सीवेज का निस्तारण किया जा रहा है। इसके अलावा शमसाबाद नगर पालिका परिसर में 10 एम0एल0डी0 का वेस्ट ट्रीटमेंट प्लान्ट है। जिसके द्वारा किसानों को वेस्ट खाद के रूप में उपयोग करा लाभान्वित किया जा रहा है जिसके सम्बन्ध में मा0 एन0जी0टी0 सदस्य द्वारा नगर निकायों को लाभान्वित किसानों को की संख्या का दस्तावेज तैयार करने के निर्देश दिये गये।
5. मा0 एन0जी0टी0 सदस्य द्वारा प्रचीन प्रथाओं जैसे - लैदर और प्लास्टिक बैग की जगह झोला और दावतों में प्रयोग होने वाले स्टायरोफॉम की प्लेट्स की जगह पत्ते की बनी प्लेट्स का उपयोग किये जाने के सुझाव दिये गये उनके द्वारा सम्बन्धित विभागों को अन्य प्रदेशों का उदाहरण देते हुए लोगों के उपयोग हेतु उनकी जरूरतानुसार झोला डिजायन करने के सुझाव दिये जिससे कि लोग उनका ज्यादा से ज्यादा उपयोग करें। मा0 एन0जी0टी0 सदस्य द्वारा इंदौर और अहमदाबाद के मॉडलस को अपनाते हुए कचरा व्यवस्था करने के निर्देश दिये।

(कार्यवाही विभाग- नगर निगम, आगरा)

और नगर निकाय , आगरा )

मा0एन0जी0टी0सदस्य द्वारा ई-वेस्ट निस्तारण केबारे मेंपूछे जाने पर यू0पी0पी0सी0बी0केप्रतिनिधि द्वारा बताया गया कि ई-वेस्ट 3 डिस्मेन्टरल एजेन्सी द्वारा निस्तारित कराया जा रहा है और ई-वेस्टके लिएजागरूकता कार्यक्रम भी आयोजित कराये जा रहे हैं। इस पर मा0एन0जी0टी0 सदस्य द्वारा एकत्रित ई-वेस्ट को पृथक करके एजेन्सी को हस्तगत करने के सुझाव दिये गये तथा लोगोंको ई-वेस्ट से होने वालेनुकसान बताकर जागरूकता कराने के निर्देश दिये।

(कार्यवाही विभाग- उत्तर प्रदेश  
प्रदूषण नियंत्रण बोर्ड, आगरा व अन्य  
सम्बन्धित विभाग)

6. फलड प्लेन जोन व तालाबों के पुनर्जीविकरण के सम्बन्ध में सिंचाई विभाग द्वारा अवगत कराया गया कि फलड प्लेन जोन निर्धारण का काम 30 जून, 2023 तक पूर्ण कर लिया जायेगा। जिस पर मा0एन0जी0टी0 सदस्य द्वारा यमुना नदी के किनारे 200मी0 के क्षेत्र में नौ डबलपमेन्ट जोन का बोर्ड लगाया जाय जिससे अतिक्रमण से बचाव हो सके और अतिक्रमण होने पर तुरन्त कार्यवाही के सख्त निर्देश दिये।मा0 एन0जी0टी0 सदस्य द्वारा ग्राउण्ड वॉटर लेवल बड़ा होने की प्रशसा की गई तथा जैव विविधिता के संरक्षण के लिए झीलों व तालाबों को चिन्हित कर पुनर्जीवित करने के निर्देश दिये गये, जैव विविधिता के महत्व को बताया और जैव विविधिता पार्क बनाने के निर्देश दिये। शहर में होटल्स, मैरिज हॉम व हॉस्पीटल के निर्माण की अनुमति देने से पहले ए0डी0ए0 को ग्राउण्ड वॉटर रिचार्ज व्यवस्था जांचने के निर्देश दिये।

(कार्यवाही विभाग- सिंचाई विभाग, आगरा  
विकास प्राधिकरण, जलकल विभाग व अन्य सम्बन्धित  
विभाग )

8जनपद में प्रमाहित नाले जो सीधे यमुना नदी में मिल रहे हैं मा0 एन0जी0टी0 सदस्य द्वारा यमुना नदी में सीधे मिलने वाले नालों के सम्बन्धमें पूछे जाने पर नगरनिगम द्वारा बताया गया कि शहर में 90 नाले हैं जोकि यमुनानदीमें मिलते हैं जिसमें से 19 नालों को टैचड कर लिया गया है। जिस पर मा0 एन0जी0टी0 सदस्य द्वारा प्रशंसा व्यक्त की गयी।

जल निगम द्वारा बताया गया कि विभाग के पास 9 एस0टी0पी0 है। जिनकी कुल क्षमता 227 एम0एल0डी0 है। मा0 एन0जी0टी0 सदस्य द्वारा नालों की दिशा को

परिवर्तित कर कृषि भूमि में उपयोग में लाये जाने के निर्देश दिये गये तथा सभी एस0टी0पी0 ट्रीटेड वॉटर जहाँ यमुना में मिलता है वहाँ जीवो टैगिंग करने के निर्देश दिये गये।

(कार्यवाही विभाग— सिंचाई विभाग,  
नगरनिगम, जल निगम व अन्य सम्बन्धित  
विभाग )

9 जैवचिकित्सा अपशिष्ट के निस्तारण के सम्बन्ध में पूछे जाने पर अपर मुख्य चिकित्साधिकारी द्वारा बताया गया कि 1800 कि०ग्रा० अपशिष्ट रोज अस्पतालों से निकल रहा है अस्पतालों से निकलने वाले अपशिष्ट को वार कोडिंग के द्वारा स्कैन कर निस्तारण हेतु भेजा जा रहा है। जैवचिकित्सा अपशिष्ट के सम्बन्ध में मा० एन०जी०टी० सदस्य द्वारा 10 से अधिक वैड वाले अस्पतालों का सत्यापन करने के निर्देश दिये गये साथ ही अवगत कराया गया कि जैवचिकित्सा अपशिष्टपशु स्वास्थ्य के लिये बहुत ही खतरनाक अपशिष्ट है इसलिए सभी अस्पतालों से निकलने वाले जैवचिकित्सा अपशिष्ट का तकनीकी रूप से निस्तारण करना चाहिए और जनपद का एक भी अस्पताल जैवचिकित्सा अपशिष्ट इससे वंचित नहीं रहना चाहिए।

(कार्यवाही विभाग— उत्तर प्रदेश  
प्रदूषण नियंत्रण बोर्ड, आगरा व मुख्य  
चिकित्साधिकारी, आगरा)

10 जनपद के बीहड़ क्षेत्रों में विलायती बबूल की चर्चा पर मा० एन०जी०टी० सदस्य द्वारा बताया कि विलायती बबूल मिट्टी को बंधे रखता है ,हवा से प्रेरित मिट्टी के कटाव को कम करके उसका अपक्षरण होने से बचाता है तथा मिट्टी का पोषण करता है अतः जनपद के बीहड़ क्षेत्र जहाँ इसके अलावा कोई प्रजाति अच्छी बढ़त प्राप्त नहीं कर पा रही है वहाँ इसे पूर्ण रूप से हटाया जाना उचित नहीं है।

बैठक के अन्त में मा० एन०जी०टी० सदस्य द्वारा क्योंकि अलग-अलग विभाग अलग-अलग विषयों में विशेषज्ञ हैं, सभी विभागों को एक-दूसरे से सलाह और सुझाव लेकर कार्य करने के सुझाव दिये साथ ही आगरा जनपद द्वारा किये गये कार्यों की प्रशंसा की गई। मा० एन०जी०टी० सदस्य द्वारा बताया गया कि अगर इस प्राकृतिक धरोहर की रक्षा नहीं की गयी तो प्रकृति के पास कोरोना जैसे कई हथियार हैं जिनका प्रहार भविष्य में कभी भी हो सकता है इसलिये सभी अधिकारियों से पर्यावरण को एक

धर्म की तरह समझे जाने, प्राकृतिक संसाधनों को संतुलित प्रयोग करने, और पर्यावरण को सामूहिक जिम्मेदारी समझकर अच्छी तरह से निभाने की अपेक्षा की गई।

*AK*  
(आदर्श कुमार)  
प्रभागीय निदेशक  
सामाजिक वानिकी प्रभाग, आगरा।

कार्यालय प्रभागीय निदेशक सामाजिक वानिकी प्रभाग, आगरा  
पत्रांक 6000 / 29-1 आगरा, दिनांक, 23/01/2023.

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. वन संरक्षक, आगरा वृत्त, आगरा।
2. जिलाधिकारी, आगरा।
3. पुलिस आयुक्त कमिश्नरेट, आगरा।
4. उपाध्यक्ष, आगरा विकास प्राधिकरण, आगरा।
5. अपर जिलाधिकारी, वित्त एवं राजस्व, आगरा।
6. मुख्य चिकित्साधिकारी, आगरा।
7. अधिशाषी अभियन्ता, लोक निर्माण विभाग, आगरा।
8. अधिशाषी अभियन्ता, लोअर खण्ड, आगरा नहर, आगरा।
9. उप निदेशक, कृषि, आगरा।
10. समस्त अधिशासी अधिकारी, नगर पालिका/नगर पंचायत, आगरा।
11. अपर पुलिस उपायुक्त, यातायात, आगरा।
12. जिला खनन अधिकारी, आगरा।
13. पर्यावरण अभियन्ता, नगर निगम, आगरा।
14. अधिशाषी अभियन्ता, जल निगम, आगरा।
15. क्षेत्रीय अधिकारी, उत्तर प्रदूषण नियंत्रण बोर्ड, आगरा।
16. श्री जितेन्द्र शर्मा, संयुक्त जैव चिकित्सा व्यवस्था, आगरा।
17. जिला सूचना विज्ञान अधिकारी।
18. रीजनल इंस्पेक्टर, सड़क परिवहन कार्यालय।
19. अपर नगर आयुक्तनगर निगम, आगरा।

*AK*  
(आदर्श कुमार)  
प्रभागीय निदेशक  
सामाजिक वानिकी प्रभाग, आगरा।

Subject: Fwd: Regarding delay in commissioning of waste to energy plant at Kuberpur landfill site in Agra, which has led to accumulation of huge amount of legacy waste, becoming a health hazard to the people of Agra.

From: Public Complaints <prc.cpcb@nic.in> on Mon, 05 Feb 2024 16:49:35

To: ms@uppcb.in

Cc: cpcb.lucknow@gmail.com, "CPCB RD LUCKNOW" <rdlucknow.cpcb@gov.in>, "D K Soni" <dksoni.cpcb@nic.in>, sharadguptashikha@rediffmail.com

 1 attachment(s) - DR.\_SHARAD\_GUPTA\_COMP\_DT.\_28.01.2024.pdf (7.44MB)

महोदय/महोदया

केंद्रीय प्रदूषण नियंत्रण बोर्ड में प्राप्त शिकायत को जांच एवं आवश्यक कार्रवाई हेतु अग्रसारित किया जाता है। शिकायत की जांच तथा कार्रवाई की सूचना प्रेषित करने का कष्ट करे।

सादर,

लोक शिकायत प्रकोष्ठ  
सदस्य सचिव कार्यालय  
केंद्रीय प्रदूषण नियंत्रण बोर्ड  
दिल्ली

---

**From:** "MS, CPCB" <mscb.cpcb@nic.in>

**To:** "Public Complaints" <prc.cpcb@nic.in>

**Sent:** Monday, January 29, 2024 1:04:08 PM

**Subject:** Fwd: Regarding delay in commissioning of waste to energy plant at Kuberpur landfill site in Agra, which has led to accumulation of huge amount of legacy waste, becoming a health hazard to the people of Agra.

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**From:** "Atul Singh Bisht" <atul.bisht@gov.in>

**To:** "Naresh Pal Gangwar" <asnpg.mefcc@gov.in>

**Cc:** "MS, CPCB" <mscb.cpcb@nic.in>

**Sent:** Monday, January 29, 2024 10:53:59 AM

**Subject:** Fwd: Regarding delay in commissioning of waste to energy plant at Kuberpur landfill site in Agra, which has led to accumulation of huge amount of legacy waste, becoming a health hazard to the people of Agra.

O/o Additional Secretary (TK) & Addl. Charge Chairman, CPCB

M/o Environment, Forest & Climate Change

Tel.No.20819211, 20819176

I.Com, 2519, 2520, 2522

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**From:** "Ms Leena Nandan" <secy-moef@nic.in>

**To:** "Mr Tanmay Kumar" <tanmay.kumar-rj@gov.in>

**Sent:** Monday, January 29, 2024 9:15:06 AM

**Subject:** Fwd: Regarding delay in commissioning of waste to energy plant at Kuberpur landfill site in Agra, which has led to accumulation of huge amount of legacy waste, becoming a health hazard to the people of Agra.

Office of Secretary

Ministry of Environment, Forest and Climate Change  
4th Floor, Prithvi Wing  
Indira Paryavaran Bhawan  
Jor Bagh Road, New Delhi - 110003  
Tel.No.: +91-11-20819308  
+91-11-20819408  
Fax No.: +91-11-20819238

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**From:** [sharadguptashikha@rediffmail.com](mailto:sharadguptashikha@rediffmail.com)

**To:** "Commissioner Agra" <[commagr@nic.in](mailto:commagr@nic.in)>, [ttzpmu2@gmail.com](mailto:ttzpmu2@gmail.com), "Ms Leena Nandan" <[secy-moef@nic.in](mailto:secy-moef@nic.in)>, "CHIEF SECRETARY GoUP" <[csup@nic.in](mailto:csup@nic.in)>, [soenvups@rediffmail.com](mailto:soenvups@rediffmail.com), "Sanjiv Saran" <[psecforest-up@nic.in](mailto:psecforest-up@nic.in)>, [ms@uppcb.in](mailto:ms@uppcb.in), [ms@uppcb.com](mailto:ms@uppcb.com), [amcagra1@gmail.com](mailto:amcagra1@gmail.com), [mcmehta@mcmeef.org](mailto:mcmehta@mcmeef.org), [angpartnerslawyers@gmail.com](mailto:angpartnerslawyers@gmail.com)

**Sent:** Sunday, January 28, 2024 2:01:37 PM

**Subject:** Regarding delay in commissioning of waste to energy plant at Kuberpur landfill site in Agra, which has led to accumulation of huge amount of legacy waste, becoming a health hazard to the people of Agra.

Dear Sir/Madam,

Kindly take the reference of my attached letter dated 28.01.2024 regarding the issue mentioned above and please take appropriate action accordingly.

Sincerely Yours,

Dr. Sharad Gupta

24 Heerabagh colony,

Dayalbagh, Agra -282 005

Mob. No. 9837036270

EMail- [sharadguptashikha@rediffmail.com](mailto:sharadguptashikha@rediffmail.com)

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## ANNEXURE R-7

E-mail-roagra@uppcb.in



क्षेत्रीय कार्यालय, उ०प्र० प्रदूषण नियंत्रण बोर्ड,  
भवन सं० 14, सेक्टर 3बी, आवास विकास सिकन्दरा योजना, आगरा।

पत्रांक - 2154/ओजी-27/2024

दिनांक - 06/02/2024

सेवा में,

नगर आयुक्त,  
नगर निगम,  
आगरा।

**विषय:- Regarding delay in commissioning of waste to energy plant at Kuberpur landfill site in Agra, which has led to accumulation of huge amount of legacy waste, becoming a health hazard to the people of Agra.**

महोदय,

कृपया उपरोक्त विषयक डॉ० शरद गुप्ता का पत्र दिनांक 28.01.2024 वेस्ट मैनेजमेंट डिवीजन-1, उ०प्र० प्रदूषण नियंत्रण बोर्ड मुख्यालय, लखनऊ द्वारा दिनांक 06.02.2024 को ई-मेल के माध्यम से कार्यालय में प्राप्त है, जो कि लोक शिकायत प्रकोष्ठ, सदस्य सचिव कार्यालय, केन्द्रीय प्रदूषण नियंत्रण बोर्ड दिल्ली के माध्यम से बोर्ड मुख्यालय में प्राप्त हुयी है। डॉ० शरद गुप्ता, 24, हीराबाग कालोनी, दयालबाग, आगरा द्वारा अपने पत्र में मा० सर्वोच्च न्यायालय द्वारा दिनांक 18.02.2021 को कुबेरपुर लैंडफिल साइट पर वेस्ट-टू-एनर्जी प्लान्ट स्थापित किये जाने के सम्बन्ध में पारित आदेशों के क्रम में नगर निगम, आगरा द्वारा वेस्ट-टू-एनर्जी प्लान्ट की स्थापना एवं कमीशनिंग न करने के कारण जन स्वास्थ्य पर विपरीत प्रभाव पड़ने एवं स्वच्छ सर्वेक्षण -2023 में 85वीं रैंक आने के सम्बन्ध में अवगत कराया गया है एवं वेस्ट-टू-एनर्जी प्लान्ट की स्थापना एवं संचालन समयबद्ध रूप से न किये जाने के सम्बन्ध में सम्बन्धित के विरुद्ध नियमानुसार कार्यवाही करने की अपेक्षा की गयी है (छायाप्रति संलग्न)।

उपरोक्त परिप्रेक्ष्य में आपसे अनुरोध है कि डॉ० शरद गुप्ता के पत्र दिनांक 28.01.2024 में उल्लिखित बिन्दुओं पर आवश्यक कार्यवाही करने एवं कृत कार्यवाही से इस कार्यालय को भी अवगत कराने का कष्ट करें।

भवदीय

संलग्नक:-उपरोक्तानुसार।

(डा० विश्वनाथ शर्मा)  
क्षेत्रीय अधिकारी

प्रतिलिपि:-

1. मुख्य पर्यावरण अधिकारी, डब्ल्यू०एम०डी० (प्रथम), उ०प्र० प्रदूषण नियंत्रण बोर्ड, लखनऊ को उक्त संदर्भित शिकायती पत्र के अनुक्रम में सादर सूचनार्थ प्रेषित।
2. डॉ० शरद गुप्ता, 24, हीराबाग कालोनी, दयालबाग, आगरा (मा०न०-9837036270) को शिकायती पत्र दिनांक 28.01.2024 के अनुक्रम में सूचनार्थ प्रेषित।

06/02/24  
क्षेत्रीय अधिकारी



सेवा में

डॉ० शारद गुप्ता,  
२५, हिराकाठा कार्पोनी, दयालबाग,

पंजीकृत

आगरा २८२००८  
(फोन-९८३७०३६२७०)

२०

क्षेत्रीय कार्यालय  
डॉ. प्र. परबण नियन्त्रण बोर्ड,  
म. नं. १४, सैक्टर-३ बी,  
आवास विकास सिकन्दरा योजना  
फोन नं-२८२००७  
०९६२-३५५६२५९

493



Aditya Tainguriya &lt;aditya.angpartners@gmail.com&gt;

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**Service : Rejoinder Affidavit on b/o Applicant to the Reply filed by R-6, TTZ Authority in the OA No. 664/2024 titled as "Dr. Sharad Gupta vs. MOEF & CC & Ors"**

1 message

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**Aditya Tainguriya** <aditya.angpartners@gmail.com>  
To: Saumitra Jaiswal <saumitra.jaiswal@gmail.com>  
Cc: Anshul Gupta <angpartnerslawyers@gmail.com>

Wed, Apr 23, 2025 at 5:30 PM

Dear Sir/Madam,

Please find attached the Rejoinder affidavit on behalf of Applicant to the Reply filed by Respondent No. R-6, TTZ Authority in the above mentioned matter.

**Regards****Aditya Tainguriya**

Associate

ANG Partners (Advocates &amp; Solicitors)

C-38, LGF, Panchsheel Enclave,

New Delhi- 110017

+91-9205089671 (O)

**Rejoinder to R-6 TTZ Authority Reply in OA 664 of 2024.pdf**

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