

**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**

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

Date: 21.04.2025

Place: New Delhi

(O): 011-47015418 (M) 9205089671
Email Id: angpartnerslawyers@gmail.com

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...RESPONDENTS

**REJOINDER ON BEHALF OF THE APPLICANT TO THE REPLY FILED
BY THE RESPONDENT NO. 7 I.E. AGRA MUNICIPAL CORPORATION**

MOST RESPECTFULLY SHOWETH:

PRELIMINARY SUBMISSIONS:

1. That the Counter Affidavit filed by the Respondent No. 7 i.e Agra Municipal Corporation is not only misconceived but also evasive and baseless. The contentions of the Respondent Corporation 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 dated 03.02.2025 filed by the Respondent No. 7 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, with a mala fide intention to mislead this Hon'ble Tribunal, the Respondent Corporation has annexed photographs purportedly taken from specific angles to portray cleared land at the Kuberpur landfill site, suggesting reclamation through the processing of accumulated waste. However, the geotagging photographs dated 14.03.2025 unequivocally depict a veritable mountain of accumulated waste still exist at the landfill site, belying the Respondent's claims.

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

Furthermore, the Applicant avers that the Respondent Corporation has engaged in the deceptive practice of spreading fresh soil over the accumulated waste and planting green grass on top, with the intent to misguide this Hon'ble Tribunal into believing that the accumulated waste has been properly treated or composted. The reality, however, is markedly different. The Applicant asserts that once the fresh soil cover is eroded during the rainy season, the underlying accumulated waste will be exposed, leading to the inevitable discharge of leachate. This leachate poses a significant and imminent risk of contaminating the surrounding soil and

groundwater, thereby transforming the site into a potential source of long-term environmental hazard. Such disingenuous practices not only fail to address the core issue of waste management but also create a false and misleading impression of remediation, while simultaneously exacerbating ecological and public health risks.

Geotagging Photograph dated 14.03.2025 depict heaps of MSW covered by soil and grass has been grown over it, is marked and annexed *hereto* as **ANNEXURE R-2**.

4. It is further submitted that the **Respondents No. 4 and 5, i.e., CPCB and UPPCB, have, in their respective Replies, submitted 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.**

Moreover, it is also submitted that the aforementioned Respondents have also stated that the Respondent Corporation has 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-3 (Colly)**.

5. That in Reply to the contents of paragraph 9 of the Reply, it is 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.

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.”

It is submitted 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 mentioned in 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.

PARA WISE REPLY

6. That the contents of paragraph 1, 2 and 3 of the Reply need no comments.
7. That in Reply to the contents of paragraph 4 of the Reply, it is submitted that the Respondent Corporation has miserably failed to process the legacy waste till date, in contravention of the statutory timelines prescribed under the Solid Waste Management Rules, 2016 (hereinafter referred to as "SWM Rules 2016"). That specifically refers to Serial No. 11 of Rule 22 of the SWM Rules 2016, which mandates the clearance of legacy waste within 5 years of the commencement of the Rules, a deadline that expired on **07.04.2021**.

A copy of relevant portion of SWM Rules, 2016 is marked and annexed herewith as **ANNEXURE R-4**.

It is further submitted that, vide order dated 15.03.2021 passed in **O.A. No. 176 of 2020** titled "**Social Action for Forest and**

Environment (SAFE) vs. Union of India & Others”, this Hon’ble Tribunal observed that the report of CPCB dated 01.02.2021 revealed that *the representative of the waste processing firm informed that the remaining portion of MSW legacy waste will be processed in approximately 12 more months*, which timeline expired in February 2022.

A copy of said Order dated 15.03.2021 passed by this Hon’ble Tribunal is marked and annexed herewith as **ANNEXURE R-5**.

It is pertinently submitted that the failure of the Respondent Corporation to process the Municipal Waste in the manner and within the timelines prescribed under the aforesaid SWM Rules 2016 constitutes not only a grave violation of the fundamental right of citizens to a clean environment, as enshrined under Article 21 of the Constitution of India, but also a violation of the statutory Rules under the Environment (Protection) Act, 1986 (EP Act) for which penal action against the Respondent should be initiated because such act leads to serious harm to public health and the environment.

It is further 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.

8. That the contents of paragraphs 5, 6, 7 and 8 of the Reply need no comments.
9. That in Reply to the contents of paragraph 9 of the Reply, it is 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.

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.”

It is submitted 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-6**.

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-7**.

10. That the contents of Para 10 are incorrect, vague and vehemently denied. It is submitted that, with a mala fide intention to mislead this Hon'ble Tribunal, the Respondent Corporation filed photographs purportedly taken from specific angles showing the cleared land at the Kuberpur landfill site reclaimed by processed accumulated waste. In stark contrast, the geotagging photographs dated 14.03.2025 clearly depict a mounting of accumulated waste in a substantial quantity still existing at the landfill site, while the Respondent Corporation, in their Reply, undertakes that the remaining waste would be remediated by the end of February 2025, a claim that is demonstrably false.

It is further submitted that the Respondent Corporation has spread fresh soil over the accumulated waste and planted green grass on top of it to misguide this Hon'ble Tribunal into believing that the accumulated waste has been properly treated or composted. However, the reality is quite different, as is evident from the photographs annexed *herein*, as well as from the photographs annexed in the Replies of Respondents No. 4 and 5, i.e., CPCB and UPPCB, respectively.

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

It is further submitted that once the fresh soil is washed away during the rainy season, the underlying accumulated waste will be exposed, leading to the discharge of leachate. This leachate poses a serious risk of contaminating the surrounding soil and groundwater, turning the site into a potential source of long-term environmental hazard. Such practices not only fail to address the core issue of waste management but also create a false sense of remediation while exacerbating ecological and public health risks.

11. That the contents of Para 11 of the Reply are incorrect, vague, and vehemently denied. It is submitted that it is a submitted fact by the Respondent No. 4, i.e., CPCB, under sub-para vii of Para 8 of their Reply Affidavit, wherein they explicitly stated that the Respondent Corporation has miserably failed to furnish the Compliance Status of Directions dated 27.01.2021 and 26.05.2022 issued by CPCB for biomining of legacy waste & management of fire incidents, respectively.
12. That the contents of Para 12 of the Reply are incorrect, vague and vehemently denied. It is submitted that, with the intention to mislead this Hon'ble Tribunal, the Respondent Corporation placed on record the photographs purportedly from the specific angles to create a view showing that a large area of land reclaimed by processed accumulated waste at the Kuberpur site

13. That the contents of Para 13 to Para 17 of the Reply are incorrect, vague, and vehemently denied. It is submitted that, despite sheer wastage of crores of public money, till date, the Respondent Corporation has miserably failed to ensure the segregation of wet and dry waste at the pickup point and has also failed to ensure the timely collection and transportation of the collected waste to the landfill site.
14. That the contents of paragraph 18 of the Reply need no comments.
15. That the contents of Para 19 to Para 24 of the Reply are incorrect, vague, and vehemently denied. 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.

16. That the contents of Para 25 to Para 27 of the Reply are incorrect, vague, and vehemently denied. 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.
17. That the contents of Para 28 of the need no comments.
18. That the contents of Para 29 are incorrect, vague and vehemently denied. The Applicant herein has clarified the correct position in Para 9 and 10 of this Rejoinder.
19. That the contents of Para 30 of the Reply are incorrect, vague and vehemently denied. It is submitted that it is a submitted fact by the Respondent No. 4, i.e., CPCB, under sub-para vii of Para 8 of their Reply Affidavit, wherein they explicitly stated that the Respondent Corporation has miserably failed to furnish the Compliance Status of Directions dated 27.01.2021 and 26.05.2022

issued by CPCB for biomining of legacy waste & management of fire incidents, respectively.

20. That the contents of Para 31 of the Reply merit no reply
21. That the contents of Para 32 of the Reply are incorrect, vague and vehemently denied. The Applicant herein has clarified the correct position in Para 15 of this Rejoinder.
22. That the contents of Para 33 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 they have 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-8 (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-9**.

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-10**.

23. That the contents of Para 34 are incorrect, vague and vehemently denied. The Applicant herein has clarified the correct position in Para 15 of this Rejoinder.
24. That the contents of Para 35 are incorrect, vague and vehemently denied. It is submitted that it is a submitted fact by the Replies of Respondents No. 4 and 5, i.e., CPCB and UPPCB, whereby they 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.
25. That the contents of Para 36 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.

26. That the contents of Para 37 of the Reply are incorrect, vague and vehemently denied. It is submitted that the Respondent Corporation has a duty to ensure the timely implementation and monitoring of environment laws and rules. The failure of the Respondent Corporation, apart from the violation of the fundamental right of citizens to a clean environment, is also a violation of the statutory Rules under the Environment (Protection) Act, 1986 (EP Act), which is a serious offense, for which they must be punished as per extant laws.
27. That the contents of Para 38 of the Reply merit no reply.
28. That the contents of Para 39 of the Reply are incorrect, vague, and vehemently denied. It is submitted that the Respondent Corporation, along with other Respondents, are attempting to evade responsibility for their failure to comply with the SWM Rules 2016.
29. 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. 7 i.e Agra Municipal Corporation 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

Date: 21.04.2025

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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

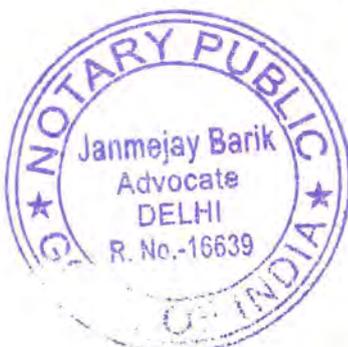
VERIFICATION:-

Verified at Delhi on this 11 day of APR, 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.

11 APR 2025



DEPONENT



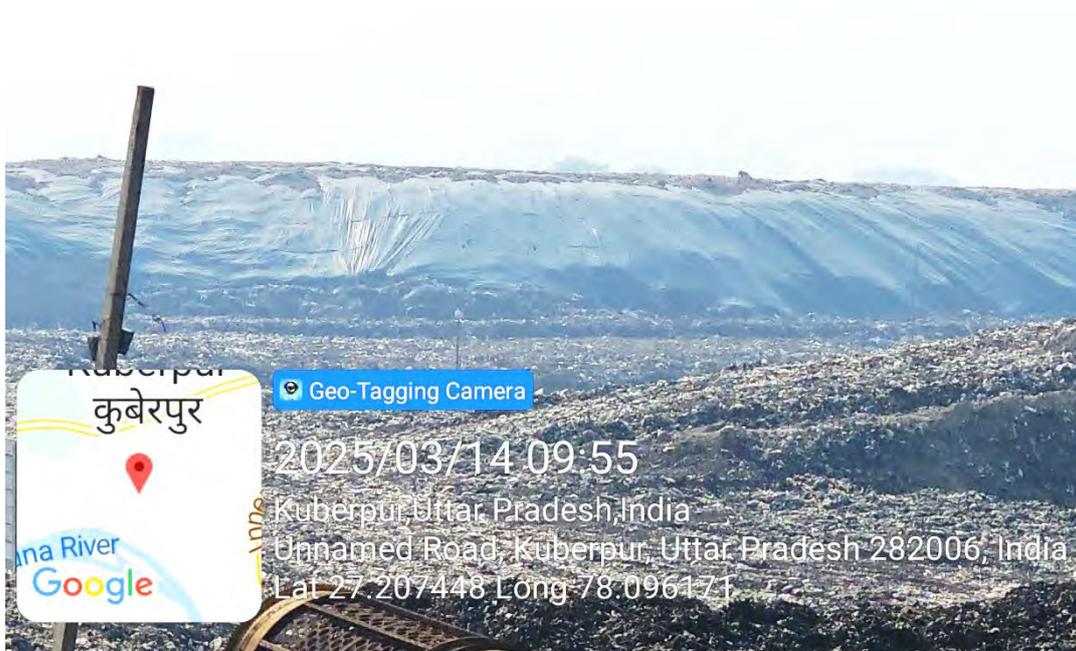
ATTESTED


NOTARY PUBLIC INDIA

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

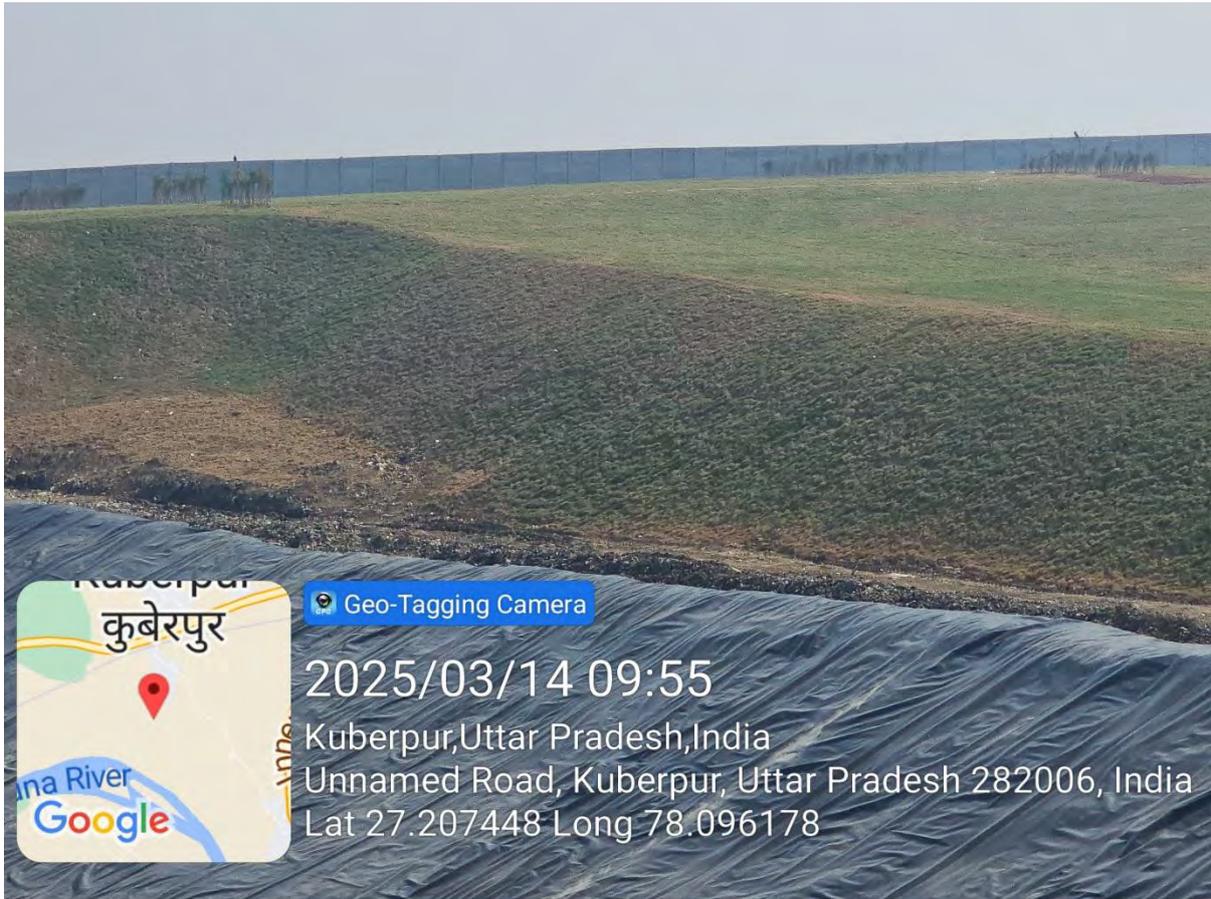
ANNEXURE R-1 (Colly)

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



ANNEXURE R-3 (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.





नगरपालिकाओं की कुल संख्या:

प्रस्तुत की गई कार्य योजना की संख्या:

प्ररूप-VI

[नियम 25 देखें]

दुर्घटना का प्रतिवेदन

1.	दुर्घटना की तारीख और समय	:	
2.	दुर्घटना के लिए कारकों का अनुक्रम	:	
3.	दुर्घटना में शामिल अपशिष्ट	:	
4.	मानव स्वास्थ्य और पर्यावरण पर दुर्घटनाओं के प्रभावों का मूल्यांकन	:	
5.	किए गए आपातकालीन उपाय	:	
6.	दुर्घटनाओं के प्रभावों को कम करने के लिए उठाए गए कदम	:	
7.	ऐसी किसी दुर्घटना की पुनरावृत्ति को रोकने के लिए उठाए गए कदम	:	
तारीख		हस्ताक्षर	
स्थान		पदनाम	

[फा. सं.18-3/2004-एचएसएमडी]

विश्वनाथ सिन्हा, संयुक्त सचिव

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

NOTIFICATION

New Delhi, the 8th April, 2016

S.O. 1357(E).—Whereas the draft of the Solid Waste Management Rules, 2015 were published under the notification of the Government of India in the Ministry of Environment, Forest and Climate Change number G.S.R. 451 (E), dated the 3rd June, 2015 in the Gazette of India, part II, Section3, sub- section (i) of the same date inviting objections or suggestions from the persons likely to be affected thereby, before the expiry of the period of sixty days from the publication of the said notification on the Solid Waste Management Rules, 2015 in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000;

And whereas, copies of the said Gazette were made available to the public on the 3rd June, 2015;

And whereas, the objections or comments received within the stipulated period were duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sections 3, 6 and 25 of the Environment (Protection) Act, 1986 (29 of 1986) and in supersession of the Municipal Solid Waste (Management and Handling) Rules, 2000, except as respect things done or omitted to be done before such supersession, the Central Government hereby makes the following rules for management of Solid Waste, namely:-

- (3) The operator of the facility shall obtain necessary approvals from the State Pollution Control Board or Pollution Control Committee.
- (4) The State Pollution Control Board or Pollution Control Committee shall monitor the environment standards of the operation of the solid waste processing and treatment facilities.
- (5) The operator of the facility shall be responsible for the safe and environmentally sound operations of the solid waste processing and or treatment facilities as per the guidelines issued by the Central Pollution Control Board from time to time and the Manual on Municipal Solid Waste Management published by the Ministry of Urban Development and updated from time to time-
- (6) The operator of the solid waste processing and treatment facility shall submit annual report in Form III each year by 30th April to the State Pollution Control Board or Pollution Committee and concerned local body.

20. Criteria and actions to be taken for solid waste management in hilly areas.- In the hilly areas, the duties and responsibilities of the local authorities shall be the same as mentioned in rule 15 with additional clauses as under:

- (a) Construction of landfill on the hill shall be avoided. A transfer station at a suitable enclosed location shall be setup to collect residual waste from the processing facility and inert waste. A suitable land shall be identified in the plain areas down the hill within 25 kilometers for setting up sanitary landfill. The residual waste from the transfer station shall be disposed of at this sanitary landfill.
- (b) In case of non-availability of such land, efforts shall be made to set up regional sanitary landfill for the inert and residual waste.
- (c) Local body shall frame Bye-laws and prohibit citizen from littering wastes on the streets and give strict direction to the tourists not to dispose any waste such as paper, water bottles, liquor bottles, soft drink canes, tetra packs, any other plastic or paper waste on the streets or down the hills and instead direct to deposit such waste in the litter bins that shall be placed by the local body at all tourist destinations.
- (d) Local body shall arrange to convey the provisions of solid waste management under the bye-laws to all tourists visiting the hilly areas at the entry point in the town as well as through the hotels, guest houses or like where they stay and by putting suitable hoardings at tourist destinations.
- (e) Local body may levy solid waste management charge from the tourist at the entry point to make the solid waste management services sustainable.
- (f) The department in- charge of the allocation of land assignment shall identify and allot suitable space on the hills for setting up decentralised waste processing facilities. Local body shall set up such facilities. Step garden system may be adopted for optimum utilisation of hill space.

21. Criteria for waste to energy process.- (1) Non recyclable waste having calorific value of 1500 K/cal/kg or more shall not be disposed of on landfills and shall only be utilised for generating energy either or through refuse derived fuel or by giving away as feed stock for preparing refuse derived fuel.

- (2) High calorific wastes shall be used for co-processing in cement or thermal power plants.
- (3) The local body or an operator of facility or an agency designated by them proposing to set up waste to energy plant of more than five tones per day processing capacity shall submit an application in Form-I to the State Pollution Control Board or Pollution Control Committee, as the case may be, for authorisation.
- (4) The State Pollution Control Board or Pollution Control Committee, on receiving such application for setting up waste to energy facility, shall examine the same and grant permission within sixty days.

22. Time frame for implementation.- Necessary infrastructure for implementation of these rules shall be created by the local bodies and other concerned authorities, as the case may be, on their own, by directly or engaging agencies within the time frame specified below:

Sl. No.	Activity	Time limit from the date of notification of rules
(1)	(2)	(3)
1.	identification of suitable sites for setting up solid waste processing facilities	1 year

2.	identification of suitable sites for setting up common regional sanitary landfill facilities for suitable clusters of local authorities under 0.5 million population and for setting up common regional sanitary landfill facilities or stand alone sanitary landfill facilities by all local authorities having a population of 0.5 million or more .	1 year
3.	procurement of suitable sites for setting up solid waste processing facility and sanitary landfill facilities	2 years
4.	enforcing waste generators to practice segregation of bio degradable, recyclable, combustible, sanitary waste domestic hazardous and inert solid wastes at source ,	2 years
5.	Ensure door to door collection of segregated waste and its transportation in covered vehicles to processing or disposal facilities.	2 years
6.	ensure separate storage, collection and transportation of construction and demolition wastes	2 years
7.	setting up solid waste processing facilities by all local bodies having 100000 or more population	2 years
8.	Setting up solid waste processing facilities by local bodies and census towns below 100000 population.	3 years
9.	setting up common or stand alone sanitary landfills by or for all local bodies having 0.5 million or more population for the disposal of only such residual wastes from the processing facilities as well as untreatable inert wastes as permitted under the Rules	3 years
10.	setting up common or regional sanitary landfills by all local bodies and census towns under 0.5 million population for the disposal of permitted waste under the rules	3years
11.	bio-remediation or capping of old and abandoned dump sites	5years

23. State Level Advisory Body. – (1) Every Department in-charge of local bodies of the concerned State Government or Union territory administration shall constitute a State Level Advisory Body within six months from the date of notification of these rules comprising the following members, namely:-

Sl. No	Designation	Member
(1)	(2)	(3)
1.	Secretary, Department of Urban Development or Local self government department of the State	Chairperson, ex-officio
2.	One representative of Panchayats or Rural development Department not below the rank of Joint Secretary to State Government	Member, ex-officio
3.	one representative of Revenue Department of State Government	Member, ex-officio
4.	One representative from Ministry of Environment, Forest and Climate Change Government of India	Member, ex-officio

4.	Assessment of the effects of the accidents on human health: and the environment	:	
5.	Emergency measures taken	:	
6.	Steps taken to alleviate the effects of accidents	:	
7.	Steps taken to prevent the recurrence of such an accident	:	
Date:		Signature:.....	
Place:		Designation:	

[F. No. 18-3/2004-HSMD]

BISHWANATH SINHA, Jt. Secy.

ANNEXURE R-5

Item No. 07

Court No. 1

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

(By Video Conferencing)

Original Application No. 176/2020
(Earlier O.A. No. 306/2016)

Social Action for Forest and Environment (SAFE)

Applicant

Versus

Union of India & Ors.

Respondent(s)

(Earlier titled as D.K. Joshi Vs. Union of India & Ors.)

Date of hearing: 15.03.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant: Ms. Meera Gopal, Advocate for Applicant

Respondent(s): Mr. Rajiv Bansal, Senior Advocate with Ms. Priyanka Swami,
Advocate, for State of UP
Ms. Deep Shikha Bharati, Advocate for Irrigation Department
Mr. Raj Kumar, Advocate for CPCB
Mr. Pradeep Misra and Mr. Daleep Dhyani, Advocates for UPPCB
Mr. Sharad Chauhan, Advocate for R - 12 to 23**ORDER**

1. This order is being passed in continuation of order dated 10.08.2020. The issue for consideration is compliance of Solid Waste Management Rules, 2016, Hazardous and other Wastes (Management and Transboundary Movement) Rules, 2016 and Bio-medical Waste Management Rules, 2016 in the city of Agra as well as the areas coming under the Cantonment Board, Agra and eco-sensitive zone of Taj Trapezium Zone.

2. The matter was considered on 02.03.2020 in the light of earlier proceedings and status report filed by State of U.P. on 23.10.2019. The Tribunal noted that there were deficiencies in taking steps for dealing with solid and liquid waste, resulting in continuing damage to the environment and public health. Reference was made to earlier orders, including order passed on 10.01.2020, in the presence of the Chief Secretary, UP, laying down specific timelines and providing consequences in terms of payment of compensation for failure to take necessary steps in the matter.

3. The matter was last considered on 10.08.2020 in the light of the status reports filed by the Nagar Nigam Agra, Department of Urban Development, U.P. and report of the Oversight Committee dated 05.10.2020. The Tribunal noted that the problem of leachate treatment and remediation of legacy waste was still continuing. The recommendations of the Oversight Committee for taking further steps were required to be complied with. Further report was required to be furnished of the compliance status as on 31.12.2020.

4. Accordingly, reports dated 01.02.2021 and 02.02.2021 have been filed respectively by the Oversight Committee and the CPCB. Reports have also been filed by the State of UP on 15.02.2021 and 12.03.2021. However, it will be sufficient to refer to the reports of the Oversight Committee and CPCB. We first take up report of the CPCB giving the status of the bio-mining of legacy waste with observations and suggestions, the relevant extracts are as follows:-

“1.2. Observations:

(i) Process of Bio-mining of Legacy waste:

They are making Windrows of Legacy waste by the help of Poclain machines at the site. Then, Inoculums was sprinkled on that and turning of waste is carried out as per standard protocol. After stabilization (Appx. 4-5 weeks) of the waste, it was processed through 06 no. of (25-60 TPH) which have total capacity of 235 TPH.

The methodology of screening is being executed through trommeling method of different sieve size. Initially, belt conveyor of 1500 mm at feeding stage is installed to feed trommel of >125 mm. The rejects of >125 mm size get stored while <125 mm get feed into 35 mm trommel through conveyor. The same processes are getting replicated again and process it for further 6 mm through another trommel. The rejects of 125 mm, 35 mm and >6 mm is treated as segregated combustible fraction (SCF) and inert, while remaining <6 mm fraction is bio-earth which can be used as soil conditioner in field application except agriculture practices. All segregated waste is being stored in processing site at present.

Test Certificate of Shriram Institute for Industrial Research, Delhi for segregated combustible fraction (SCF) (No. C1/0000212087) and Legacy waste (No. C1/0000212088) as provided by M/s Spaak Super Infra India Pvt. Ltd. are attached herewith as Annexure-1.4 (a)-(c).

Testing of SCF and less than 6 mm fraction has been carried out by the operator and it is observed that SCF does not meet parameters for maximum Ash content as specified by MoHUA and less than 6 mm fraction does not meet most of the paraments (e.g. TOC, Nitrogen, Arsenic, Cadmium, Copper, Nickel) as specified in schedule II of SWM Rules, 2016.

(ii) Waste processing and Composting:

The present Waste processing and Composting facility is designed for processing of 300 tons per day. The facility is equipped with pre-sorting Trommels to handle mixed waste. They are using sprinkle of leachates and other additives as per their standard protocol to for composting from organic portion of waste. The processing facility is facilitated with weighing bridge, presorting, windrow yard, some area with wind barrier also, the processing section along with finishing and packaging section.

At the time of inspection, as informed by the representative of operating agency M/s Spaak Super Infra India Pvt. Ltd. the volume of leachate generating daily is not so high at present, so whole of the leachate volume collected in storage tank at dumpsite are being used to sprinkle on the organic waste material in order to speed up the decomposition process in making

compost from fresh waste. No leachate was observed going outside of the plant from dumpsite and meets surface water/sewer/land.

Analytical Report of Laboratory of Kaaps Agra Waste Processing Pvt. Ltd for organic compost (Date. 23.11.2020) as provided by M/s Kaaps Agra Waste Processing Pvt. Ltd is attached herewith as Annexure-1.5.

Testing of compost has been carried out by the operator and it meets the parameters specified in SWM Rules, 2016.

1.3. Summary:

- *Presently ANN is carrying out collection & transportation of MSW from Agra city and MSW is being dumped at Kuberpur disposal & treatment site along with legacy waste. Due to the legacy waste volume is increasing continuously, there is need to speed up the processing of bio-mining work by firm.*
- *At the site, processing work of MSW was being carried out with 06 no. of Trommels (25-60 TPH) which have total capacity of 235 TPH.*
- *Three types of rejects is being coming out after trommeling i.e soil enricher (<6 mm), Segregated Combustible Fraction (SCF) of <35 mm and C&D Waste above 35mm.*
- *300 TPD Plant for Compost making from organic portion of MSW was found functional at the site. However, Appx. 4000 MT of compost was found stored at the site.*
- *It is estimated that Appx. 4.0 Lakh Ton volume of unprocessed legacy waste is still present at the Kuberpur site. The hired firm processed about 50% of legacy waste till date.*
- *After processing of MSW, RDF (Refused derived fuel) is left at the end, which is non-decomposable and having calorific value. At present, Appx. 16000 - 18000 MT of RDF is stored at the site.*
- *Representative of firm told that the soil enricher portion will be sold to nursery/NHAI/Other civil contract.*
- *For the collection of leachates (liquid portion) coming out from MSW dump, underground Leachate collection tank (capacity 85 KL) is available at the site. As informed by the representative of firm, they are using Leachate to sprinkle on the organic waste material for speed up the decomposition process.*

1.4. Suggestions

- *About 50% of legacy waste has been processed till date. As informed by the representative of the firm that about 12 more months will be required for the completion of rest of the MSW legacy waste processing work: so there is need to increase the processing speed as well as capacity of bio-mining processing work.*
- *At present, segregated waste is not disposed out and all the segregated portions of waste are found stored at processing*

site. Proper and timely disposal of stored segregated waste i.e. SCF, RDF, Compost is required as soon as possible.

- There is a scope for improvement in processing by increasing no. of trommels and their capacity, wind barrier/ blockage to stop floating of small plastic materials etc. from dumping & windrows sites.
- Properly Leachate collection and treatment is required at legacy waste site and at fresh MSW stored site also.
- The housekeeping at different sections of site requires maintaining as per Municipal Solid Waste (Management and Handling) Rules, 2016.
- The process operation for legacy waste to be improved upon so as to ensure that the screened fractions meet the desired requirements.
- Proper records related to quantity of waste treatment, quantity of screen fractions produced and their utilization be maintained by the operator. Similar records be maintained for leachate management.
- Appropriate direction may be given to concern agencies for compliance of the Municipal Solid Waste (Management and Handling) Rules, 2016.

xxx.....xxx.....xxx

2. Status of in-situ remediation of drains:

xxx.....xxx.....xxx

2.5. Observations:

- M/s Layers Enviro & Organics was awarded contract for bio-remediation work in 10 no. of drains in March-2020 & they started dosing in to drains since October-2020, as they reported to inspection team. The operator has not started Phyto-remediation work at present. Copy of award letter issued by ANN to M/s Layers Enviro & Organics is attached as Annexure-2.2.
- M/s Sign-Age (India) Pvt. Ltd was awarded contract for bio-remediation work in 57 no. of drains in August-2020 & they started dosing in to drains since October-2020, as they reported to inspection team. The operator has started construction of check dams on drains and plantation work is yet to begin for phyto-remediation work. Copy of award letter issued by ANN to M/s Sign-Age (India) Pvt. Ltd is attached as Annexure-2.3.
- It was found that these 67 no. drains (Annexure-2.4) were not fully tapped however, some were partially tapped. For bio-remediation, dosing by diluted enzymes through containers and dropping system (containers capacity 100 'tr. — 1000 IV.) at the selected points of drains were going on. Capacity of enzymes containers was not sufficient at some drains in Trans Yamuna and continuous dropping of enzymes was also not observed at some drains. In some drains enzymes container's tap was not working.
- Non-steady or time-varying flow problems are common at some drains of the residential locations. No flow was

observed in 10 small drains, however merging of 04 no. drains and 02 no. drains (separately) were found at Trans Yamuna area during visit. In Foundry Nagar area, 05 drains were found not reaching to Yamuna River. Local farmers were found using waste water of drains for irrigation in agriculture purpose.

- Inspection team felt relatively less smell at downstream side of all the drains in comparison to upstream area, it may be due to action of enzymes dosing.
- No measuring devices were installed in any drains. Containers were placed on top end of selected point and diluted enzymes dosing is being done through taps by dropping and allowed for naturally mixing, however at some points, more drains were found merging at the downstream direction. It may be the possible reason behind the results of high values at downstream side in comparison to upstream side of the drain (after treatment).
- No screening system was found at any drains, due to this enormous amount of suspended, floating materials were flowing in drains.
- Samples were collected in the presence of agency representative before the dosing point and at the end of 21 no. drains as final outlet point. The analysis was carried out for pH, SS, BOD, COD, Total Nitrogen, Ammonium Nitrogen and Faecal Coliforms at RD-Lucknow laboratory.
- The laboratory results show that discharge effluents of 21 drains are not meeting the General Standard for discharge of Environmental Pollution Part-A: Effluent, for Inland surface water for BOD, COD, TSS, Total Nitrogen, and Ammonium Nitrogen. In some drains reduction in BOD, COD and TSS was observed. However, in some drains final results values are higher than the inlet, it happened because in that drains some other drain's effluent are merging just before the final discharge point. Details results with drain list are attached as annexure-2.5 (07 pages) & 2.6.

2.6. Suggestions:

- The analysis results of drains discharge samples shows that effluent is not meeting the discharge standard norms, so there is need to improve Bio-remediation process and immediately start the phyto-remediation process in all drains to treat the discharge effluent as per norm before discharge to Yamuna River.
- The ANN should ensure that operating agencies are doing work as per agreement to fulfil the discharge effluent norm. At the time of field inspection, some of the drains were found merging to other drain and some of drains were found not reaching to the river Yamuna due to use of their waste water for irrigation purpose by local farmers.
- No constructed check dams were observed on the downstream side of drains during the inspection. This type of bioremediation requires retention time of about 20 -30 hours, therefore may be suitable for drains with low flow or for drains those have check dams to slow down the flow rates and increase the retention time.

- *Dumping of municipal solid waste and presence of suspended objects in drains are common problems need to be screened. Installation of screens at required places in all drain must be done.*
- *Operating firms have not started phyto-remediation step at present. Plantation at downstream of drains will also help to reduce the suspended objects and pollution load which confluence with river Yamuna. It will also help by removal of organic compounds and nutrients from wastewater through bio-sorption/uptake.*
- *There is need to install online flow meter or V notch at suitable places on drains and maintenance of record.*
- *There is need to install organic solution container of sufficient capacity (as per drain flow) with steady flow valve at the site for proper dosing in to the drain as per running flow.*
- *Online sensors of waste water parameters should be installed at the downstream of important/major flow drains like Mantola drain, Bhairo Nala etc.*
- *Performance evaluation of the bio-remediation process needs to be done on periodically basis by ANN.*
- *Appropriate direction may be given to concern agencies for compliance of the norms, as no untreated effluent should go to Yamuna River.”*

5. Report of the Oversight Committee gives the status of compliance and recommendations as follows:-

“IV. SUMMARY OF THE COMPLIANCE STATUS AS PER THE DIRECTION GIVEN BY HON’BLE NGT IN O.A. No. 306/2016

The Oversight Committee reviewed the progress regarding Waste Management Rules, 2016 and other pollution abatement measures in the light of orders of Hon’ble NGT dated 10.08.2020 and 02.03.2020. Based on the reports received from Nagar Nigam, Agra on 13.01.2021 (Annexure-IV), the present compliance status in OA No. 306/2016 is as follows:

Sl. No.	Directions by Hon’ble NGT	Compliance Status	Present Status/ Reasons for Non-Compliance
1	Status of installation of the Screens to prevent dumping of solid waste into the River Yamuna along with arrangements for regular collection of	Complied	<i>Screens have been installed at all the drains which are directly falling into river Yamuna and their regular cleaning is being done.</i>

	waste		
2	Status of Ward wise action plan with regards to Treatment capacity of Solid Waste	Partially Complied	<i>A detailed action plan for each ward was prepared comprising of micro level plans for comprehensive solid waste management in the city. This includes 100% door to door collection and transportation along with route map assigned to each designated vehicle. AMC is developing centralized processing capacity as well as it is promoting onsite decentralised processing methods. At present approximately 52.7 TPD waste is being processed through de-centralized method.</i>
3	Status of Treatment capacity of Solid Waste	Partially Complied	<i>The total waste generated in Agra is 712 TPD. Existing functional treatment capacity is 472.7 TPD (420 TPD through Centralised treatment facility- 300 TPD for wet waste & 120 TPD for dry waste, 35 TPD through de-centralised treatment facilities and 17.7 TPD through home composting). The remaining 240 TPD of waste is being managed scientifically at designated dumping site, Kuberpur. The existing gap in the treatment is 239 TPD, which shall be covered through waste to energy plant of 500 TPD. The Plant has been sanctioned and approved but the work couldn't be started due to absence of NOC/ Consent of CEC/NEERI and the matter is pending in Hon'ble Supreme Court. It is pertinent to mention here that the existing gap of 239 TPD would generate another huge waste dump in the near future if the waste to energy plant is not commissioned at the earliest. As per the authorities, it is being delayed because there is no clearance from Hon'ble Supreme Court. (However, in the considered opinion of the Oversight Committee there is no such requirement of NOC from CEC/NEERI in the cases of environment related projects mentioned in the order).</i>
4	Status of purchase of 262 vehicles required for DTDC and implementation of IT based adaptor for DTDC collection	Complied	<i>The work of DTDC is being done by 110 newly purchased motorized Vehicles + 150 other motorised vehicles + 1700 Tricycles having 6 buckets + 1000 Hand carts with 4 dustbins.</i>
5	Status of installation of QR code in respective households (earlier 3,50,000 households), installation of GPS in vehicles	Majorly Complied	<i>As per information, 3,50,000 households are tagged with QR Code. 150 Vehicles used for primary collection and transportation are equipped with GPS monitoring system. Also, 1044 community bins are RFID Tagged for better monitoring of the solid waste management.</i>

	<i>involved in transporting solid waste (earlier 98 vehicles) and dustbins equipped with RFID tags (earlier 1,044 dustbins)</i>		
6	Status of Byelaws on user charges and spot fines etc.	Yes (The enforcement of sanitation practices is done regularly)	<p>Bye-Laws for Municipal Corporation Agra have been notified for imposing User Charges and spot fines. The details of penalties collected are as follows:</p> <p>-Rs. 7,22,550 through spot fines for violations under various offences related to sanitation,</p> <p>-Rs. 3,97,806 for littering,</p> <p>-Rs. 17,57,600 for violation of plastic ban and</p> <p>- Rs. 70,000 for Garbage Burning.</p>
7	Status of closing of existing landfill sites and biomining of legacy waste	Partially Complied	<p>The project of Bio-remediation of legacy waste costing Rs. 27.35 Cr. has been approved. Estimated legacy waste at Kuberpur dumpsite is 8 Lakh tons out of which 5.8 Lakh tons has been processed and rest of the waste is shaped in windrows for primary treatment in the area of 4 Acres. Legacy waste remediation is planned to be completed by February, 2021.</p> <p>The comparative pictures (before and after) of ongoing work are enclosed as Annexure IV.</p> <p>Currently, the windrow has been formed in cluster form by concessionaire for winter preparation and about 15 acres of land has been reclaimed. Due to Covid-19 outbreak the efficiency of processing was reduced but till date about 5.8 lakhs MT of legacy waste has been processed.</p> <p>The screening of legacy waste is being carried out after following stabilization of organic fraction followed by addition of inoculum. The different EMP activities like water sprinkling, wind break net, green area development and leachate management plan has been implemented at site.</p> <p>The entire process of biomining is being recorded through 14 different cameras and third-party PMC.</p>
8	Status of Temporary Moratorium in TTZ area,	Partially Complied	<p>To fill the gap of MSW processing a writ application no: 13381/1984 was submitted to Hon'ble Supreme Court for exemption from Consent/ NOC from CEC/NEERI to set-up the waste to energy plant of 10MW Capacity.</p>

	<p>establishment of STPs, Solid Waste, C & D waste and processing plants</p>		<p>Hon'ble Supreme Court directed CPCB and NEERI to present a joint inspection report. In view of the report submitted jointly by CPCB and NEERI for setting up the plant at Kuberpur site, 10 Acres of land was earmarked out of total 72 Acres for waste to energy plant on 13.02.2019. Agreement with the selected concessionaire M/s Spark Bresson, has been done for processing of MSW and Construction & Demolition waste. In the above matter the report of EIA was sent to NEERI from Hon'ble Supreme Court on 22.11.2019 and a revised draft report was submitted to NEERI through letter No: 1347/D/SBM/19 dated 23.12.2019 for further vetting/ review. The next date of hearing on the above matter has not yet been fixed. Processing plants shall be made operational as soon as the orders from Hon'ble Supreme Court are received. Thus, the status of setting up of various projects is still awaited due to temporary moratorium. In this regard, a letter has been sent to the Chairman, TTZ Authority and Commissioner, Agra by Director, NEERI on 31.12.2020 (Refer Appendix- 4 of Annexure- III). However, the Oversight Committee felt that Hon'ble Supreme Court order dated 06.12.2019 is very clear that work on all environmental projects can start and the clarification application/affidavit filed by TTZ/ Municipal Corporation regarding exemption from moratorium is unnecessary. Moreover, the fact that it is pending for more than 10 months underlines the fact that the State Govt./ TTZ Authority need to take this matter more seriously as all environmental projects are lying standstill because of this wrong interpretation.</p> <p>Under the scheme of National Clean Air Programme of MoEF&CC, GoI an amount of INR 345 Lac has been sanctioned in which the first instalment of INR 90.00 lacs for establishment and operation of C&D plant has been received against the total cost of Rs 150 Lacs. On 24.06.2020 through webinar Secretary, UDD, GoUP has emphasized for Decentralized C&D waste management and accordingly tender has been floated for 5 TPD for designing, installation, commissioning, operation and maintenance for 3 years. Based on LCS method, M/s-Rise Eleven Eco Green Pvt. Ltd became the successful bidder with total project cost of 4.24 Cr in which Capex was Rs 1.25 Cr, O&M for 1st year was Rs 90.50 Lacs, 2nd Year Rs 99.50 Lacs and for 3rd year Rs 1.09 cr. The cost of O&M includes the entire management of site facility, machinery & tools and monthly electrical bill. The commissioner, Agra Nagar Nigam approved the same on 20.08.2020. The LoA has been awarded to firm on 29.09.2020. The total concession period for this project is 3.5 years in which 6 months is construction period while 3 years is O&M period. It is envisaged that the proposed 5 TPD C&D plant will be ready by 30.04.2021 for processing of collected C&D waste.</p>
9	<p>Status of Sewage Treatment/ Gap deficit in Agra</p>	<p>Partially Complied</p>	<p>As per information given by Municipal Corporation Agra, the population of Agra city is about 19.90 lacs. The generation of sewage as per norms of CPHEEO is 80% of per capita water consumption. The per capita water</p>

	<p>with reference to water supply was 156 MLD</p>		<p>consumption norm is 150 lpcd. So, for 19.90 lacs population the requirement of sewage treatment comes out to 238 MLD. But due to bulk consumers, floating population and private sources, discharge of 90 drains is about 286 MLD including sewer discharge.</p> <ul style="list-style-type: none"> The installed capacity of 9 STPs is 220.75 MLD. Out of this 7 STPs of 180.25 MLD capacity are being operated and maintained by M/s V A Tech Wabag Ltd., under one city one operator scheme of State Govt. The State Govt. has introduced one city one operator scheme based on competitive bidding process. The work in the city of Agra has been awarded to M/s V A Tech Wabag Ltd., for 10 years extendable upto 15 years. Rest 2 STPs of 40.50 MLD capacity are being operated and maintained by Agra Development Authority, Agra. Under Namami Gange Programme a DPR of Rs. 1174.45 Crore was earlier prepared and approved by NMCG. Since the operation and maintenance work of existing assets has been awarded to M/s VA Tech Wabag Ltd., a revised DPR of Rs. 842.25 Cr. has been approved by NMCG, New Delhi on 06.05.2020 in which work of tapping of 23 untapped drains and const. of 177.60 MLD STPs (to meet the demand of year 2035) have been covered for which bid document & tendering process is being done by Transaction Advisor M/s Deloitte Touche Tohmatsu India LLP, Gurgaon appointed by NMCG. The above sanctioned project will be carried out on Hybrid Annuity based PPP mode, funded by World Bank. Apart from the above estimate, for balance work related to existing assets i.e. tapping of 38 untapped drains & excess discharge of partially tapped drains, a project amounting of Rs. 78.86 Crore has been sent to State Govt. for approval. Now as per instructions of HQ U.P. Jal Nigam, Lucknow, revised estimate amounting to Rs. 78.86 Crore is being sent to Namami Gange Department. For improvement of the sewer network connectivity in the city of Agra the state government has sanctioned projects of Rs. 443.56 Crore under AMRUT scheme for laying new sewer line and house connections. Under this sanctioned amount six projects have been proposed out of which four projects related to Sewer House Connections are completed and two projects are under progress which are proposed to be completed by the year 2021. The work shall be monitored to ensure completion as per timelines proposed in DPR. (By the year 2021). <p style="text-align: center;">Present Status of Schemes under AMRUT</p> <table border="1" data-bbox="800 1999 1484 2341"> <thead> <tr> <th>S. No</th> <th>Name of scheme</th> <th>Proposed work</th> <th>Progress</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Sewer house connection Agra (Part-I)</td> <td>28079 (SHCs)</td> <td>Completed</td> <td>-</td> </tr> <tr> <td>2</td> <td>Sewer house connection Agra (Part-II)</td> <td>11780 (SHCs)</td> <td>Completed</td> <td>-</td> </tr> </tbody> </table>	S. No	Name of scheme	Proposed work	Progress	Remarks	1	Sewer house connection Agra (Part-I)	28079 (SHCs)	Completed	-	2	Sewer house connection Agra (Part-II)	11780 (SHCs)	Completed	-
S. No	Name of scheme	Proposed work	Progress	Remarks														
1	Sewer house connection Agra (Part-I)	28079 (SHCs)	Completed	-														
2	Sewer house connection Agra (Part-II)	11780 (SHCs)	Completed	-														

			3	Construction of House connecting chambers and sewer house connection from house hold to HCC in Agra city (Part-III)	13051 (SHCs)	Completed	-
			4	Sewer house connecting chambers in Agra city (Part-IV)	7627 (HCCs)	Completed	-
			5	Agra Western Zone Sewerage scheme.	251.00 Km. (Sewer line) 47827 (SHCs)	33% Work on sewer line completed	Work in progress.
			6	Septage Management Solution (Co-Treatment 75 KLD) in Agra Town	1. Collecti on tank/ settling chamb er-01 2. Screw Press & Pumps - 01 3. Compost Pits-12 4. AC Room for SCAD A System etc.-01		Work in progress.

				5.Desludi ng vehicle s- 10																										
				<ul style="list-style-type: none"> Another project of Rs 100.04 Crore of Sewerage strengthening work in Tajganj area in the city has been sanctioned by Agra Municipal Corporation under its Smart City Mission programme and work is under progress to be completed by May, 2021. The Bio/ Phyto remediation work on 57 drains started from 22.10.2020. <p>Sewage Gap deficit: The projected population of Agra city for year 2020 is 19.90 lacs. The domestic water demand corresponding to this projected population is 343 MLD. Further, the bulk demand is 51 MLD and the demand for floating population is 3 MLD. Thus, the total demand for year 2020 is 397 MLD and 360 MLD of water is being supplied to the people of Agra. With the completion of various projects related to strengthening water supply system in city of Agra, the installed water treatment capacity is now 513 MLD, which is sufficient to cater to the demand till year 2032. Thus, the issue related to water supply in the city, is now confined to proper distribution of water only.</p> <p>The Govt. of U.P. has sanctioned following projects under AMRUT Programme that are under various stages of planning and execution: -</p>																										
				<table border="1"> <thead> <tr> <th>S. No</th> <th>Name of Scheme</th> <th>SAAP Year</th> <th>Cost of Scheme</th> <th>Proposed works</th> <th>Present Status</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Agra Water Supply Scheme (Phase1)</td> <td>2015-16</td> <td>11.67</td> <td>27263 water supply house connection</td> <td>Completed and handed over to Jalkal Vibhag</td> </tr> <tr> <td>2</td> <td>Agra Water Supply Scheme (Phase3)</td> <td>2016-17</td> <td>113.79</td> <td>OHT-3 CWR-4 ZPS- 4 RM- 6.16 km. DS- 85 km. HC - 9461 no.</td> <td>Work in progress and shall be completed up to year 2022.</td> </tr> <tr> <td>3</td> <td>Agra Water Supply Scheme (Phase4)</td> <td>2017-20</td> <td>61.87</td> <td>OHT - 4 no. CWR - 2 no. RM - 11 km. DS -</td> <td>Work in progress and shall be completed</td> </tr> </tbody> </table>	S. No	Name of Scheme	SAAP Year	Cost of Scheme	Proposed works	Present Status	1	Agra Water Supply Scheme (Phase1)	2015-16	11.67	27263 water supply house connection	Completed and handed over to Jalkal Vibhag	2	Agra Water Supply Scheme (Phase3)	2016-17	113.79	OHT-3 CWR-4 ZPS- 4 RM- 6.16 km. DS- 85 km. HC - 9461 no.	Work in progress and shall be completed up to year 2022.	3	Agra Water Supply Scheme (Phase4)	2017-20	61.87	OHT - 4 no. CWR - 2 no. RM - 11 km. DS -	Work in progress and shall be completed		
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12	Present status of Starting up of Waste to Energy Plant (500 TPD)	Partially Complied	Nagar Nigam, Agra informed that the project is under judicial appraisal at Hon'ble Supreme Court. On 17.12.2019, EIA Report was asked to put on record as per direction of Hon'ble Supreme court. In this connection, on 23.01.2020 EIA report along with affidavit was filed by Nagar Nigam, Agra. The Hon'ble Supreme Court has directed to the Chairman of TTZ to file an affidavit. According to directions, affidavit has been filed on 19.02.2020. The letter of same is enclosed as Appendix-3 of Annexure- III. (The Oversight Committee does not agree with the views of Nagar Nigam Agra and feels clearly that as per Hon'ble Supreme Court Order, there is no bar on starting Environmental Projects in Agra.)
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VI. RECOMMENDATIONS OF THE OVERSIGHT COMMITTEE

1. *First and foremost is the issue of adhoc moratorium in Agra specially in reference to directions of Hon'ble Supreme Court regarding seeking permission for environmental projects. It is well known that all the Environmental Projects in Agra including Waste to Energy Plant are stuck because of the stand of the Municipal Corporation/ TTZ Authority that before starting any work, they require permission of CCE/ NEERI from Adhoc Moratorium imposed in TTZ. In this regard, the Hon'ble Supreme Court had in its order dated 06.12.2019 clearly differentiated between Environmental Projects and industries. While it had permitted setting up of Environmental Projects, it had directed the State Govt to seek consent of NEERI and Central Empowered Committee for setting up industries. The Oversight Committee had in its last report pointed it out to the Hon'ble NGT. Hon'ble NGT also after studying the Hon'ble Supreme Court order reiterated this point of view in its order dated 10.08.2020. However, Commissioner Agra/ Chairman TTZ in his letter dated 15.01.2021 has again mentioned that they have filed a clarification IA 42482/2020 dated 22.03.2020 in Hon'ble Supreme Court regarding exemption from NEERI/Central Empowered Committee permission for environmental projects. He mentioned that the Municipal Corporation Agra has been again asked to file a fresh application in Hon'ble Supreme Court in this regard. The Oversight Committee felt that Hon'ble Supreme Court order dated 06.12.2019 is very clear and the clarification application is unnecessary. Moreover, the fact that it is pending for more than 10 months underlines the fact that the State Govt/ TTZ Authority need to take this matter more seriously as all environmental projects are lying standstill because of this wrong interpretation. The matter being very important and covering the entire area of TTZ, where environment projects are not moving ahead, the Committee deems it proper to bring it to the kind notice of Hon'ble NGT.*
2. *There is an urgent need to supplement the Solid Waste Treatment capacity in Agra. Total solid waste generation in*

Agra is 712 TPD while the existing functional treatment capacity is 472.7 TPD (420 TPD through Centralized treatment facility: 300 TPD for wet waste, 120 TPD for dry waste, 35 TPD through de-centralized treatment facilities and 17.7 TPD through home composting). The remaining 240 TPD of waste is being managed scientifically at designated dumping site, Kuberpur. The State Government must address the issue of infrastructure gaps by installation of more treatment plants/facilities at the earliest.

3. *The ward wise action plan has been formulated in Agra. The State Government should ensure the implementation of the action plan effectively and within timelines.*
4. *As far as installation of QR code is concerned, all 3,50000 households are tagged by the concerned department. 150 Vehicles used for primary collection and transportation are equipped with GPS monitoring system. Also, 1044 community bins are RFID Tagged for better monitoring of solid waste management. In this regard, the Committee recommends that all households be monitored with QR code on interval basis.*
5. *Municipal Corporation, Agra has notified User Charges and spot fines. The enforcement of sanitation practices is done regularly. The Committee recommends effective enforcement by the Municipal Corporation regarding collection of penalty for violations under various offences related to sanitation, for littering, for violation of plastic ban and for Garbage Burning.*
6. *The estimated legacy waste at Kuberpur dumpsite is 8 Lakh tons out of which 5.8 Lakh tons has been processed and rest of the waste is shaped in windrows for primary treatment in the area of 4 Acres. The complete legacy waste remediation is planned to be completed by February, 2021. Remediation of legacy waste dump at Kuberpur be completed within the stipulated timelines. UPPCB may conduct on-site inspection and submit the progress report to the Committee within one month.*
7. *Regarding the gap in water supply in Agra, the total demand for year 2020 is 397 MLD while 360 MLD of water is being supplied to the people of Agra. With the completion of various projects related to strengthening water supply system in city of Agra, the installed water treatment capacity is now 513 MLD, which is sufficient to cater to the demand till year 2032. Still, proper water supply is not being ensured till date. While supply of water is no longer a problem, the problem lies in lack of water distribution network commensurate with the augmented supply. The construction on the newly sanctioned distribution projects needs to be expedited. The Committee directs immediate action on this matter. District Magistrate Agra must look into the issue personally and ensure compliance within stipulated timelines.*
8. *It has been informed that the work of plantation will be started around the drains after completion of check dam.*

UPPCB must conduct an on-site inspection and submit the report within one month.

9. *The Oversight Committee also observed that there is a need for proper monitoring the progress on the ground. Chief Secretary, UP may review all these issues in his monthly meeting so that the progress is expedited.”*

6. From the reports of the CPCB and the Oversight Committee it is seen that the work executed so far is not adequate. Thus, the capacity for solid waste (including bio-mining) and sewage management needs to be enhanced by addressing the infrastructure gaps, installing more equipments and taking all other necessary measures. The matter has been pending for the last about five years and repeated directions have been issued for taking remedial measures but still the progress is not upto the expectations. There are statutory timelines under the Solid Waste Management Rules, 2016. Rule 22 requiring clearance of legacy waste within 5 years of commencement of Rules i.e. by 07.04.2021. Failure of the Authorities, apart from violation of right of citizens to clean environment, is also violation of the statutory Rules under the Environment (Protection) Act, 1986 (EP Act) which is a serious criminal offence, punishable under the law of the land, by jail sentence and heavy fine, including by concerned government officers. Such failure results in serious harm to public health and environment. Dealing with this situation, this Tribunal, in the light of binding orders of the Hon'ble Supreme Court, vide order dated 10.01.2020 in O.A. No. 606/2018 passed, in the personal presence of Chief Secretary, UP, directed compliance of rules and liability of pay compensation for violation as follows:-

“a. In view of the fact that most of the statutory timelines have expired and directions of the Hon'ble Supreme Court and this Tribunal to comply with Solid Waste Management Rules, 2016 remain unexecuted, compensation scale is hereby laid down for

continued failure after 31.03.2020. The compliance of the Rules requires taking of several steps mentioned in Rule 22 from Serial No. 1 to 10 (mentioned in para 12 above). Any such continued failure will result in liability of every Local Body to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body from 01.04.2020 till compliance. If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal.

b. Legacy waste remediation was to "commence" from 01.11.2019 in terms of order of this Tribunal dated 17.07.2019 in O.A. No. 519/2019 para 28 even though statutory timeline for "completing" the said step is till 07.04.2021 (as per serial no. 11 in Rule 22), which direction remains unexecuted at most of the places. Continued failure of every Local Body on the subject of commencing the work of legacy waste sites remediation from 01.04.2020 till compliance will result in liability to pay compensation at the rate of Rs. 10 lakh per month per Local Body for population of above 10 lakhs, Rs. 5 lakh per month per Local Body for population between 5 lakhs and 10 lakhs and Rs. 1 lakh per month per other Local Body. If the Local Bodies are unable to bear financial burden, the liability will be of the State Governments with liberty to take remedial action against the erring Local Bodies. Apart from compensation, adverse entries must be made in the ACRs of the CEO of the said Local Bodies and other senior functionaries in Department of Urban Development etc. who are responsible for compliance of order of this Tribunal.

c. Compensation in above terms may be deposited with the CPCB for being spent on restoration of environment which may be ensured by the Chief Secretaries" of the States/UTs."

7. Accordingly, the Chief Secretary, UP may ensure further remedial action in a mission mode, taking into account the recommendations of the CPCB and Oversight Committee by ensuring that adequate measures are taken to bridge the gap for solid and sewage management. Due attention is required on utilization of treated sewage and setting up of adequate capacity for solid waste processing plant to avoid mounting of

legacy waste. Leachate re-circulation and treatment has to be ensured as per MSW Rules and keeping monitoring of ground water to check contamination. There is need to devise manifest system for tying up rejects and residues arising out of bio-mining. Further, duly authorized bio-medical, plastics and hazardous waste management facilities need to be set up and operated. The Monitoring Committee constituted in terms of order dated 19.11.1999 of the Hon'ble Supreme Court in W.P. (C) No. 426 of 1992, *D.K. Joshi v. Chief Secretary, State of UP & Ors.*, may also monitor compliance at its level. The Chief Secretary may oversee further action in the matter on monthly basis.

The application is disposed of.

A copy of this order be sent to the Chief Secretary UP, Commissioner, Agra, CPCB and the State PCB by email.

A copy of this order be also sent to Justice SVS Rathore, former Judge Allahabad High Court at Lucknow by email.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

March 15, 2021
Original Application No. 176/2020
A

ANNEXURE-6

कार्यालय: नगर निगम, आगरा।

46

प्रेषक,

प्रभारी स्वच्छ भारत मिशन,
नगर निगम आगरा।

सेवा में,

राज्य मिशन निदेशक,
स्वच्छ भारत मिशन-नगरीय,
राज्य मिशन निदेशालय, उ0प्र0,
सेक्टर-7, गोमती नगर विस्तार, लखनऊ।

पत्रांक:- 31/11/11/2024

दिनांक:- 02.02.2024

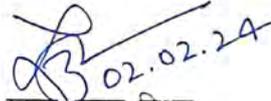
विषय :- टोस अपशिष्ट प्रबंधन नियम, 2016 के नियम-24(2) के अन्तर्गत वार्षिक रिपोर्ट प्रेषित किये जाने के सम्बन्ध में।

महोदय,

कृपया कार्यालय राज्य मिशन निदेशालय के पत्र संख्या पी0एम0यू0/9662/429(13)/2023 एवं पी0एम0यू0/9663/429(13)/2023 दिनांक 24.01.2024 के क्रम में टोस 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,


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 ³				
Open waste storage sites					
Masonry bins	0				
Cement concrete cylinder bins	0				
Dhalao/covered rooms/space	- -				
Covered metal plastic containers					
Upto 1.1 m ³ bins	137 157				
2 to 5 m ³ bins	117 526				
Above 5m ³ 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"> • 500 TPD WTC Plant at Kuberpur • 2 TPD Flower to compost Plant Rajnagar • 2 TPD Organic Waste to Compost Unit Rajnagar • 1 TPD Organic Waste to Compost Unit TP Nagar • 100 TPD Plant Kuberpur (Cow Dung) • 120 TPD MRF, Tedi Bagiya Hatras Road • 4 TPD Waste to Compost (BWG) • 5 TPD MRF Nunhai Shobha Nagar • 12 TPD Wet Waste Plant Babarpur • 15 TPD DRY Waste Plant Babarpur 	
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 NIL Qty. final product produced NIL Qty. Sold Quantity of residual waste landfilled NIL	
Bio-methnation	Qty. raw material processed NIL Qty. final product produced NIL Qty. Sold Quantity of residual waste landfilled NIL	
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 NIL	
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 th 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- 4663
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">• land constraints for decentralization process• Untrained manpower• Lack of awareness among citizen for Segregation of waste
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

**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	854784				

ANNEXURE R-8 (Colly)**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 23rd in 2022.

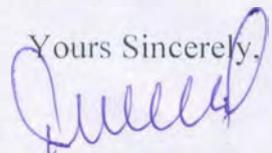
It is also pertinent to mention here that the Solid Waste Management Monitoring Report dated 31.07.2019 of the Justice D.P. Singh regarding Nagar Nigam Agra recommended Environmental Compensation on Agra Nagar Nigam was held that **Open municipal solid waste dumping and accretion of legacy waste at Municipal 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/landfill 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: 28th 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.

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.

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.
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Mr. Sanjay Upadhyay, Adv.
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Ms. Vyom Raghuvanshi, Adv.
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Mr. Akshat Singh, Adv.

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Mr. Siddharth Krishna Dwivedi, Adv.
Mr. Ashiwan Mishra, Adv.
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Mr. Ankur Praksh, Adv.

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Mr. Vedant Bharadwaj, Adv.

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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

Printed from

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।

Zee UP-Uttarakhand Uttar Pradesh

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.

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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

मा0 डॉ0 अफरोज अहमद, सदस्य/न्यायाधीश, राष्ट्रीय हरित न्यायाधिकरण (एन0जी0टी0) की अध्यक्षता में आहूत जिला पर्यावरण प्रबन्धन योजना की समीक्षा बैठक दिनांक 12.06.2023 का कार्यवृत्त:-

मा0 डॉ0 अफरोज अहमद, सदस्य/न्यायाधीश, राष्ट्रीय हरित न्यायाधिकरण (एन0जी0टी0) 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 मा0 एन0जी0टी0 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 प्लान्टस 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. फ्लड प्लेन जोन व तालाबों के पुर्नजीविकरण के सम्बन्ध में सिंचाई विभाग द्वारा अवगत कराया गया कि फ्लड 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 नो 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 प्रशंसा की गई तथा जैव विविधिता के संरक्षण के लिए झीलों व तालाबों को चिन्हित कर पुर्नजीवित 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 हॉस्पिटल के निर्माण की अनुमति देने से पहले ए0डी0ए0 को ग्राउण्ड वॉटर रिचार्ज व्यवस्था जाँचने के निर्देश दिये।

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

- 8जनपद में प्रभावित 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 टैप्ड 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 जीयो 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 कि0ग्रा0 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 मा0 एन0जी0टी0 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 मा0 एन0जी0टी0 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 मा0 एन0जी0टी0 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। मा0 एन0जी0टी0 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।

(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।

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

rediffmail

Mailbox of sharadguptashikha

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.

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

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

From: sharadguptashikha@rediffmail.com

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

ANNEXURE R-10

E-mail-roagra@uppcb.in



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

पत्रांक -- 2154 /ओजी-97/2024

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 मैनेजमेण्ट 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 सूचनाार्थ प्रेषित।
2. डॉ० शरद गुप्ता, 24, हीराबाग कालोनी, दयालबाग, आगरा (मा०न०-9837036270) को शिकायती पत्र दिनांक 28.01.2024 के अनुक्रम में सूचनाार्थ प्रेषित।

06/02/24

क्षेत्रीय अधिकारी



सेवा में

डॉ० शारद गुप्ता,
१५, हिराबाबा कार्पोनी, दयालबाबा,

पंजीकृत

आगरा २८२००८
(फोन-९८३७०३६२७०)

२०

क्षेत्रीय कार्यालय
उ. प्र. प्रदूषण नियन्त्रण बोर्ड,
म. नं. १४, सैक्टर-३ बी,
आगरा विकास सिकन्दरा योजना
भाग-२८२००७
०५६२-३५५६२५९

580



Aditya Tainguriya <aditya.angpartners@gmail.com>

Service : Rejoinder Affidavit on b/o Applicant to the Reply filed by R-7, Agra Municipal Corporation in the OA No. 664/2024 titled as "Dr. Sharad Gupta vs. MOEF & CC & Ors"

1 message

Aditya Tainguriya <aditya.angpartners@gmail.com>

Wed, Apr 23, 2025 at 5:34 PM

To: gitanjali@eldfindia.com, ENVIRO LEGAL DEFENCE FIRM <eldflegal@gmail.com>

Cc: Anshul Gupta <angpartnerslawyers@gmail.com>

Dear Sir/Madam,

Please find attached the Rejoinder affidavit on behalf of Applicant to the Reply filed by Respondent No. R-7, Agra Municipal Corporation in the above mentioned matter.

Regards**Aditya Tainguriya**

Associate

ANG Partners (Advocates & Solicitors)

C-38, LGF, Panchsheel Enclave,

New Delhi- 110017

+91-9205089671 (O)

**Rejoinder to R7 Reply in OA 664 of 2024.pdf**

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