

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

ORIGINAL APPLICATION NO. 644/2024

IN THE MATTER OF:

DR. SHARAD GUPTA

...APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT FOREST

AND CLIMATE CHANGE & ORS.

...RESPONDENTS

INDEX

S. No.	Particulars	Page No.
1.	Reply on behalf of the Respondent No. 5 Uttar Pradesh Pollution Control Board	1-3
2.	<u>Annexure R5/1</u> Detailed Compliance Report dated 11.08.2025 of the Inpection carried out by Uttar Pradesh Polltuion Control Board.	4-6
3.	Proof of Service	7

THROUGH ADITYA VAIBHAV SINGH

Standing Counsel for UPPCB

A-394, Defense Colony

New Delhi- 110024

PLACE: NEW DELHI

DATE: 12.08.2025

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

ORIGINAL APPLICATION NO. 664 OF 2024

IN THE MATTER OF:

Dr. Sharad Gupta

...Applicant

Versus

Ministry of Environment Forest and
Climate Change & Ors.

...Respondent

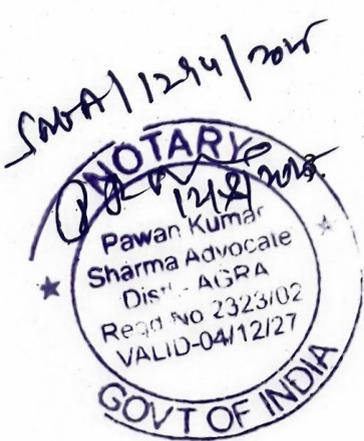
REPLY ON BEHALF OF THE RESPONDENT NO.-5,
UTTAR PRADESH POLLUTION CONTROL BOARD.

I, Amit Mishra, aged about 45 years, S/o. Sri D.P Mishra, presently posted as Regional Officer, Uttar Pradesh Pollution Control Board, Agra do hereby solemnly affirm and declare as under:

1. That in the above-noted capacity, I am well conversant with the facts and records of the present case and am authorized to swear the present affidavit on behalf of the Uttar Pradesh Pollution Control Board.

2. That I state that the contents of the affidavit have been drafted by my counsel under my instructions and the same are true and correct to my knowledge and belief and nothing material has been concealed therefrom.

That the issue involved in the present matter is about accumulation of solid waste at the Kuberpur landfill site, Agra falling in TTZ.



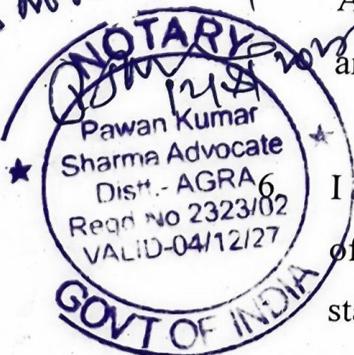
4. That the above noted matter was came up for hearing on 14.05.2025 when this Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter Hon'ble Tribunal) by considering the reports filed by Agra Municipal Corporation (AMC) on 03.02.2025 and 13.05.2025, UPPCB on 03.02.2025, TTZ Authority on 03.02.2025 and by CPCB on 03.02.2025 has directed the UPPCB as follows:

...4(5). It is disclosed that Waste to Energy Plant will be commissioned by end of June, 2026 to generate 24 MW of Power. UP PCB should examine CTE granted in the year 2022 for 15 MW which has now been enhanced to 24.70 MW. There should be monitoring mechanism ensuring proper management of bottom and fly ash. UPPCB should also ensure prescription of Standard as per SWM Rules particularly for WTE plant...

5. That in compliance to the above direction passed by this Hon'ble Tribunal an inspection of the M/s SPAARK BRESSON WTE PVT. LTD., Waste Processing Site, Challesar Village, Kuberpur, Agra has been undertaken by the officials of the UPPCB on 11.08.2025.

A detailed compliance report in tabulated format is being annexed herewith as Annexure-R5/1.

I state that everything stated above has been stated by me in my official capacity on and derived from the official records and I state that nothing material has been concealed therefrom.



7. That the above reply on behalf of the Uttar Pradesh Pollution Control Board is being submitted before this Hon'ble Tribunal for kind perusal and consideration.

[Signature]
DEPONENT

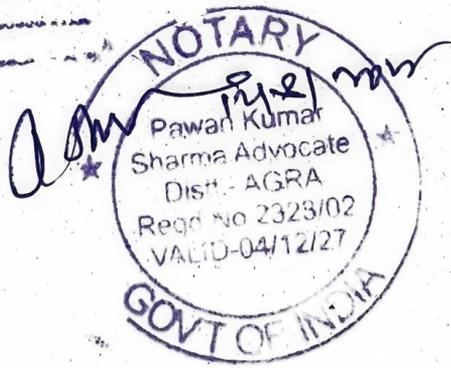
VERIFICATION:

I, the deponent abovenamed, do hereby verify that the contents of above reply are true and correct to my knowledge derived from official record. No part of the same is false and nothing material has been concealed therefrom.

VERIFIED ON THIS THE 12th DAY OF AUGUST, 2025 AT 11:30 A.M

[Signature]
DEPONENT

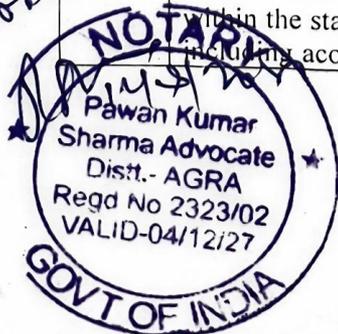
At 12/24/2022
Explained to Shri Amit Mehta
Read by posted as Regional Officer U.P.P.C Board
who understood the contents
I solemnly affirmed & declare on
Oath on 12/21/2022
At Agra
Identified by *[Signature]*



Compliance Report of M/s SPAARK BRESSON WTE PVT LTD Waste Processing Site, Challesar Village, Kuberpur, Agra in Hon'ble NGT OA. No 664/2024 order passed dated 14.05.2025

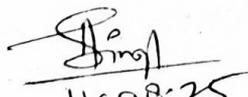
CTE Ref No. - 237151/U PPCB/Agra(U PPCBRO)/CTE/AGRA/2025 dt. 29.05.2025

Sr. No	Condition's	Compliances
1.	The earlier Consent to Establish issued vide letter number 151815/ UPPCB/Agra(U PPCBRO) /CTE/AGRA/2022 dated 14.05.2022 issued for establishment of 15 MW waste to energy plant is hereby revoked	Complying
2.	This Consent to Establish (CTE) is valid for establishment of 24.7 MW waste to energy plant .	At the time of inspection dt. 11.08.2025 piling work found under progress. Boundary wall is completed.
3.	In the proposed plant of 24.7 MW , WTE plant fuel shall be RDF 1500 TPD and in the proposed incinerator temperature shall be maintained to 850 degree centigrade.	Plant is not operational
4.	Ground water shall be used for domestic purpose and the quantum shall be 3 KLD and the domestic effluent 2.5 KLD shall be disposed through septic tank and soak pit.	Plant is not operational
5.	Water required for steam generation in the boiler shall be 800 KLD which shall be make up form treated water from 10 MLD Pilakhar STP which shall be prior treated in DM plant.	As per the letter no. 375/D/EE/2025 dt. 24.04.2025 of Nagar Nigam Agra 800KLD treated water shall be made available from 10MLD Pilakhar STP. Will be consumed during operation of the plant.
6.	The reject water 211 KLD shall be treated in proposed ETP of 500 KLD and the treated effluent shall be used in irrigation on land and floor washing.	ETP installation proposed
7.	The 02 boilers of 60 TPH each shall be equipped with individual bag filter, FGCS dry type (Circulating dry flue gas cleaning system with wet air pollution control system) and also individual stack of 65 meter from ground level.	Boiler and APCS installation is proposed
8.	Unit shall install online continuous emission monitoring system at the stacks of 2 boilers for online monitoring.	Proposed
9.	The high residence time shall be made 2 seconds for destruction of dioxins and furans	Plant is not operational
10.	Unit shall develop Green Belt in minimum 33 percent area of Industrial Premises as per the provisions laid down in office order no. H16405/220/2018/02 dated 16-02-2018 of U.P. Pollution Control Board. The copy of said office order is available on the website of U.P. Pollution Control Board www.uppcb.com.	Plantation is under process as per norms.
11.	Overall noise levels in and around area shall be kept well within the standards by providing noise control measures including acoustic hoods, silencers, enclosures etc, on all	Compliance proposed



	sources of noise generation. The ambient noise level shall confirm to the standards under the Environment (Protection) Act 1986.	
12.	Unit shall make temporary storage facility for storage of hazardous waste in the premises before it will send to TSDF as per the provisions of Hazardous and Other Waste (Management and Transboundary Movement) Rules 2016.	Compliance proposed
13.	Unit shall comply the provisions of Hazardous and Other Waste (Management and Transboundary Movement) Rules 2016 and shall obtain authorization for disposal of hazardous waste.	Compliance proposed
14.	Unit shall install the board showing daily environmental statement ie chemicals used in the treatment of effluent , flow meter reading , hazardous waste generated and send to TSDF etc.at the main gate of the unit	Compliance proposed
15.	Unit shall comply the provisions of Water (Prevention and Control of Pollution) Act 1974 as Amended , Air (Prevention and Control of Pollution) Act 1981 as Amended and Environment (Protection) Act 1986, and direction issued by Hon'ble National Green Tribunal, New Delhi in Order dated 13.07.2017 in OA no. 200/2014, M.C. Mehta v/s Union of India.	Compliance proposed
16.	Unit shall submit the bank guarantee of Rs 10,00,000/ (Rs. Ten Lacs only) within 15 days from the date of issue of this order, for the compliance of the above conditions	Bank Guarantee submitted by letter dt. 13.06.2025

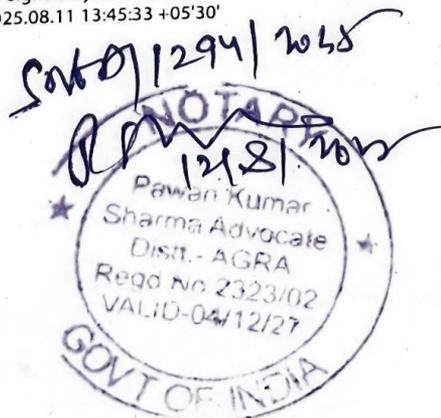
1. Waste to Energy Plant shall be operational after more than one year as informed by the representative.
2. No ash and fly ash found in the premises of Waste to Energy Plant.
3. No burning of Solid waste found during the inspection.
4. The monitoring of CTE condition's is done by UPPCB on monthly basis.
5. Photographs taken during the inspection of the premises is enclosed.


11-08-25
(Amarendra Singh)
Scientific Assistant

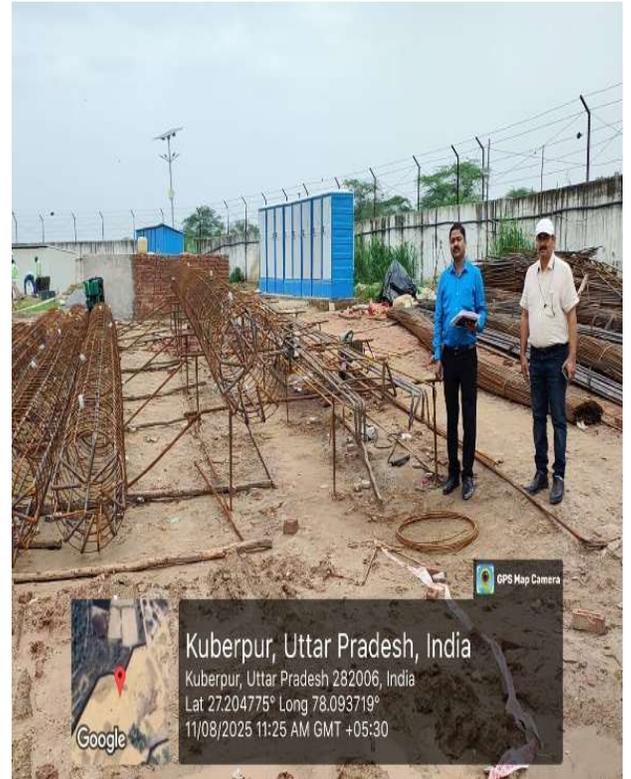

(Kshitesh Patel)
A.S.O

AMIT MISHRA Digitally signed by AMIT MISHRA
Date: 2025.08.11 13:45:33 +05'30'

Regional Officer



मै0 स्पार्क ब्रेसन वेस्ट टू एनर्जी प्रा0लि0, ग्राम-छलेसर, कुबेरपुर, आगरा के निरीक्षण दिनांक 11.08.2025 को लिये गये फोटोग्राफ्स-





Ashutosh Tiwari <ashu.tiwari9205@gmail.com>

Service of Reply filed by UPPCB

Ashutosh Tiwari <ashu.tiwari9205@gmail.com>

Tue, Aug 12, 2025 at 2:19 PM

To: Secy-moef@nic.in, csup@nic.in, soenvups@rediffmail.com, mscb.cpcb@nic.in, "ttzpmu2@gmail.com" <ttzpmu2@gmail.com>, "amcagra1@gmail.com" <amcagra1@gmail.com>, sharadguptaashikha@rediffmail.com

Sir,

I am serving you with the advance copy of the Reply filed by UPPCB/ Respondent No. 5 in OA No. 644/2024 titled "Dr. Sharad Gupta VS Ministry of Environment Forest and Climate Change and Ors." being filed before the National Green Tribunal.

Regards,

Adv. Aditya vaibhav Singh

Standing Counsel UPPCB

A-394, defence colony, New Delhi- 110024

**Reply on behalf of UPPCB.pdf**

3685K