

Item No. 10

Court No. 1

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

Original Application No. 482/2023  
(I.A. No. 688/2023)

Anuj Sharma

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 05.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: Mr. Dipesh Choudhary, Mr. Deepak Mahajan & Mr. Vikrant, Advs.

Respondent: Mr. Bhanwar Pal Singh Jadon & Mr. Hardik Saxena, Advs. for the State of UP  
Mr. Srinivas Vishven, Adv. for CPCB  
Mr. Vibhav Mishra, Adv. for Ghaziabad Nagar Nigam  
Mr. Daleep Dhyani, Adv. for UPPCB (Through VC)  
Mr. Arjun Raghavendra M. & Mr. Piyush Deshpande, Advs. in I.A 688/2023 (Through VC)

**ORDER**

1. In this original application, the grievance raised by the Applicant was that the Municipal Corporation, Ghaziabad was dumping municipal solid waste at Shahpur Road, Morta, Raj Nagar Extension, Ghaziabad, Uttar Pradesh in violation of the Solid Waste Management Rules, 2016. An issue was raised that the area concerned was an institutional area and there was also a school located nearby.

2. The Tribunal by order dated 09.08.2023 had constituted the Joint Committee and in the proceedings dated 24.11.2023 considered the report of the Joint Committee dated 22.11.2023 and had found that the third Member, in addition to two members Joint Committee constituted by the Tribunal, was included who had also carried out the spot

inspection. Hence, the Tribunal on 24.11.2023 had reconstituted the Committee and had issued notice to the District Magistrate, Ghaziabad to explain his conduct of violating the order of the Tribunal and including the third Member in the Committee.

3. Reply on behalf of District Magistrate, Ghaziabad has been received where he has tendered unconditional apology and has assured the Tribunal that in future no such mistake will be committed. The apology tendered by the District Magistrate is taken on record.

4. The compliance report in terms of the order of the Tribunal dated 24.11.2023 has been filed which reveals that the dumping site at Village Shahpur Morta was established on a private land and the lease renewal with the land owner has not been done for the period after 30.06.2023, therefore, no waste is further transported to the said site after 30.06.2023. It is also stated in the report that the total municipal waste sent to the Morta facility till 30.06.2023 was 5,65,727 MT, out of which 4,69,668 MT was effectively processed and scientifically disposed of, while only 96059 MT was pending for processing at the site. As per the report, presently approximately 48,000 ton of municipal waste is pending for processing at the site, which is likely to be disposed of by May 2024. Learned Counsel for the Municipal Corporation, Ghaziabad has informed that the timeline will be adhered to and by May 2024 the entire waste lying at the site will be disposed of. The report does not reveal the details relating to the residue and its utilization/disposal after the treatment of the waste from the site in question.

5. Hence, we dispose of the OA directing the Member Secretary, UPPCB to file the report by 30.04.2024 before the Registrar General of the Tribunal disclosing the extent of disposal of the waste from Shahpur

Morta site and also details of disposal/utilization of the residue after the treatment of the waste from that site by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF. The report shall also disclose the details relating to other sites which are already under consideration in Execution Application No. 23/2023 in OA No. 75/2023 in the matter of *Jaishree Bansal vs. Uttar Pradesh Pollution Control Board*.

6. If found necessary, the matter will be listed before the Bench for consideration.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

Dr. Afroz Ahmad, EM

February 05, 2024  
Original Application No. 482/2023  
(I.A. No. 688/2023)  
DV.