

Item No. 02 & 03

(Court No. 2)

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

(Through Physical Hearing with Hybrid V.C. Option)

M.A No. 90/2023 & M.A No. 94/2023
In
Original Application No. 774/2022

Gaurav Garg

...Applicant

Versus

Union of India & Ors.

...Respondents

Date of hearing: 14.02.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: Mr. Ankit Shah, Advocate for the Applicant.

Respondents: Mr. Mohit Singhal Advocate for Respondent no.2-CPCB
(through VC).
Mr. Pradeep Misra and Mr. Dalip Dhyani, Advocates for
Respondents no. 4 and 5 (through VC).
Mr. Rahul Khurana, Proxy Counsel for Ms. Priyanka Swami,
Advocate for UPSEIAA.
None for Respondents No. 1, 3, 6, 7 and 8.

**Application under Section 18(1) Read with Section 14 of the National
Green Tribunal Act, 2010.**

ORDER

1. Mr. Ankit Shah, Advocate who was representing the applicant earlier has submitted that he be permitted to withdraw his vakalatnama as he no longer wants to represent the applicant.

2. The request is allowed. It shall be for the applicant to appear through some other duly appointed Counsel.

3. M.A. No. 90 of 2023 was filed by respondent no.8- Project Proponent- M/s Synergy Waste Management Pvt. Ltd. for issuance of directions to

respondent no. 4-UPPCB to grant CTO and direction to the SEIAA, U.P. to consider its application for grant of Environmental Clearance.

4. M.A. No. 94 of 2023 was filed by the applicant alleging that respondent no. 8 is illegally operating CBMWTF without obtaining Environmental Clearance and CTO.

5. Vide order dated 30.10.2023 UPPCB and SEIAA, U.P. were directed to file further action taken reports.

6. Action taken reports have been filed by UPPCB vide email dated 11.01.2024 and by SEIAA, U.P. vide email dated 12.01.2024. Reply has also been filed by UPPCB vide email dated 11.01.2024.

7. In his report filed vide email dated 11.01.2024 the Member Secretary, UPPCB has submitted that CTO valid till the disposal of Environmental Clearance application by SEIAA, U.P. has been granted by UPPCB and the facility is currently operating its services with valid consent. The application for Environmental Clearance is under consideration before SEIAA, U.P. and the order is awaited.

8. In its report SEIAA, U.P. has mentioned that Terms of Reference for Captive Treatment Facility (But proposed Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, U.P., Synergy Waste Management Private Limited) were granted vide SEIAA letter no. 381/Parya/SEIAA/7761/2023 dated 18.01.2024.

9. Written request for adjournment has been made on behalf of Learned Counsel for SEIAA, U.P. on the ground of some personal difficulty. Learned Counsel for UPPCB also seeks time to file further action taken report.

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10. Further action taken reports be filed by SEIAA, U.P. and UPPCB within three months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.

11. List for further consideration on 09.05.2024.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

February 14th, 2024
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