

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

Original Application No.708/2023

Crossing Republik Flat Owner Association

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent

Date of hearing: 02.02.2024

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Ms. Shreepurna Dasgupta, Adv. for Applica

Respondent: Mr. Pradeep Misra & Mr. Daleep Dhyani, Advs. for UPPCB (Through VC)
Mr. Malak Bhatt & Mr. Shreyansh Chopra, Advs. for R - 3
Ms. Anusha Nagarajan & Mr. Rahul Ranjan, Advs. for R - 5 (Through VC)

ORDER

1. This original application was filed questioning setting up of a Bio-CNG plant with 300 TPD capacity at Khasra Nos. 121, 122, 123, 124, 129, 304, 305 and 306 of Village Dundahera of Ghaziabad, Uttar Pradesh. It was disclosed that tender was awarded to respondent no.5 and concession agreement dated 24.11.2022 was entered into.
2. Grievance of the applicant was that the proposed plant was located adjacent to the densely populated village. In the chart enclosed with the application, applicant had disclosed distance from the various set ups and had also taken the plea that plant was proposed to be located near hospitals and schools.
3. Tribunal by order dated 29.11.2023 had issued notices to the respondents.

4. Report dated 24.01.2024 has been filed by Regional Officer, UPPCB disclosing that application for Consent to Establish (CTE) has been rejected by order dated 19.07.2023 and that the unit had reapplied for CTE on 11.08.2023 which has also been rejected on the same ground on 18.09.2023 and that on the site visit on 20.01.2023, site was found to be vacant and no construction activity was found. Stand of the Regional Officer, UPPCB in this regard in the report is as under:-

- “ (iv). That, Consent to Establish application was applied on 14-04-2022 by M/s EverEnviro Resource Management Private Limited at Khasra No-121 to 124, 129 and 304 to 306, Village-Dundahera, Ghaziabad for setting up 300 TPD Bio-CNG plant. Inspection of site was carried out by U.P. Pollution Control Board, Ghaziabad on dated 02.05.2023. During visit it was found that the proposed site is situated amid densely populated residential area within a radius of 50 to 100 meters. (Copy of inspection report is annexed as Annexure-II) So, if this proposed unit was established and became functional then it was likely to have adverse impact on nearby population. Consent to Establish application was rejected on dated 19.07.2023. Copy of rejection letter is annexed as Annexure-III.*
- (v) Further unit had re-applied for obtaining the Consent to Establish on dated 11.08.2023 and CTE application was rejected on above ground on dated 18.09.2023. Copy of rejection letter is annexed as Annexure- IV.*
- (vi) That, latest inspection of proposed site of M/s EverEnviro Resource Management Private Limited at Khasra No-121 to 124, 129 and 304 to 306, Village-Dundahera, Ghaziabad was carried out on 20.01.2023 by officials of U.P. Pollution Control Board, Ghaziabad. During visit site was found vacant and no construction activity is being conducted. Copy of latest inspection report is annexed as Annexure-V.”*

5. In view of the above, grievance of the applicant does not survive. Hence, original application (708/2023) is disposed of, taking on record the report of the UPPCB. However applicant will be at liberty to approach the Tribunal again, in case if any further grievance in this regard arises.

6. Original Application No. 708/2023 is accordingly disposed of.

Prakash Shrivastava, CP

February 02, 2024
Original Application No.708/2023
JG.

Dr. A. Senthil Vel, EM