

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 708 OF 2023**

**IN THE MATTER OF:**

CROSSINGS REPUBLIK FLAT OWNER ASSOCIATION

... APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.  
RESPONDENTS

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FILED BY



**MALAK BHATT**  
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**C-7, GROUND FLOOR, NIZAMUDDIN EAST,**  
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**FILED ON: 31.01.2024**  
**NEW DELHI**

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**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 3, GHAZIABAD  
NAGAR NIGAM**

**MOST RESPECTFULLY SHOWETH:**

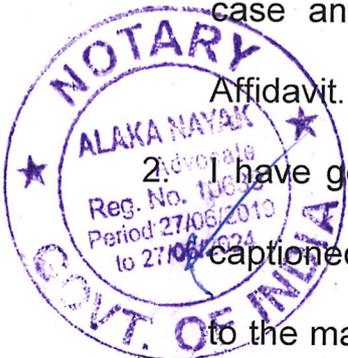
I, Dr. Mithlesh Kumar, S/o Sri Bhushan Singh, aged about 42 years, Nagar Swasthya Adhikari in Ghaziabad Nagar Nigam, presently in New Delhi and do hereby solemnly affirm and declare as under:

1. I am the Nagar Swasthya Adhikari of Ghaziabad Nagar Nigam and fully conversant with the facts and circumstances of the present case and therefore competent to sign and depose the present

Affidavit.

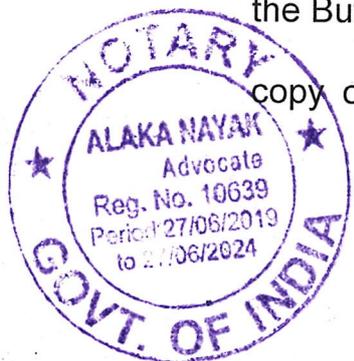
2. I have gone through the averments, prayers and annexures of the captioned Application. The Application is misconceived and contrary to the material on record and therefore, deserves to be dismissed at

the threshold. Each and every averment made in the captioned



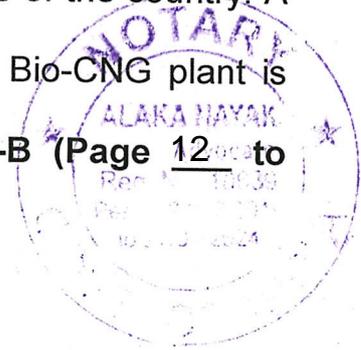
Application is denied and disputed in terms of submissions herein below, save and except what is expressly submitted or is a matter of record. The Respondent No. 3 crave leave of this Hon'ble Tribunal to file a detailed affidavit if and when deemed necessary by this Hon'ble Tribunal.

3. The present affidavit is being filed in response to the captioned Application filed by the Applicant assailing the proposal for establishing a Bio-CNG plant with 300 TPD capacity at Khasra No. 121, 122, 123, 124, 129, 304, 305 and 306 of Village Dundahera of Ghaziabad city in Uttar Pradesh.
4. On 29.06.2018, the Principal Secretary, Uttar Pradesh Government vide its letter gave instructions to the Respondent No. 3 to send long term proposals for solid waste management (separation, collection, transportation, processing and disposal) to the Government of Uttar Pradesh, wherein a private investor or through partnership requires municipal land for solid waste treatment on long term (25-30 years) lease.
5. On 15.04.2019, the Central Pollution Control Board ('CPCB') issued an Office Memorandum vide which certain changes were notified in the Buffer Zone Guidelines issued by CPCB in respect of distance. A copy of the Office Memorandum dated 15.04.2019 issued by the



CPCB is annexed herewith and marked as **ANNEXURE-A (Page 11)**

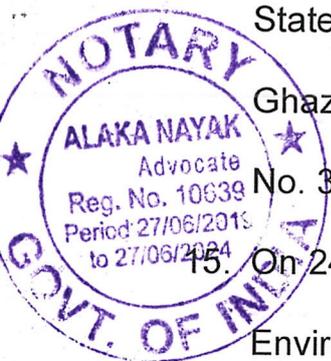
6. On 10.08.2022, an Expression of Interest ('EOI') inviting proposals was issued by Respondent No. 3 under the ambit of Uttar Pradesh Solid Waste Management Policy on e-tender website and an advertisement was published in the national newspapers on 12.08.2022 for setting up 300 TPD Bio-CNG Project based on Organic Fraction of Solid Waste under Public Private Partnership ('PPP') on Design, Finance, Built, Own, Operate ('DFBOO') basis, which will enable scientific processing of organic fraction of solid waste (wet waste), reduce burden of landfills and mitigate green house gas emissions.
7. The other reasons for setting up Bio-CNG plant at the proposed site was to mitigate 25,000 tones of CO<sub>2</sub> per year for every 100 tons of organic fraction of solid waste processed on the daily basis leading to zero landfills, using Bio-CNG as vehicular, commercial and industrial fuel, thereby reducing country's dependency on imported fuel, which will result in saving of foreign exchange of the country. A copy of the document containing the benefits of Bio-CNG plant is annexed herewith and marked as **ANNEXURE-B (Page 12 to**



8. M/s Ever Enviro Resource Management Pvt. Ltd. was the sole bidder to submit its proposal in response to Bio-CNG EOI issued by Respondent No. 3. A proposal to give Rs 74,00,000/- per year as royalty to the Respondent No. 3 by M/s Ever Enviro Resource Management Pvt. Ltd. was passed in this regard.
9. The above-mentioned proposal, which was in accordance with the conditions of EOI was sent to the State Mission Director (SBM), State Mission Directorate, Uttar Pradesh Sector-7, Gomti Nagar Extension, Lucknow.
10. Under the chairmanship of Principal Secretary, Uttar Pradesh Government, the Infrastructure Development Department issued Guidelines for PPP projects tiled as "Guidelines for Selection of Consultants and Developers for PPP Projects in UP, 2016". A Committee of Secretaries was established under the said guidelines.
11. The Committee of Secretaries, in the minutes of the meeting dated 29.09.2022, recommended the name of M/s Ever Enviro Resource Management Pvt. Ltd., which will get the benefits of setting up the plant. In furtherance with the recommendations made in the minutes of meeting dated 29.09.2022, M/s Ever Enviro Resource Management Pvt. Ltd. was issued a letter to execute the contract within 30 days.



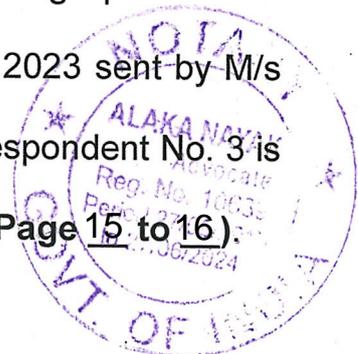
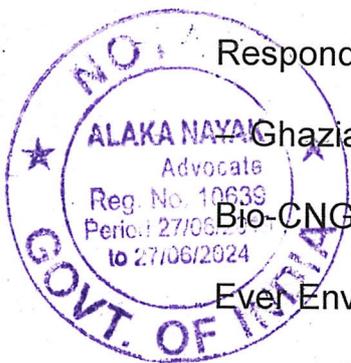
12. Thereafter, a meeting was held between M/s Ever Enviro Resource Management Pvt. Ltd. and the Respondent No. 3, in which M/s Ever Enviro Resource Management Pvt. Ltd. informed that the proceedings of the Concession Agreement/Substitution Agreement were executed.
13. However, as per point no. 5.1 and 5.3 of the Condition No. 5 titled as "Obligations of the Concessionaire of the Contract", it was the responsibility of the firm to obtain permission/ no objection from the concerned departments.
14. In compliance with the decision taken in the minutes of the meeting held on 29.09.2022 of "Committee of Secretaries" constituted by the Infrastructure Development Department, to the Principal Secretary, Urban Development Department, Uttar Pradesh Government, Lucknow for providing land for the establishment of Bio CNG Plant, Respondent No. 3 was directed vide letter dated 20.12.2022 to send a letter to the State Mission Director, Swachh Bharat Mission-Urban, State Mission Directorate Lucknow and District Magistrate, Ghaziabad to execute a land lease agreement between Respondent No. 3 and M/s Ever Enviro Resource Management Pvt. Ltd.
15. On 24.11.2022 and 28.11.2023, the Respondent No. 3 and M/s Ever Enviro Resource Management Pvt. Ltd. entered into a concession agreement and a Land Lease Agreement respectively for setting up



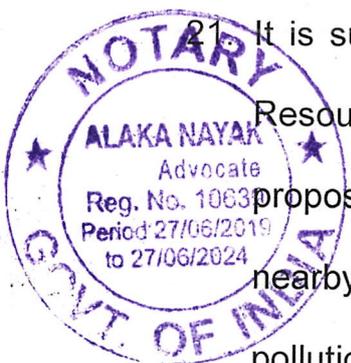
300 TPD Bio-CNG plant. As per the agreements, Respondent No. 3 had to provide segregated wet waste to the plant to M/s Ever Enviro Resource Management Pvt. Ltd., in return of annual royalty of Rs. 74,00,000/-.

16. Vide letter dated 19.07.2023, the Uttar Pradesh Pollution Control Board ('UPPCB') refused the application of M/s Ever Enviro Resource Management Pvt. Ltd. to give consent to establish Bio-CNG project since the proposed site was situated amid densely populated residential area within a radius of 50 to 100 meters. A copy of the letter of UPPCB dated 19.07.2023 sent to M/s Ever Enviro Resource Management Pvt. Ltd. is annexed herewith and marked as **ANNEXURE-C (Page 13 to 14)**.

17. Vide letter dated 26.07.2023, M/s Ever Enviro Resource Management Pvt. Ltd. informed Respondent No. 3 about the UPPCB refusal to give consent to establish Bio-CNG project because of which construction activities were stopped at the proposed site. M/s Ever Enviro Resource Management Pvt. Ltd. also requested Respondent No. 3 to take up the matter directly with Regional Officer Ghaziabad, UPPCB for grant of consent for setting up 300 TPD Bio-CNG project. A copy of the letter dated 26.07.2023 sent by M/s Ever Enviro Resource Management Pvt. Ltd. to Respondent No. 3 is annexed herewith and marked as **ANNEXURE-D (Page 15 to 16)**.



18. It is submitted that construction of the Bio-CNG plant on the proposed site was commenced as per the terms of Concession Agreement dated 24.11.2022 for the scientific processing of organic fraction of solid waste (wet waste), reduce burden on landfills and mitigate green-house gas emissions. The construction of the Bio-CNG plant on the proposed site commenced in due compliance with the relevant laws and regulations concerning waste management.
19. It is submitted that the averments raised by the Applicant regarding the alleged construction of Bio-CNG plant are erroneous and misconceived, both on the basis of facts and on the law.
20. That, as submitted by M/s Ever Enviro Resource Management Pvt. Ltd., the construction of proposed Bio-CNG plant was based on Continuous Stirred Tank Reactor (CSTR) technology, which is completely odorless and based on Mesophilic Anaerobic Digestion process, which does not spread bad and poisonous odor to the nearby surrounding of the plant, and thereby does not pollute the surroundings.
21. It is submitted that the technology being used by M/s Ever Enviro Resource Management Pvt. Ltd. at the place of construction of the proposed Bio-CNG plant is not meant to convert the land and its nearby vicinity into a 'dump yard' of solid waste, lead to air and water pollution and severally affect the health of the residents of nearby



society. Rather, the plant is being established nearest to the place of waste generation, whereby the waste generated could be processed at the earliest and thereby remove the problem of landfills, which will ultimately benefit the residents residing in nearby society to the plant.

22. It is submitted that not only will the construction of the proposed Bio-CNG plant reduce the landfills, but it will also help in generation of Bio-CNG which would reduce the country's dependence on imported fuel and will be used as a cleaner alternative to petrol and diesel.
23. It is submitted that this Hon'ble Tribunal vide order dated 06.03.2023 in *Hazi Arif v. State of Uttar Pradesh, O.A. No. 140 of 2023* has held that generated solid waste is required to be duly processed at the earliest and nearest to the place of generations. In absence of better alternative, location of such facility and close to habitation and other such establishments may be at times be unavoidable. In such case, strict compliance of Solid Waste Management Rules, 2016 is not required. Relevant excerpts of the order is produced hereinbelow:

*"4. We are of the view that generated solid waste is required to be duly processed at the earliest and nearest to the place of generation, in accordance with the Solid Waste Management Rules, 2016. In absence of better alternative, location of such facility close to habitation and other such establishments may be at times be unavoidable. Thus, beyond directing strict compliance of Solid Waste*



*Management Rules, 2016 and consideration of all available alternatives by the statutory regulators, we are unable to interfere with the site for waste management.”*

A copy of the order dated 06.03.2023 in O.A. No. 140 of 2023 of this Hon'ble Tribunal is annexed herewith and marked as **ANNEXURE-E** (Page 17 to 18).

24. It is submitted that Ghaziabad is one of the fastest growing cities in the country, and availability of land is a huge challenge. Hence, due to absence of better alternative location for the construction of the plant, the construction of the proposed plant was done at the nearest place of generations of solid waste. Therefore, Para A (ix) of Schedule I of the Solid Waste Management Rules, 2016 which requires a buffer zone of no development zone will not apply in the present case.
25. It is humbly submitted that the construction of Bio-CNG plant is at halt and M/s Ever Enviro Resource Management Pvt. Ltd. is challenging the refusal by UPPCB of consent to establish Bio-CNG project before the concerned authorities under appropriate and applicable law.
26. Furthermore, as per the letter received by the Respondent No. 3 from the Joint Secretary, Uttar Pradesh Government, Urban Development Section, the Respondent No. 3 has been directed to send a para wise report to the Law Department of Uttar Pradesh



Government for their perusal to get orders for the future course of action to be undertaken by Respondent No. 3.

27. In view of the submissions made by the Respondent No. 3 in the foregoing paragraphs, the captioned Application has been filed on wrong notion, therefore requires to be dismissed.

I state that everything stated above has been stated by me in my official capacity based on and derived from the official records maintained by the Ghaziabad Nagar Nigam in the official capacity and I state that nothing material has been concealed there from.

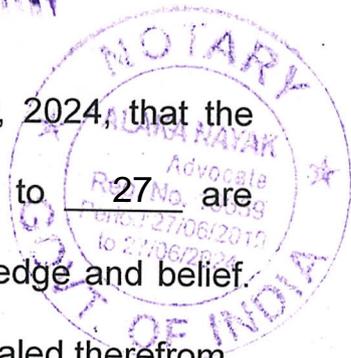
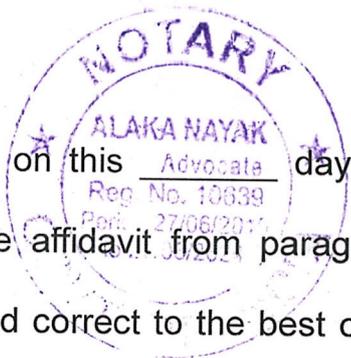
*Malla*  
I identified the deponent who has signed in my presence.

*[Signature]*  
DEPONENT

31 JAN 2024

**VERIFICATION:**

Verified at New Delhi on this Advocate day of January, 2024, that the contents of the above affidavit from paragraphs 1 to 27 are believed to be true and correct to the best of my knowledge and belief.



No part of it is false and nothing material has been concealed therefrom.



CERTIFIED THAT THE DEPONENT  
Smt/Smt./Mr. Mallu Prasad  
S/o, W/o P/o [Signature]  
Identified by [Signature]  
Has solemnly sworn to me at  
Delhi on 31/01/2024  
That the contents of the affidavit which  
have been read & explained to him/her  
are true & correct to his/her knowledge

*[Signature]*  
DEPONENT

31 JAN 2024

*[Signature]*  
NOTARY

**Central Pollution Control Board**

UPC-II

Date: 15-04-2019

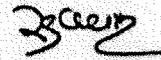
**OFFICE MEMORANDUM****SUBJECT: - " Clarification on Buffer Zone Guidelines " issued by CPCB.**

CPCB issued guidelines on Buffer Zone around waste processing and disposal facilities in April, 2017.

Subsequently, Central Monitoring Committee constituted under Solid Waste Management Rules, 2016 suggested MOEF & CC to revisit the buffer zone in respect of distance. The Central Pollution Control Board in its 182<sup>nd</sup> meeting agreed for revisiting of Guidelines.

It is decided that following changes have been made as mentioned at page no.13 of aforesaid Guidelines;

1. Land of 200-500 m from the boundary of the processing unit is excluded for setting up the facilities but it is mandatory outside the project site as "No development area" for 30 years.
2. "No development area" can be utilized for agriculture purpose.



(A. Sudhakar)  
Member Secretary

To,  
(As per list attached)  
All SPCBs/PCCs

### **300 TPD Bio-CNG Project at Ghaziabad**

- Ghaziabad Nagar Nigam (GNN) issued Expression of Interest on 10.08.2022 to Set Up 300 TPD Bio-CNG Project based on Organic Fraction of Solid Waste under Public Private Partnership on Design, Finance, Built, Own, Operate (DFBOO) basis.
- EOI was issued under the ambit of Uttar Pradesh Solid Waste Management Policy vide GO No.2221/Nine-5-18-352Sa/2016 dated 29.06.2018.
- Last date of Submission of EOI was 03.09.2022.
- EverEnviro Resource Management Private Limited (EverEnviro) was the sole bidder to submit its proposal in response to Bio-CNG EOI issued by GNN.
- 100% Capital Investment on the Bio-CNG Project including O&M for concession period of 25 years will be borne by EverEnviro.
- GNN will provide 300 TPD source segregated organic fraction of solid waste (excluding 10% impurities) up to the project site on free of cost basis for entire concession period to EverEnviro.
- GNN will provide 10-12 acres of land near Dundahera STP, at nominal lease rent of Rs.1 per sqm per year for Bio-CNG project including basic infrastructure like access road, power connection, sewer line connection and potable water up to the project site.
- EverEnviro has offered Fixed Annual Royalty of Rs.74,00,000 to GNN for the said Bio-CNG project.
- If required by GNN, EverEnviro will provide Bio-CNG at Rs.5 per Kg less than the prevailing market price of CNG in Ghaziabad, but at any point of time the price of CNG will never be less than the price of CNG fixed by Government of India under SATAT scheme.
- Bio-CNG Plants plant at Ghaziabad will be based on Continuous Stirred Tank Reactor (CSTR) technology, which is completely odorless and based on Mesophilic Anaerobic Digestion process.

#### **Benefits of Bio-CNG Plant at Ghaziabad:**

- **Bio-CNG Plant will enable scientific processing of organic fraction of solid waste (wet Waste), reduced burden on landfills and mitigation of Green House Gas Emissions.**
- **Zero Financial Burden on the ULB as Concessionaire is responsible for both Capex. & Opex. for the entire concession period of 25 years.**
- **Alternate New Source of Revenue to cash starved ULBs through payment of royalty by the concessionaire.**
- **Direct and indirect employment of 200 people from local area per project**
- **Mitigation of 25,000 tons of CO<sub>2</sub> per year for every 100 tons of organic fraction of solid waste processed on daily basis leading to zero landfills.**
- **Usage of Bio-CNG as vehicular, commercial, and industrial fuel reducing country's dependency on imported fuel, resulting in saving of foreign exchange.**
- **Usage of Fermented Organic Manure (FOM) and Liquid Fermented Organic Manure (LFOM) for agriculture and horticulture applications leading to improved soil fertility and reduction of chemical fertilizer usage.**



**U.P. POLLUTION CONTROL BOARD**

Building.No. TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226 010  
Telephone: +91-522-2720831, 2720681, 2720691 (Fax): +91-522-2720764

Ref No. -  
179554/UPPCB/Ghaziabad(UPPCBRO)/CTE/GHAZIABAD/2023

Dated : 19/07/2023

To ,

M/S RAJ KUMAR

EVERENVIRO RESOURCE MANAGEMENT PRIVATE LIMITED

Khasra No121-124,129,304-306, Land for Bio-CNG project, Village. Dundahera,

Ghaziabad,GHAZIABAD,201009

GHAZIABAD

**Sub :** Consent To Establish( C.T.E ) Application under section 25/26 of Water (Prevention & Pollution ofcontrol) Act, 1974 as amended and section 21/22 of Air (Prevention & Control of Pollution) Act, 1981 as amended

Kindly refer to your application for Consent to Establish (C.T.E) dated 14/04/2023 received on 14/04/2023 for the proposed Project of EVERENVIRO RESOURCE MANAGEMENT PRIVATE LIMITED Expansion of Existing Unit/ Modernization/diversification of existing plant at Khasra No121-124,129,304-306, Land for Bio-CNG project, Village. Dundahera, Ghaziabad,GHAZIABAD,201009 under section 25/26 of Water (Prevention & Pollution of Control) Act 1974 as amended and section 21 of Air (Prevention & control of Pollution) Act, 1981 as amended.. Your Consent to Establish application is hereby Refused due to following reasons :

**Reason:**

During the inspection, it was observed that the proposed site is situated amid densely populated residential area within a radius of 50 to 100 meters. So, if this proposed unit is established and becomes functional then it is likely to have adverse impact on nearby population.

Environmental Guidelines for Compressed Biogas Plant (CBG)/Bio-CNG Plants" dated 23.02.2022 has been issued by the Central Pollution Control Board, New Delhi, but the Siting Criteria is not mentioned in the same guideline. Letter has been sent to MS, CPCB vide this office's letter on dated 21.06.2023 for providing guideline regarding sitting criterion whose reply is still awaited

An online query was also raised dated 21-06-2023 which is as below

"Guideline Environmental Guidelines for Compressed Biogas Plant (CBG)/Bio-CNG Plants" dated 23.02.2022 has been issued by the Central Pollution Control Board, New Delhi, but the Siting Criteria has not been mentioned. Letter has been sent to MS, CPCB vide this office's letter on dated 21.06.2023. Before processing this CTE application, the following documents/information are may be provided alternatively by the unit: - Siting Criteria as CPCB guideline Environmental Guidelines for Compressed Biogas Plant (CBG)/Bio-CNG Plants on dated 23.02.2022."

The project proponent has online given an unsatisfactory reply regarding above query. Complaints are also being received against such proposed unit.

As the Siting Criteria is a prerequisite for granting Consent to Establish, the application cannot be approved at this time. However, once the Siting Criteria is obtained from CPCB, the industry will be notified, and the application may be reconsidered accordingly.

The Consent To Establish (C.T.E ) Application under section 25/26 of The Water (Prevention & Control of Pollution) Act, 1974 as amended and section 21/22 of The Air (Prevention & Control of Pollution) Act 1981 as amended, is hereby refused and you are hereby informed to comply the mandatory provisions of aforesaid acts.

Vikas  
Mishra

Digitally signed  
by Vikas Mishra  
Date:  
2023.07.19  
13:34:56 +05'30'

( Authorized Signatory )

VIKAS MISHRA  
Regional Officer

**Copy To -**

CEO-1, UPPCB, LUCKNOW.

VIKAS MISHRA  
Regional Officer  
( Authorized Signatory )



Date: 26.07.2023

To  
Sh. Nitin Gaur, IAS  
Commissioner,  
Ghaziabad Nagar Nigam  
Navyug Market, Opposite Old Bus Stand,  
Ghaziabad (Uttar Pradesh) – 201001.

Subject: Setting Up 300 TPD (excluding impurities up to 10%) Bio-CNG Plant based on Organic Fraction of Solid Waste under Public Private Partnership (PPP) with Ghaziabad Nagar Nigam (GNN) at Design, Finance, Built, Own, Operate (DFBOO) basis.

Ref: (i) Concession Agreement dated 24<sup>th</sup> November, 2022 signed between Ghaziabad Nagar Nigam and EverEnviro Resource Management Private Limited.  
(ii) Land Lease Agreement dated 28<sup>th</sup> December, 2022 signed between Ghaziabad Nagar Nigam and EverEnviro Resource Management Private Limited.  
(iii) UPPCB Letter No. 179554/UPPCB/Ghaziabad(UPPCBRO)/CTE/GHAZIABAD/2023 dated 19.07.2023 regarding refusal of CTE

Dear Sir,

As you are aware, Ghaziabad Nagar Nigam and EverEnviro Resource Management Private Limited signed a Concession Agreement dated 24<sup>th</sup> November, 2022 and Land Lease Agreement dated 28<sup>th</sup> November, 2023 cited under ref (i) & (ii) above, for Setting Up 300 TPD (excluding impurities up to 10%) Bio-CNG Plant based on Organic Fraction of Solid Waste under Public Private Partnership (PPP) on Design, Finance, Built, Own, Operate (DFBOO) basis after approval by Committee of Secretaries headed by Chief Secretary, Government of Uttar Pradesh under UP Solid Waste Management Policy, 2018.

Post signing of Land Lease Agreement dated 28<sup>th</sup> December 2022, Ghaziabad Nagar Nigam handed over 12 Acres land at Dundahera, Ghaziabad and EverEnviro started the construction activities at the project site.

EverEnviro also applied to Uttar Pradesh Pollution Control Board (UPPCB) for grant Consent to Establish (CTE) for the project.

Ghaziabad Bio-CNG Project being an important environmental project, the same was inaugurated by Hon'ble Chief Minister, GoUP on 6<sup>th</sup> April, 2023.

EverEnviro Resource Management Private Limited  
Corporate Office:  
9A Building, 2nd Floor, DLF Cyber City, Phase 3, Sector 24, Gurugram, Haryana – 122002  
CIN : U37100MH2019PTC330211



It is informed that UPPCB vide its letter dated 19.07.2023 has refused to grant the Consent to Establish (CTE) to the project, stating that Siting Criteria for Compressed Biogas/ Bio-CNG Plants has not been mentioned in Guidelines issued by CPCB on 23.03.2022 for CBG projects. However, UPPCB has also mentioned that they will reconsider EverEnviro's CTE application for 300 TPD Bio-CNG project at Ghaziabad once the siting criteria for CBG/ Bio-CNG projects is available with them.

It may be noted that EverEnviro has already invested funds on the project for resource mobilization, construction of boundary wall, soil investigation, topographical survey etc.

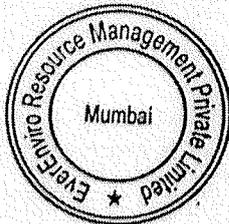
**Due to refusal to grant of CTE by UPPCB, EverEnviro is constraint to suspend the project construction activities at Dundahera site. Construction activities will be resumed only after grant of CTE by UPPCB for the 300 TPD Bio-CNG project. This is going to adversely effect the COD of the project as well as result in upward revision on the capital cost of the project.**

In view of position explained above, we request your good office to take up the matter directly with Regional Officer- Ghaziabad, UPPCB for grant of CTE to EverEnviro for setting up 300 TPD Bio-CNG project at Dundahera.

For EverEnviro Resource Management Private Limited

*Deepak Agarwal*

Deepak Agarwal  
Executive Director



Item No. 03

Court No. 1

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

Original Application No. 140/2023

Hazi Arif

Applicant

Versus

State of Uttar Pradesh & Ors.

Respondent(s)

Date of hearing: 06.03.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Sher Khan, Advocate

**ORDER**

1. Grievance in this application is against illegal dumping of solid waste in village Jhandapur, District Ghaziabad by the Municipal Corporation Ghaziabad.

2. According to the applicant, the site in question is close to reserved park as per Layout Plan of Industrial Area Site-4 and is near Hindon Airport. There is a school where 400 students are studying in the vicinity of the site. A temple is situated nearby. The site is close to village having population of 25000. Representation dated 02.11.2022 was filed with Commissioner, Municipal Corporation, District Magistrate and UPSIDA, followed by representation to the Chief Secretary, UP but no action has been taken.

3. We have heard learned counsel for the applicant, perused the record and considered the matter.

4. We are of the view that generated solid waste is required to be duly processed at the earliest and nearest to the place of generation, in accordance with the Solid Waste Management Rules, 2016. In absence of better alternative, location of such facility close to habitation and other such establishments may be at times be unavoidable. Thus, beyond directing strict compliance of Solid Waste Management Rules, 2016 and consideration of all available alternatives by the statutory regulators, we are unable to interfere with the site for waste management.

5. Accordingly, we dispose of this application with a direction that a joint Committee of Municipal Corporation, Ghaziabad, State PCB and District Magistrate, Ghaziabad may look into the matter preferably by giving personal hearing to the concerned stake holders within two months and decision uploaded on the website of the Corporation. The State PCB will be the nodal agency for compliance and coordination.

A copy of this order be forwarded to the Municipal Corporation, Ghaziabad, State PCB and District Magistrate, Ghaziabad by email.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

March 06, 2023  
Original Application No. 140/2023  
A



Shreyansh Chopra &lt;shreyansh@malakbhatt.com&gt;

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**Service: Affidavit on behalf of Respondent No. 3 in O.A. No. 708 of 2023 titled as "Crossings Republik Flat Owner Association v. State of Uttar Pradesh & Ors."**

1 message

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**Shreyansh Chopra** <shreyansh@malakbhatt.com>  
To: "dclaw160@gmail.com" <dclaw160@gmail.com>  
Cc: Malak Bhatt <malak@malakbhatt.com>

31 January 2024 at 16:55

Respected Sir

We write on behalf of Respondent No. 3 in the captioned matter. The Respondent No. 3 has filed an affidavit before the Hon'ble NGT. A copy of the same has been enclosed herewith.

Kindly consider this email as **advance service** for the same.

Regards

**Shreyansh Chopra, Advocate****Chambers of Malak Manish Bhatt, AoR****Mobile:** +91 9654661233**Office:** C-7, Ground Floor, Nizamuddin East, New Delhi - 110013**Tel:** 011 43019000

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 **Affidavit on behalf of Respondent No. 3.pdf**  
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