

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, NEW DELHI

M.A. No. 760/2013

In

Original Application No. 282/2013

Tarun Bharat Chauhan & Anr. V/s Union of India & Ors.

CORAM: HON'BLE SHRI JUSTICE DR. P. JYOTHIMANI, JUDICIAL MEMBER
HON'BLE SHRI JUSTICE S.N. HUSSAIN, JUDICIAL MEMBER
HON'BLE DR. G.K. PANDEY, EXPERT MEMBER
HON'BLESRI RANJAN CHATTERJEE, EXPERT MEMBER
HON'BLE MR. B. S. SAJWAN, EXPERT MEMBER

Applicant/Appellant : Mr. Pinaki Misra, Sr. Adv. along with Mr. Sanjeev Saraswat, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 1 September 20, 2013	<p>We have heard Learned Senior Counsel appearing for the Applicant. This matter relates to the proposed Municipal Solid Waste Plant to be put up by the Government of Uttar Pradesh at Village Dundahera. The contention as raised by the Learned Senior Counsel is that the proposal has come without any clearance from the competent authorities in the midst of large residential habitants thereby affecting their life causing hazard and there is no land acquisition proposal completed but the project is likely to start at any time.</p> <p>Considering the aforesaid gravity of the situation that the Municipal Solid Waste Scheme is sought to be implemented by the Respondents in the midst of residential area without following the legal process, we are of the view that, <i>prima facie</i>, in the interest of the public of the area, this application should be admitted and accordingly it is admitted, and the Respondents are directed to maintain <i>status quo</i> as it exists as on date until further orders of this Tribunal.</p> <p>In the meantime, we direct the Chief Secretary of the State of UP to depute the concerned Secretary from the Department looking into the urban administration with their proposal for putting up of</p>

Municipal Solid Waste management plan in the entire state of UP in each of the districts so as to evolve a common scheme for the entire state of UP for taking into consideration not only the interest of the occupants but also environmental issues, by the next date of hearing.

Issue Notice to the Respondents by Registered Post/Acknowledgment Due as well as Dasti. Private notice also allowed.

Stand over to 7th October, 2013.

....., JM
(Dr. P. Jyothimani)

....., JM
(S.N. Hussain)

....., EM
(Dr. G.K. Pandey)

....., EM
(Ranjan Chatterjee)

....., EM
(B.S. Sajwan)

