

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
M.A. NO. 190 OF 2013  
Application No. 105 of 2013**

**Go Green Welfare Association Vs. State of U.P. &Ors.**

**CORAM :** HON'BLE MR. JUSTICE SWATANTER KUMAR, CHAIRPERSON  
HON'BLE MR. JUSTICE U.D. SALVI, JUDICIAL MEMBER  
HON'BLE DR. D.K. AGRAWAL, EXPERT MEMBER  
HON'BLE DR. R.C. TRIVEDI, EXPERT MEMBER  
HON'BLE MR. B.S. SAJWAN, EXPERT MEMBER

<b>Present:</b>	<b>Applicant:</b>	<b>Mr. Vineet Bhagat,</b>
	<b>Respondent No.1&amp;5:</b>	<b>Ms.SavitriPandey, Advocate</b>
	<b>Respondent No.2:</b>	<b>Ms.NeelamRathore,Advocate and Mr.Vikramjeet Advocate</b>
	<b>Respondent No.3&amp;4:</b>	<b>Mr.Gaurav Bhatia, Add. A.G. State of UP, Mr.PankajPandey, Advocate and Mr.Abhikasp Singh, Advocate</b>
	<b>Respondent No.6:</b>	<b>Mr.Daleep Kumar, Dhayani for Mr.PradeepMisra, Advocate</b>

Date and Remarks	Orders of the Tribunal
<b>Item No. 7 October 23, 2013</b>	<p>This is an Application filed under Section 18 read with Section 14 and 15 of the National Green Tribunal Act, 2010 with a prayer that the Respondents to be restrained from setting up or constructing the Waste Management Plant/Solid land Fills at Sector 123 NOIDA which will adversely affect the population and Environment.</p> <p>This prayer has been made on the premise that the Respondents has neither sought any clearance in terms of the Notification, 2006 nor they have obtained any authorization under the Municipal Solid Waste Rules, 2000.</p> <p>The petition has been moved on the apprehension that the Agenda No. 20 of the NODIA Authority meeting relates to modification in the site of the land fill in terms of NOIDA master plan 2031.</p> <p>Learned Counsel appearing for the Respondents, while contending that the present petition is premature and thus it is not maintainable, fairly conceded that they have not obtained either the authorization under the MSW from the competent Board or the Environmental Clearance from the SEIAA as the stage was not ripe for that purpose. He further states that except the boundary wall the authority will not raise any construction or install any plant at the site in question without fully complying with the requirement of law including taking authorization under the MSW Rules and seeking the EC under the 2006,Notification from SEIAA in accordance with law.</p> <p>In view of the statement made on behalf of the Respondents the present Petition does not survive and is</p>

disposed of with liberty to the Applicant to raise pleas raised in the present Application during the process of granting EC by the SEIAA or at any other appropriate stage as the law permits. The Application is disposed of with the above directions, however, without any order as to cost.

**M. A. NO. 190 of 2013**

This Application does not survive and stands disposed of accordingly.

JG

.....,CP  
(Swatanter Kumar)

.....,JM  
(U.D. Salvi)

.....,EM  
(Dr. D.K. Agrawal)

.....,EM  
(Dr. R.C. Trivedi)

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

