

**BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH, BHOPAL**

**Appeal No. 11/2018 (CZ)**

**M/s E Tech Projects Pvt. Ltd. vs. C.G.E.C.B. & 3 Ors.  
and**

**M.A. No. 81/2018 & 82/18**

**CORAM : HON'BLE MR. JUSTICE RAGHUVENDRA S. RATHORE, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

**PRESENT : Appellant :**

**Shri A.K. Mishra, Sr. Advocate**

**Shri Ayush Dev Bajpai, Advocate**

**CECB :**

**Shri Aditya Vijay Singh, Advocate**

<b>Date and Remarks</b>	<b>Orders of the Tribunal</b>
<b>8<sup>th</sup> May, 2018</b>	<p>This appeal has been filed against the order dated 23<sup>rd</sup> April, 2018 whereby the appellant have been ordered to close the Common Bio-medical Waste Treatment Facility at Bhilai, State of Chhattisgarh. Further, it has been ordered that concerned authorities shall disconnect the supply of electricity provided to the facilities with immediate effect.</p> <p>The first and foremost contention raised by the Learned Counsel for appellant is that appellant was not provided the opportunity of hearing before passing the impugned order. In order to substantiate his argument the Learned Counsel for appellant has invited our attention to the Provisions as contained in Section 5 of the Environment (Protection) Act, 1986 and Rule 4 of the Environment (Protection) Rules, 1986. It has also been submitted that had the opportunity been given to the appellant they would have brought to the notice of concerned authorities of Chhattisgarh Environment</p>

Conservation Board as to how they have been complying with the rules regarding treatment of bio-medical waste.

After having considered the submission made by the Learned Counsel for appellant and on perusal of the material on record, we deem it just and proper to direct respondent no. 1 / Chhattisgarh Environment Conservation Board to accord an opportunity of hearing to the appellant and thereafter pass a fresh order on merits, in accordance with law. We expect respondent no. 1 to decide the matter within a period of 15 days from the date the opportunity of hearing is given to the appellant.

Accordingly, the Appeal is **disposed of**, with no order as to cost.

.....JM  
(JUSTICE RAGHUVENDRA S. RATHORE)

.....EM  
(DR. NAGIN NANDA)

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Item No. 1  
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