

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

Original Application No. 88/2023

Dr. Tushar Chandrakant Nehete

Applicant

Versus

State of Maharashtra

Respondent

Date of hearing: 16.03.2023

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

**Application is registered based on a complaint received by post/e-mail**

**ORDER**

1. Grievance in this application is against violation of environmental norms in operation of bio-medical waste facility of Masai BMW enterprises Pvt. Ltd. at Jalgaon, Maharashtra.

2. According to the applicant, license given to it has expired but it is collecting money from the contributors of waste. Its vehicles do not follow the laid down guidelines. The waste is not being collected from 95% of the registered centers particularly those in villages and other remote areas. Bio medical waste is collected only from few places on alternative days. Rs. 200/- to 500/- per nursing home is collected towards diesel cost without receipts. Charges are also collected for bio-medical plastic bags. Extra money is collected from the customers. Rs. 25,000/- to Rs. 30,000/- is collected from each practitioner and no proper record is maintained.

3. The applicant and his wife are running maternity home and have their own grievances against the service provider.

4. Having regard to above, we consider it appropriate to direct the State PCB to look into the matter and take such remedial measures as necessary for ensuring compliance of Biomedical Waste Management Rules, 2016. It may be ensured that the performance of BMW facility is duly assessed with reference to the quantum of BMW generated at Jalgaon and facilities created to manage the waste. State PCB may also take into account observations of this Tribunal in recent order dated 23.01.2023 in M.A No. 98/2022, *Mukul Kumar v. State of Uttar Pradesh & Ors.* State PCB may also check up compliance with EC conditions and compliance of Rule 5(q) of the BMW Rules with regard to setting up and performance of incinerator.

5. An action taken report may be filed with the Registrar General, NGT by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF within two months. If any further direction is found necessary, he may place the matter before the Bench.

The Application is disposed of.

A copy of this order along with copy of the complaint be forwarded to State PCB by email for compliance.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

March 16, 2023  
Original Application No. 88/2023  
AB