

Item No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL
CENTRAL ZONE BENCH, BHOPAL**
(Through Video Conferencing)

Original Application No. 11/2023 (CZ)

Dhanna Ahirwar

Applicant(s)

Versus

MP PCB & Ors

Respondent(s)

Date of Hearing: **08.02.2023**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

For Applicant(s):

Mr. Vikramaditya Singh, Adv

For Respondent(s):

None

ORDER

1. The issues raised in this application are non-compliance of Bio-Medical Waste Management Rules 2016, The Water (Prevention And Control Of Pollution) Act, 1974 And The Air (Prevention And Control Of Pollution) Act, 1981 by illegal disposal of bio medical waste by JK Medical Waste Management System and thus causing troubles to the residents due to garbage rotting for months, large amount of garbage been thrown on field daily including BMW of hospitals being burnt and ashes thrown in and around fields of District Ashoknagar, Tehsil Chanderi, Village Mohanpur. The ash is also leaking in rivers, drains, wells, head pumps which in turn is causing an environment hazard. For past couple of years, numerous incidents of unscientific disposal, unlawful handling & treatment and illegal dumping of bio-medical waste in the surrounding fields and water bodies have been reported by residents, with photographic and video evidence against R-7. It was particularly stated in the complaints that R-7 on regular basis is dumping 10-15 trolleys of bio-medical waste in open and in complete disregard to the law and order throwing the poisonous/ gaseous bio-medical waste in water bodies of the surrounding areas. Whereas, BMW treatment facility which is a specialized job to be carried on

by the professionals in the field as many medical wastes are classified as infectious or bio-hazardous and could potentially lead to the spread of infectious disease. The most common danger for humans is the infection which also affects other living organisms in the region. Daily exposure to the wastes (landfills) leads to accumulation of harmful substances or microbes in the person's body.

2. The contention of the Applicant is that the representation, application, complaint was moved before competent authorities for taking proper action, but nothing was done thus the present application.
3. A substantial issue of environment has been raised.
4. Issue notice to the respondents, returnable within four weeks. Respondents are directed to submit their reply within Six weeks through E-filing portal, preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.
5. Applicant is directed to take necessary steps for service to the respondents by both ways and also on available email.
6. We deem it just and proper to call a report on the matter in issue in present Original Application, from a Joint Committee consisting of:-
 - i. District Magistrate/Collector, Gwalior or his representative
 - ii. One representative from Central Pollution Control Board.
 - iii. One representative from Madhya Pradesh Pollution Control Board
7. The Committee is directed to visit the place and submit the factual and action taken report within six weeks. The State PCB will be the nodal agency for coordination and logistic support.
8. Applicant is directed to supply the copy of the application and relevant documents to the Committee and Respondent(s) within a week and after compliance of service, the applicant has to submit an affidavit that the notice and copy of the application have been served upon the Committee and respondent(s).

9. The report in the matter be filed by the Committee through email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

List it on **28th March, 2023**.

Sheo Kumar Singh, JM

Dr. A. Senthil Vel, EM

08th February, 2023
O.A No. 11/2023 (CZ)
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