

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

Original Application No.45/2021 (CZ)

Dipankar Mukharjee

Applicant (s)

Versus

M/s BMW Solutions

Respondent(s)

Date of hearing: **09.09.2021**

**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Enosh George Carlo, Adv.

For Respondent(s) : Mr. Sachin K.Verma, Adv.
Mr. Dharamveer Sharma, Adv.
Ms. Parul Bhadoria, Adv.
Ms. Gunjan Chowksey, Adv.

ORDER

1. Very serious allegations with regard to violation of Biomedical Waste Management Rules and Environmental norms have been raised by the learned counsel for the applicant in Common Biomedical Waste Treatment Facility (CBWTF) established at village Rathatal Tehsil Berasia, District Bhopal. It is alleged that Respondent No. 1 is a Common Biomedical Waste Treatment Facility (CBWTF) established at village Rathatal Tehsil Berasia District Bhopal. The Respondent No. 1 has been flouting the Rules and Regulations and has been creating serious threat to the lives of the inhabitants of the adjoining villages of Pardi, Bandikalan, Chandbad Kadir, Jaitpura, Mudiyakhedi, Raipur Gram, Bairkhedi Kalan, Jagauni Jaura, Sukliya. The Respondent No. 1 unit was inspected by a team of officers of the Respondent No. 2 office on 08.09.2020 and series of serious violations were found in the Respondent No. 1's CBWTF facility. The RTM data capture rate was found to be 4.69%, wherein it should be more than 85% clearly

indicating that the Respondent No. 1 unit is simply not destroying the biomedical waste at the required temperature and is not maintaining the two second retention time in secondary chamber.

2. Matter was taken up on 09.07.2021 and a joint committee was constituted in the following manner:-

“3. We deem it just and proper to call a report in the matter in issue, from a Joint Committee consisting :-

- (i) Municipal Commissioner, Bhopal*
- (ii) One representative from CPCB*
- (iii) One representative from MPPCB*

4. The Committee is directed to submit a factual and action taken report within six weeks.

5. The irregularities which have been narrated in the application must be observed by way of inspection and if it is found that the unit is violating the environmental norms and Bio-Medical Waste and Management Rules immediate action should be taken against the violator. The applicant is directed to provide the copy of the application and the relevant documents to the Committee, within a week. The Committee is directed to submit the report on email at ngtczbbho-mp@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF.”

3. In response thereof, the joint committee has submitted the report. Learned Counsel for the applicant sought a short time for filing the response. The reply/response may be filed within fortnight.

List it on **09th November, 2021.**

Sheo Kumar Singh, JM

Arun Kumar Verma, EM

09th September 2021
OA No. 45/2021 (CZ)
PN