

BEFORE THE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI

ORIGINAL APPLICATION NO.123 OF 2017

IN THE MATTER OF:-

Dr. KIRTHIKA GOKULNATH.

Applicant

Versus

UNION OF INDIA & OTHERS

Respondent

PAPER BOOK – I

I N D E X

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Through

A. Sathya Bama
Standing counsel for
Puducherry Pollution Control Committee

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI**

ORIGINAL APPLICATION NO.123 OF 2017

IN THE MATTER OF

Dr. Kirthika Gokulnath

.... Applicant

: Versus:

Union of India & Ors.

...Respondents

**AFFIDAVIT FILED BY THE MEMBER SECRETARY ON BEHALF OF THE
CHAIRMAN, PUDUCHERRY POLLUTION CONTROL COMMITTEE**

I S. DINESH KANNAN S/o Shri. Subramanian, aged 44 years, Member Secretary of Puducherry Pollution Control Committee (PPCC), Government of Puducherry, do hereby solemnly affirm and state as follows:

1. I respectfully submit that I am conversant with the facts of the case and competent to swear this affidavit.
2. I respectfully submit that, Puducherry Pollution Control Committee is designated authority to enforce Bio-Medical Waste Management Rules, 2016 in the U.T. of Puducherry.
3. I respectfully submit that, as per the Hon'ble NGT (SZ) order dated 20.03.2020, Environmental Compensation was calculated based on CPCB Guidelines as below:

Environmental Compensation for HCFs = HR x T x S x R x N

Where; HR – Health Risk factor = 10(Not applied for authorization)
T- Type of Healthcare Facility = 1.0 (Non-bedded (veterinary hospital,
pathological lab, blood bank)


**MEMBER SECRETARY
PUDUCHERRY POLLUTION
CONTROL COMMITTEE
PUDUCHERRY.**

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Corrections

S – Size of Health Care Facility = 0.2 (Non-bedded (veterinary hospital, pathological lab, blood bank)

R – Environmental Compensation = Rs.1200 (Minimum EC in respect to
Factor HCFs shall not be less than Rs. 1200/-
per day.

N – Number of days of Violation = 979 days.

Calculation of No. of days:

First direction issued on 04.07.2017= 173 days in 2017

In 2018 = 365 days

In 2019 = 365 days

Applied on 17.03.2020 = 76 days

Total = 979 days

EC = $10 \times 1.0 \times 0.2 \times 1200 \times 979$ = Rs. 23,49,600/-

4. I respectfully submit that Environmental Compensation (EC) of Rs. 23,49,600/- was imposed to Pondicherry University vide letter no No.1/PPCC/BMW/EC/JSA/2020/353, dated 06.07.2020 for not applied for authorization under Bio-Medical Waste Management Rules, 2016.

5. I respectfully submit that in compliance with Hon'ble National Green Tribunal Order dt. 18.11.2020, officials of Pondicherry University were invited for personal hearing.

6. I submit that Thiru. S. Sankara Mourthy, Executive Engineer and Dr. R. Nandhivarman, Co-ordinator, Office of Green Campus, Green Campus Initiatives, Waste Management Rules & Green Protocol from Pondicherry University met Senior Environmental Engineer of PPCC on 19.01.2021 and briefed about various initiatives taken towards scientific disposal of BMW generated from research laboratories housed in Pondicherry University and requested to waive of the Environment Compensation imposed on them.

7. I respectfully submit that Junior Scientific Assistant of PPCC was inspected various Research Centres located in Pondicherry University on 21.01.2021 and the inspection report is enclosed. (Annexure-I)

8. I submit that Pondicherry University has entered an agreement with M/s. Pondicherry Solid Waste Management Company Pvt. Ltd., (PSMPL), Common Biomedical Waste Treatment Facility on 17.03.2020. (Annexure-II)

9. I respectfully submit that due to COVID-Pandemic, Pondicherry University is yet to reopen Academic and Research courses. Hence currently Bio-Medical Waste is not generated.

10. I respectfully submit that Puducherry Pollution Control Committee is earnestly enforcing all the provisions of the Bio-Medical Waste Management Rules, 2016. The Committee would abide by any further order which may be passed by this Hon'ble National Green Tribunal.



DEPONENT

**MEMBER SECRETARY
PUDUCHERRY POLLUTION
CONTROL COMMITTEE
PUDUCHERRY.**

VERIFICATION

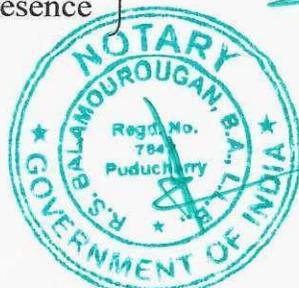
Verified at Puducherry on this 22nd day of January, 2021 that the contents of the above affidavit are true to the best of my knowledge and belief and nothing has been concealed therein.



DEPONENT

**MEMBER SECRETARY
PUDUCHERRY POLLUTION
CONTROL COMMITTEE
PUDUCHERRY.**

Solemnly affirmed at Puducherry
on this the 22nd day of January, 2021
and signed her name in my presence




R.S. BALAMOUBOUGAN, B.A., L.L.B.,
Advocate & Notary Public 22/01/2021
Government of India
No.19, First Floor, 8th Cross Street,
Anna Nagar, Puducherry - 605 005.
Cell : 98423 49992

BEFORE THE NATIONAL
GREEN TRIBUNAL,
SOUTHERN ZONE, CHENNAI

APPLICATION NO.: 123 of 2017(SZ)

Dr. KIRTHIKA GOKULNATH

- APPLICANT

-Vs-

UNION OF INDIA & OTHERS

- RESPONDENTS

PAPER BOOK I
AFFIDAVIT OF THE NINTH
RESPONDENT

A. SATHYA BAMA

STANDING COUNCEL FOR
PUDUCHERRY POLLUTION
CONTROL COMMITTEE