

**M BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
M.A No. 90/2023 & M.A No. 94/2023
In
Original Application No. 774/2022**

In the matter of :

Gaurav Garg

.....Applicant

Versus

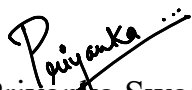
Union of India & Ors.

.....Respondents

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THROUGH


Priyanka Swami
Advocate

Counsel for SEIAA, U.P
F-13, Jangpura Extension, New Delhi 110014

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ACTION TAKEN REPORT ALONG WITH THE AFFIDAVIT IN COMPLIANCE OF HON'BLE NGT ORDER DATED 30.10.2022 ON BEHALF OF STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY, U.P.:-

MOST RESPECTFULLY SHOWETH:

PRELIMINARY SUBMISSIONS

That it is in compliance with the order dated 30.10.2023, passed by the Hon'ble Tribunal, certain directions were directed by the court:-

“ 1. Written request has been made by Mr. Ajay Kumar Sharma, Member Secretary, UPPCB and SEIAA vide email dated 26.10.2023 for exempting him from physical appearance before this Tribunal and allowing him to appear through V.C. For the reasons mentioned in the written request, the same is allowed.

2. Mr. Gaurav Kumar Bansal, Advocate, who represented the applicant in the Original Application no. 774/2022 and also appeared as arguing counsel in M.A. no. 94 of 2023, has informed this Tribunal that he has withdrawn from the case.

3. No other counsel has appeared on behalf for the applicant in M.A. no. 94 of 2023.

4. Mr. Ajay Kumar Sharma, Member Secretary UPPCB and SEIAA has informed that CTO has been granted to respondent no. 8 till disposal of application for grant of ex post facto EC and assured that the application for grant of ex post facto EC will be expeditiously dealt with/disposed of and seeks time for submission of further action taken report. Further Action Taken Report be filed by UPPCB and UPSEIAA within two months by email at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Supported PDF and not in the form of Image PDF.”

1. That it is respectfully submitted that the case was considered in the 810th SEAC Meeting Dated 20.11.2023 wherein, the committee discussed the matter and recommended issuing the terms of reference (ToR) for the preparation of EIA. A true copy of the minutes, dated: 20.11.2023 is being filed herewith and annexed as **Annexure 1**
2. That subsequently, the case was considered in the 786th SEIAA Meeting 28.12.2023 and the SEIAA observed that “Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities, 2016” issued by CPCB regarding the establishment of Common Biomedical Waste Treatment Facility and following provisions has been made regarding land area requirement:

“7) Land requirement

Sufficient land shall be allocated to the CBWTF to provide all requisite systems which include dedicated space for storage of waste (both treated and untreated), waste treatment equipment, vehicle washing bay, vehicle parking space, ETP, incineration ash storage provision, administrative room, space for DG Set etc.,.

- (a) *Preferably, a CBWTF shall be set up on a plot size of not less than one acre in all the areas. However, a CBWTF can be developed in adjacent plots but cannot be set up in two or more different plots located in different areas. Separate plots can be permitted only for vehicle parking if located in the close vicinity of the proposed CBWTFs or the existing CBWTFs.*
- (b) *In case of upcoming or new CBWTFs (both in municipal limits with population more than 25 lakhs or in rural areas), the land area requirement may be relaxed (but in any case not less than 0.5 acre) by*

the SPCB/PCC, with additional control measures such as zero liquid discharge, increase in stack height, stringent emission norms, odour control measures or any other measures felt necessary by the prescribed authority on case-to-case basis, only in consultation with CPCB.”

3. That in view of the above provision, the SEIAA noted that the land area for the proposed CBWTF is 1242 sqm (Approx. 0.306905 Acre), therefore, SEIAA issued the terms of reference vide letter no. 381/Parya/SEIAA/7761/2023 dated: 18.01.2024 for Captive Treatment Facility. A true copy of the ToR letter dated 18.01.2024 is being filed herewith annexed as **Annexure 2**
4. That it is further submitted that the project proponent applied for amendment in the Terms of Reference application on the Parivesh Portal vide proposal No. SIA/UP/INFRA2/459662/2024 dated 23/01/2024 to remove the Captive term from the Name of the Project and additional condition No. 1 of the Terms of Reference letter dated 18/01/2024.
5. That the amendment application was discussed in the 842nd SEAC meeting dated 06/03/2024 and decided as follows:

"The committee has gone through the file and documents and observed that during the appraisal of the project proposal in SEAC meeting dated 17/05/2023 and 20/11/2023 the committee recommended to issue the terms of reference for the project in name of "Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, U.P., M/s Synergy Waste Management Pvt. Ltd." and the SEIAA in its meeting dated 28/12/2023 imposed the additional TOR points. The terms of reference issued on 18/01/2024 as per decision taken in 786th SEIAA meeting dated 28/12/2023, therefore, any change/amendment in TOR points should be made at the level of SEIAA. Hence, the matter forwarded to SEIAA for necessary action."

A true copy of the 842nd SEAC meeting dated 06/03/2024 is being filed herewith and annexed as **Annexure 3**

6. That it submitted that subsequently, the matter was listed in the 810th SEIAA meeting dated 30/04/2024 and decided as follows:

“SEIAA opined to refer the matter to SEAC and seek clarification regarding the minimum area required for the Common Bio-Medical Waste Treatment Facility.”

A true copy of the 810th SEIAA meeting dated 30/04/2024 is being filed herewith and Annexed as **Annexure 4**

7. That in view of the above decision, the matter was listed in the 851st SEAC meeting dated 16/05/2024 and decided as follows:

“...The Secretariat informed the committee that Member Secretary, SEIAA sent a letter dated 13/05/2024 annexing the MoEFCC, GoI (HSM Division) letter no. 20/4/2021-HSMD, dated 13/03/2024 to Member Secretary, SEAC and requested to considered the matter in SEAC meeting as per the provision of CBWTF Guidelines issued by CPCB and issues raised in MoEFCC letter dated 13/03/2024.

The committee further noted that in compliance of MoEF&CC, Govt. of India letter dated 13/03/2024 the Regional Officer, UPPCB, Meerut also issued a letter dated 07/05/2024 to M/s Synergy Waste Management Pvt. Ltd. to submit their explanation within 07 days on the points mentioned in aforesaid letter.

In view of above circumstances, the committee is of the opinion that the above letters may shared to project proponent with the direction of submit their point wise reply on the issues raised in above letters.”

A true copy of the 851st SEAC meeting dated 16/05/2024 is being filed herewith and annexed as **Annexure 5**

8. That it is respectfully submitted that the matter was listed in the 818th SEIAA meeting dated 06/06/2024 and the SEIAA agreed with the recommendation of SEAC.
9. That the matter was again listed in the 867th SEAC meeting dated 01/08/2024 and decided as follows:

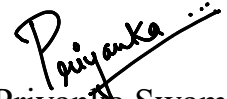
“...The committee has gone through the reply submitted by project proponent and presentation made before SEAC and found that the

reply submitted by the project proponent is not satisfactory. Hence, the committee directed the project proponent to submit brief note regarding the query raise in earlier meeting along with its chronology. Gap analysis report from UPPCB, Lucknow as per revised CBWTF guidelines along with recommendation.”

A true copy of the 867th SEAC meeting dated 01/08/2024 is being filed herewith and annexed as **Annexure 6**

10. That the matter was listed in the 833rd SEIAA meeting dated 28/08/2024 and the SEIAA agreed with the recommendation of SEAC.
11. That it is respectfully submitted that Till date project proponent has not submitted the reply on the Parivesh Portal. A true copy of the Parivesh Portal is annexed here as **Annexure no. 7**

THROUGH



Priyanka Swami
Advocate

Counsel for SEIAA, U.P

F-13, Jangpura Extension, New Delhi 110014

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AFFIDAVIT

I, Sh. ANURAG YADAV aged about 48 years s/o Sh. P.N. SINGH is presently posted as DEPUTY DIRECTOR, REGIONAL OFFICE, NOIDA, DIRECTORATE OF ENVIRONMENT, UP having an office at E - 12/1, NOIDA, UTTAR PRADESH, New Delhi

1. That I am posted as stated above and well conversant with the facts of the present case and as such competent to swear this affidavit on behalf of Member Secretary SEIAA before this Tribunal.
2. That the accompanying action taken report has been drafted by our counsel upon my instructions.
3. That the contents of the accompanying action taken report are true and correct and the knowledge has been derived from official records and nothing material has been concealed therefrom.





[Handwritten Signature]

DEPONENT

VERIFICATION

Verified on solemn affirmation at New Delhi on this **19 SEP 2024** day of SEPTEMBER 2024, that the contents of the foregoing affidavit are true and correct to the best of my knowledge and no part of it is false and nothing material has been concealed therefrom.

Priyanka ...
07/09/26/10
I identified the deponent who has signed in my presence

19 SEP 2024
ATTESTED
[Handwritten Signature]
NOTARY PUBLIC (INDIA)

[Handwritten Signature]

DEPONENT

19. श्री पूरन चन्द डार, गोवर्धन आवासर प्रा0 लि0, डायरेक्टर के पत्र सं0 – 001, दिनांक 16.11.2023 के विषय "श्री श्री गोवर्धन रसोर्ट एवं स्पा पता मौजा – मियापुर, आगरा, उत्तर प्रदेश की पर्यावरण क्लीयरेन्स को abeyance से हटाने के सम्बन्ध में" पर विचार-विमर्श।

RESOLUTION AGAINST AGENDA NO. 19

The project proponent along with their consultant M/s Environmental Technical and Research Centre present before SEAC and submit the reply of complaint dated 17/06/2022. SEAC observed that the reply dated 16/11/2023 was not exhaustive and para wise. The project proponent/consultant told that they will give para wise reply of the complaint at the earliest.

NEERI representative could not join the meeting due to his pre-occupation. The committee decided to take up the case on 30/11/2023.

20. Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, Shri Neeraj Aggarwal, M/s Synergy Waste Management Pvt. Ltd., 7761/SIA/UP/INFRA2/424451/2023

The Secretariat informed the committee that the matter was earlier discussed in 757th SEIAA meeting dated 14/09/2023 and directed is as follows:

"SEIAA noted that Hon'ble NGT Order dated 11.08.2023 states that:-

... Since the matter is pending before SEIAA, UP thus, the SEIAA is directed to dispose of the application of the applicant as early as possible say within 30 days. In case of absence of any member, the SEIAA may take suitable action and to dispose of the application within the time frame...

SEIAA noted that the above project was taken in its 737th meeting in which SEIAA noted that SEAC has recommended to grant ToR to the above project. SEIAA gone through file and documents and opined that the project proponent shall submit authorization for 150 km radius coverage, ground water permission, details of 4788 health care unit like districts, no. of beds etc., only site coordinate given, geo-coordinate of the area should be submitted. The project proponent has submitted his reply vide letter dated 28.06.2023. SEIAA also gone through the letter dated 21.08.2023 of Shri Vijay Kumar, Delhi and Shri and Rajeev Shinghal letter dated 13.06.2023 regarding the complaint of the above project along with letter of GoUP no. 631/81-6-2022 dated 28.06.2023. Hence SEIAA opined that the complaint received, letter of project proponent dated 28.06.2023 and letter dated 28.06.2023 shall be referred to SEAC to review the case in light of NGT judgment dated 31.07.2023 in O.A. no. 622 of 2022."

As per the decision of SEIAA, the matter was listed in 797th SEAC meeting dated 12/10/2023. Mr. Manoj Kumar, PRO, M/s Synergy Waste Management Pvt. Ltd. present before the committee. The committee has gone through the compliant letter dated 13/06/2023 of Mr. Raju Singhal, letter dated 21/08/2023 & 10/10/2023 of Mr. Vijay Kumar and Govt. of U.P. letter dated 28/06/2023 and opined that the above letters should be shared to Mr. Manoj Kumar, PRO, M/s Synergy Waste Management Pvt. Ltd. with the direction to submit point wise reply of all complaint letters as well as reply of queries raised by SEIAA in its meeting dated 14/09/2023. After getting the reply from project proponent the matter will be put in next SEAC meeting.

The matter was again listed in 809th SEAC meeting dated 17/11/2023 and the SEAC decided is as follows:

"During the presentation a complaint has been received on whatsapp of Members/Chairman, SEAC. The committee has gone through the compliant letter and opined that the complaint letter should be

share to project proponent/consultant with direction of submit the reply of priority. The matter will be listed on 20/11/2023.”

The project proponent/ consultant has submitted a points-wise reply of the complaint letters vide its letter dated 17/11/2023. The point wise details of compliant letters are given below:

- Reply of compliant letter dated 13/06/2023 made by Shri Raju Singhal:

S.N.	Query	Reply
1.	UPPCB Refused Consent to Operate (CTO) vide Ref No.166365/UPPCB/Meerut (UPPCBRO)/CTO/both/MEERUT/ 2022 & Ref No.173634/UPPCB/Meerut (UPPCBRO)/ CTO/both /MEERUT/2022 dated 25.12.2022 & 28.03.2023 respectively of M/s Synergy Waste Management Pvt Ltd., Meerut for gross violations of BMW Rules, Hazardous Waste Rules, EIA Notification and CPCB Guidelines. However, Project Proponent deliberately wrongly informed to SEAC-1/SEIAA that the facility has also obtained Consent to Operate and HW Authorisation from the UPPCB. (Copy of Refused CTO & SCN attached for your reference). Additionally, Project Proponent is collecting and transporting bio-medical waste for more than 500 KM against 150 KM guidelines which is practically not possible to cover 4788 nos. of health care units. This clearly shows that Project Proponent is dumping infected bio medical waste somewhere illegally.	The copy of CTO, Authorisation under Bio Medical Waste Management Rules and authorisation under Hazardous Waste are enclosed for your kind reference. And all the compliance related issues have already been argued in the M.A No.90/2023 & M.A No.94/2023 O.A. No.774/ 2022 in the Hon’ble NGT and an order has been issued on dated 09.10.2023. The Relevant part of order Page No.4 Para No. 12 “However, nothing in this order shall debar UPPCB from taking action against respondent no 8-Project Proponent for environmental violations in accordance with law and principles of natural justice.”
2.	Initially, UPPCB permitted to operate as Captive Treatment Facility only not as CBWTF.	UPPCB is permitted to operate our Unit as CBWTF. Authorisation is attached for reference.
3.	The Said Land belong to Meerut Development Authority (MDA), which allotted to Subharti Medical College for institutional purpose only, not for industrial purpose and also not allotted to M/s Synergy Waste Management Pvt Ltd. to operate a CBWTF and nor MDA approve/ sublet the same. Additionally, the said land is of 1242 sq. meter. However, as per under Section of (7) Land requirement of CPCB Revised Guidelines dated 21.12.2016, the land area requirement may be relaxed (but in any case not less than 0.5 acre) by the SPCB/ PCC, with additional control measures such as zero liquid discharge, increase in stack height, stringent emission norms, odour control measures or any other measures felt necessary by the prescribed authority on case-to-case basis, only in consultation with CPCB. This is practically impossible to operate CBWTF in such a small land area of 1242 sq. meter by following all norms against the guidelines of Min. land area of 2500 sq.meter.	In Original Application 774/2022 on page no. 18 para 4(k) applicant challenged “That in accordance to the said Master Plan, the land on which the Subharti Medical College is established is not in Industrial land”. This matter is already argued in the O.A. No. 774/2022 in the Hon’ble NGT and an order has been already issued on dated 02.03.2023 in this regard. Further, we are submitting that we are operating the said CBWTF from 2002. The CPCB guideline comes with effect in 2016 in which minimum 0.5 acre land area is required for establishment of new CBWTF.
4.	Project Proponent did not submit that project is situated inside the Hospital Campus and surrounded by College Hostel, Residential Houses, Hospital, Cricket Stadium, Building Flats within 50-200 Meter distance which has already been affecting health and environment of nearby and working public greatly which is against the BMW Rules, 2016 and CPCB Revised guidelines date 21.12.2016 under of Section (6) of Location Criteria (Google Map and Location Criteria is attached).	We have been operating this CBWTF from 2002 and at that time this location was far away from residential area. After that year wise year the authorised and unauthorised colonies were developed.
5.	IA Division, MOEF&CC, New Delhi vide F.No.22-21/2020-IA.III dated 07.07.2021 (Copy attached for your action) issued notification for handling Violation case of EIA Notification	Our unit is an existing CBWTF established in 2002. We have applied for Environmental Clearance as per ex

	2006 in compliance to NGT Order and Supreme Court Order that under Clause No.11 of SOP for dealing with the violation cases of EIA Notification, 2006, if permissible, it is clearly stated that restrict the activity/ production to the extent, which prior EC was not required along with project proponent should be pay Environmental Compensation Charge for no. of years it was operating its industry without EC. ECC should be based on Polluter Pay Principle. Additionally, MOEF&CC vide F.No.IA3-22/19/2021/-IA. III[[E164361] dated 20.09.2021 issued order that to not grant or Renew CTO unless Environmental Clearance, as applicable, has been obtained. (copy attached for your reference)	post facto Hon'ble NGT order dated 02.03.2023 in OA 774/2022. Hence it's not applicable.
6.	<p>It is very clear and self-explanatory that Project Proponent has been violating all rules and regulation for several years continuously and no concrete action has been taken so far by regulatory authority such as Penalty without EC and CTO and other several violations. It should be looked through vigilance angle as it clearly indicate Game of Money in connivance.</p> <p>Thus keeping in view the BMW Rules, 2016, EIA Notification, 2006 and CPCB guidelines, which are necessary to be implemented and executed by both regulatory authority and Project Proponent and Project Proponent should be directed to deposit ECC and find alternate site by dismiss the said application in view of Public and Environmental Health.</p>	It's Prayer of the Complainant.

• Reply of compliant letter dated 21/08/2023 made by Shri Vijay Kumar:

S.No.	Query	Reply
i.	That vide its 51 st Board Meeting held on dated 13.03.1996, the Meerut Development Authority (MDA) allotted 55 Acres Land to the Subharti K.K.B. Charitable Trust, Undersigned herein wishes to draw kind attention of your goodself that while allotting the said 55 Acres land it was decided that the said allotted land shall be used by Subharti K. K. B. Charitable Trust only for the purpose of establishment of Medical Institution only. That in accordance to the Minutes of 56 th Meeting of Meerut Development Authority, the Subharti K.K.B. Charitable established its Medical College in District Meerut.	This matter is in concern with Meerut Development Authority and Subharti K.K.B. Charitable Trust Meerut.
ii.	Despite of the fact that Meerut Development Authority authorized Subharti K.K.B. Charitable to establish MEDICAL COLLEGE only, the said Charitable Hospital as Part of Medical College, developed Captive Treatment Facility for disposal of its Bio-Medical Waste but wilfully, deliberately and with a malafide intention, in Connivance with Synergy Management Private Limited made this Captive facility a BUSINESS MODEL by Playing with Health of Peoples and Environment a Red Category Industry inside Hospital to make quick buck o Money. (Encl.1)	Subharti K.K.B. Charitable Trust developed its own capative treatment facility for disposal of Bio Medical Waste in its premises. But they were not able to operate said facility and approach us for its operation as we had already experience in operation of Common Biomedical Waste Treatment Facility in Delhi. Further on dated 01.09.2002 Subharti K.K.B. Charitable Trust handover the said facility for its operation to our organisation with execution of an MOU as a first party. (Copy of MOU is attached Annexure 1).
iii.	That site selection of Common Bio Medical Waste Treatment Facility is an important parameter of setting up of a Bio Medical Waste Treatment Facility and Rule 17 of the Bio Medical Waste Management Rules, 2016 talks about the Site for common bio medical waste treatment and disposal facility.	Our Unit is an Existing CBWTF established in 2002. Hence it's not applicable.
iv.	As per Rule 17 of the Bio Medical Waste Management Rules, 2016 the Common Bio	Our Unit is an Existing CBWTF established in 2002. Hence it's not applicable.

	Medical Waste and Treatment Facility has to be in accordance with the guidelines issues by Ministry of Environment, Forests and Climate Change and Central Pollution Control Board.	
v.	That Bio Medical Waste Management Rules, 2016 has also authorised Central Pollution Control Board to lay down criteria for establishing Common Bio Medical Waste Treatment Facility in the Country and in view of the same the Central Pollution Control Board has issued Guideline namely Revised Guidelines for Common Bio Medical Waste Treatment and Disposal Facilities vide dated 21.12.2016.	Our Unit is an Existing CBWTF established in 2002. Hence it's not applicable.
vi.	That as far as establishment of COMMON BIO MEDICAL WASTE TREATMENT AND DISPOSAL FACILITIES is concerned the CPCB Guideline highlights the aspect of Site Selection / setting up of Common Bio Medical Waste Treatment Facility in the following manner: “Operation of a CBWTF leads to Air Emissions as well as waste water generation as in case of an industrial operation. Most common sources of waste water generation in CBWTFs are vehicle washing, floor washing, and scrubbed liquid effluent from air pollution control systems attached with the incinerator / plasma pyrolysis. Incineration as well as DG Set is the general source of air emissions. 5.1 Any other approvals (such as Land Use/ Change in Land Use/ Public Hearing as applicable) required from the concerned authorities under various laws have to be complied with by the proponent of the CBWTF prior to development of a CBWTF.”	Yes, its relevant part of Bio Medical Waste Management Rules 2016. And we are following all the guidelines and conditions issued by CPCB and UPPCB.
vii.	That one of the requirement for setting up of COMMON BIO MEDICAL WASTE TREATMENT FACILITY is that the Owner of the CBWTF has to comply with the provisions of land use laws issued by respective states and as such in the present case, because Synergy Waste Management Pvt Ltd has established its CBWTF in District Meerut, hence the law relating to Land Use in Uttar Pradesh i.e. Uttar Pradesh Urban Planning and Development Act, 1973 shall prevail in the present case.	In Original Application 774/2022 on page no. 17 para 4(i) applicant challenged “ <i>That in the present case Respondent No. 8 has established its CBWTF in District Meerut, Uttar Pradesh, hence the law relating to land use in Uttar Pradesh i.e. Uttar Pradesh Urban Planning and Development Act, 1973 shall prevail in the present case</i> ”. This matter is already argued in the O.A. No. 774/2022 in the Hon'ble NGT and an order has been already issued on dated 02.03.2023 in this regard.
viii.	That as per Uttar Pradesh Urban Planning and Development Act, 1973 as well as Master Plan of Meerut Development Authority, because the land use of 55 Acres of Land is Educational Institution, Synergy Management Pvt Ltd has no right under the law of land to establish and operate its COMMON BIO MEDICAL WASTE TREATMENT FACILITY within the Medical College.	In point no. 2 of said complaint we have cleared that Subharti K.K.B. Charitable Trust developed its own captive treatment facility for disposal of Bio Medical Waste in its premises and further they have handover to our organisation for operation with execution of an MOU.
ix.	Synergy Waste Management Pvt Ltd has available land of 1242 sq. meter as per rent agreement with the Subharti K.K.B. Charitable Trust and in view of CPCB Guideline and BMW Rules, 2016 requisite infrastructure cannot established in such a small size of Land such as	We are operating the said CBWTF from 2002. The CPCB guideline comes with effect in 2016 in which minimum 0.5 acre land area is required for establishment of new CBWTF.

	Green Belt and Vehicle Parking, Incinerator, Autoclave Plant etc.. Minimum Land Area of 0.5 acre is not complied with as per CPCB Guidelines & BMW Rules (Encl.2)	
x.	<p>Further it is also pertinent to mention here that Guidelines issued by CPCB also provides for LOCTION CRITERIA for the development of COMMON BIO MEDICAL WASTE TREATMENT FACILITY which are as follows: (Encl.3)</p> <p>CBWTF shall preferably be developed in a notified industrial area without any requirement of buffer zone (or)</p> <p>A CBWTF can be located at a place reasonable far away from notified residential and sensitive areas and should have a buffer distance of preferable 500 m so that it shall have minimal impact on these areas.</p>	We have been operating this CBWTF from 2002 and at that time this location was far away from residential area. After that year wise year the authorised and unauthorised colonies were developed.
xi.	<p>Undersigned herein also wishes to apprise your good self that recently one of the EXPERT from Central Pollution Control Board inspected the CBWTF expressed his displeasure on operation of the CBWTF within the Medical Campus.</p> <p>Relevant part of email of Expert Member of CPCB is reproduced herein below:-</p> <p>“This is serious matter. From infection control prospective and from the prospective of Air Pollution Control, one of our Australian Expert who had come to help us in stream lining Bio Medical Waste Management commented its like putting up a factory in Hospital. Now in this COVID Era this has become even more hazardous. I am sure CPCB will take cognizance of this Matter.” (Encl.4)</p>	<p>In Original Application No. 774/2022 on Page No-18 Para 4 (l) The Applicant challenged that <i>“However, Respondent No. 08 instead of following the law of land and in connivance with the officers of Meerut Development Authority not only established its CBWTF within the MEDICAL COLLEGE CAMPUS but also started operation of the same.”</i> And we have submitted our reply as on Page No-7 Para 9 <i>“That the answering respondent states that similar types of Common Treatment Facilities are operational all over the country and the list of the same is attached hereto, which makes it clear that the present facility being run by the answering respondent is legally feasible to be established in medical colleges/Hospitals as per CPCB guidelines.”</i> This matter is already argued in the O.A. No. 774/2022 in the Hon’ble NGT and an order has been already issued on dated 02.03.2023 in this regard.</p>
xii.	<p>Undersigned also wishes to apprise this Hon’ble Court that the Synergy Management Pvt Ltd while operating its CBWTF inside the Medical Hospital Campus, is treating the ton of BIO MEDICAL WASTE collected from Saharanpur, Muzaffarnagar, Bijnor, Bagpat, Bulandshahr Districts of Uttar Pradesh. Treatment of thousands of ton of Bio Medical Waste within the Medical Campus and that too on daily basis is not only against the Guidelines issued by CPCB and the provisions of Bio Medical Waste Rules 2016 and Environment (Protection) Act-1986 but is also hazards of thousands of Patients receiving treatment in Subharti Medical College, Meerut.</p>	<p>In Original Application No. 774/2022 on Page No-18 Para 4 (l) The Applicant challenged that <i>“However, Respondent No. 08 instead of following the law of land and in connivance with the officers of Meerut Development Authority not only established its CBWTF within the MEDICAL COLLEGE CAMPUS but also started operation of the same.”</i> And we have submitted our reply as on Page No-7 Para 9 <i>“That the answering respondent states that similar types of Common Treatment Facilities are operational all over the country and the list of the same is attached hereto, which makes it clear that the present facility being run by the answering respondent is legally feasible to be established in medical colleges/Hospitals as per CPCB guidelines.”</i> This matter is already argued in the O.A. No. 774/2022 in the Hon’ble NGT and an order has been already</p>

		issued on dated 02.03.2023 in this regard.
xiii.	Misleading / False and Non-Compliance Report of Consent to Operate (CTO) is being submitted by Synergy Waste Management Pvt Ltd in which several serious violation may be observed. CCA/CTO has been refused and Closure Order was being issued and continued operation in violation. Hence, repeated violations may be observed. (Encl.5)	All the compliance related issues have already been argued in the M.A No.90/2023 & M.A No.94/2023 O.A. No.774/ 2022 in the Hon'ble NGT and an order has been issued on dated 09.10.2023. The Relevant part of order Page No.4 Para No. 12 <i>"However, nothing in this order shall debar UPPCB from taking action against respondent no 8-Project Proponent for environmental violations in accordance with law and principles of natural justice."</i>
xiv.	Synergy Waste Management Pvt Ltd is not complying and has been using HSD/ Diesel in direct violation of guidelines CAQM (Commission of Air Quality Management in NCR and Adjoining Areas) direction no.53 and 62 which is not as per approved Fuel list of CAQM. (Encl.6)	Point no. 20 of specific conditions mentioned in CTO granted to us on dated 16.10.2023 stating <i>"Industry should switch to PNG Fuel as soon as PNG supply is available in the area"</i> . We hereby submit that there is no availability of Pipeline of Natural Gas in that area and we have already written to the Gas agency to provide the gas pipeline or alternate arrangement to us for supply of gas as a fuel in our Unit (Copy of letter is enclosed herewith Annexure 3).
xv.	Synergy Waste Management Pvt Ltd has not established Green Belt/ Miyawaki Forest inside the premises of factory in violation of CCA and not complied with which may be verified by inspection on visiting the site of PP.	We have developed Green Belt / Miyawaki forest inside the premises of unit in compliance to CCA and already submitted to the UPPCB with photographs (Photographs attached Annexure 4).
xvi.	<p>A report of recommendation of closure by Secretary, Deptt. Of Environment and Forest, Uttar Pradesh may also be sought and ECC imposed along with reject the application of PP.</p> <p>Taking into consideration that fact that the establishment of CBWTF by Synergy Waste Management Pvt Ltd is not only against the provisions of Uttar Pradesh Urban Planning and Development Act 1973 and Master Plan of Meerut Development Authority but is also against the provision of Bio Medical Rules 2016, Location criteria as provided by CPCB and Environment (Protection) Act-1986, undersigned in light of the above mentioned facts and circumstances and in the light of Orders issued by National Green Tribunal in Original Application No.774 of 2022 titled as 'Gaurav Garg Versus Union of INDIA and Others' requests your good self to dismiss the said application and not to grant the Term of Reference (TOR) / Environment Clearance (EC) in favour of Synergy Waste Management Pvt Ltd for the Common Bio Medical Waste Treatment Facility within the Medical Campus in District Meerut as the same shall cause irreparable loss / damage to the health of thousands of patients receiving treatment within the Medical Hospital Campus of Subharti Medical College, Meerut.</p>	In Original Application 774/2022 on page no. 17 para 4(i) applicant challenged <i>"That in the present case Respondent No. 8 has established its CBWTF in District Meerut, Uttar Pradesh, hence the law relating to land use in Uttar Pradesh i.e. Uttar Pradesh Urban Planning and Development Act, 1973 shall prevail in the present case"</i> . This matter is already argued in the O.A. No. 774/2022 in the Hon'ble NGT and an order has been already issued on dated 02.03.2023 in this regard.

- Reply of compliant letter dated 16/10/2023 made by Shri Vijay Kumar:

S.No.	Query	Reply
i.	That vide its 51 st Board Meeting held on dated 13.03.1996, the Meerut Development Authority (MDA) allotted 55 Acres Land to the Subharti K.K.B. Charitable Trust, Undersigned herein wishes to draw kind attention of your goodself that while allotting the said 55 Acres land it was decided that the said allotted land shall be used by Subharti K. K. B. Charitable Trust only for the purpose of establishment of Medical Institution only. That in accordance to the Minutes of 56 th Meeting of Meerut Development Authority, the Subharti K.K.B. Charitable established its Medical College in District Meerut.	This matter is in concern with Meerut Development Authority and Subharti K.K.B. Charitable Trust Meerut.
ii.	Despite of the fact that Meerut Development Authority authorized Subharti K.K.B. Charitable to establish MEDICAL COLLEGE only, the said Charitable Hospital as Part of Medical College, developed Captive Treatment Facility for disposal of its Bio-Medical Waste but wilfully, deliberately and with a malafide intention, in Connivance with Synergy Management Private Limited made this Captive facility a BUSINESS MODEL by Playing with Health of Peoples and Environment a Red Category Industry inside Hospital to make quick buck o Money. (Encl.1)	Subharti K.K.B. Charitable Trust developed its own capative treatment facility for disposal of Bio Medical Waste in its premises. But they were not able to operate said facility and approach us for its operation as we had already experience in operation of Common Biomedical Waste Treatment Facility in Delhi. Further on dated 01.09.2002 Subharti K.K.B. Charitable Trust handover the said facility for its operation to our organisation with execution of an MOU as a first party.
iii.	That site selection of Common Bio Medical Waste Treatment Facility is an important parameter of setting up of a Bio Medical Waste Treatment Facility and Rule 17 of the Bio Medical Waste Management Rules, 2016 talks about the Site for common bio medical waste treatment and disposal facility.	Our Unit is an Existing CBWTF established in 2002. Hence it's not applicable.
iv.	As per Rule 17 of the Bio Medical Waste Management Rules, 2016 the Common Bio Medical Waste and Treatment Facility has to be in accordance with the guidelines issues by Ministry of Environment, Forests and Climate Change and Central Pollution Control Board.	Our Unit is an Existing CBWTF established in 2002. Hence it's not applicable.
v.	That Bio Medical Waste Management Rules, 2016 has also authorised Central Pollution Control Board to lay down criteria for establishing Common Bio Medical Waste Treatment Facility in the Country and in view of the same the Central Pollution Control Board has issued Guideline namely Revised Guidelines for Common Bio Medical Waste Treatment and Disposal Facilities vide dated 21.12.2016.	Our Unit is an Existing CBWTF established in 2002. Hence it's not applicable.
vi.	That as far as establishment of COMMON BIO MEDICAL WASTE TREATMENT AND DISPOSAL FACILITIES is concerned the CPCB Guideline highlights the aspect of Site Selection / setting up of Common Bio Medical Waste Treatment Facility in the following manner: "Operation of a CBWTF leads to Air Emissions as well as waste water generation as in case of an industrial operation. Most common sources of waste water generation in CBWTFs are vehicle washing, floor washing, and scrubbed liquid effluent from air pollution control systems attached with the incinerator / plasma pyrolysis. Incineration as well as DG Set is the general source of air emissions.	Yes, its relevant part of Bio Medical Waste Management Rules 2016. And we are following all the guidelines and conditions issued by CPCB and UPPCB.

	5.1 Any other approvals (such as Land Use/ Change in Land Use/ Public Hearing as applicable) required from the concerned authorities under various laws have to be complied with by the proponent of the CBWTF prior to development of a CBWTF.”	
vii.	That one of the requirement for setting up of COMMON BIO MEDICAL WASTE TREATMENT FACILITY is that the Owner of the CBWTF has to comply with the provisions of land use laws issued by respective states and as such in the present case, because Synergy Waste Management Pvt Ltd has established its CBWTF in District Meerut, hence the law relating to Land Use in Uttar Pradesh i.e. Uttar Pradesh Urban Planning and Development Act, 1973 shall prevail in the present case.	In Original Application 774/2022 on page no. 17 para 4(i) applicant challenged “ <i>That in the present case Respondent No. 8 has established its CBWTF in District Meerut, Uttar Pradesh, hence the law relating to land use in Uttar Pradesh i.e. Uttar Pradesh Urban Planning and Development Act, 1973 shall prevail in the present case</i> ”. This matter is already argued in the O.A. No. 774/2022 in the Hon’ble NGT and an order has been already issued on dated 02.03.2023 in this regard.
viii.	That as per Uttar Pradesh Urban Planning and Development Act, 1973 as well as Master Plan of Meerut Development Authority, because the land use of 55 Acres of Land is Educational Institution, Synergy Management Pvt Ltd has no right under the law of land to establish and operate its COMMON BIO MEDICAL WASTE TREATMENT FACILITY within the Medical College.	In point no. 2 of said complaint we have cleared that Subharti K.K.B. Charitable Trust developed its own capative treatment facility for disposal of Bio Medical Waste in its premises and further they have handover to our organisation for operation with execution of an MOU.
ix.	Synergy Waste Management Pvt Ltd has available land of 1242 sq. meter as per rent agreement with the Subharti K.K.B. Charitable Trust and in view of CPCB Guideline and BMW Rules, 2016 requisite infrastructure cannot established in such a small size of Land such as Green Belt and Vehicle Parking, Incinerator, Autoclave Plant etc.. Minimum Land Area of 0.5 acre is not complied with as per CPCB Guidelines & BMW Rules (Encl.2)	We are operating the said CBWTF from 2002. The CPCB guideline comes with effect in 2016 in which minimum 0.5 acre land area is required for establishment of new CBWTF.
x.	Further it is also pertinent to mention here that Guidelines issued by CPCB also provides for LOCTION CRITERIA for the development of COMMON BIO MEDICAL WASTE TREATMENT FACILITY which are as follows: (Encl.3) CBWTF shall preferably be developed in a notified industrial area without any requirement of buffer zone (or) A CBWTF can be located at a place reasonable far away from notified residential and sensitive areas and should have a buffer distance of preferable 500 m so that it shall have minimal impact on these areas.	We have been operating this CBWTF from 2002 and at that time this location was far away from residential area. After that year wise year the authorised and unauthorised colonies were developed.
xi.	Undersigned herein also wishes to apprise your good self that recently one of the EXPERT from Central Pollution Control Board inspected the CBWTF expressed his displeasure on operation of the CBWTF within the Medical Campus. Relevant part of email of Expert Member of CPCB is reproduced herein below:- “This is serious matter. From infection control prospective and from the prospective of Air Pollution Control, one of our Australian Expert who had come to help us in stream lining Bio Medical Waste	In Original Application No. 774/2022 on Page No-18 Para 4 (1) The Applicant challenged that “ <i>However, Respondent No. 08 instead of following the law of land and in connivance with the officers of Meerut Development Authority not only established its CBWTF within the MEDICAL COLLEGE CAMPUS but also started operation of the same.</i> ” And we have submitted our reply as on Page No-7 Para 9 “ <i>That the answering respondent states that similar types of Common Treatment</i>

	Management commented its like putting up a factory in Hospital. Now in this COVID Era this has become even more hazardous. I am sure CPCB will take cognizance of this Matter.” (Encl.4)	<i>Facilities are operational all over the country and the list of the same is attached hereto, which makes it clear that the present facility being run by the answering respondent is legally feasible to be established in medical colleges/Hospitals as per CPCB guidelines.” This matter is already argued in the O.A. No. 774/2022 in the Hon’ble NGT and an order has been already issued on dated 02.03.2023 in this regard.</i>
xii.	Undersigned also wishes to apprise this Hon’ble Court that the Synergy Management Pvt Ltd while operating its CBWTF inside the Medical Hospital Campus, is treating the ton of BIO MEDICAL WASTE collected from Saharanpur, Muzaffarnagar, Bijnor, Bagpat, Bulandshahr Districts of Uttar Pradesh. Treatment of thousands of ton of Bio Medical Waste within the Medical Campus and that too on daily basis is not only against the Guidelines issued by CPCB and the provisions of Bio Medical Waste Rules 2016 and Environment (Protection) Act-1986 but is also hazards of thousands of Patients receiving treatment in Subharti Medical College, Meerut.	In Original Application No. 774/2022 on Page No-18 Para 4 (1) The Applicant challenged that “ <i>However, Respondent No. 08 instead of following the law of land and in connivance with the officers of Meerut Development Authority not only established its CBWTF within the MEDICAL COLLEGE CAMPUS but also started operation of the same.</i> ” And we have submitted our reply as on Page No-7 Para 9 “ <i>That the answering respondent states that similar types of Common Treatment Facilities are operational all over the country and the list of the same is attached hereto, which makes it clear that the present facility being run by the answering respondent is legally feasible to be established in medical colleges/Hospitals as per CPCB guidelines.</i> ” This matter is already argued in the O.A. No. 774/2022 in the Hon’ble NGT and an order has been already issued on dated 02.03.2023 in this regard.
xiii.	Misleading / False and Non-Compliance Report of Consent to Operate (CTO) is being submitted by Synergy Waste Management Pvt Ltd in which several serious violation may be observed. CCA/ CTO has been refused and Closure Order was being issued and continued operation in violation. Hence, repeated violations may be observed. (Encl.5)	All the compliance related issues have already been argued in the M.A No.90/2023 & M.A No.94/2023 O.A. No.774/ 2022 in the Hon’ble NGT and an order has been issued on dated 09.10.2023. The Relevant part of order Page No.4 Para No. 12 “ <i>However, nothing in this order shall debar UPPCB from taking action against respondent no 8-Project Proponent for environmental violations in accordance with law and principles of natural justice.</i> ”
xiv.	Synergy Waste Management Pvt Ltd is not complying and has been using HSD/ Diesel in direct violation of guidelines CAQM (Commission of Air Quality Management in NCR and Adjoining Areas) direction no.53 and 62 which is not as per approved Fuel list of CAQM. (Encl.6)	Point no. 20 of specific conditions mentioned in CTO granted to us on dated 16.10.2023 stating “ <i>Industry should switch to PNG Fuel as soon as PNG supply is available in the area</i> ”. We hereby submit that there is no availability of Pipeline of Natural Gas in that area and we have already written to the Gas agency to provide the gas pipeline or alternate arrangement to us for supply of gas as a fuel in our Unit.

xv.	Synergy Waste Management Pvt. Ltd has not established Green Belt/ Miyawaki Forest inside the premises of factory in violation of CCA and not complied with which may be verified by inspection on visiting the site of PP.	We have developed Green Belt / Miyawaki forest inside the premises of unit in compliance to CCA and already submitted to the UPPCB with photographs.
xvi.	A report of recommendation of closure by Secretary, Deptt. Of Environment and Forest, Uttar Pradesh may also be sought and ECC imposed along with reject the application of PP. Taking into consideration that fact that the establishment of CBWTF by Synergy Waste Management Pvt Ltd is not only against the provisions of Uttar Pradesh Urban Planning and Development Act 1973 and Master Plan of Meerut Development Authority but is also against the provision of Bio Medical Rules 2016, Location criteria as provided by CPCB and Environment (Protection) Act-1986, undersigned in light of the above mentioned facts and circumstances and in the light of Orders issued by National Green Tribunal in Original Application No.774 of 2022 titled as 'Gaurav Garg Versus Union of INDIA and Others' requests your good self to dismiss the said application and not to grant the Term of Reference (TOR) / Environment Clearance (EC) in favour of Synergy Waste Management Pvt Ltd for the Common Bio Medical Waste Treatment Facility within the Medical Campus in District Meerut as the same shall cause irreparable loss / damage to the health of thousands of patients receiving treatment within the Medical Hospital Campus of Subharti Medical College, Meerut.	In Original Application 774/2022 on page no. 17 para 4(i) applicant challenged "That in the present case Respondent No. 8 has established its CBWTF in District Meerut, Uttar Pradesh, hence the law relating to land use in Uttar Pradesh i.e. Uttar Pradesh Urban Planning and Development Act, 1973 shall prevail in the present case". This matter is already argued in the O.A. No. 774/2022 in the Hon'ble NGT and an order has been already issued on dated 02.03.2023 in this regard.

After detailed analysis, the committee did not find any merit in the complaint and reply submitted by the project proponent seems to be satisfactory. Hence, the committee recommended to grant the terms of reference for the project proposal for the preparation of EIA report as earlier prescribed in 751st SEAC meeting dated 17/05/2023. The committee also stipulated the following additional TOR points:

1. Project proponent submit the compliance of order passed by Hon'ble NGT, New Delhi in O.A. No. 622/2022 (Aniruda Panwar vs Ministry of Environment, Forest, and Climate Change & Ors.) along with EIA report.

(Dr. Brij Bihari Awasthi)
Member

(Umesh Chandra Sharma)
Member

(Dr. Ratan Kar)
Member

(Om Prakash Srivastava)
Member

(Ashish Tiwari)
Member-Secretary, SEAC

(Rajive Kumar)
Chairman

Nodal, SEAC-1

MoM prepared by Secretariat in consultation with Chairman & Members on the basis of decisions taken by SEAC-1 during the meeting.

Directorate of Environment, U.P.

Vineet Khand-1, Gomti Nagar, Lucknow - 226 010

Phone : 91-522-2300 541, Fax : 91-522-2300 543

E-mail : doeuplko@yahoo.com

Website : www.seiaaup.com

To,

M/s Synergy Waste Management Pvt. Ltd.,
Subharti Medical College Campus,
Subharti Puram, Meerut, Uttar Pradesh – 250 005

Ref. No. 381...../Parya/SEIAA/7761/2023Date: 18 January, 2024

Sub: Terms of Reference for Captive Treatment Facility (But Proposed existing Common Bio-Medical Waste Treatment Facility) at Subharti Medical College Campus, Subharti Puram, Meerut, U.P., M/s Synergy Waste Management Pvt. Ltd.

Reference MoEFCC Proposal no SIA/UP/INFRA2/424451/2023 & SEIAA, U.P File no-7761

Dear Sir,

This is with reference to your application / letter dated 01-04-2023 & 24-04-2023 on above mentioned subject. The matter was considered by 751th SEAC in meeting held 17-05-2023 & 810th SEAC in meeting held 20-11-2023 and 786th SEIAA in meeting held on 28-12-2023.

A presentation was made by the project proponent along with their consultant M/s Ind Tech House Consult to SEAC on held 20-11-2023.

Project Details as submitted or informed by the Project Proponent and their Consultant

The project proponent, through the documents and presentation gave following details about their project –

1. The terms of reference is sought for Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, U.P., M/s Synergy Waste Management Pvt. Ltd.
2. Salient features of the project:

SN	Parameters	Description
1.	Project	Existing Common Biomedical Waste Treatment Facility
2.	Project Proponent	M/s Synergy Waste Management Pvt. Ltd.
3.	Location	Subharti Medical College Campus, Subharti Puram, Meerut, Uttar Pradesh – 250 005 Site coordinates - 28°57'46.02" N, 77° 37'58.64"E
4.	Allocated Plot Area	approx. 1242 sq m
5.	Plant capacity	Incinerator [capacity 300 Kg/hour] Autoclave [capacity – 300 Lit/batch] Shredder [capacity - 300 kg/hour]
6.	Identification of project	Project falls under Category "B" of item 7 (da) as per EIA Notification dated 14th September, 2006 & amendments thereof. However, this plant requires Post-Facto EC Approval as per NGT order dated 02.03.2023
7.	Nearest Roadways/ Railway Station/Airport along with distance in Km	SH 14 passes at an aerial distance of 534 m on North. Meerut City Junction – aerial distance 4.5 Km on NE Dr. B.R. Ambedkar Airstrip – 7.2 Km on SW
8.	Village, Panchayats, Zilaparishad, municipal corporation, local body	Meerut Municipal Corporation
9.	Water requirement	Fresh water requirement – 3 KLD Total water requirement including recycled treated water from onsite ETP - 5 KLD.
10.	Source of water	Fresh water source – Onsite ground water abstraction through tube-well. Necessary permission has been obtained.

Terms of Reference for Captive Treatment Facility (But Proposed existing Common Bio-Medical Waste Treatment Facility) at Subharti Medical College Campus, Subharti Puram, Meerut, U.P., M/s Synergy Waste Management Pvt. Ltd.

		Recycled water source: Onsite ETP treated wastewater.
11.	Water requirement	Fresh water requirement – 3 KLD Total water requirement including recycled treated waste water from onsite ETP - 5 KLD
12.	Source of water	Fresh water source – Onsite ground water abstraction through tube-well. Necessary permission has been obtained. Recycled water source: Onsite ETP treated wastewater.
13.	Wastewater	Wastewater is generated from equipment washing, floor washing, vehicle washing operations etc. and treated in onsite effluent treatment plant of capacity 5 KLD.
14.	Man Power	At present, a total of 113 employees [direct 62 including vehicles helpers and staff + contractual 51 drivers] are engaged with the operational activities of the facility.
15.	Power Requirement	Power Requirement: 49 KW Source: UP Power Corporation Limited
16.	D.G. Backup	DG set of 62.5 KVA as emergency back up during power cut.
17.	Waste carrying vehicles with GPS	51 nos.
18.	Green Belt	No green area has been developed within the premises as the facility has been allocated only 1242 sq m area. However, the medical college campus has adequate green area
19.	Total Project Cost	Project cost is INR. 94.71 Lakh.

- The project proposal falls under category-7(da) of EIA Notification, 2006 (as amended).

The committee/SEIAA discussed the matter and recommended to issue the standard terms of reference (TOR) for the preparation of Environment Impact Assessment Report:

Additional TOR:

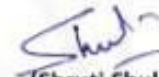
- The project proponent shall submit an affidavit along with EIA, stating that the facility will be operated as Captive Treatment Facility only.**
- Latest Compliance of CTO from UPPCB, Meerut.
- Details of hospital including number of beds within 10 km radius of plant along with its quantity.
- Gap analysis report from UPPCB as per revised CBWTF guidelines.
- The project proponent shall submit HCF's beds details and other bio-medical waste sources duly certified by concerning CMOs and other competent authority in the radial distance of 75 kms area of proposed CBWTF at the time of EIA presentation.
- Project proponent shall submit the point wise clarification/ proposal for biomedical waste treatment and disposal with respect to revised guidelines for CBMWTF 2016 of CPCB.
- The proposal should include storage/collection facility at proposed site for biomedical waste as per CBMWTF revised guidelines 2016 of CPCB.
- Common biomedical waste inventory should be provided.
- The EIA report should address regarding the disposal of covid-19 waste as per the latest guidelines.
- Reasons for selecting the site with details of alternate sites examined/rejected/selected on merit with comparative statement and reason/basis for selection. The examination should justify site suitability in terms of environmental damages, resources sustainability associated with selected site as compared to rejected sites. The analysis should include parameters considered along with weightage criteria for short-listing selected site.
- Submit the details of the road/rail connectivity along with the likely impacts and mitigative measures.
- Submit the present land use and permission required for any conversion such as forest, agriculture etc.

13. Executive summary of the project – giving a prima facie idea of the objectives of the proposal, use of resources, justification, etc. In addition, it should provide EMP.
14. Land requirement for the facility including its break up for various purposes, its availability and optimization.
15. Details of proposed layout clearly demarcating various activities such as security, Waste Storage Rooms, Waste Treatment Equipment Rooms/Areas, Treated Waste Storage Room, Pollution Control Devices like APCS and ETP, ash storage/disposal area, vehicle washing areas, and others such as admin area, worker's room, health centers, greenbelt, etc.
16. Details on collection and transportation of Bio Medical Waste from health care establishments, No. of vehicles and feature of vehicles, etc.
17. Details of the treatment equipment's capacity and make. Details of the incineration system – a statement on the compliance to the CPCB guidelines for common bio medical waste incinerators in respect of waste feed cutoffs, operating parameters of combustion chambers, flue gas cleaning, ash handling, etc. Details on fuel requirement for incineration. Details on flue gas emissions discharge through stack and proposed pollution control technologies. Details on residue/ash generation and management. Details of waste heat utilization, if any. Details on wastewater management alongwith zero discharge plans as committed by the project proponent.
18. Details of the proposed overall safety and health protection measures and submit specific programme.
19. Details on source of water and power supply along with solar light provision.
20. Details of the existing access road(s)/walkways to the designed operations in the site and its layout.
21. Location of the incineration facility and nearest habitats with distances from the facility to be demarcated on a toposheet (1: 50000 scale).
22. Land use map based on satellite imagery including location specific sensitivities such as national parks / wildlife sanctuary, villages, industries, etc.
23. Topography details.
24. Surface water quality of nearby water bodies.
25. Details on proposed groundwater monitoring wells, locations, frequency of monitoring, parameters, etc.
26. Corporate Environmental Responsibility (CER) shall be prepared by the project proponent and the details of the various heads of expenditure to be submitted as per the guidelines provided in the recent CER notification No. 22-65/2017-IA.III dated 01/05/2018. A copy of resolution as above shall be submitted to the authority alongwith list of beneficiaries with their mobile nos./address.
27. Action plan for the greenbelt development in accordance to CPCB published guidelines.
28. Details on pollution control technologies and online monitoring equipments.
29. Details on monitoring of pollutants at source –performance of the incinerator. Including operating hours, fuel consumption, operating parameters (Combustion chamber – temperature, pressure, Stack temperature, total particulate matter, HCl, NOx as per Bio Medical Waste (Management & Handling) Rules 1998.
30. Stack and fugitive emissions may be monitored for SPM, SO₂ & NO_x as per Bio Medical Waste (Management & Handling) Rules 2016.
31. Details of Administrative and technical organizational structure.
32. EMP devised to mitigate the adverse impacts of the project should be provided along with item-wise cost of its implementation (Capital and recurring costs).
33. Details of the emergency preparedness plan and on-site & off-site disaster management plan.
34. Affidavit to be submitted for the actual surveys done with detailed photographs of monitoring etc.
35. Examine the details of transportation of Hazardous wastes, and its safety in handling.
36. Examine and submit the details of on line pollutant monitoring.
37. Examine the details of monitoring of Dioxin and Furon.
38. MoU for disposal of ash through the TSDF.
39. MoU for disposal of scrubbing waste water through CETP.
40. Examine and submit details of monitoring of water quality around the landfill site.
41. Examine and submit details of the odour control measures.
42. Examine and submit details of impact on water body and mitigative measures during rainy season.

Terms of Reference for Captive Treatment Facility (But Proposed existing Common Bio-Medical Waste Treatment Facility) at Subharti Medical College Campus, Subharti Puram, Meerut, U.P., M/s Synergy Waste Management Pvt. Ltd.

43. Environmental Management Plan should be accompanied with Environmental Monitoring Plan and environmental cost and benefit assessment. Regular monitoring shall be carried out for odour control.
44. Water quality around the landfill site shall be monitored regularly to examine the impact on the ground water.
45. The storage and handling of hazardous wastes shall be as per the Hazardous Waste Management Rules.
46. Submit details of a comprehensive Disaster Management Plan including emergency evacuation during natural and man-made disaster.
47. Public hearing to be conducted for the project in accordance with provisions of Environmental Impact Assessment Notification, 2006 and the issues raised by the public should be addressed in the Environmental Management Plan. The Public Hearing should be conducted based on the ToR letter issued by the SEIAA.
48. A detailed draft EIA/EMP report should be prepared in accordance with the above additional TOR and should be submitted to the Ministry in accordance with the Notification.
49. Details of litigation pending against the project, if any, with direction /order passed by any Court of Law against the Project should be given.
50. The cost of the Project (capital cost and recurring cost) as well as the cost towards implementation of EMP should be clearly spelt out.

The matter will not be considered pending till your reply or EIA/EMP report is received. This is issued with the approval of competent authority.



(Shruti Shukla)

Deputy Director, DoE, UP &
Nodal Officer, SEIAA, UP

No..... /Parya/SEIAA/7761/2022 dated: As above

Copy, through email, for information and necessary action to –

1. The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Uttar Pradesh, Lucknow (email – soenvups@rediffmail.com)
2. Joint Secretary, Ministry of Environment, Forest and Climate Change, Government of India, 3rd Floor, Prithvi-Block, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-110003 (email – sudheer.ch@gov.in)
3. Deputy Director General of Forests (C), Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Kendriya Bhawan, 5th Floor, Sector "H", Aliganj, Lucknow – 226020 (email – roc.lko-mef@nic.in)
4. District Magistrate, Meerut, Uttar Pradesh.
5. Member Secretary, Uttar Pradesh Pollution Control Board, TC-12V, Paryavaran Bhawan, Vibhuti Khand, Gomti Nagar, Lucknow-226010 (email – ms@uppcb.com)
6. Copy to Web Master for uploading on PARIVESH Portal.
7. Copy for Guard File.



(Shruti Shukla)

Deputy Director, DoE, UP &
Nodal Officer, SEIAA, UP

20. Controlled blasting techniques with sequential blasting shall be adopted. The blasting shall be carried out in the daytime only. The project proponent shall ensure prevention of displacement of human beings/wild animals/birds etc. and in case any such displacement is caused due to blasting/mining operation by any chance the project proponent shall take suitable measures for their rehabilitation and resettlement.
21. Maintenance of village roads used for transportation of minerals is to be done by the company regularly at its own expenses. The link roads from mining area to main road shall be constructed as all-weather road with black topping and maintained by the project proponent.
22. The self-environmental audit shall be conducted annually. Every three years third-party environmental audit shall be carried out.
23. Measures for prevention and control of soil erosion and management of silt shall be undertaken. Protection of dumps against erosion shall be carried out with geotextile matting or other suitable material, and thick plantations of native trees and shrubs shall be carried out at the dump slopes. Dumps shall be protected by retaining walls.
24. Ground and surface water, if any in and near the core zone (within 5.0 km of the lease) shall be regularly monitored for contamination and depletion due to mining activity and records maintained. The monitoring data shall be submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board regularly. Further, monitoring points shall be located between the mine, and drainage in the direction of flow of groundwater shall be set up and records maintained.
25. Fugitive dust generation shall be controlled. Fugitive dust emission shall be regularly monitored at locations of nearest human habitation (including schools and other public amenities located nearest to sources of dust generation as applicable) and records submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board regularly.
26. Overburden (OB) shall be stacked at the earmarked dump site(s) only and shall not be kept active for long period. The maximum height of the dump shall not exceed 20 m, each stage shall preferably be of a maximum of 10 m and the overall slope of the dump shall not exceed 35°. The OB dump shall be backfilled. The OB dumps shall be scientifically vegetated with suitable native species to prevent erosion and surface runoff.
27. The slope of the mining bench and ultimate pit limit shall be as per the mining scheme approved by the Indian Bureau of Mines.
28. Prior permission from the Competent Authority shall be obtained for the extraction of groundwater if any.
29. A final mine closure plan, along with details of Corpus Fund, shall be submitted to the Integrated Regional Office, MoEF&CC, GoI, Lucknow and U.P. Pollution Control Board 5 years in advance of final mine closure for approval.
30. The blasting will be done only after getting permission from the Mining Department/competent authority.

15. Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, Shri Neeraj Aggarwal, M/s Synergy Waste Management Pvt. Ltd., 7761/SIA/UP/INFRA2/459662/2024

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Ind Tech House Consult, Delhi. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The Terms of Reference for the project proposal has been granted by SEIAA, U.P. vide Ref. No. 381/Parya/SEIAA/7761/2023 dated 18/01/2024 in light of Hon'ble NGT order dated 02/03/2023.
2. PP has applied for Terms of Reference for Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, Uttar Pradesh whereas the ToR was issued is in the name of "Captive Treatment Facility (but Proposed Existing Common Bio-Medical Waste Treatment Facility) at Subharti Medical College Campus, Subharti Puram, Meerut Uttar Pradesh instead of Proposed Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut Uttar Pradesh".
3. Therefore, the project proponent applied for amendment in Terms of Reference application on Parivesh Portal vide proposal No. SIA/UP/INFRA2/459662/2024 dated 23/01/2024 to remove the Captive term from the Name of the Project and additional condition No. 1 of the Terms of Reference letter dated 18/01/2024.

RESOLUTION AGAINST AGENDA NO. 12

The committee has gone through the file and documents and observed that during the appraisal of the project proposal in SEAC meeting dated 17/05/2023 and 20/11/2023 the committee recommended to issue the terms of reference for the project in name of "*Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, U.P., M/s Synergy Waste Management Pvt. Ltd.*" and the SEIAA in its meeting dated 28/12/2023 imposed the additional TOR points. The terms of reference issued on 18/01/2024 as per decision taken in 786th SEIAA meeting dated 28/12/2023, therefore, any change/amendment in TOR points should be made at the level of SEIAA. Hence, the matter forwarded to SEIAA for necessary action.

(Dr. Brij Bihari Awasthi)
Member

(Umesh Chandra Sharma)
Member

(Dr. Ratan Kar)
Member

(Ashish Tiwari)
Member-Secretary, SEAC

(Rajive Kumar)
Chairman

Nodal, SEAC-1

MoM prepared by Secretariat in consultation with
Chairman & Members on the basis of decisions
taken by SEAC-1 during the meeting.

Minutes of the 810th Meeting of the SEIAA, UP held on 30.04.2024

- components to assess the capacity to further bear the pollution load for such areas within a period of 1 year and submit the same to SEIAA, UP for evaluation.
16. Department of Geology & Mines, GoUP in consultation with UPSPCB will establish required number of CAAQMS in district within a period of one year and submit geo-referenced map of these stations along with data. Details of existing CAAQMS, if any, be submitted within a period of three months.
 17. Large number of mining projects are ongoing as well as new mining leases are coming up in the district. A reference be sent to DGM and MS, SPCB for preparing mitigation plan for controlling air pollution in the district especially in mining areas.
 18. If the air quality deteriorates due to mining, then District Administration & Directorate of Mining should ensure that mining be stopped immediately. Adequate measures be taken for restoring air quality and mining should commence only when air quality attains the prescribed standards.
 19. This EC shall be subject to any order from any court/tribunal or any guidelines issued by MOEFCC.
15. Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, Shri Neeraj Aggarwal, M/s Synergy Waste Management Pvt. Ltd., 7761/SIA/UP/INFRA2/459662/2024.
SEIAA opined to refer the matter to SEAC and seek clarification regarding the minimum area required for the Common Bio-Medical Waste Treatment Facility.


Agenda-C- Letter/Reply

1. Intimation regarding Contempt of Hon'ble Supreme Court on dated: 02-01-2024 and 02-02-2024 vide W.P. (C) No. 001394/2023 in Vanashakti Vs Union of India passed order of Stay on MOEF&CC O.M. dated: 20/01/2022 for Ex-post Facto Environmental Clearance.
SEIAA gone through the e-mail dated 25.02.2024 of Shri Gaurav Garg regarding the above subject and noted that environmental Clearance has not been granted yet to Synergy waste management Pvt. Ltd Meerut. SEIAA opined to refer the mail to SEAC for considering the mail and O.M. No. IA3-3/4/2024-IA.III(E230791) dated 08.01.2024 of MoEFCC while considering and recommending the proposal.

Nodal Officer**SEIAA, UP**

MoM prepared by Secretariat in consultation with
Chairman & Members on the basis of decisions
taken by SEIAA during the meeting.

(Smt. Mamta Sanjeev Dubey)
Chairman
SEIAA


(Sanjeev Kumar Singh)
Member-Secretary
SEIAA

(Paras Nath)
Member
SEIAA

2. Further extension of validity was granted for the project vide its letter No. 812/Parya/SEIAA/2047/2020 dated 17.03.2021 and was valid till 10.10.2023.
3. As per the provision of Para 9 in MoEF&CC Notification dated 18th January 2021 (considering 01 year exemption during Covid period) EC was further extended for 01 year i.e. till 11/10/2024.
4. Since, the construction of the project has not been completed till date, we have applied for extension of validity of Environment Clearance for further 01 more years (as per the MoEF&CC notification dated 12/04/2022).

The project proponent requested to extend the validity of environmental clearance letter dated 24/12/2012 up to 23/12/2024 as per MoEF&CC, Notification dated 18/01/2021 and OM dated 12/04/2022.

RESOLUTION AGAINST AGENDA NO. 17

The committee examined and discussed the matter in light of MoEF&CC, Govt. of India Notification dated 18/01/2021 and OM dated 12/04/2022 and presentation made before SEAC. After detailed discussion the committee recommended to grant the extension of environmental clearance for 01 year i.e. 12/10/2023 to 11/10/2024 as per the provision of Para 9 in MoEF&CC Notification dated 18th January 2021 (considering 01 year exemption during Covid period) and further extend the validity of EC letter dated 12/10/2013 for 01 more year i.e. 12/10/2024 to 11/10/2025 as per provision of MoEF&CC Notification dated 12/04/2022.

All the other contents mentioned in EC letter no. 1916/PARYA/SEAC/2047/2013/AD(H), dated 12/10/2013 shall remain the same.

18. Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, Shri Neeraj Aggarwal, M/s Synergy Waste Management Pvt. Ltd., 7761/SIA/UP/INFRA2/424451/2023

The Secretariat informed the committee that the matter was earlier discussed in 810th SEIAA meeting dated 30/04/2024 wherein:

“SEIAA opined to refer the matter to SEAC and seek clarification regarding the minimum area required for the Common Bio-Medical Waste Treatment Facility.”

As per the decision of SEIAA, the matter was listed in 851st SEAC meeting dated 16/05/2024. The Secretariat informed the committee that Member Secretary, SEIAA sent a letter dated 13/05/2024 annexing the MoEF&CC, GoI (HSM Division) letter no. 20/4/2021-HSMD, dated 13/03/2024 to Member Secretary, SEAC and requested to consider the matter in SEAC meeting as per the provision of CBWTF Guidelines issued by CPCB and issues raised in MoEF&CC letter dated 13/03/2024.

The committee further noted that in compliance of MoEF&CC, Govt. of India letter dated 13/03/2024 the Regional Officer, UPPCB, Meerut also issued a letter dated 07/05/2024 to M/s Synergy Waste Management Pvt. Ltd. to submit their explanation within 07 days on the points mentioned in aforesaid letter.

In view of above circumstances, the committee is of the opinion that the above letters may shared to project proponent with the direction of submit their point wise reply on the issues raised in above letters.

The matter will be discussed after receipt of above information.

(Dr. Brij Bihari Awasthi)
Member

(Umesh Chandra Sharma)
Member

(Dr. Ratan Kar)
Member

(Dr. Ajai Mishra)
Member

(Ashish Tiwari)
Member-Secretary, SEAC

(Rajive Kumar)
Chairman

Nodal, SEAC-1

MoM prepared by Secretariat in consultation with
Chairman & Members on the basis of decisions
taken by SEAC-1 during the meeting.

Minutes of 867th SEAC-1 Meeting Dated 01/08/2024

The 867th meeting of SEAC-1 was held in the Directorate of Environment, U.P. through dual-mode (physically/virtually) at 10:00 AM on 01/08/2024. Following members participated in the meeting:

- | | | |
|----|-----------------------------|-----------------------------|
| 1. | Shri Rajive Kumar, | Chairman, SEAC |
| 2. | Dr. Ajai Mishra, | Member, SEAC-1 (through VC) |
| 3. | Dr. Ratan Kar, | Member, SEAC-1 |
| 4. | Shri Om Prakash Srivastava, | Member, SEAC-1 |
| 5. | Dr. Brij Bihari Awasthi, | Member, SEAC-1 (through VC) |
| 6. | Shri Umesh Chandra Sharma, | Member, SEAC-1 |
| 7. | Shri Ashish Tiwari, | Member-Secretary, SEAC-1 |
| 8. | Dr. S.K. Goyal, | Member, NEERI (through VC) |

The Chairman welcomed the members to the 867th SEAC-1 meeting which was conducted via dual-mode (virtually/physically). Nodal Officer, SEAC-1 informed the committee that the agenda has been approved by the Member Secretary, SEAC-1/Director, Directorate of Environment.

Confirmation of the minutes of SEAC-1: The minutes of 865th & 866th SEAC-1 meetings dated 18/07/2024 and 19/07/2024 has been confirmed by the Chairman and Members.

1. Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, Shri Neeraj Aggarwal, M/s Synergy Waste Management Pvt. Ltd., 7761/SIA/UP/INFRA2/459662/2024

The Secretariat informed the committee that the matter was earlier discussed in 851st SEAC meeting dated 16/05/2024 and decided as follows:

“SEIAA opined to refer the matter to SEAC and seek clarification regarding the minimum area required for the Common Bio-Medical Waste Treatment Facility.”

As per the decision of SEIAA, the matter was listed in 851st SEAC meeting dated 16/05/2024. The Secretariat also informed the committee that Member Secretary, SEIAA sent a letter dated 13/05/2024 annexing the MoEFCC, GoI (HSM Division) letter no. 20/4/2021-HSMD, dated 13/03/2024 to Member Secretary, SEAC and requested to consider the matter in SEAC meeting as per the provision of CBWTF Guidelines issued by CPCB and issues raised in MoEFCC letter dated 13/03/2024.

The committee further noted that in compliance of MoEF&CC, Govt. of India letter dated 13/03/2024 the Regional Officer, UPPCB, Meerut also issued a letter dated 07/05/2024 to M/s Synergy Waste Management Pvt. Ltd. to submit their explanation within 07 days on the points mentioned in aforesaid letter.

In view of above circumstances, the committee is of the opinion that the above letters may be shared to project proponent with the direction to submit their point wise reply on the issues raised in above letters.”

The project proponent submitted the reply to queries raised by SEAC vide its letter dated 12/07/2024 and the matter was put up before SEAC in its 867th SEAC meeting dated 01/08/2024. The committee has gone through the reply submitted by project proponent and presentation made before SEAC and found that the reply submitted by the project proponent is not satisfactory. Hence, the committee directed the project proponent to submit a brief note regarding the query raised in earlier

meeting along with its chronology. Gap analysis report from UPPCB, Lucknow as per revised CBWTF guidelines along with recommendation.

The matter will be discussed after receipt of above information.

2. “Ordinary Soil Excavation Project” at Gata No.- 93 Village- Nevlapur, Tehsil- Bangarmau & District: Unnao, Smt. Adeeba Bano, Area- 0.2954 Ha., 8795/SIA/UP/MIN/463180/2024

RESOLUTION AGAINST AGENDA NO. 02

The project proponent/consultant did not appear. The committee discussed and deliberated that the project file should be closed and be opened only after request from the project proponent. The file shall not be treated as pending at SEAC-1. The matter will be discussed only after submission of online requests on prescribed online portal.

3. Sand/Morrum Mining Project along River Betwa in Gata No.-747, Khand No - 01 at Village – Pathrehta, Tehsil- Kalpi, District- Jalaun, Shri Anand Kumar Gupta, Area- 16.1877 ha., 8825/8187/SIA/UP/MIN/464877/2024

The consultant informed the committee that they are strictly following the rules, regulations and other instructions of QCI/NABET. A presentation was made by the project proponent along with their consultant M/s Paramarsh Servicing Environment and development. Based on the documents submitted and presentation made by the project proponent along with the consultant, the following facts have emerged: -

1. The environmental clearance is sought for Sand/Morrum Mining Project along River Betwa in Gata No.- 747, Khand No.-01 at Village –Pathrehta, Tehsil- Kalpi, District- Jalaun, U. P. (Leased Area- 16.1877 ha.).
2. The Terms of Reference in the matter were issued by SEIAA, U.P vide Letter No. 290/Parya/SEIAA/8187/2023 dated 09th November 2023.
3. The Public Hearing was organized on 25/01/2024. Final EIA report submitted by the project proponent on 05/03/2024.
4. Salient features of the project as submitted by the project proponent:

1.	On-line proposal No.	New Proposal No. SIA/UP/MIN/464877/2024 Old Proposal No. SIA/UP/MIN/442210/2023
2.	File No. allotted by SEIAA, UP	8825-8187
3.	Name of Proponent	Shri Anand Kumar Gupta S/o Late Laxmi Narayan Gupta
4.	Full correspondence address of proponent and mobile no.	R/o: Maharajpur, Kanpur Nagar, U.P. - 209402
		Mobile no.–
		E mail ID - anandkumarg836@gmail.com
5.	Name of Project	Environment Clearance of proposed riverbed Sand/Morrum Mining Project having lease area 16.1877 ha (40.00 acre) along River Betwa in Gata No 747, Khand No-01 at Village –Pathrehta, Tehsil- Kalpi, District- Jalaun, U. P. of Shri Anand Kumar Gupta.
6.	Project Location (Plot. Khasra/Gata No.)	Gata No 747, Khand No-01
7.	Name of Village	Pathrehta
8.	Tehsil	Kalpi
9.	District	Hamirpur
10.	Name of Minor Mineral	“River bed Sand/morrum mining”
11.	Sanctioned Lease Area (in Ha.)	16.1877 ha
12.	Max. & Min mRL within lease area	Highest mRL- 99.7mRL Lowest mRL- 95.4mRL
13.	Pillar Coordinates (Verified by DMO)	Pillar
		Latitude
		Longitude
	Total Area-16.1877	
	A	25° 52' 28.09"N 79° 48' 23.44"E

Proposal Details

Proposal No.:

SIA/UP/INFRA2/459662/2024

Single Window No.:

SW/124617/2023

CAF No.:

CAF/121987/2023

Project Name:

Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus,
Subharti Puram, Meerut, Uttar Pradesh

State:

UTTAR PRADESH

Proposal For:

Amendment in ToR

Activity:

7(da) Bio-Medical Waste Treatment Facilities

Sector:

INFRA2

Application For:

Application for amendment in ToR (for categories A & B1)/Amendment in EC (for category B2)-
Form-3

Date of Submission:

23/01/2024

MoEFCC File No.:

7761

State File No.:

7761

Proposal History/Timeline

[Preview](#)
Activity**Start Date - End Date****ADS Raised**

Start Date

16/08/2024

End Date

N/A