

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
SOUTH ZONE BENCH, CHENNAI**
Original Application No. 274 of 2024

IN THE MATTER OF:

Tribunal on its own motion – SUO MOTU
based on the News item published in
Dinamalar Chennai Edition dated
25.09.2024, titled “Dumping of 05 tons of
medical waste in Pallavaram Eri”

Vs.

The Chief Secretary to Govt. of Tamil Nadu and 8 Ors.

... Respondents

**REJOINDER FILED BY THE 5th RESPONDENT TO THE REPLY OF THE 9TH
RESPONDENT DATED 12.06.2025**

I, Mr. B.S Vidhyasagar, aged about 47 years, having office at No.4/112, Mount Poonamallee Road, Manapakkam, Chennai 600 089, do hereby solemnly affirm and sincerely state as follows:

1. I am the Chief Financial Officer of M/s. MIOT Hospitals Private Limited which is the 5th Respondent to the O.A No. 274 of 2024. I state that in my official capacity, I am acquainted with the facts of the present case. I have perused the records, and I am competent and authorized to swear this Rejoinder on behalf of the 5th Respondent herein.
2. Except for the matters explicitly admitted in this Rejoinder all other allegations in the reply filed by the 9th Respondent (“Reply”) before this Hon’ble Tribunal on 12.06.2025 shall be considered as categorically denied by the 5th Respondent.

For MIOT HOSPITALS (P) LTD.


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A. Para-wise Rejoinder to the 9th Respondent's Reply:

3. The 5th Respondent submits that Para No. 01 of the 9th Respondent's Reply does not warrant a response.
4. The 5th Respondent states that the 9th Respondent should be put to strict proof of its averments in Para No.02 of the Reply.
5. The 5th Respondent states that as admitted by the 9th Respondent in Para No.03 of the Reply, the 5th Respondent has entered into an agreement dated 01.04.2023 with the 9th Respondent for the collection, transportation, treatment and disposal of segregated Bio Medical Waste from the 5th Respondent's hospital on a day-to-day basis **("Agreement")**.
6. The 5th Respondent humbly submits that the 9th Respondent should be put to strict proof of its process of disposal of Bio Medical Waste as outlined in Para No. 04 of the Reply. Moreover, the 5th Respondent submits that it has been duly segregating its Bio Medical Waste and Solid Waste as per the Bio Medical Waste Management Rules, 2016 and has been handing over the segregated Bio Medical Waste to the 9th Respondent for treatment and disposal every day for the past two years as per the Agreement.
7. The 9th Respondent should be put to strict proof of its averments in Para No. 05 of the Reply. Moreover, the 5th Respondent has collection slips issued by the 9th Respondent

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evidencing that the 9th Respondent had duly collected the segregated Bio Medical Waste from the 5th Respondent's Hospital on 23.09.2024. This being the case, in the event the 5th Respondent's Bio Medical Waste was found near the Pallavaram Eri ("Site") the same is a breach of the 9th Respondent's obligations under the Agreement and a violation of the Bio Medical Waste Management Rules, 2016 by the 9th Respondent.

8. The 5th Respondent vehemently denies the 9th Respondent's averments in Para No. 06 of the Reply. The 5th Respondent states that no Bio Medical Waste belonging to the 5th Respondent was found at the Site. This being the case, the 9th Respondent's averments that it had collected 700 Kgs of Bio Medical Waste from the Site, inspected them and attributed 500 Kgs of Bio Medical Waste to the 5th Respondent is entirely false and baseless. The 9th Respondent ought to explain to this Hon'ble Tribunal how it segregated the alleged 700 Kgs of Bio Medical Waste at the Site, inspected them and attributed 500 Kgs of the same to the 5th Respondent. The 9th Respondent has not established any scientific or logical explanation as to how the alleged 700 Kgs of Bio Medical Waste were sorted by the 9th Respondent on 24.09.2024.

9. Moreover, the 5th Respondent states that the 9th Respondent has issued a collection receipt dated 24.09.2024 to the 5th Respondent alleging that 200 Kgs of Bio Medical Waste allegedly belonging to the 5th Respondent was collected from the Site. However, this collection receipt is contrary to the Reply filed by the 9th Respondent before this Hon'ble Tribunal in as much as it varies the quantity of alleged Bio Medical Waste attributed to the 5th Respondent. The 9th Respondent's inability to accurately mention the quantity of alleged Bio Medical Waste from the Site which is attributable to the 5th Respondent

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evidences that the 9th Respondent's allegations that 200/500 Kgs of Bio Medical Waste belonging to the 5th Respondent was found at the Site, are frivolous and a mere conjecture.

10. Additionally, the 5th Respondent vehemently denies the 9th Respondent's allegation in Para No. 06 of the Reply that the 5th Respondent made payments against a bill raised by the 9th Respondent for the disposal of the Bio Medical Waste allegedly belonging to the 5th Respondent from the Site. The 5th Respondent states that no payment whatsoever was made to the 9th Respondent in relation to the alleged Bio Medical Waste found at the Site, and the 9th Respondent should be put to strict proof of the same. The 5th Respondent further denies the 9th Respondent's allegations in Para No, 06 of the Reply that the 9th Respondent has neither violated the Agreement nor the rules of the Tami Nadu Pollution Control Board (4th Respondent). The 5th Respondent submits that if any Bio Medical Waste belonging to the 5th Respondent was found at the Site, the 9th Respondent is completely responsible for the same since the 5th Respondent had duly handed over all its Bio Medical Waste to the 9th Respondent for collection, **transportation**, treatment and disposal by the latter in accordance with applicable laws.
11. In Para No. 07 of the Reply, the 9th Respondent has relied on the 4th Respondent's report dated 10.12.2024 ("**Report**") filed before this Hon'ble Tribunal to claim that the 4th Respondent has clearly laid down that the 9th Respondent is in no way responsible for the alleged illegal dumping of Bio Medical Waste at the Site. At the outset, the 5th Respondent humbly submits that it for this Hon'ble Tribunal to decide the extent of involvement and liability of the 9th Respondent in the alleged Bio Medical Waste found at the Site on 24.09.2024 and not for the 4th Respondent to decide. Additionally, the 5th

Respondent has filed before this Hon'ble Tribunal a detailed reply dated 11.06.2025 to the 4th Respondent's Report dated 10.12.2024 categorically denying and responding to each and every allegation contained therein. This being the case, the 5th Respondent states that Para No. 07 of the 9th Respondent's Reply has already been responded to by the 5th Respondent in reply dated 11.06.2025 filed before this Hon'ble Tribunal and same may be considered as part and parcel of this Rejoinder.

12. In any case, it is pertinent to note that Para No. 07 of the Reply inter-alia extracts Para No. 3(d) of the 4th Respondent's Report dated 10.12.2024, which in turn inter-alia alleges that the 9th Respondent cleared 200 Kgs of Bio Medical Waste allegedly belonging to the 5th Respondent from the Site. The 5th Respondent humbly submits that this is once again contrary to the 9th Respondent's allegation in Para No. 06 of its Reply that 500 Kgs of Bio Medical Waste allegedly belonging to the 5th Respondent was collected by the 9th Respondent from the Site. The persistent inconsistencies in stating the quantity of alleged Bio Medical Waste of the 5th Respondent found at the Site, raises a strong suspicion regarding the truthfulness of the 9th Respondent and the 4th Respondent's allegations that Bio Medical Waste allegedly belonging to the 5th Respondent was found at the Site.
13. The 5th Respondent humbly submits that no Bio Medical Waste belonging to the 5th Respondent was found at the Site on 24.09.2024 and any allegations otherwise by the 9th Respondent and the 4th Respondent are purely fictional and they should be put to strict proof thereof.

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14. Further, the 9th Respondent's reliance on the 4th Respondent's report dated 10.12.2024, in Para No. 07 of the Reply, to state that Bio Medical Waste was allegedly found mixed with General Waste at the Site due to improper segregation of Bio Medical Waste and General Waste by the 5th Respondent, is entirely unfounded and bald. The 9th Respondent has brought forward no evidence to claim that the 5th Respondent did not properly segregate its Bio Medical Waste and General Waste. It is submitted that in the event the 9th Respondent suspected improper segregation by the 5th Respondent the same should have been brought up by the 9th Respondent at the time of collection of Bio Medical Waste from the 5th Respondent's hospital during the past two years.
15. Moreover, the 4th Respondent's contentions in its Report dated 10.12.2024 are only submissions placed by the 4th Respondent before this Hon'ble Tribunal and do not reflect any conclusive, authoritative finding that allegedly exonerates the 9th Respondent of all responsibility for:
- a. the 5th Respondent's Bio Medical Waste, if any, found at the Site; and
 - b. issuance of the illegal collection receipt dated 24.09.2024 alleging that 200 Kgs of Bio Medical Waste belonging to the 5th Respondent was found at the Site.
16. Therefore, it is humbly stated that the 9th Respondent has not established its compliance with any of its duties under the Bio Medical Waste Management Rules, 2016 and has only placed false and baseless allegations against the 5th Respondent in its Reply dated 12.06.2025.

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17. In light of the above, the 5th Respondent humbly prays that this Hon'ble Tribunal may be pleased to reject the false averments of the 9th Respondent's Reply dated 12.06.2025 as insufficient and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case and thus render justice.

For MIOT HOSPITALS (P) LTD.


**DEPONENT
AUTHORISED SIGNATORY**

Dated at Chennai on this the 04th day of September, 2025


MS 162/22

Counsel for the 5th Respondent

VERIFICATION

I, Mr. B.S Vidhyasagr, Chief Financial Officer of the 5th Respondent above named do hereby declare that the facts stated above are true and correct to the best of my knowledge and belief.

Verified at Chennai on this the 04th day of September, 2025 **For MIOT HOSPITALS (P) LTD**


**5th Respondent
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the 9th Respondent's Reply dated
12.06.2025**

P.S. Suman (Ms. 924/2003)
S. Dhakshin Kumar (4201/2022)
Huda S (4162/2022)

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