

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
Original Application No. 88/2026**

In the matter of:

V3 Healthcare Private Limited

Applicant

Vs.

MoEF& CC & Ors.

Respondents

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17.4.2026

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1.	Reply on behalf of Respondent No. 3 i.e. Central Pollution Control Board (CPCB) in compliance to Hon'ble NGT order dated 04.02.2026.inOriginal Application No. 88/2026.	

(Filed by



ADV. ANUJ BHANDARI)

On behalf of Central Pollution Control Board

i-34,Jangpura Ext. New Delhi-14

anujbhandari123@gmail.com

Mob: 9873722187

Place: Delhi

Dated: 13.04.2026

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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**REPLY ON BEHALF OF THE RESPONDENT No. 3 I.E. CENTRAL
POLLUTION CONTROL BOARD (herein after referred as CPCB)**

MOST RESPECTFULLY SHOWETH:

1. That CPCB is constituted under the Water (Prevention and Control of Pollution) Act 1974 (hereinafter referred to as "the Water Act, 1974"). It performs the functions under the Water Act, 1974. The Air (Prevention and Control of Pollution) Act 1981 (hereinafter referred to as "the Air Act, 1981"), and the Environment (Protection) Act, 1986.
2. That the State Pollution Control Boards/Pollution Control Committees (hereinafter referred to as "SPCBs/PCCs") have been constituted in State/Union Territories under the Water Act, 1974 and the Air Act, 1981 and are empowered to perform the functions and implement the provisions of these Acts in respect of territories falling in their respective Territorial Jurisdiction.
3. That the Hon'ble National Green Tribunal (hereinafter referred as the "Hon'ble NGT"), Principal Bench, New Delhi vide Order dated 04.02.2026 in Original Application (hereinafter referred as "OA") No.

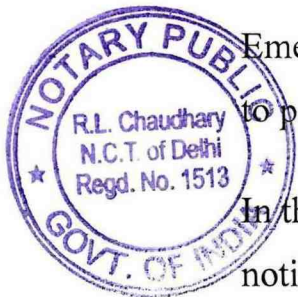


88/2026 has sought response/reply from the respondents (CPCB is respondent no. 03) in the instant matter. Thereby the response by answering respondent is made hereunder in the succeeding paragraphs.

4. That the present Original Application has been filed by the Applicant seeking intervention of this Hon'ble Tribunal in respect of the alleged violation of environmental norms on account of operation of scrap yards without obtaining Environmental Clearance, requisite environmental consents including Consent to Establish/Consent to Operate, and alleged burning and dumping of municipal and other wastes in such scrap yards located in the vicinity of The Medicity Hospital premises at Rudrapur, District Udham Singh Nagar, Uttarakhand.

PARAWISE REPLY

5. That no comments are offered by the answering respondent herein over the averments made in the Para 1-3 of OA giving introductory submissions and filing details of the Application.
6. That the averments made in Para 4 of the OA are regarding the alleged violation of the Environmental Impact Assessment Notification, 2006 (as amended), the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, the Uttarakhand Fire and Emergency Services Act, 2016 (as amended in 2022), and issues relating to pollution and risk to human life and health.

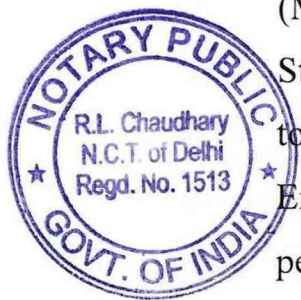


In this regard, it is respectfully submitted that the Central Government has notified the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 ("**HOWM Rules, 2016**") in exercise of the powers conferred under Sections 6, 8 and 25 of the

Environment (Protection) Act, 1986, for ensuring environmentally sound management of hazardous and other wastes. Rule 19 of the HOWM Rules, 2016 provides for a manifest system to ensure safe, regulated and traceable transportation of hazardous and other wastes within and across States. The concerned SPCBs/PCCs are responsible for ensuring compliance with the manifest system, monitoring movement of such wastes, and taking appropriate regulatory action in cases of non-compliance.

Further, Rule 6 of the HOWM Rules, 2016 prescribes the duties of SPCBs/PCCs, inter alia, to grant, renew, suspend or cancel authorization to units handling hazardous and other wastes after due verification, and to monitor compliance with the conditions of such authorization. Additionally, as per Schedule VII of the said Rules, SPCBs/PCCs are entrusted with responsibilities including grant and renewal of authorization, inventorisation of hazardous and other wastes, and monitoring compliance of the provisions of the Rules within their respective jurisdictions.

With regard to the alleged violation of the provisions of the EIA Notification, 2006 (as amended), it is submitted that grant of prior Environmental Clearance for Category 'A' projects falls within the jurisdiction of the Ministry of Environment, Forest and Climate Change (MoEF&CC), whereas for Category 'B' projects, the same lies with the State Environment Impact Assessment Authority (SEIAA). With respect to the alleged violation of the provisions of the Uttarakhand Fire and Emergency Services Act, 2016 (as amended), it is submitted that the same pertains to fire safety regulations, enforcement of which falls within the jurisdiction of the concerned State Fire Department/Fire and Emergency Services Authority, and hence no comments are offered by this answering Respondent.



It is further submitted that SPCBs/PCCs constituted under the Water Act, 1974 and the Air Act, 1981 are responsible for implementation of the provisions of the said Acts, including grant, renewal and cancellation of Consent to Establish (CTE) and Consent to Operate (CTO), and monitoring compliance of environmental norms within their respective jurisdictions.

As per the provisions of Plastic Waste Management Rules, 2016, as amended, the following responsibilities have been cast on entities for management of plastic waste including:

Rule	Stakeholder	Provision
6(2)	Local Body	<p>Local body shall be responsible for setting up, operationalization and co-ordination of the waste management system and for performing the associated functions, namely:</p> <ol style="list-style-type: none"> a. Ensuring segregation, collection, storage, transportation, processing and disposal of plastic waste; b. ensuring that the provisions of these rules, as amended, are adhered to c. ensuring that no damage is caused to the environment during this process; d. ensuring channelization of recyclable plastic waste fraction to recyclers; e. ensuring processing and disposal on non-recyclable



		<p>fraction of plastic waste in accordance with the guidelines issued by the Central Pollution Control Board;</p> <p>f. creating awareness among all stakeholders about their responsibilities;</p> <p>g. engaging civil societies or groups working with waste pickers; and</p> <p>h. ensuring that open burning of plastic waste does not take place</p>
6(7)	Local Body	The local body shall take necessary measures to prevent stocking, distribution, sale and usage of prohibited single use plastic items in their jurisdiction
8(1)(b)	Waste generator	The waste generator shall not litter the plastic waste and ensure segregated storage of waste at source and handover segregated waste to urban local body or gram panchayat or agencies appointed by them or registered waste pickers', registered recyclers or waste collection agencies
13 (3)	Plastic Waste Processors	Every person recycling or processing waste or proposing to recycle or process plastic waste shall for the purpose of one-time



		registration make an application to the concerned State Pollution Control Board or the Pollution Control Committee in Form II through Centralized online portal specified in Schedule –II.
13(5)	Plastic Waste Processors	The State Pollution Control Board or the Pollution Control Committee shall not grant registration to plastic waste recycling or processing units unless the unit possesses a valid consent under the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974) and the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and a certificate of registration issued by the District Industries Centre or any other Government agency authorised in this regard.
6(1) of Schedule II	Producers, Importers & Brand-Owners, manufacturers, manufacturers	The following entities shall register on the centralized portal developed by Central Pollution Control Board namely: -



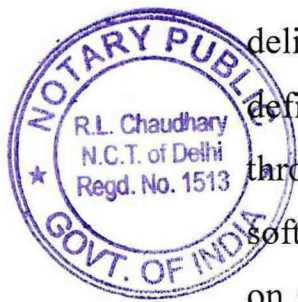
	<p>of commodities made from compostable or biodegradable plastics and Plastic Waste Processor</p>	<p>i. Producer (P) including micro and small enterprises as defined under the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006)</p> <p>ii. Importer (I);</p> <p>iii. Brand owner (BO);</p> <p>iv. Plastic Waste Processor engaged in (a) recycling, (b) waste to energy, (c) waste to oil, and (iv) industrial composting;</p> <p>v. Manufacturers and importers of plastic raw material;</p> <p>vi. Manufacturers of items made from compostable plastics or biodegradable plastics.</p>
10 (6) of Schedule II	<p>Producers, Importers & Brand-Owners, manufacturers, and manufacturers of commodities made from compostable or biodegradable plastics</p>	<p>The Producers, Importers & Brand-Owners, manufacturers, and manufacturers of commodities made from compostable or biodegradable plastics shall file annual returns on the plastic packaging waste collected and processed towards fulfilling obligations under Extended Producer Responsibility with the Central Pollution Control Board or concerned State Pollution Control Board or Pollution</p>



		Control Committee as per pro forma prescribed by Central Pollution Control Board by the 30th June of the next financial year. Information on the reuse and/or recycled content used for packaging purposes will also be provided. The details of the registered recyclers from whom the recycled plastic has been procured will also be provided.
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It is also submitted that the, Ministry of Environment, Forest and Climate Change notified the Solid Waste Management (SWM) Rules, 2026 under Environmental (Protection) Act, 1986 Vide Notification No. S.O. 388(E) dated 27/01/2026 which has come into effect from 01/04/2026, in supersession of the Solid Waste Management Rules, 2016, to ensure environmentally sound management of solid waste in the country. The role and responsibilities of various Central and State agencies have been delineated in the said rules. Further, Rule 39(7) of SWM Rules, 2026 defines duties of local authorities to direct waste generators not to litter i.e. throw or dispose of any waste such as paper, water bottles, liquor bottles, soft drink cans, tetra packs, fruit peel, wrappers, etc., or burn or burry waste on streets, open public spaces, drains, waste bodies and to segregate the waste at source as prescribed under these rules and hand over the segregated waste to authorised waste pickers or authorized waste collectors.

That Rule 41 of SWM Rules, 2026, defines the duties of SPCBs/PCCs for enforcement & implementation of these rules in their State/UTs through



local authorities as well as monitor environmental standards and adherence to conditions as specified under the Schedule II and Schedule III for waste processing and disposal sites.

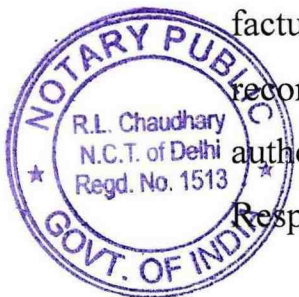
7. That the averments made in Para 5 of OA are regarding jurisdiction of this Hon'ble Tribunal under the provisions of the Environment (Protection) Act, 1986, the Water Act, 1974, and the Air Act, 1981, are a matter of record and needs no comments from this answering respondent.
8. That the averments made in Para 6 of the OA are regarding the description, responsibility and functioning of the Applicant i.e., The Medicity Hospital, Rudrapur, Uttarakhand, needs no comments from this answering respondent.
9. That the averments made in the Para 7-8 of the OA are regarding the allegations made by the Applicant with respect to operation of illegal scrap yards in its vicinity, including issues of unauthorized land use, absence of statutory permissions and alleged failure on the part of Respondent No. 6 (District Magistrate) and Respondent No. 7 (Municipal Corporation) to regulate such activities, which are matters pertaining to the concerned local authorities and hence, no comments are offered by this answering Respondent.
10. That in reply to the averments made in para 9 of OA, it is humbly submitted that the comments made by this answering respondent at Para 6 of this reply may kindly be referred.



11. That the averments made in the Paras 10-12 of the OA are regarding the alleged dumping and storage of hazardous and non-hazardous wastes by certain scrap yard operators and the environmental risks associated with it. In this regard, it is humbly submitted that the management, handling, storage and disposal of such wastes are governed under various Rules notified by the MoEF&CC, inter alia, the Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016; the SWM Rules, 2026; the Plastic Waste Management Rules, 2016; and the E-Waste (Management) Rules, 2016, the implementation and enforcement of which lie within the domain of the concerned SPCB/PCC and local authorities.

12. That the averments made in the Paras 13-18 of the OA are regarding the alleged fire incident dated 27.03.2025 at a scrap yard located on Karatarpur Road, Rudrapur, its impact on the surrounding area including the nearby hospital, findings of the Fire Department/Fire Safety Officer, and registration of FIRs by the local police authorities against certain scrap yard operators.

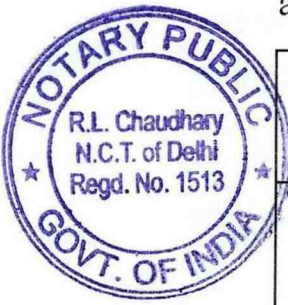
In this regard, it is respectfully submitted that the said averments pertain to factual events and actions taken by local authorities, which are matters of record and require verification at the ground level by the concerned authorities and hence, no comments are offered by this answering Respondent.



13. That the averments made in the Para 19 of the OA is regarding the alleged Violation of provisions of EIA Notification, 2006 (as amended 25.06.2014), Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, Uttarakhand Fire and Emergency Services Act, 2016 (as amended 2022), Environmental (Protection) Act,

1986, Solid Waste Management Rules, 2026, Plastic Waste Management Rules, 2016 (as amended), Air Act, 1981, Water Act, 1974 and Article 21 of the Constitution of India. It is humbly submitted that the comments made by this answering respondent at Para 6 of this reply may kindly be referred.

Further, it is humbly submitted that CPCB has developed the Centralized EPR Portal for Plastic Packaging “eprplastic.cpcb.gov.in” in accordance with provisions of the notified EPR Guideline. Producers, Importer and Brand Owners (PIBOs) and (Plastic Waste Processors (PWPs) are required to register on the EPR Portal, as per provisions of EPR Guidelines. Online registration application filed by PIBOs is transferred to the concerned SPCBs / PCCs on the EPR Portal, in case the PIBOs are operating in one or two States - for further processing while the remaining applications are processed by CPCB. Further, all PWPs have to get registered with SPCBs / PCCs on the EPR portal to comply with provisions under PWM Rules, 2016. Online Application filed by PWPs gets transferred to the concerned SPCBs / PCCs for further processing. The status of registration of PIBOs and PWPs in the state of Uttarakhand is as follows:

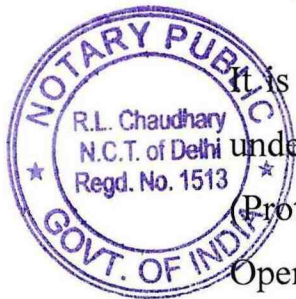


S. No.	Category	Registration Issued by UK PCB
1	Producer, Importer & Brand Owner (PIBOs)	2
2	Plastic Waste Processors (PWPs)	145
	Grand Total	147

14. That the averments made in the Para 20 of the OA are in the nature of issues/questions framed by the Applicant for consideration of this Hon'ble

Tribunal and do not call for specific comments from this answering Respondent.

15. That the averments made in the Para 21 of the Original Application are in the nature of grounds urged by the Applicant in support of the reliefs sought. In this regard, it is humbly submitted that the allegations regarding violation of the Environmental Impact Assessment Notification, 2006, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016, and other statutory provisions, including issues relating to fire safety, land-use, operation without statutory approvals, and environmental pollution, are matters which require verification at the ground level and fall within the regulatory and enforcement domain of the concerned SPCB/ PCC, District Administration, local authorities and other competent authorities.



It is further submitted that CPCB, in discharge of its statutory functions under the Water Act, 1974, the Air Act, 1981 and the Environment (Protection) Act, 1986, issues guidelines, directions and Standard Operating Procedures from time to time for effective implementation of environmental laws; however, enforcement, monitoring, grant of consents/authorizations and action against violations are undertaken by the concerned SPCBs/PCCs in their respective State/UT.

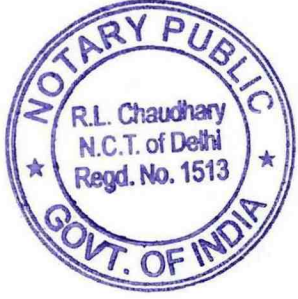
16. That the averments made in the Paras 22-26 of the Original Application are regarding limitation, maintainability and locus standi of the Applicant and needs no comments from this answering Respondent.

17. That the averments made under the heading 'PRAYER' (point 'a.' to 'i') of the Original Application seeking various directions and reliefs from this

Hon'ble Tribunal. In this regard, the submissions made in the preceding paragraphs of this reply are re-iterated and are not repeated herein for the sake of brevity.

18. The Answering Respondent craves liberty of the Hon'ble Tribunal to file additional reply if the same is considered to be necessary at later stage.

19. That in light of the above submissions, it is respectfully submitted that this answering respondent i.e. CPCB shall abide by all the order(s) or direction(s) passed by this Hon'ble Tribunal in this original application.



A handwritten signature in blue ink, appearing to be "Dinabandhu Gouda".

(Dinabandhu Gouda)
Scientist 'F'
Central Pollution Control Board
10.04.2026

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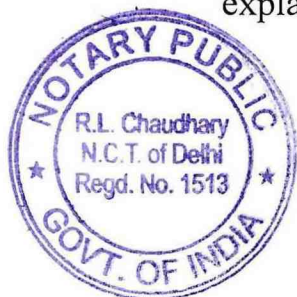
MoEF & CC & Ors.

Respondents

AFFIDAVIT

I, **Dinabandhu Gouda**, working as Scientist 'F', having office at the Delhi, Central Pollution Control Board, Respondent No.3, Parivesh Bhawan, East Arjun Nagar, Delhi, do hereby solemnly affirm and sincerely state on oath as follows: -

1. That I, the deponent herein, is well conversant with the facts and circumstances of the present case on the basis of the information derived from the official records, and hence, I am competent to verify, sign and swear this affidavit on behalf of the Respondent CPCB.
2. That the accompanying reply may be read part and parcel of the present affidavit.
3. That the accompanying reply has been drafted and filed under my instructions, the contents thereof are true and correct based on the record maintained during the ordinary course of business of CPCB and available records and documents and the contents of the same are read over and explained to me and are not repeated herein for the sake of brevity.



DEPONENT

दीनबन्धु गौडा / Dinabandhu Gauda
शैक्षणिक 'फ' / Scientist F
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
 (पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (Mo Environment, Forest & Climate Change, Govt. of India)
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032

VERIFICATION

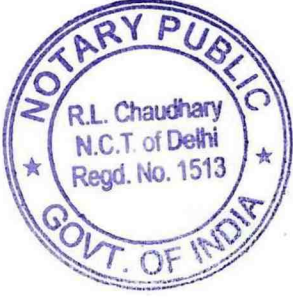
10 APR 2026


Verified at New Delhi on this day of _____, 2026, that the contents above are correct and true based on the records of the case as mentioned in the day-to-day affairs of the CPCB. Nothing has been concealed therefrom or misstated.



DEPONENT

दीनबन्धु गाड़ा / Dinabandhu Gauda
 वैज्ञानिक 'च' / Scientist 'F'
केन्द्रीय प्रदूषण नियंत्रण बोर्ड
Central Pollution Control Board
 (पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय, भारत सरकार)
 (M/o Environment, Forest & Climate Change, Govt. of India)
 परिवेश भवन, पूर्वी अर्जुन नगर, दिल्ली-110032
 Parivesh Bhawan, East Arjun Nagar, Delhi-110032



ATTESTED

 NOTARY PUBLIC
 GOVT. OF INDIA

10 APR 2026