

**BEFORE THE NATIONAL GREEN TRIBUNAL, NEW
DELHI**

M.A. NO. 90/2023 & 94/2023

IN

ORIGINAL APPLICATION NO. 774 OF 2022

IN THE MATTER OF:

Gaurav Garg ...Applicant

Versus

Union of India & Ors. ...Respondents

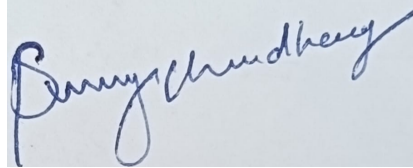
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New Delhi.

Dated: 7.01.2025



Filed by ,

(Sunny Choudhary)

Advocate

S-222, Greater Kailash-I, New Delhi-110048.

**BEFORE THE NATIONAL GREEN TRIBUNAL, NEW
DELHI**

M.A. NO. 90/2023 & M.A. No. 94/2023

IN

ORIGINALAPPLICATION NO. 774 OF 2022

IN THE MATTER OF:

Gaurav Garg ...Applicant

Versus

Union of India & Ors. ...Respondents

RESPONSE ON BEHALF OF RESPONDENT NO. 8/ PROJECT
PROPONENT IN COMPLIANCE OF ORDER DATED 18.12.2024
OF THIS HON'BLE TRIBUNAL.

MOST RESPECTFULLY SHOWETH:-

1. That, the addresses of the answering Respondent is given above for the service of notices of this Response and that of his representative(s).
2. That the address of the respondents are given above for service of the notices of the Response.

3. That, that present Response is being filed in compliance of the order dated 18.12.2024 passed by this Hon'ble Tribunal in M.A. No. 90/2023 & 94/2023, whereby, this Hon'ble Court has directed the parties including UPPC and Project Proponent to make submissions regarding following two questions:-

- (i) Whether UPPCB can grant expansion of scope of activities of a CBWTF without EC from UPSEIAA? and
- (ii) Whether in case of closure of a CBWTF, alternative arrangement for management of common bio-medical waste is to be made by UPPCB or by the concerned Project Proponent against whom closure order is passed?

A true copy of order dated 18.12.2024 passed by this Hon'ble Tribunal is annexed herewith and marked as **ANNEXURE-1**.

4. That, it is most humbly submitted that regarding the first question as to whether UPPCB can grant expansion of scope of activities of a CBWTF without EC from UPSIAA?, it is most humbly submitted that in this regard, Para 5.3 of the Revised Guidelines for Common bio-Medical Waste Treatment Facilities is relevant, which reads as under:-

“5.3 Environmental Clearance under EIA Notification 2006

Ministry of Environment, Forest & Climate Change (MoEF & CC), notified amendment to the EIA Notification 2006 and published vide MoEF & CC Notification of S.O. 1142 (E) dated April 17, 2015. According to this notification, the ‘bio-medical waste treatment facility’ is categorized under the Item 7 (da) in the schedule, requiring ‘environmental clearance’ from the State Environment Impact Assessment Authority (SEIAA). Therefore, the CBWTF operator is also required to obtain ‘Environmental Clearance (EC)’ from the respective SEIAA or Ministry of Environment, Forest & Climate Change (MoEF & CC), as the case may be, before any construction work, or preparation of land by the projects management, which include the following:

- a) All new projects or activities pertaining to the bio-medical waste treatment facility; and
- b) Expansion and modernization with additional treatment capacity of existing bio-medical waste treatment facility (excluding augmentation of incineration facility for compliance to the residence time as well as Dioxins and Furans without enhancing the existing treatment capacity).
- c) Any expansion or modification in the treatment capacity or relocation of the existing CBWTF (requires

compliance to the relevant provisions notified under the Environment (Protection) Act, 1986 by the MoEF & CC.”

From, the bare reading of aforesaid clause, it is apparently clear that only those existing CBWTF require EC, who have carried out Expansion and modernization with additional treatment capacity of existing bio-medical waste treatment facility (excluding augmentation of incineration facility for compliance to the residence time as well as Dioxins and Furans without enhancing the existing treatment capacity) and any expansion or modification in the treatment capacity or relocation of the existing CBWTF.

In the instant case, the answering Respondent/ Project Proponent is operating an Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, U.P. since 2002 with Authorization and Statutory Consent to Operate from State Pollution Control Board under Bio-Medical Waste Rules, 2016, without any change in capacity or expansion and modernization with additional treatment capacity of CBWTF as well as without any expansion or modification in the treatment capacity or the relocation of the existing CBWTF, however, as per the order dated 02.03.2023 of this Hon’ble Tribunal, the project requires ex-post facto Environment Clearance which is applicable on all the CBWTFs being operated across the country, in compliance whereof, the answering Respondent has

initiated the process to obtain EC which is at the stage of preparation of EIA Report after approval of Amended ToR dated 21.10.2024

A true and typed copy of Amended ToR dated 21.10.2024 is annexed hereto and marked as **ANNEXURE-2.**

5. Further, the UPPCB vide letter dated 01.01.2025 has issued Authorization to the answering Respondent for operating facility for collection, reception treatment, storage, transport and disposal of bio medical waste.

A true copy of the Letter dated 01.01.2025 issued by UPPCB alongwith Authorization is annexed herewith and marked as **ANNEXURE-3.**

6. So far as the question of point no.2 that whether in case of closure of a CBWTF, alternative arrangement for management of common bio-medical waste is to be made by UPPCB or by

the concerned Project Proponent against whom closure order is passed, is concerned, in this regard, it is most respectfully submitted that in the event of closure of CBWTF, the certain provisions have been prescribed in Para-3(b) of the Revised Guidelines for CBWTF, which reads as under:-

“3) Duties of the operator of a common bio-medical waste treatment and disposal facility:

The duties of the operator of a common bio-medical waste treatment and disposal facility (CBWTF) as enunciated under Rule 5 of the Bio-medical Waste Management Rules, 2016 shall be ensured and complied with. Also, all the existing CBWTFs shall also complete augmentation of the existing incineration facility so as to comply w.r.to the residence time as well as emission norms including for Dioxins and Furans prescribed under BMWM Rules, 2016 within two years from the date of notification of the BMWM Rules, 2016 (i.e., prior to 27.03.2018). In addition to the above, to ensure proper management of bio-medical waste in the respective coverage area, as a mitigation measure, especially in the event of

- (a) a temporary break down (not more than a week) of a CBWTF especially for rectification of the refractory lining of the incineration chambers or change of requisite APCD due to failure; and

- (b) Closure of a CBWTF for violation of the provisions of the BMWM Rules or any other reason.

Prior to commencement of a new CBWTF as well as all the existing CBWTF Operators are required to submit action plan, to the respective SPCB/PCC, for imposing suitable condition while granting authorisation under the BMWM Rules, 2016. The action plan should also include:

- (a) a MoU made with the nearest CBWTF located within the respective State/UT, as alternate arrangement. In case, if there is no CBWTF located nearby then such CBWTF should have to install stand by treatment equipment (equal to the existing treatment capacity as per consents granted by the SPCB/PCC), and
- (b) decontamination plan of the CBWTF for execution of such plan prior to closure of a CBWTF.”

True copy of relevant extract of Revised Guidelines for CBWTF are annexed herewith and marked as a ANNEXURE - 4.

7. From the bare reading of aforesaid provisions, it is clear that in case of closure of CBWTF for violation of the provisions of the BMWM Rules or any other reason, the Operator of CBWTF

assigned duty to ensure proper management of bio-medical waste in the respective coverage area, as a mitigation measure.

8. It is further submitted that in compliance of the said provisions, for the purpose of proper management of bio-medical waste in the event of closure of CBWTF, the answering Respondent signed 3 MOUs with 3 CBWTF located in Mathura, Bareilly and Barabanki as mitigation measure.

True copy of MOU dated 16.11.2024 executed with CBWTF, Barabanki is annexed herewith and marked as ANNEXURE-5.

True copy of MOU Dated 16.11.2024 executed with CBWTF, Bareilly is annexed herewith and marked as ANNEXURE-6.

True copy of MOU Dated 16.11.2024 executed with CBWTF, Mathura is annexed herewith and marked as ANNEXURE-7.

8. Therefore, the present Response/ Submissiion is being filed for appropriate orders in the interest of justice.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to allow this application and may be pleased :-

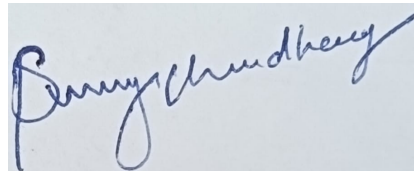
- (i) Take on record and allow the Response filed on behalf of the Respondent No.8/ Project Proponent in compliance of order dated 18.12.2024 passed by this Hon'ble Tribunal;

- (ii) To pass such other order (s) as this Hon'ble Tribunal deem fit and proper in the facts and circumstances of present case.

Applicant

Delhi

Dated : .01.2025



Through,

(SUNNY CHOUDHARY)

Advocate

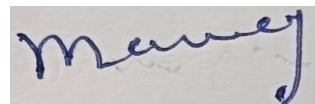
VERIFICATION

I, Manoj Kumar, S/o Sh. Dharampal, Aged about 37 Years, working as Public Relation Officer, Address VPO- Sahuwala-II, Sirsa, Haryana-125077, do hereby verify that the contents of paras to ... are true to my personal knowledge and paras to .. believed to be true on legal advice and that I have not suppressed any material fact:

Date: .01.2025

Place: New Delhi

For Synergy Waste Management (P) Ltd.



Applicant

BEFORE THE NATIONAL GREEN TRIBUNAL, NEW DELHI

M.A. NO. 90 OF 2023 & 94 OF 2023

IN

ORIGINAL APPLICATION NO. 774 OF 2022

IN THE MATTER OF:

Gaurav Garg

...Applicant

Versus

Union of India & Ors.

...Respondents

AFFIDAVIT

I, Manoj Kumar, S/o Sh. Dharampal, Aged about 37 Years, working as Public Relationship Officer, Address VPO- Sahuwala-II, Sirsa, Haryana-125077, do hereby solemnly affirm and declare as under:

1. That I am the Officer-in-Charge duly authorized on behalf of the Respondent No.8/Project Proponent in the above mentioned case and well conversant with the facts and circumstances of the case as such I am competent to swear this affidavit.
2. That, the accompanying Response on behalf of Respondent No.8 has been drafted on my instructions and the contents thereof are true and correct to the best of my knowledge and belief.



ATTESTED
NOTARY PUBLIC DELHI



- 3. That, the contents of this affidavit are true and correct to the best of my knowledge and nothing material has been concealed therefrom.
- 4. That, the annexures / documents filed herewith are true copies of their respective originals.

For Synergy Waste Management(P) Ltd.

Mangy
Public Relation Officer

DEPONENT

VERIFICATION

Verified at New Delhi, on this _____ day of January, 2025 that the contents in the aforesaid affidavit are true and correct to the best of my knowledge and belief.



For Synergy Waste Management(P) Ltd.

Mangy
Public Relation Officer

DEPONENT

ATTESTED

[Signature]
NOTARY PUBLIC, DELHI

- 4 JAN 2025

ANNEXURE-1

Items No. 06 & 07

Court No. 2

**BEFORE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

Misc Application in Disposed of Cases No. 90/2023
In
Original Application No. 774/2022
(IA NO 677/2024, IA NO 672/2024 & IA NO 629/2024)

Gaurav Garg

Applicant

Versus

Union of India & Ors.

Respondents

WITH

Misc Application in Disposed of Cases No. 94/2023
In
Original Application No. 774/2022

Gaurav Garg

Applicant

Versus

Union of India & Ors.

Respondents

Date of hearing: 18.12.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None for the Applicant

Respondents: Ms. Priyanka Swami, Advocate for SEIAA, U.P.
Mr. Pradeep Misra and Mr. Daleep Dhyani, Advocate for UPPCB-
Applicant in I.A. No. 677of 2024 (through VC).
Mr. Mohit Singhal, Advocate for CPCB.
Mr. Sunny Chaudhary and Mr. Sandeep Sharma, Advocates for
Project Proponent-Applicant in I.A. No. 672 of 2024.

ORDER

1. The applicant filed O.A. No. 774 of 2022 complaining about running of CBWTF by Respondent No. 8 without Environmental Clearance (EC) and in violation of environmental norms.

2. The above said O.A. was disposed of by this Tribunal vide order dated 02.03.2023. The relevant part of the order reads as under:-

“67. In these facts and circumstances of the case the application is disposed of with the directions to the Respondent No.8 to apply for EC within one month from the date of receipt of a copy of this order and (iii) to the UPPCB to allow the Respondent No.8 to run the CBWTF for at least three months till filing of the application and consideration of the same for grant of EC ex post facto, subject to extension in case of delay in disposal of the application for grant of EC.

68. The Questions raised by the applicant and enlisted by this Tribunal in the present order are answered in terms of the above discussion.

69. In view of peculiar facts and circumstances of the case the parties are left to bear their own costs.

70. In case of any further delay in disposal of the application for grant of EC the Respondent No. 8-Project Proponent may apply to UPPCB for extension of the validity period of consents to operate and may also move this Tribunal by appropriate proceedings for such extension.

71. The Applicant shall also be at liberty to move this Tribunal by appropriate proceedings in case of violation of the BMWM Rules 2016, the CBWTF Guidelines 2016 EC/Consent Conditions and environmental norms.”

3. Alleging non-compliance of said order, M.A. No. 90/2023 was filed by the Project Proponent and M.A. No. 94/2023 was filed by the applicant.

4. In the course of hearing on 14.11.2024, this Tribunal was informed that the Project Proponent applied for Terms of Reference which was granted and thereafter the Project Proponent did not submit any further documents and that the Project Proponent did not apply for Environmental

Clearance on which this Tribunal passed order staying operation of the CBWTF. Relevant part of the order reads as under:-

“6. Thus, it is evident that order dated 02.03.2023 has not been complied with, yet respondent 8 is operating CBWTF without submitting any application within one month for grant of EC and in all subsequent date, an impression was given to us that the application for grant of EC is pending which has been submitted in compliance of the order of Tribunal dated 02.03.2023. The said stand taken in the earlier proceedings was nothing but a clear misrepresentation of the fact.

7. In these circumstances, we restrain respondent 8 from operating its CBWTF until further orders.”

5. The Project Proponent filed **Civil Appeal Nos. 13682-13683-2024, Synergy Waste Management Private Limited versus Union of India and others** before Hon’ble Supreme Court which was dismissed vide order dated 06.12.2024 with liberty to the Project Proponent to file an application for vacating interim order and this Tribunal was directed to consider the same on own merits without being influenced by what is recorded in order dated 14.11.2024. The Relevant part of the order reads as under:-

“ The impugned order is an interim order. The appellant can always apply for vacating the said order by filing an application before the National Green Tribunal.

We accordingly dispose of the appeals by granting liberty as aforesaid. If an application for vacating interim order is made, the same shall be considered on its own merits without being influenced by what is recorded in the impugned order.

The Appeals are accordingly dismissed.

Pending application(s), if any, shall stand disposed of.”

6. The Project Proponent has filed I.A No. 672/2024 for modification of order dated 14.11.2024 on the ground that in compliance of order dated 02.03.2024, the Project Proponent initiated the process to obtain EC within prescribed time limit in prescribed Form-I along with feasibility report

which is now pending at the stage of EIA report to be prepared by the Consultant in terms of Notification dated 14.09.2006. The Project Proponent has accordingly prayed for allowing the Project Proponent to operate the CBWTF.

7. UPPCB has filed IA No. 677/ 2024 for modification of paras no. 2 and 3 of order dated 06.12.2024 on the grounds that in view of order dated 14.11.2024, the Project Proponent entered into Memorandum of Understanding with three CBWTFs of Mathura, Bareilly and Barabanki for treatment and disposal of bio-medical waste generated from the healthcare facilities attached to the Project Proponent and the Project Proponent sent letter dated 21.11.2024 to UPPCB that they have complied with order dated 14.11.2024. UPPCB issued order dated 29.11.2024 that consent granted to it vide order dated 16.10.2023 is suspended till further orders and bio-medical waste generated from all health care facilities attached to it be disposed of through CBWTF according to Bio-medical Waste Management Rules, 2016. The incinerator of CBWTF facility was sealed on 29.11.2024 after closure of the facility of the Project Proponent. The Project Proponent made arrangement for collection and transportation of bio-medical waste generated from healthcare facilities to other bio-medical waste treatment facilities at Mathura, Bareilly and Barabanki. Action taken by UPPCB is in consonance with the Bio-medical Guidelines issued by CPCB and the decision was taken *bona fide* and in good faith. Therefore, Paragraphs No. 2 and 3 of Order dated 06.12.2024 be modified to that extent.

8. On notice of both the above mentioned I.As. being given to the other Counsel for the parties appearing in the case, it has been stated that no replies to both the I.As. are to be filed.

9. We have heard learned counsels for the Respondents and have gone through the relevant record carefully.

10. In exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986, read with clause (d) of sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986 and in supersession of the notification number S.O. 60 (E) dated the 27th January, 1994, except in respect of things done or omitted to be done before such supersession, the Central Government directed vide Notification no. S.O. 1533 (E) dated 14.09.2006 that on and from the date of its publication the required construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after the prior environmental clearance from the Central Government or as the case may be, by the State Level Environment Impact Assessment Authority, duly constituted by the Central Government under sub-section (3) of section 3 of the said Act, in accordance with the procedure specified in the notification.

11. The schedule to the notification contains the list of projects and activities requiring prior environmental clearance. Para 7 of the Notification mentions four stages in prior environmental clearance process i.e., (i.) Screening, (ii.) Scoping, (iii.) Public Consultation and (iv.) Appraisal. Application for prior environmental clearance is required to be submitted in Form I which has four parts i.e., (i) Basic Information, (ii) Activity, (iii) Environmental Sensitivity, (iv) Proposed Terms of Reference for EIA Studies. Appendix III provides Generic Structure of Environmental Impact Assessment document. Appendix III A requires a summary of the full EIA Report with contents as mentioned therein. Appendix IV prescribes the

procedure for conduct of public hearing. Appendix V prescribes the procedure for appraisal.

12. This Tribunal considered the matter on 14.11.2024 and noted that Uttar Pradesh State Environment Impact Assessment Authority (UPSEIAA) filed compliance report with affidavit dated 23.10.2024 in which reference was made to Minutes of 846th UPSEIAA meeting dated 18.10.2024 whereby recommendation was made to grant terms of reference for CBWTF by adding certain conditions. Learned Counsel appearing for UPSEIAA stated that no further application of Project Proponent was pending giving rise to the impression that no application for grant of EC was ever submitted by the Project Proponent. The Public Relation Officer of the Project Proponent also admitted that no application for grant of EC was submitted. Thereupon this Tribunal observed that order dated 02.03.2023 had not been complied with yet the Project Proponent was operating CBWTF without submitting any application within one month for grant of EC and on all subsequent dates an impression was given that application for grant of EC was pending which had been submitted in compliance of order dated 03.03.2023 and this stand taken in the earlier proceeding was nothing but a clear misrepresentation of the fact.

13. In the course of hearing today, we put a question to learned counsel for UPSEIAA as to whether the applicant had applied for EC in accordance with EIA Notification dated 14.09.2006 and whether application for ToR was the only process for submission of application for EC to UPSEIAA or whether separate Forms were prescribed for making application for EC and application for ToR.

14. Learned counsel for UPSEIAA assisted by Mr. Anurag Yadav, Deputy Director, Directorate of Environment, Uttar Pradesh has submitted that

application in Form-I was submitted within 30 days at the scoping stage for ToR and after grant of ToR on 21.10.2024 another application is to be submitted with EIA report within 90 days.

15. It may be observed here that in the present case, as per report filed by the Member Secretary, UPSEIAA vide email dated 27.10.2023, the Project Proponent submitted application in Form-I for ToR on 01.04.2023 within 30 days from order dated 02.03.2023.

16. On the above said application ToR was granted which was last amended on 21.10.2024. As per information given by learned Counsel for UPSEIAA, the Project Proponent is to submit application with EIA report within 90 days which period is yet to expire and till date there is no default on the part of the Project Proponent. Since permitted period is yet to expire, application for EC submitted by the Project Proponent has to be treated as pending at next stage of submission of EIA report and cannot be said to have been disposed of and statement made by learned Counsel for UPSEIAA that no application is pending with UPSEIAA cannot be said to be correct statement of the factual position. Since EIA notification dated 14.09.2006 provides for submission of application for grant of EC in Form I and there is no other Form, the statement of Public Relation Officer of the Project Proponent that no application had been submitted for EC was not correct statement of the factual position.

17. It is thus evident that the factual position presented to this Tribunal on 14.11.2024 suffered from misrepresentation of facts.

18. In any case as per direction given by Hon'ble Supreme Court I.A. filed by the Project Proponent is to be considered on its own merit without being influenced by order dated 14.11.2024.

19. In view of the factual position that the Project Proponent submitted application for grant of EC in Form-I on 01.04.2023 within 30 days from order dated 02.03.2023 for ToR whereupon ToR was granted which was last amended on 21.10.2024 and the Project Proponent has to submit EIA report within period of 90 days and the Project Proponent cannot be said to be in default, the application for grant of EC has to be treated as pending and cannot be said to have been disposed of. In view of deemed pendency of the above said application for grant of EC the Project Proponent is entitled to operate CBWTF till disposal of its application for EC by UPSEIAA.

20. It follows from above discussion that submissions made by learned Counsel for UPSEIAA and admission made by the Public Relation Officer of the Project Proponent on 14.11.2024 amounted to mis-representation of facts as application submitted in Form I for grant of **terms of reference** was in fact the application for grant of **prior environmental clearance** and there was no separate Forms for submission of application for grant of **prior environmental clearance** and submission of application for grant of **terms of reference**. Consequently, order dated 14.11.2024 has been passed by this Tribunal on misrepresentation of facts and order dated 14.11.2024 requires modification to that extent.

21. In view of the above discussed factual position and order dated 02.03.2023 passed by this Tribunal, the Project Proponent is entitled to operate CBWTF till disposal of its application for EC by UPSEIAA. Consequently, I.A No. 672/2024 filed by the Project Proponent is allowed and the Project Proponent is allowed to operate CBWTF till disposal of its application for EC by UPSEIAA.

22. So far as I.A No. 677/2024 filed by UPPCB is concerned, it may be observed that vide order dated 09.10.2023, this Tribunal directed UPPCB to grant Consent to Operate to the Project Proponent till disposal of its application for grant of EC by UPSEIAA till further orders to the contrary. UPPCB granted Consent to Operate to the Project Proponent till disposal of its application for grant of EC by UPSEIAA. Said Consent to Operate was suspended by UPPCB on 29.11.2024 in view of order dated 14.11.2024 passed by this Tribunal. In view of our order here-in-above whereby I.A. No. 672/2024 has been allowed and the Project Proponent is allowed to operate CBWTF till disposal of its application for EC by UPSEIAA, order dated 14.11.2024 and subsequent order dated 06.12.2024 based thereupon do not survive and stand modified with consequent modification of para no. 2 and 3 of order dated 06.12.2024 to that extent and **I.A No.677/2024** filed by UPPCB is disposed of accordingly.

23. However, in the present case two significant questions arise as to (i) whether UPPCB can grant expansion of scope of activities of a CBWTF without EC from UPSEIAA and (ii) whether in case of closure of a CBWTF, alternative arrangement for management of common bio-medical waste is to be made by UPPCB or by the concerned Project Proponent against whom closure order is passed.

24. Before passing any further order in respect of these two questions, we grant opportunity to the parties including UPPCB and the Project Proponent to make submissions in this regard.

25. I.A. No. 629/2024 was filed for exemption of the Chairman of UPSEIAA from personal appearance. Vide order dated 06.12.2024, personal appearance of Chairman, UPSEIAA and Member Secretary, UPSEIAA was dispensed with and the application stood disposed of

accordingly but the application has been listed today again as it was not so specifically mentioned in order dated 06.12.2024. **I.A No.629/2024** be treated to have been disposed of vide order dated 06.12.2024 whereby Chairman and Member Secretary, UPSEIAA were granted exemption from personal appearance.

26. List on 10.01.2025 for further consideration.

27. Responses by the parties including UPPCB and the Project Proponent with reference to the questions mentioned above be filed at least one week before the date of hearing.

28. A copy of this order be sent to the applicant, the Project Proponent, the Member Secretary, UPSEIAA and the Member Secretary, UPPCB for information/compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

December 18, 2024
M.A in Disposed of Cases No. 90/2023
In Original Application No. 774/2022
(IA NO 677/2024, IA NO 672/2024, IA NO 629/2024)
& connected matter.

ANNEXURE-2

File No. 7761

Government of India

Ministry of Environment, Forest & Climate Change

(Issued by the State Environment Impact Assessment Authority (SEIAA), Uttar
Pradesh)

Dated: 21.10.2024

To,

Shri Neeraj Aggarwal

M/s SYNERGY WASTE MANAGEMENT PRIVATE LIMITED 517-518, 5th Floor, D-
Mall, Sector-10, Rohini, New Delhi, 110085, Sector-10, NORTH WEST, DELHI,
110085.

info@synrgyworld.co.in

Subject:- Amendment in prior Terms of Reference (ToR) granted to the project
under the provision of the EIA Notification 2006 and as amended

thereof regarding Existing Common Bio-Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, U.P., M/s Synergy Waste Management Pvt. Ltd.

Sir/ Madam,

This is in reference to your application submitted to Ministry vide proposal number SIA/UP/INFRA2/459662/2024 dated 01/04/2023 for grant of an amendment in prior Terms of Reference (ToR) to the project under the provision of the EIA Notification 2006-and as amended thereof.

2. The particulars of the proposal are as below:

(i)	TOR Identification No.:	TO24B3301UP5778549A
(ii)	File No.:	7761
(iii)	Clearance Type:	Amendment in TOR
(iv)	Category	B1
(v)	Schedule No./ Project Activity	7(da) Bio-Medical Waste Treatment Facilities
(vii)	Name of Project	Existing Common Bio-

		Medical Waste Treatment Facility at Subharti Medical College Campus, Subharti Puram, Meerut, Uttar Pradesh
(ix)	Location of Project (District, State)	Meerut, Uttar Pradesh
(x)	Issuing Authority:	SEIAA
(xii)	Applicability of General Conditions:	No

3. In view of the particulars given in the Para 1 above, the project proposal interalia including Form-1(Part A and B) were submitted to the Ministry for an appraisal by the State Expert Appraisal Committee (SEAC) in the Ministry under the provision of EIA notification 2006 and its subsequent amendments.

4. The above-mentioned proposal has been considered by SEAC meeting Dated 01-10-2024 and SEIAA in the meeting held on 18/10/2024. The minutes of the

meeting and all the project documents are available on PARIVESH portal which can be accessed by scanning the QR Code above.

5. The brief about the reasons for an amendment requested and comparison table, as submitted by the Project Proponent in Form-1 (Part A and B) and presented during SEAC are annexed to this letter as Annexure (1) and Annexure (2), respectively.

6. The SEAC meeting Dated 01-10-2024 and SEIAA, in its meeting held on 18/10/2024, based on information & clarifications provided by the project proponent and after detailed deliberations recommended the proposal for grant of amendment in Terms of Reference under the provision of EIA Notification, 2006 and as amended thereof.

7. his issues with the approval of the Competent Authority.

The committee has gone through the file, documents and reply submitted by the project proponent. The committee observed that during the appraisal of the

project proposal in SEAC meeting dated 17/05/2023 and 20/11/2023 the committee already 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."

However, the SEIAA in its meeting dated 28/12/2023 decided to grant the terms of reference for "Captive Treatment Facility (but Proposed Existing Common Bio-Medical Waste Treatment Facility) at Subharti Medical College Campus, Subharti Puram, Meerut Uttar Pradesh". The terms of reference issued on 18/01/2024 and SEIAA imposed the additional TOR point no. 1 i.e. " The project proponent shall submit an affidavit along with EIA, stating that the facility will be operated as Captive Treatment Facility only".

In view circumstances/ facts mentioned by Project Proponent, the SEAC agrees with the amendment in TOR asked by Project Proponent. There is no denial of the fact that this common Bio-medical Waste Treatment Facility is existing one and in operation from 2003 much before the notification of Biomedical Waste Rules.

However, SEAC also feels that it should be ensured that there is no adverse environmental impact on surrounding area due to this plant.

SEIAA noted that SEAC has recommended to grant ToR to the above project for Existing Common Bio-Medical Waste Treatment Facility. SEIAA also gone through NGT order dated 02.03.2023 in O.A. No. 774/2022 Gaurav Garg Vs. Union of India & Ors. relevant part thereof is reproduced as:-

...“57. The applicant has relied on letter dated 27.10.2017 sent by the MOEF&CC With reference to CPCB letter no F.No.B-31011/BWM(50)/ 2017WMD-I/629 dated 20.10.2017 clarifying the legal position regarding the queries mentioned therein and the relevant part thereof is reproduced as under:-

“ Subject: Amendment to the EIA notification, 2006 issues by MOEFCC vide S.O. No. 1142(E), dated 17.04.2015- regarding.

The clarification to the queries that whether EC is required in the following cases; may please be seen as below:

1. CBMWTF desires to replaces the existing incinerator and install new incinerator of same capacity. Clarification: EC will be required, as there might be

configuration changes that might impact the performance efficiency of the incinerator.

58. Since the Respondent No. 8 replaced its old incinerator 300 kg/hour with new and advanced incinerator of the same capacity 300 kg/hour in the year 2018, case of the Respondent No.8 seems to fall under clarification to query No.1 leading to the conclusion that the Respondent No.8 is bound to take the EC under EIA Notification 2006 as amended vide notification dated 17.04.2015....”

“65. We are of the considered view that the facts and circumstances of the case do not warrant issuance of any order against the respondent No.8 for closure of CBWTF on the ground of its failure to obtain EC from UPSEIAA earlier as the question of grant of EC to the Respondent No. 8 ex-post facto by UPSEIAA is required to be considered and any such closure at this stage will be against public interest....”

SEIAA noted that Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities, 2016 mandates minimum area as: -

...“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.”

Although this facility was established before issuance of above guidelines but because appraisal is taking place today so SEIAA has to place reliance on these guidelines. As per the guidelines minimum area requirement is one acre but the project proponent has only 1242 m² area so while presenting EIA/EMP the project proponent shall give clear information on certain issues regarding availability of adequate area for various operations and storage.

Annexure 1

Specific Terms of Reference for (Bio-medical Waste Treatment Facilities)

1. Environmental Attributes

S. No.	Terms of Reference
1.1	1. The EIA report prepared by the consultant should be vetted by the environment department of any IIT/NIT or NEERI so that there is no adverse environmental impact on surrounding areas due to the technology of this plant..
1.2	1. At the time of EIA presentation the project proponent shall submit:- (a) Details of availability of land 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. If this land is in the ownership of project proponent, then copy of ownership documents should be submitted and if it is taken on lease then copy of lease deed should be submitted. A map showing these facilities as well as their distance from each other should also be submitted.

(b) Project proponent shall submit an affidavit stating that this project will not indulge in any hazardous activity and no pollution will be caused while transportation or storage of Bio-Medical Waste from different hospitals and different districts.

Digitally signed by Mr. Ajay Kumar Sharma

Member Secretary, SEIAA

Date: 21.10.2024



UTTAR PRADESH POLLUTION CONTROL BOARD

TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow-226010

Phone: 0522-2720828, 2720831 Fax: 0522-2720764

Email: info@uppcb.com Website: www.uppcb.com

FORM III (See Rule 10) AUTHORISATION

(AUTHORISATION FOR OPERATING A FACILITY FOR COLLECTION, RECEPTION, TREATMENT, STORAGE, TRANSPORT AND DISPOSAL OF BIOMEDICAL WASTES)

Category : **RED**

Application Id : **28480594**

- File no. of authorisation and date of issue: No:- 28480594 and Date:-01/01/2025
- M/s SYNERGY WASTE MANAGEMENT PVT LTD, NEERAJ AGRAWAL an occupier or operator of the facility located at Subharti Medical College Campus Subhartipuram Meerut, MEERUT, 250002 is hereby granted an authorisation for:

Generation, segregation



Collection



Storage



Transportation



Reception



Use

Recycling



Offering for sale

Packaging

Transfer



Treatment or Processing or Conversion



Disposal or destruction



Any other form of handling



- M/s SYNERGY WASTE MANAGEMENT PVT LTD is hereby authorized for handling of biomedical waste as per the capacity given below:

(i) Number of beds of HCF:

- (ii) Number of health care facilities covered by CBMWTF:
 - (iii) Installed treatment and disposal capacity:
 - (iv) Area or distance covered by CBMWTF:
 - (v) Quantity of Biomedical waste handled, treated or disposed: 4520 KG/Day (Yellow 3382.59 KG, Red 903.58 KG, White- 40.65 KG, Blue- 193.53 KG)
4. This authorisation shall be in force for a period of Years from the date of issue.
- 4.1 The authorization shall be valid for till 31/12/2029
5. This authorisation is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force under the Environment (Protection) Act, 1986

PRAVEEN Digitally signed by
KUMAR PRAVEEN KUMAR
 Date: 2025.01.01
 00:17:05 +05'30'

Praveen Kumar
 Environmental Engineer, Incharge Circle-3

Terms and Conditions of Authorisation

1. The authorisation shall comply with the provisions of the Environment (Protection) Act, 1986 and the rules made there under.
2. The authorisation or its renewal shall be produced for inspection at the request of an officer authorised by the prescribed authority.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the biomedical wastes without obtaining prior permission of the prescribed authority.
4. Any unauthorised change in personnel, equipment or working conditions as mentioned in the application by the person authorised shall constitute a breach of his authorisation.
5. It is the duty of the authorised person to take prior permission of the prescribed authority to close down the facility and such other terms and conditions may be stipulated by the prescribed authority.
6. The Unit will file the renewal application at least 2 months prior to the expiry of this Order

Specific Conditions:

1. The CBWTF shall comply with provisions of the Environment (Protection) Act 1986 and the rules made there under.
2. The Authorization or its renewal shall be produced for inspection at the request of an officer, Authorized by the prescribed authority.
3. The Authorized person shall not rent, lend, transfer or otherwise transport the bio-Medical waste without obtaining prior permission of the prescribed authority.
4. It is duty of the Authorized person to take prior permission of the Board to close down the facility and such other terms and conditions may be stipulated by the prescribed authority.
5. Any unauthorized change in personnel, equipment or working condition as mentioned in the application by the person authorized shall constitute a breach of this authorization.
6. Bio- Medical waste shall not be mixed with other waste.
7. Bio- Medical waste shall be segregated into containers/ bags at the point of generation in accordance with schedule I. Prior to its storage, transportation, treatment and disposal. The Containers shall be labelled according to schedule IV.
8. No untreated bio medical waste shall be kept stored beyond a period of 48 hours.
9. You shall submit an annual report to the U.P. Pollution Control Board in from IV by 31St January every year. And include information about the categories and quantities of Bio Medical waste during the preceding year.

10. You shall maintain record related to the generation, collection, reception storage, Transportation, treatment and disposal and / or any form of handling of Bio Medical Waste in accordance with rule and guidelines, all records shall be subject to inspection and verification by the Board at any time.
11. It is within the power and functions of U.P. Pollution Control Board to modify/ revoke the terms and conditions of Authorization and issued under the Rule 10 of the Bio-Medical waste Management Rules, 2016.
12. CBWTF is hereby directed to comply the stipulated above mentioned conditions and submit the compliance report and steps taken in this regard within a month so that capacity of the facility may be verified failing which the authorization may be revoked and necessary legal proceeding shall be initiated.
13. CBWTF will install ETP to treat the leachate generated during collection/ storage of biomedical waste.
14. The Bio medical waste shall not be disposed off in open place in the premises.
15. Compliance of the sub rules 4(c) and (k) of the biomedical rules should be ensured within 3 months time & monthly progress report be sent to this office else authorization would be Revoked without further notice.
16. You are hereby directed to comply the provisions of Bio Medical Waste Management Rules, 2016.
17. CBWTF shall comply with orders passed by Hon'ble NGT in MA No. 90/2023 & 94/2023 in OA No. 774/2022 Gourav Garg Vs. Union of India & Ors.
18. The CBWTF shall comply with the Guideline of CPCB and shall only cater to beds which are in addition to 10,000 beds admissible to pre-existing CBWTFs located within 75 km radius and capacity of existing CBWTF is exhausted. The CBWTF shall comply with the Guideline of CPCB as amended time to time and orders of Honb NGT in this regard.
19. The CBWTF shall produce a MoU with the nearest CBWTF as an alternate arrangement in case of closure/any emergency within one month.
20. Concealing factual data or submission of false/fabricated data and failure to comply with any of the conditions mentioned above may result in withdrawal of this authorization and attract action under the provisions of Environment (Protection) Act, 1986.

Memo No.: 28480594

Dated:01/01/2025

Copy To:
Regional Officer, UPPCB, Meerut.

PRAVEEN Digitally signed by
KUMAR PRAVEEN KUMAR
Date: 2025.01.01
00:17:30 +05'30'

Praveen Kumar
Environmental Engineer, Incharge Circle-3



मिशन LIFE - पर्यावरण के लिए जीवन शैली
(Lifestyle For Environment)
जनसहभागिता का सन्देश



- स्वच्छता – देशसेवा में अपने परिवेश की स्वच्छता हेतु अपना सक्रिय योगदान सुनिश्चित करें
- संकल्प लें -एकल उपयोग प्लास्टिक उत्पाद जैसे कप, तश्तरी, चम्मच, स्ट्रॉ, ईयरबड्स आदि का उपयोग न हो एवं पर्यावरण अनुकूल विकल्पों जैसे कागज/पत्तों से बने दोने या कटलरी को प्राथमिकता दी जाय |
- एकल उपयोग प्लास्टिक उत्पाद के प्रयोग को रोकने एवं प्लास्टिक बैग के बजाय कपड़े के थैले का उपयोग करने मात्र से 375 मिलियन टन ठोस (प्लास्टिक) कचरे का उत्सर्जन बचाया जा सकता है
- चक्रीय अर्थव्यवस्था (सर्कुलर इकोनॉमी) का समुचित कार्यान्वयन वर्ष 2030 तक लगभग 14 लाख करोड़ रुपये की अतिरिक्त बचत उत्पन्न कर सकता है | वेस्ट /अपशिष्ट फेकने के पूर्व सोचें, ये किसी का संसाधन तो नहीं ...?
- अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को कचरे में फेकने से रुकें | इसके उपयुक्त निस्तारण हेतु इसे प्राधिकृत ई – वेस्ट रीसाइकलर को दें | प्राधिकृत ई-रीसाइक्लिंग इकाई में अनुपयोगी इलेक्ट्रिक / इलेक्ट्रॉनिक उत्पाद को देने मात्र से 0.75 मिलियन टन तक ई-कचरे का पुनर्चक्रण किया जा सकता है एवं ई-कचरे के विषम पर्यावरणीय दुष्प्रभाव से बचा जा सकता है
- बाहर जाते समय - सोचें कि क्या आपको वास्तव में परिवहन की आवश्यकता है - वह भी क्या व्यक्तिगत रूप से ? छोटी दूरी के लिए पैदल चलना पसंद करें, अथवा सम्भव हो तो कार पूल के रूप में संसाधन को साझा करें अथवा सार्वजनिक परिवहन पर विचार करें
- घरेलू स्तर पर कम से कम ठोस अपशिष्ट का उत्सर्जन करें और इनका प्रथाङ्कीकरण करें
- उपयोगी शेष खाद्य सामग्री आपके स्वयं प्रयास अथवा निकटस्थ सक्रिय स्वयं सेवी संस्थाओं की सहायता से समाज के वंचित वर्ग तक पहुंचाई जा सकती है | वहीं अनुपयोगी भोजन /खाद्य सामग्री को कंपोस्ट (वर्मी कम्पोस्ट) करने से 15 अरब टन भोजन को नष्ट होने से बचाया जा सकता है
- ध्यान रखें - उपयुक्त नल और शावर के उपयोग से पानी की खपत को 30 - 40% तक कम किया जा सकता है। एवं उपयोग में न होने पर नलों को बंद रखने मात्र से 9 ट्रिलियन लीटर पानी बचाया जा सकता है
- ट्रैफिक लाइट/रेलवे क्रॉसिंग पर कार/स्कूटर के इंजन बंद करने मात्र से 22.5 बिलियन kWh तक ऊर्जा की बचत हो सकती है
- परम्परागत बल्ब के स्थान पर CFL का उपयोग बिजली की खपत में प्रभावी कमी लाते हैं | उपयोग में न होने पर बिजली उपकरणों को बंद करें | स्टार रेटेड विद्युत उपकरणों के उपयोग को प्राथमिकता दें

हमारे द्वारा अपनी जीवन शैली की प्राथमिकताओं का उचित और पर्यावरण अनुकूल पुनर्निर्धारण समाज और पर्यावरण के प्रति हमारा दायित्व है।

Revised Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities



CENTRAL POLLUTION CONTROL BOARD

(Ministry of Environment, Forest and Climate Change)

Parivesh Bhawan, East Arjun Nagar

DELHI -110 032

website: www.cpcb.nic.in

(December 21, 2016)

Abbreviations

APCD	-	Air Pollution Control Device
BMWM Rules	-	Bio-medical Waste Management Rules
CBWTF	-	Common Bio-medical Waste Treatment and Disposal Facility
CO	-	Carbon Monoxide
CO ₂	-	Carbon Dioxide
CPCB	-	Central Pollution Control Board
CRZ	-	Coastal Regulation Zone
DG	-	Diesel Generator
EC	-	Environmental Clearance
EIA	-	Environment Impact Assessment
ETP	-	Effluent Treatment Plant
GPS	-	Global Positioning System
HCFs	-	Health Care Facilities
HCl	-	Hydrochloric Acid
HOWM & TM Rules	-	Hazardous and Other Waste (Management & Transboundary Movement) Rules, 2016
MHz	-	Mega Hertz
MoEF& CC	-	Ministry of Environment, Forest & Climate Change
KM	-	Kilometer
KW	-	Kilowatt
MoU	-	Memorandum of Understanding
NABL	-	National Accreditation Board for Testing and Laboratories
NO _x	-	Oxides of Nitrogen
O ₂	-	Oxygen
PCC	-	Pollution Control Committee
PLC	-	Programmable Logical Control
SEIAA	-	State Environment Impact Assessment Authority
SLF	-	Secured Landfill
SPCB	-	State Pollution Control Board
TSDF	-	Treatment Storage and Disposal Facility
TOC	-	Total Organic Carbon
VOCs	-	Volatile Organic Compounds

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Union Territory Administration] is required to prepare an inventory or review with regard to the bio-medical waste generation at least once in five years in the coverage areas of the existing bio-medical waste treatment and disposal facility. The prescribed authority is also required to extrapolate the coverage-area wise bio-medical waste generation for the next ten years.

- b) SPCB/PCC is required to conduct gap analysis w.r.to coverage area of the bio-medical waste generation and also projected over a period of next ten years, adequacy of existing treatment capacity of the CBWTF in each coverage area of radius 75 KM, as given in **Annexure-I**.

All the SPCBs and PCCs shall conduct the gap analysis and based on the gap analysis, action plan for development of new CBWTFs is required to be prepared and submitted to MoEF & CC & CPCB within six months' time. In case of States/UTs, where no CBWTF is available, in such a case, SPCB/PCC being prescribed authority under the BMWM Rules is required to submit the detailed proposal to MoEF & CC/MoH & FW through the respective State Government or UT Administration. Also, the option of forming association by the group of health care facilities (HCFs) to develop their own CBWTF also be encouraged following these guideline. In case, any coverage area requires additional treatment capacity , in such a case, action may be initiated by the prescribed authority for allowing a new CBWTF in that locality without interfering the coverage area of the existing CBWTF and beds covered by the existing CBWTF.

- c) SPCB/PCC shall identify the coverage area, which require additional treatment facility and bring it to the notice of the concerned department in the business allocation of land assignment in the respective State Government or UT Administration. The department in the business allocation of land assignment shall be responsible for providing suitable site in the identified coverage area for setting up of a CBWTF, in consultation with the prescribed authority (i.e., SPCB/PCC), other stakeholders and in accordance with these guidelines issued by CPCB from time to time.
- d) Alternately, a CBWTF may also be allowed to be established on a land procured by an entrepreneur in accordance with the location criteria suggested under these guidelines.
- e) The SPCB/PCC or concerned department in the business allocation of land assignment in the respective State Government or UT Administration may seek expression of interest from the proponents for development of new CBWTF (s) in the identified coverage area. Upon allocation of site to the proponent, the proponent is
-

required to take necessary approvals as required under the Environment (Protection) Act, 1986 for development of the new CBWTF in accordance with these guidelines.

- f) In the absence of expression of interest by any proponent, then SPCB/PCC shall insist health care facilities to form association and to develop its own CBWTF in line with these guidelines or to have captive treatment facilities for ensuring treatment and disposal of generated bio-medical waste as stipulated under the BMWWM Rules, 2016.
- g) In case of any regulatory action including closure of any existing CBWTF is inevitable, the respective SPCB/PCC may take action under the BMWWM Rules including for making alternate arrangement to ensure safe disposal of the bio-medical waste generated from the member health care facilities of such default CBWTF through CBWTF located nearby.
- h) In case of hilly areas considering the geography, only one CBWTF with adequate treatment capacity may be developed covering atleast two districts to cater treatment services to the HCFs located in the respective Districts. The selection and allocation of site etc., should be done as per the criteria suggested under these guidelines. The treatment charges to be prescribed by the respective SPCB/PCC in consultation with the State Advisory Committee.

The criteria for development of CBWTFs in any coverage area is also depicted in **Figure 1**.

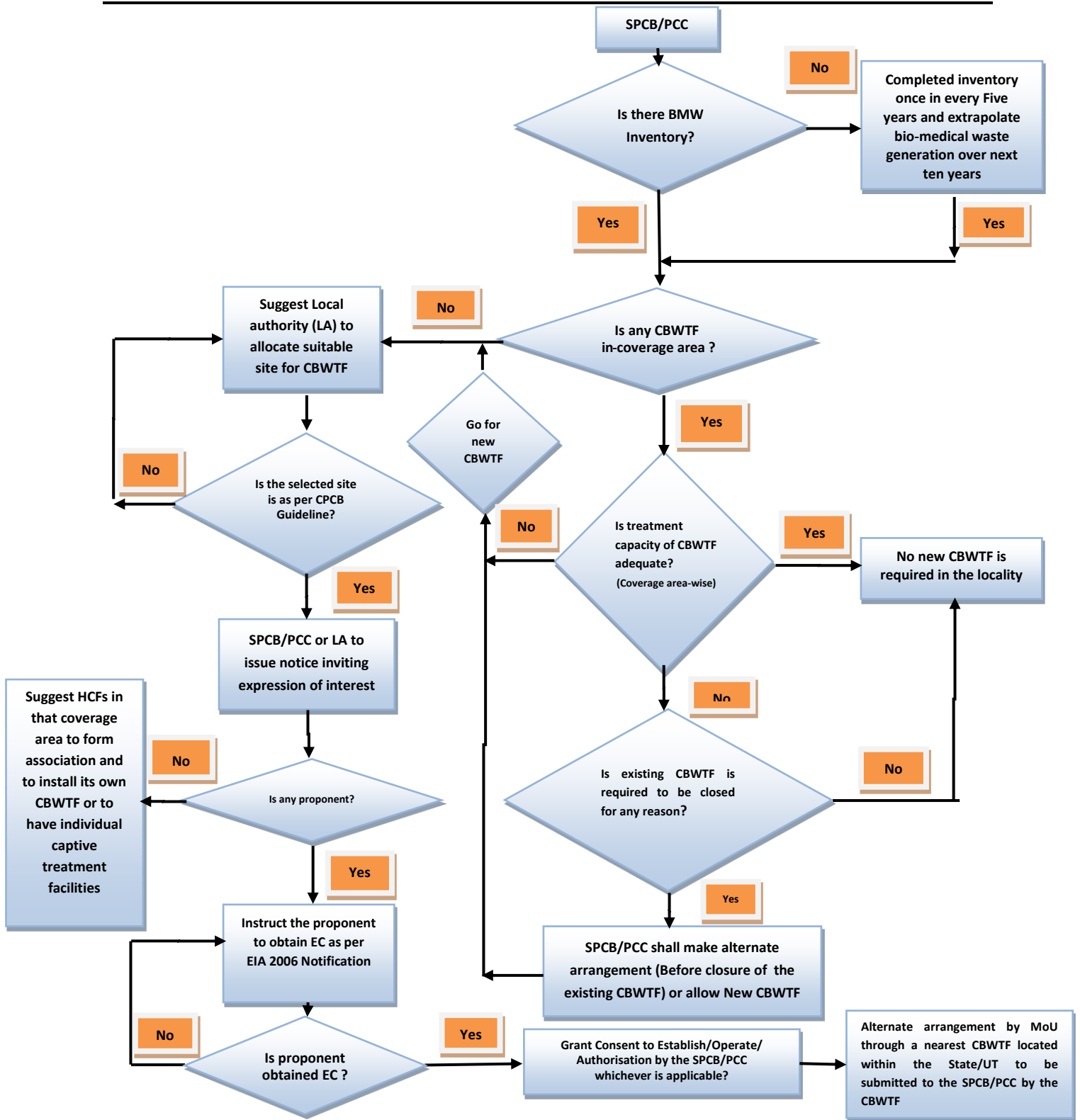


Figure 1. Criteria for Development of a CBWTF in a coverage area

E-Stamp Paper NO.: IN-UP15775588869411W

PURPOSE: To establish a mutual understanding and protocol for alternate arrangements of biomedical waste (BMW) disposal during emergencies, including but not limited to closure of facility due to equipment breakdowns, natural calamities, transportation issues, or overcapacity at either facility and any other reason not specified herein.

NOW THEREFORE, in consideration of the mutual promises, terms and conditions, the Parties agree to the following terms and conditions and to be bound thereby:

Terms and Conditions:-

1. Scope of the Agreement:

Both parties agree to support each other by temporarily handling and processing disposal of biomedical waste during emergencies as stated above. The arrangement will be subject to the availability of capacity and operational feasibility.

2. Responsibilities of the Parties:

Both party will inform each other promptly of any emergency situation requiring alternate arrangements.

Each party will ensure proper segregation, packaging, labeling, and transportation of BMW as per the Biomedical Waste Management Rules, 2016 (and amendments thereafter).

3. Compliance:

Both parties will adhere to all applicable laws, rules, and guidelines issued by the Pollution Control Boards (CPCB and SPCB).

4. Financial Arrangements:

The cost of transportation, treatment, and disposal of BMW will be borne & paid by the requesting party.

5. Duration and Termination:

This agreement is valid for a period of 5 years from the date of its signing.

Either party may terminate the agreement with 15 days' written notice, provided no emergency situation is ongoing. Any termination of the Agreement howsoever caused shall not affect any accrued rights or liabilities of both the parties arising out of the Agreement till the date of termination.

6. Confidentiality:

Both parties agree to maintain confidentiality of any operational or client-related information shared during the execution of this agreement.

Synergy Waste Management Pvt. Ltd.
Authorized Signatories



E-Stamp Paper NO.: IN-UP15775588869411W

7. Dispute Resolution:

Any disputes arising out of this agreement will be resolved through mutual discussion or arbitration, as per the Arbitration and Conciliation Act, 1996.

8. Force Majeure:

Neither party shall be held liable for failure to fulfill obligations under this agreement due to unforeseen events beyond their control.

(FIRST PARTY)


For Synergy Waste Management Pvt Ltd
(Meerut)


Synergy Waste Management Pvt. Ltd.
Prem Sharma (Plant Manager)

Authorized Signatories

(SECOND PARTY)

For Synergy Waste Management Pvt Ltd
(Barabanki)


Neeraj Kumar (Plant Manager)

E-Stamp No: IN-UP15782426460982W

and expression shall mean & include its legal representatives, agents, assignees and executors) of the **SECOND PARTY**.

PURPOSE: To establish a mutual understanding and protocol for alternate arrangements of biomedical waste (BMW) disposal during emergencies, including but not limited to closure of facility due to equipment breakdowns, natural calamities, transportation issues, or overcapacity at either facility and any other reason not specified herein.

NOW THEREFORE, in consideration of the mutual promises, terms and conditions, the Parties agree to the following terms and conditions and to be bound thereby:

Terms and Conditions:-

1. Scope of the Agreement:

Both parties agree to support each other by temporarily handling and processing disposal of biomedical waste during emergencies as stated above. The arrangement will be subject to the availability of capacity and operational feasibility.

2. Responsibilities of the Parties:

Both party will inform each other promptly of any emergency situation requiring alternate arrangements.

Each party will ensure proper segregation, packaging, labeling, and transportation of BMW as per the Biomedical Waste Management Rules, 2016 (and amendments thereafter).

3. Compliance:

Both parties will adhere to all applicable laws, rules, and guidelines issued by the Pollution Control Boards (CPCB and SPCB).

4. Financial Arrangements:

The cost of transportation, treatment, and disposal of BMW will be borne & paid by the requesting party.

5. Duration and Termination:

This agreement is valid for a period of 5 years from the date of its signing.

Either party may terminate the agreement with 15 days' written notice, provided no emergency situation is ongoing. Any termination of the Agreement howsoever caused shall not affect any accrued rights or liabilities of both the parties arising out of the Agreement till the date of termination.



For ENVIRAD MEDICARE
PVT. LTD.

Authorized Signatory

E-Stamp No: IN-UP15782426460982W

6. Confidentiality:

Both parties agree to maintain confidentiality of any operational or client-related information shared during the execution of this agreement.

7. Dispute Resolution:

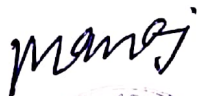
Any disputes arising out of this agreement will be resolved through mutual discussion or arbitration, as per the Arbitration and Conciliation Act, 1996.

8. Force Majeure:

Neither party shall be held liable for failure to fulfill obligations under this agreement due to unforeseen events beyond their control.

(FIRST PARTY)

For Synergy Waste Management Pvt Ltd



Authorised Signatory



(SECOND PARTY):

For Envirad Medicare Private Limited.

For ENVIRAD MEDICARE
PVT. LTD.



Authorised Signatory

PURPOSE: To establish a mutual understanding and protocol for alternate arrangements of biomedical waste (BMW) disposal during emergencies, including but not limited to closure of facility due to equipment breakdowns, natural calamities, transportation issues, or overcapacity at either facility and any other reason not specified herein.

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E-Stamp Paper No.: IN-UP15782245198601W

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(FIRST PARTY)

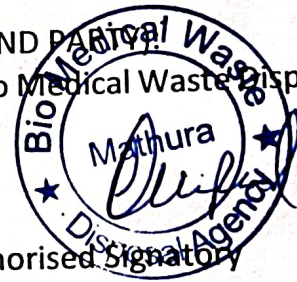
For Synergy Waste Management Pvt Ltd

Authorised Signatory



(SECOND PARTY)
For Bio Medical Waste Disposal Agency

Authorised Signatory



Service of Response on behalf of the Respondent No.8/ Project Proponent in compliance of directions issued vide order dated 18.12.2024 passed by this Hon'ble Tribunal alongwith Affidavit.inM.A. NO. 90/2023 & 94/2023 IN ORIGINAL APPLICATION NO. 774 OF 2022 Gaurav Garg vs Union of India & Ors.

1 message

sunny choudhary <advsunncoudharysc@gmail.com>

Tue, Jan 7, 2025 at 3:21 PM

To: pradeepmisra@yahoo.com, gauragarg2022@gmail.com, advpriyankaswami@hmail.com

Sir/Madam,

Please find attached the Response on behalf of the Respondent No.8/ Project Proponent in compliance of directions issued vide order dated 18.12.2024 passed by this Hon'ble Tribunal alongwith Affidavit.inM.A. NO. 90/2023 & 94/2023 IN ORIGINAL APPLICATION NO. 774 OF 2022 Gaurav Garg vs Union of India & Ors.

Regards,

SUNNY CHOUDHARY

ADVOCATE

OFFICE: S-222, GREATER KAILASH PART-1, NEW DELHI-48

MO. 9911706606

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