

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI

Original Application No. 489 of 2025



M/s Tilak Hospital,

Applicants

Versus

State of Punjab

Respondent (s)

Short Reply by way of Affidavit of Priyank Bharti, Secretary to Government of Punjab, Department of Science, Technology and Environment i.e. Respondent No. 1.

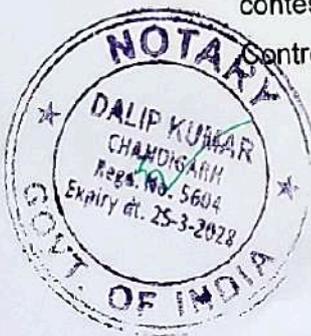
I the above-named deponent, do hereby, solemnly affirm and state as under:

Respectfully Showeth,

1. That the present short reply is being filed by the deponent in his capacity as Secretary to Government of Punjab, Department of Science, Technology and Environment i.e Respondent no. 1.
2. That briefly submitted, the applicant Tilak Hospital, Dhangu Road, Pathankot through its proprietor Doctor Tilak Raj has filed the above-mentioned application under section 14 read with section 15 of the National Green Turbinal Act, 2010 to challenge the order dated 23/02/2024 passed by the Punjab Pollution Control Board for imposition of Environmental Compensation of the Rs. 3,22,800/-. The applicant has preferred an appeal against the orders of the Board in terms of

section 16 of the Bio Medical Waste (Management) Rules, 2016 and the same was dismissed by the Secretary, Environment vide order 18/02/2024.

3. That, in the matter of the M.A. 71 of 2023 in O.A. No. 186 of 2022 titled as Rajesh Kumar V/s State of Punjab, the Hon'ble Tribunal vide orders dated 1.9.2023 had issued notice to Punjab State Pollution Control Board requiring the same to file Action Taken/Status Report with regard to compliance with the Bio-Medical Waste Management Rules, 2016 in Pathankot by the Bio-Medical Waste Treatment Facility Operator and all the Health Care Facilities operation in Pathankot.
4. That considering the violation of Bio Medical Waste Management Rules, 2016, the Board has imposed Environmental Compensation of Rs. 3,22,800/- upon M/s Tilak Hospital vide letter no. 605 dated 23/02/2024, in accordance with the guidelines framed by the CPCB after issuing notices dated 15.11.2023 and 12.12.2023 No authorization under Bio Medical Waste (Management) Rules, 2016 is considered as non-compliance and the guidelines framed by the CPCB prescribes for levy of Environmental Compensation in such cases.
5. That the applicant herein has filed an appeal against the orders dated 23/02/2024 of the Board before the then Secretary, Environment in terms of section 16 of the Bio Medical Waste (Management) Rules, 2016. However, the appeal was dismissed by the then Secretary to Government of Punjab, Department of Science, Technology & Environment by passing a detailed order dated 11/06/2024. A copy of the order dated 09.05.2024 passed by the then Secretary, Environment has been enclosed by the applicant with the above-mentioned application as Annexure A-9.
6. That the Punjab Pollution Control Board being prescribed authority to implement the provisions of Bio Medical Waste Management Rules, 2016 is the main contesting party in the case. Hence, the reply filed by the Punjab Pollution Control Board may kindly be perused.



A handwritten signature in blue ink, consisting of a stylized, cursive script.

7. That the deponent may kindly be allowed to place on record, the present short reply by way of affidavit for kind consideration of this Hon'ble Tribunal.

Deponent

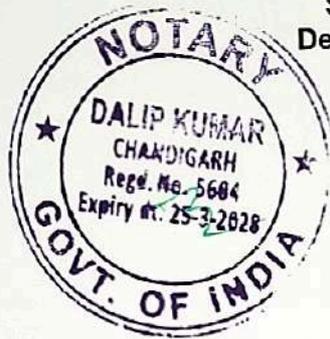


(Priyank Bharti)
Secretary to Government of Punjab,
Department of Science, Technology and
Environment.

(Respondent No. 1)
Secretary to Govt. of Punjab
Deptt. of Science, Technology & Environment
Chandigarh

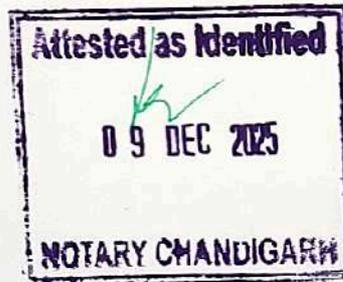
Date : 09/12/2025

Place : Chandigarh



VERIFICATION:

Verified that the contents of Para No. 1 to 6 of the above short reply by way of affidavit of the deponent are true and correct as derived from the official record. Para no. 7 is prayer. No part of the above short reply is false and no material has been concealed therein.



Date : 09/12/2025

Place : Chandigarh

Deponent



(Priyank Bharti)
Secretary to Government of Punjab,
Department of Science, Technology and
Environment.

(Respondent No. 1)

Secretary to Govt. of Punjab
Deptt. of Science, Technology & Environment
Chandigarh