

**IN THE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI**

**M.A. in Disposed of Cases No. 90/2023 & 94/2023 in O.A. NO.774 OF 2022**

**IN THE MATTER OF:**

Gaurav Garg

... APPLICANT

**VERSUS**

Union of India

... RESPONDENTS

**SUBMISSION OF FACTS AND FIGURES IN M.A. IN DISPOSED OF CASES NO.  
90/2023 & 94/2023 IN O.A. NO.774 OF 2022**

1. That the CPCB Guideline state that 4) **Applicability of these guidelines:** These guidelines are applicable to all the upcoming or new CBWTFs. **In case of the existing CBWTFs, these guidelines shall be applicable in case :**

(a) the existing CBWTFs desires to expand or enhance the existing treatment capacity

(or) (b) **the existing CBWTFs desires to modernize the existing treatment equipment with the new equipment with enhancement in the existing treatment capacity.**

Hence, Hon'ble Tribunal may issue direction to SEIAA and UPPCB to comply with CPCB guideline 2016 as state above to process the application of Respondent No. 7.

2. That there is provision of 33% of green belt to be developed by CBWTF inside the premises as per O.M. dated 4.01.2019 issued by MoEF vide F.No22-34/2018-IA.III as also CPCB Guidelines 2016.

Hence, Hon'ble Tribunal may issue direction to comply with CPCB guideline as state above.

3. That Barcoding system is to be developed for all Hospitals by CBWTF as per BMWM Rules 2016 whereas more than 50-60% Hospitals are left out.

Hence, Hon'ble Tribunal may issue direction to comply with BMWM Rules 2016 as state above.

4. That Respondent No. 7 is using Diesel/ HSD as fuel which is highly polluting and has high sulfur content and un-approved fuel in view of direction no. 53 and 62-66 and other direction issued time to time regarding use of cleaner fuel CAQM (Commission for Air Quality Management in NCR and Adjoining Areas).

Hence, Hon'ble Tribunal may issue direction to UPPCB to comply direction no. 53 and 62-66 and other direction issued time to time regarding use of cleaner fuel CAQM (Commission for Air Quality Management in NCR and Adjoining Areas) and may take action against Respondent No. 7 or any other violator as the case may be on basis of Polluter Pays Principle.

5. That Hon'ble Tribunal may issue direction to UPPCB to process CTO( Air & Water) of R-7 in view of disposal of EC application by SEIAA, UP as captive treatment facility in latest MOEF&CC direction and SEIAA MOM as without having validity period on CTO(Air& Water) of Respondent No.7 is enjoying benefits of lifetime validity ,is free to do anything and whatever the order/ direction may be issued by anyone.

In the light of the submissions made above which raise substantial question about environment and violations of environmental rules in operation of Bio-medical Waste Treatment facility by Respondent No.7 and UPPCB, it is respectfully prayed that the Hon'ble Tribunal may kindly decide the matter in accordance with the correct factual position as stated above and submitted in the matter and take stringent action against those who not only committed improprieties to suppress the illegalities but also tried to mislead the Hon'ble Tribunal.

Thanking You,

**Gaurav Garg**

Place: Baghapat , Uttar Pradesh

Date: 07.05.2024