

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

Misc Application in Disposed of Cases No. 90/2023
In
Original Application No. 774/2022

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: 12.01.2026

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

Applicant: None for the applicant.

Respondents: Ms. Praveena Gautam for respondent no. 1 -U.O.I.-MoEF&CC.
Mr. Mohit Singhal, Advocate for respondent no. 2-CPCB.
Mr. Runa Uraon, Scientist- CPCB.
Mr. Bhanwar Pal Singh Jadon, Advocate for respondent no. 3, 6 and 7.
Mr. Pradeep Misra and Mr. Daleep Dhyani, Advocates for respondents
no. 4-MS, UPPCB and 5- RO, UPPCB.
Mr. Sunny Choudhary, Advocate for respondent no. 8-PP.
Mr. Rahul, Manager (Operation)-SWMPL.
Ms. Priyanka Swami, Advocate for SEIAA, U.P.

ORDER

1. Vide order dated 25.08.2025 respondent no. 8 was directed to file its affidavit regarding (i) number of HCFs and veterinary facilities operating in each of the Districts covered by it, (ii) number of HCFs and veterinary facilities with which agreement has been entered into by respondent no. 8, (iii) number of HCFs and veterinary facilities which are not covered by respondent no. 8 in said Districts, (iv) quantity of bio-medical waste

generated in said Districts, (v) capacity of respondent no. 8 for treatment and disposal of bio-medical waste and (vi) quantity of bio medical waste treated/disposed of by respondent no. 8.

2. In compliance thereof affidavit dated 11.10.2025 on behalf of respondent no. 8 has been filed vide email dated 13.10.2025.

3. This Tribunal is considering the questions as to coverage area and capacity of the CBWTF.

4. Mr. Reetesh Kumar Tewari, R.O., NOIDA, UPPCB, Mr. Vikash Mishra, R.O. Gr. NOIDA, UPPCB and Mr. Runa Oraon, Scientist E, CPCB have appeared before this Tribunal physically on 11.11.2025 and 18.11.2025 and we interacted with them and they sought time for submitting their response with respect to both the aspects of coverage area and capacity of the CBWTF.

5. This Tribunal in order dated 18.11.2025 highlighted the relevant aspects by making the following observations as under:

“8. In the course of hearing, it has been mentioned that respondent no. 8 has incinerator capacity of 300 kg/hr equivalent to 6000 kg/day based on 20 hours of operation per day and respondent no. 8 has autoclave capacity of 300 kgs per batch with total capacity of 5400 kgs per day based on 18 cycles per day and that against installed capacity of 11400 kgs per day, respondent no.8 has the maximum operational capacity of 10260 kgs per day. When generation of bio-medical waste from bedded HCFs is calculated at the rate of 277 gms per bed in accordance with CPCB Methodology to conduct gap analysis with respect to generation and treatment of bio-medical waste-Revision I (Appendix-I) of the Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities, 2025 (CPCB Guidelines, 2025), and applied to the operational capacity of respondent no. 8 of 10260 kgs per day, it is evident that respondent no.8 can cater to 37039 beds. As per paragraph no. 8 of Guidelines for Common Bio-medical Waste Treatment and Disposal Facilities, 2016 (CPCB Guidelines, 2016), the coverage of CBWTF was restricted to 10000 beds and 75 kms whereas under paragraph no. 8 of CPCB Guidelines, 2025, there is no restriction as to number of beds but restriction as to area of 75 kms continues. We find it strange that when

in the year 2016 with adoption of new technology, respondent no. 8-CBWTF could cater to 37039 beds, why CPCB under CPCB Guidelines, 2016 restricted the same to 10000 beds. It may also be added here that the method of determining the coverage of 75 kms is also not specified. There is difference of opinion as to whether more than one CBWTF can operate in the same area of 75 kms if the capacity of 1 CBWTF installed there is sufficient to cater to the bio-medical waste generated there.”

6. Reply dated 19.12.2025 has been filed by UPPCB, reply dated 19.12.2025 has been filed by respondent no. 8-Project Proponent, reply dated 19.12.2025 has been filed by respondent no. 2-CPCB and reply dated 20.12.2025 has been filed by SEIAA, U.P.

7. In the present case, respondent no. 8 is stated to be covering 10 districts: Gautambudh Nagar, Ghaziabad, Hapur, Bulandshahr, Saharanpur, Meerut, Baghpat, Muzaffarnagar, Shamli and Bijnore. Two more CBWTFs in the name of M/s. Medicare Environmental Management Pvt. Ltd. and Environ Waste Connection LLP, Hapur are operating in these 10 districts. In District Bijnore M/s. Sushila Bio Medical Waste Plant Ltd., Moradabad is collecting biomedical waste. CTO and authorization has been granted to M/s Rudra Waste Management Pvt. Ltd., Muzaffarnagar which is yet to start its operations. Relevant material has not been placed before this Tribunal as to how the areas of operation of the above said CBWTFs will be determined and how and by whom the compliance with the Bio-medical Waste Management Rules, 2016 will be verified and appropriate remedial action will be taken in respect of the each of the above mentioned Districts by the Regional Officer, UPPCB in the district covered or by the Regional Officer, UPPCB in the district where the concerned CBWTF is situated.

8. Part arguments have been heard but in the course of hearing, it has transpired that the relevant issues have not been specifically addressed in the responses filed by the respondents.

9. Learned counsels for the respondents are given opportunity to place additional responses/documents, if so desired and to make submissions with reference to the aspects highlighted above.

10. In view of the facts and circumstances of the case, we consider presence of the Member Secretary, CPCB, Member Secretary, UPPCB and R.O., Meerut before this Tribunal physically or through V.C. to be essential for assisting this Tribunal in just and proper resolution of the substantial environmental questions involved in the proceedings initiated on the present miscellaneous application and accordingly they are directed to remain present before this Tribunal on the next date of hearing physically or through V.C.

11. List on 03.02.2026 for further proceedings/hearing.

12. A copy of this order may be sent to the Member Secretary, CPCB, Member Secretary, UPPCB and R.O., Meerut by email for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

January 12th, 2026
M.A. in Disposed of Cases No. 90/2023
In Original Application No. 774/2022 with
M.A. in Disposed of Cases No. 94/2023
In Original Application No. 774/2022
AB