

**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: 18.11.2025

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

Applicant: None for the applicant.

Respondents: Mr. Mohit Singhal, Advocate for respondent no. 2-CPCB (through VC).
Mr. Runa Oraon, Scientist 'E', CPCB, Delhi.
Mr. Pradeep Misra, Advocate for respondents no. 4-MS, UPPCB and 5-RO, UPPCB.
Mr. Bhuwan Prakash Yadav, RO, Meerut.
Mr. Praveen Kumar, Chief Environmental Engineer (In charge) UPPCB.
Mr. Vikas Mishra, RO, Gr. NOIDA.
Mr. Reetesh Tewari, RO, NOIDA.
Mr. Sunny Choudhary, Advocate for respondent no. 8-PP (through V.C.).
Mr. Rahul, Manager (Operation)-SWMPL.
None for respondents no. 1, 3, 6, 7 and SEIAA, U.P.

ORDER

1. Written request for adjournment has been filed on behalf of Ms. Priyanka Swami, Advocate, learned counsel for SEIAA, U.P.

2. The written request is allowed only to the extent that no adverse order will be passed against SEIAA, U.P. today in the course of proceedings today.

3. 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.

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

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

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

7. Mr. Reetesh Kumar Tewari, R.O., NOIDA, UPPCB, Mr. Vikash Mishra, R.O. Gr. NOIDA, UPPCB, Mr. Runa Oraon, Scientist E, CPCB and Mr. Bhuwan Prakash Yadav, RO, Meerut have appeared before this Tribunal physically and Mr. Praveen Kumar, Chief Environmental

Engineer (In charge) UPPCB has appeared before this Tribunal through V.C. today.

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.

9. Learned counsel for respondents no. 2, 5 and 6 and 8 and Chief Environmental Officer and also Regional Officers present before this Tribunal seek four weeks' time for filing specific responses with relevant facts and figures in respect of both the aspects of utilization of capacity of CBWTF and coverage area thereof.
10. Responses may be filed within four weeks.
11. List on 22.12.2025 for further hearing.
12. A copy of this order may be sent to the Member Secretary, CPCB and Member Secretary, UPPCB by email for information/compliance as the case may be.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

November 18th, 2025
M.A. in Disposed of Cases No. 90/2023
In Original Application No. 774/2022 with connected matter.
AB