

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

Original Application No. 628/2023

Gaurav Garg

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 12.10.2023

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Gaurav Kumar Bansal & Ms. Nandita Bansal, Advs.

Respondent: Mr. Ajay Bansal, Advocate for Synergy Waste Management Pvt. Ltd.

ORDER

1. The plea raised in this OA is that the Respondent No. 8 which is operating the Common Bio-Medical Waste Treatment Facility (CBMWTF) has increased the capacity and installed new incinerator in the year 2017 and 2018. Therefore, in terms of Notification dated 17.04.2015 which includes the CBMWTF in the schedule to the earlier Notification dated 14.09.2006 and also clause 5.3 of the revised guidelines for Common Bio-Medical Waste Treatment and Disposal Facilities, it is essential to have environmental clearance from SEIAA.

2. The submission of Counsel for the Applicant is that after expansion and modification without obtaining the Environmental Clearance (EC), Respondent No. 8 cannot be allowed to operate.

3. A query was put to the Counsel for the Applicant that complaint dated 17.09.2023 (page 86) reflects that the expansion/modification was

done in the year 2017 and 2018 by the Respondent No. 8. Therefore, after five years whether the OA is not barred by time.

4. Learned Counsel for the applicant seeks time to examine this issue and make his submissions on the question of limitation.

5. List on 04.01.2024.

Prakash Shrivastava, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

October 12, 2023
Original Application No. 628/2023
DV