

Item Nos.8 & 9

(Pune Bench)

**BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE**

THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)

Original Application No.89/2023(WZ)

Ravindra Kuber Walawade

.....Applicant

Versus

Government Medical College & Hospital & Ors.

....Respondents

WITH

Original Application No.90/2023(WZ)

Ravindra Kuber Walawade

.....Applicant

Versus

Padmabhushan Vasantdada Patil Government Hospital & Ors.

....Respondents

Date of hearing: 03.12.2024

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

In O.A.89/2023(WZ)

Applicant : Mr. Omkar Wangikar, Advocate

Respondents : Ms. Arundhati S. Brahme, Advocate along-with
Dr. Sandeep B. Satpute, for R-1
Mr. Aniruddha Kulkarni, Advocate for R-2/Env't. Deptt.
Mr. Vilas Jadhav, Advocate for R-3 & R-4/MPCB

In O.A.90/2023(WZ)

Applicant : Mr. Omkar Wangikar, Advocate

Respondents : Ms. Arundhati S. Brahme, Advocate along-with
Dr. Sandeep B. Satpute, for R-1
Mr. Aniruddha Kulkarni, Advocate for R-2/Env't. Deptt.
Mr. Vilas Jadhav, Advocate for R-3 & R-4/MPCB

ORDER

1. From the side of applicant, learned counsel Mr. Omkar Wangikar has appeared before us, who has raised objection to the earlier affidavit filed by the respondent No.1 – Government Medical College and Hospital (GMCH), Miraj, District Sangli, which was not notarized.

2. Today, we have received submission in response to the earlier direction given in Original Application No.89/2023(WZ) from the Government Medical College Hospital, Miraj, District- Sangli addressed to this Tribunal in a letter format and not on an affidavit, from perusal of which it appears that now, on 01.12.2024, respondent No.1 has applied for CC&A. It is also recorded in it that administrative approval for establishment of STP & ETP and underground drainage was received vide Government Resolution dated 21.08.2024 and an amount of Rs.14,51,78,200 (fourteen crores fifty-one lakh seventy eight thousand and two hundred rupees only) was sanctioned. It is further mentioned that at present, waste water from hospital is disinfected and then discharged. Biomedical waste is segregated at the source and accordingly disposed by M/s. Surya Centre Treatment Facility Pvt. Ltd., Sangli for management of biomedical waste, in accordance with the provisions of Biomedical Waste Management Rules, 2016 as amended read-with the CPCB's guidelines dated 31.03.2025.

3. We have strong objection for this kind of reply submitted by the respondent No.1 because whatever was required to be submitted, should have been submitted on an affidavit by the respondent No.1. Today, from its side, learned counsel Ms. Arundhati S. Brahme has appeared, who submits that the response dated 02.12.2024 has been submitted by the respondent No.1 directly to this Tribunal and not through its counsel, which is also very strange.

4. Today, Dr. Sandeep B. Satpute has also appeared in-person before us to represent the respondent No.1. We direct the respondent No.1 to file its reply in the form of an affidavit, indicating therein as to why the amount of EDC, which has been calculated by the CPCB, be not levied against it, within two weeks and a copy of the same be also served upon all other parties.

5. From the side of respondent Nos.3 and 4- MPCB, reply affidavit dated 02.12.2024 has been filed, in which additional amount of Environmental Damage Compensation (EDC) has been calculated for the period from 29.01.2024 to 29.11.2024, to the tune of Rs.30,60,000/- (Rs. Thirty Lakhs Sixty Thousand only), to be levied from the respondent No.1. We direct the respondent No.1 to file objection against this affidavit, if so required, within two weeks.

6. The reply affidavit of respondent Nos.3 and 4- MPCB also indicates that application for CC&A has been moved by the respondent No.1 now, which is under consideration and the same is likely to be finalized within a period of one month.

Put up this matter for further consideration on 13.02.2025

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

December 03, 2024
Original Application No.89/2023(WZ) With
Original Application No.90/2023(WZ)
P.Kr