

Item No.3

(Pune Bench)

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

ORIGINAL APPLICATION NO. 90 OF 2023 (WZ)

Ravindra Kuber Walawade

.... Applicant

Versus

Padmabhushan Vasantdada Patil
Government Hospital and Ors.

....Respondents

Date of Hearing : 07.07.2023

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

Applicant : Mr. Omkar Wangikar, Advocate

ORDER

1. From the side of the applicant, learned counsel Mr. Omkar Wangikar has appeared and in pursuance of our order dated 06.07.2023, has filed an amended copy of the memo of parties, wherein the Civil Surgeon through whom respondent No.1 – Padmabhushan Vasantdada Patil Government Hospital is being represented, is shown. We direct the Registry to keep on record the said amended memo of parties.
2. Heard the arguments of the learned counsel for the applicant on admission of this application.
3. This Original Application has been filed with the prayers that a direction be issued to respondent No.1 Hospital to make compliances which are required to be done as per the warning notice dated 14.10.2022 issued by respondent No. 4 – MPCB and for restitution of the environment; further direction is sought to be issued to respondent Nos.3

and 4 i.e. MPCB to shut down operations of respondent No.1 hospital as it was operating without valid consent as well as without compliance having been made pursuant to the warning notice dated 14.10.2022 issued by respondent No.4 – MPCB.

4. It is urged by the learned counsel for the applicant that respondent No.1 hospital is operating without obtaining valid authorization from respondent No.4 MPCB and is discharging untreated waste water from the hospital into the Municipal Corporation drain, a complaint regarding which was made to MPCB, which has issued notices to respondent No.1 on various occasions, but the compliance was not done. The complaint, which was made by the applicant to respondent No. 4 – MPCB and other statutory authorities for taking action against respondent No.1, is annexed as Annexure-A. Annexure-B is the Letter of Authorization dated 22.01.2013, issued by the Member Secretary, MPCB in favour of respondent No.1 granting authorization for generation of biomedical waste on the terms, which was valid only for three months, but thereafter no further authorization was obtained by respondent No.1.

5. Annexure-D is the Warning Notice dated 21.09.2017 issued by respondent No.4 – MPCB to respondent No.1 wherein directions have been issued to be complied with by respondent No.1, but which are said to be not complied by it till date.

6. In view of above facts, we admit this application as there is substantial question relating to the environment raised in this application. We direct the Registry to issue notice to the respondents, returnable within four weeks.

7. The applicant is directed to provide copies of the Original Application and annexures thereto to the respondents, within a week.

8. The applicant is also directed to take necessary steps for service upon the respondents by both ways and also through available e-mail.

9. Put up this matter on 11.09.2023.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

July 07, 2023
O.A. NO.90/2023 (WZ)
npj