

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Application No.118 of 2017 (SZ)

In the matter of

Kommana Lakshmi Bala Ganeswara Rao
Jagannaikulapalem
East Godavari Dist
Andhra Pradesh

.. Applicants

Vs

1. The State of Andhra Pradesh
Rep. by its Chief Secretary
Secretariat, Amaravathi
Andhra Pradesh

2. The Andhra Pradesh State Pollution Control Board
Rep. by its Member Secretary
Sanathnagar, Hyderabad

3. The Joint Chief Environmental Engineer
Andhra Pradesh State Pollution Control Board
Zonal Office Hyderabad

4. The Environmental Engineer
Andhra Pradesh State Pollution Control Board
Regional Office, Kakinada, East Godavari Dist

5. M/s. Godavari Bio Management
Rep by its Managing Partner
Y. Papa Rao, Peddada, Pedapudi
East Godavari Dist, Andhra Pradesh

.. Respondents

Counsel appearing for the applicant

M/s. P. Venkaiah Naidu, Syed Sadiq & Associates

Counsel appearing for the respondents

For respondent No.1 .. M/. H. Yasmeen Ali

O R D E R

Present

Hon'ble Shri Justice Dr. P. Jyothimani, Judicial Member
Hon'ble Shri P.S.Rao, Expert Member

5th July, 2017

Whether judgment is allowed to be published on the Internet .. Yes/No

Whether judgment is to be published in the All India NGT Reporter .. Yes/No

We have heard the learned counsel appearing for the applicant as well as the respondents.

The application seeks for a direction against the Andhra Pradesh Pollution Control Board not to allow the applications for establishment and operation of Bio Medical Waste Treatment Facilities in the State of Andhra Pradesh to collect, transport, treat and safe disposal of Bio-Medical Waste generated from the hospitals/HECs situated in the Districts of Andhra Pradesh without considering the full capacity of the existing Common Bio Medical Waste Treatment Facilities in operation and its potential enhancement of the production and the need for establishment of fresh Common Bio Medical Waste Treatment Facilities in the State of Andhra Pradesh.

2. It is admitted that the State of Andhra Pradesh has already framed the guidelines for the purpose of granting the Bio Medical Waste Treatment Facilities. Needless to state that considering the same, the State Pollution Control Board can always have its own guidelines.

3. In such view of the matter, it is always open to the State Pollution Control Board to implement the various guidelines framed by them for the purpose of granting facility for the Bio Medical Waste Treatment. In cases where illegality has been committed for the purpose of not granting such facility, without following the guidelines, it is always open to the Pollution Control Board to approach this Tribunal challenging the same.

4. In view of the same, we dispose of the application with a direction to the Board to strictly follow its own guidelines and the guidelines framed by

the Central Pollution Control Board in accordance with the Bio Medical Waste Management Rules, 2016 in respect of the installation and operation of the Common Bio Medical Waste Treatment Facilities in the State of Andhra Pradesh.



Justice Dr.P.Jyothimani
Judicial Member

सत्यमेव जयते

Shri P.S.Rao
Expert Member



NGT