

BEFORE THE NATIONAL GREEN TRIBUNAL, CENTRAL ZONAL BENCH,
BHOPAL

M.A. No. 132/2015

and

Original Application No. 21/2013 (CZ)

Dr. Alankrita Mehra Vs. Union of India & Nine Ors.

CORAM : HON'BLE MR. JUSTICE DALIP SINGH, JUDICIAL MEMBER
HON'BLE MR. P.S.RAO, EXPERT MEMBER

PRESENT : Applicant : Shri Neel Choudhary Adv. for
Shri Vivek Choudhary, Adv.
Respondent No. 3,4 &7to 10: Shri Sachin K. Verma, Adv.
Respondent No. 5 : Shri Asad Ullah Khan, Adv. for
Shri Vivek Agrawal, Adv.
Respondent No. 6: Ms. Parul Bhadoria, Adv. for
Shri Purushaindra Kaurav, Adv.
Shri P.S.Bundela, OIC
CPCB : Shri Rohit Sharma, Adv. for
Shri Sandeep Singh, Adv.
Intervener : Shri Om S.Shrivastav, Adv.

Date and Remarks	Orders of the Tribunal
Item No. 6 12th March, 2015	<p>Shri Raj Kishore Swain, Agriculture Production Commissioner, Dr. K.K.Thassu, Director, Health and Medical Services and Dr. Veena Sharma, CMHO, Bhopal are present before the Tribunal pursuant to our directions issued on 11.03.2015.</p> <p>The Director, Health and Medical Services submits that a detailed programme has been worked out and the health officials from different districts have been invited for submitting the required applications online and they will be apprised of the procedure to be followed in future under BMW Rules, 1998. He has also submitted that as regards the Government Medical facilities and establishments not having requisite authorisations, the issue shall be looked into and whatever shortcomings are there, they will be rectified within a period of two weeks. We are inclined to grant the time as prayed for by the Director (Medical & Health Services),</p>

Government of MP.

Shri Ajay Gupta, Learned Counsel raised the issue of washing/cleaning of linen from the hospital which is required to be dealt with for the purpose of laundry, etc in a systematic/scientific manner since it has been observed that most of the medical facilities, establishments and hospitals are not adhering to the required norms of getting the linen treated/disinfected and washed at the authorised laundries required to be set up in this behalf. Shri P.S.Bundela, Regional Officer, MPPCB who is present submitted through Ms. Parul Bhadoria, Learned Counsel for the MPPCB that they have inspected most of the medical facilities in Bhopal and there is substance in the submission of Mr. Ajay Gupta that some of the hospitals are not utilising the registered laundry services in this behalf. He has submitted that the word 'Registered' means they must have necessary clearances from the Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 since as a result of washing activity effluent/discharge discharge has to be treated at the facility itself. It was also brought to our notice that in Bhopal registered laundry facilities for the hospitals, etc. are available and are being utilised by some of the Government hospitals namely the District J.P.Hospital. The said facility is reported to have substantial capacity of handling roughly 10,000 bedsheets per day against which they are utilising capacity of only roughly about 600 bedsheets per day. Learned Counsel for MPPCB submitted that the MPPCB is contemplating issuing notice to the medial establishments and hospitals in

this behalf. The Director (Medical and Health) also submitted that he would look into the aforesaid matter and submit on the next date with regard to the facilities currently prevailing in the hospitals in this behalf. Shri Sachin K.Verma, Learned Counsel submitted that as regards the Medical Colleges in Bhopal, he would get the necessary information from the Secretary, Medical Education under whose jurisdiction the medical colleges are placed, namely the Hamidia Hospital and Sultania Hospital. We would accordingly direct that the Superintendents of these hospitals shall remain personally present before the Tribunal on the next date and file affidavit in this behalf. Not only this is relevant under the Water Act and under prescribed Environmental norms but also from the point of view of health of the patients as many a times it is noted that the patients get infected in the hospitals, nursing homes and other medical facilities where they get admitted and treated. Shri Sachin K.Verma, Learned Counsel for the State shall furnish information with regard to Gas Rahat Hospitals located in Bhopal along with other Government Hospitals.

In the meanwhile, the MPPCB is free to take action against the defaulting parties in accordance with law. The Director, Medical and Health shall issue necessary directions to all the District Officials for complying with the aforesaid requirements in the major cities and towns in the State including Bhopal, particularly the following 13 major cities/towns where the Regional offices of MPPCB are located :

1. Jabalpur
2. Guna
3. Indore
4. Dhar
5. Sagar

6. Ujjain
7. Gwalior
8. Satna
9. Shahdol
10. Rewa
11. Singrauli
12. Katni
13. Bhopal

Shri Raj Kishore Swain, Agriculture Production Commissioner appeared before us and submitted that the State Government, taking note of the directions issued in the present application, has initiated a programme in the catchment area of the upper lake and has identified two Blocks namely Phunda & Sehore in an area of roughly 22,000 hectares and 11,900 hectares in each of the Blocks comprising 25 villages where various measures are being initiated for reducing the dependence and use of chemical fertilizers and insecticides and pesticides by alternate means of using organic manures i.e. compost, vermicompost, green manure ect. and also bio-pesticides and they have initiated a programme of promoting no fertilizer villages at least one each in these 2 Blocks as a Pilot Project. It was submitted that the major issue is trying to convince the farmers and agriculturalists who have been dependent and using chemical fertilizers and pesticides and making them to switch over to the organic manures and bio-pesticides. It was also submitted that the mindset of the agriculturalists is also that such switch over may result in the reduction of the yield. However, it is submitted that Agriculture Department through the means of organizing fares, melas and by giving wide publicity through mobile vans is trying to reach out to the farmers for making them to switch

over to eco-friendly organic manures and bio pesticides and also explaining them the ill effects of using chemical fertilizers on a long term basis which leads to reduction of soil productivity and also impact on the ground water that has happened in some parts of the country. Shri Sachin K. Verma, Learned Counsel submitted that since March to June are the critical months with regard to preparation of fields for raising *Kharif* crops during the ensuing 2015 *Kharif* season the steps being taken by the Agriculture Department in this behalf shall be placed before the Tribunal to show that the government is actually trying to reduce the dependence and use of chemical fertilizers/pesticides in the catchment area relating to the upper lake which is facing problem as a result of the same on account of runoff through Kolans river.

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Shri Deepesh Joshi, Learned Counsel has moved Misc. Application No. 132/2015 on behalf of Shri Harish Kumar Bhawnani claiming to be a Member of Bhopal Citizens' Forum and wishing to place on record certain issues as also documents attached to the said application. Copy of the same has been furnished to the Learned Counsel for the Applicant as well as Learned Counsel for the State of MP who pray for time to submit the reply, if necessary.

Put up on 17th April, 2015.

.....JM
(DALIP SINGH)

.....EM
(P.S.RAO)

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