

**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 Vivek Choudhary, Adv.  
Respondent No. 1 : Shri Om. S. Shrivastav, Adv.  
Respondents No.3, 4, 7, : None.  
8, 9 & 10  
Respondent No. 6 : Shri Shivendu Joshi, Adv.(MPPCB)  
for Shri Purushaindra Kaurav, Adv.  
Respondent No. 5 : Shri Asad Ullah Khan, Adv. for  
Shri Vivek Agrawal, Adv.  
Mr. Sandeep Singh, Adv. for CPCB  
Mr. S.K. Behiya, Adv. for UADD

Date and Remarks	Orders of the Tribunal
<p><b>Item No. 5</b> <b>6<sup>th</sup> March, 2014</b></p>	<p style="text-align: center;"><b><u>M.A. No. 133/2014</u></b></p> <p>The application has been filed by the counsel for the State with the prayer that the personal appearance of the Principal Secretary, Public Health and Family Welfare Department, Government of Madhya Pradesh be exempted as the necessary steps for complying with the order of the Tribunal dated 12<sup>th</sup> February, 2014 have already been initiated. It is further submitted that the a joint team to conduct surprise inspection of private/government hospitals, clinics, pathology labs has been constituted and the meeting with the Chairman, Madhya Pradesh State Pollution Control Board has also been held in this behalf.</p> <p>The learned counsel for the Madhya Pradesh State Pollution Control Board has also filed a compliance report stating that the meeting as directed has been held.</p> <p>In view of the above, this application is allowed. However, the Respondents are directed to file the action taken report pursuant to the aforesaid meeting and the direction issued by the Principal Secretary, Public Health and Family Welfare Department as mentioned in the application.</p> <p style="text-align: center;"><b>M.A. 133/2014 stands disposed of.</b></p>

**M.A. No. 134/2014**

This miscellaneous application has been filed by the learned counsel for the State of M.P. seeking exemption from the personal appearance of the District Collector, Bhopal before this Tribunal on the ground that the directions issued by this Tribunal have been complied with. It has, however, been stated that the compliance report will be placed before the Tribunal on the next date of hearing.

**In view of the above, this M.A. is allowed and stands disposed of** subject to the Respondents placing the compliance report before the Tribunal on the next date of hearing.

**M.A. No. 136/2014**

Learned counsel for the Respondent No. 5 has moved this application with the prayer for taking on record four maps indicating the work of installing munnare (pillars) on the boundary of the lake (FTL) that has been carried out/is in progress.

Copy of the same has been furnished to the learned counsel for the Applicant. The same are ordered to be taken on record. Learned counsel for the Applicant would be at liberty to physically verify the sites.

**This application stands disposed of.**

**M.A. No. 137/2014**

The Applicant has moved this application with the prayer that the project which the Bhopal Municipal Corporation intends to undertake in and around the lake area at Khanugaon would be in violation of the environmental laws and guidelines and as such they may be restrained from carrying out such work as no permission from the Pollution Control Board has been obtained in this behalf.

Copy of this application has been furnished to the learned counsel for the Bhopal Municipal Corporation who prays for some time

to file reply to this application.

Let the reply be filed before the next date of hearing.

**M.A. No. 135/2014**

Learned counsel for the State Shri Sachin Verma has filed this application with the prayer to adjourn the matter as due to some urgent work he had to move out of station.

Learned counsel appearing for the other parties have no objection to this application being allowed.

**Accordingly, this M.A. is allowed and stands disposed of.**

**M.A. No. 138/2014**

Learned counsel for the Respondent No.6 Shri Joshi has moved this application wherein he has prayed that the joint meeting of the officials of the State Pollution Control Board as well as Secretary, Public Health & Family Welfare Department has already been held and the steps for implementation and taking action in accordance with the Bio-Medical Waste Rules, 1998 have been chalked out and the programme in that behalf has already been put into place but they would require three months time for implementation of the same.

We are of the view that so far as time sought for three months for implementation of the rules is concerned that cannot be allowed by this Tribunal. The Rules have been in place since the year 1998 and the infrastructure for implementation of the Rules ought to have been in place by now. All that is required is verification of the observance of the Rules and in case any hospital is found to be at default, action in accordance with the law is required to be initiated by the concerned authorities.

The Chairman, Madhya Pradesh State Pollution Control Board is present in person and we would like to emphasize that the Rules once brought into force, are required to be strictly implemented, monitored

and observed by the Pollution Control Board through State  
functionaries.

**This M.A. stands disposed of.**

The matter be now listed on **25<sup>th</sup> March, 2014**. On the said date,  
the steps taken by the Respondents shall be placed on record for  
observance of the Bio-Medical Waste Rules, 1998 and other matters as  
indicated above.

.....JM  
(DALIP SINGH)

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

