

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
(THROUGH PHYSICAL HEARING WITH HYBRID MODE)**

Original Application No.239/2024/EZ

Subhas Datta

Applicant(s)

Versus

State of West Bengal &amp; Ors.

Respondent(s)

Date of hearing: 02.01.2025

**CORAM: HON'BLE MR. JUSTICE B. AMIT STHALEKAR, JUDICIAL MEMBER  
HON'BLE DR. ARUN KUMAR VERMA, EXPERT MEMBER**

For Applicant(s) : Mr. Subhas Datta, in person

**ORDER**

1. Heard Mr. Subhas Datta, the Applicant appearing in person.
2. The Applicant has filed the Original Application alleging that on 11.05.2024 while visiting North Bengal he had gone to Malbazar town in Jalpaiguri where he had observed in the backyard of Malbazar Super Facility Hospital bio-medical wastes and the other general wastes of the hospital were dumped together. Photographs have been filed to show the despicable condition of the wastes lying open in the Malbazar Super Facility Hospital.
3. The Applicant has referred to the Annual Report on Bio-Medical Wastes Management for the year 2023 submitted by the West Bengal State Pollution Control Board on 24.07.2024 to the Central Pollution Control Board mentioning the following details :-

**"Description**

<i>I Bedded Hospitals and Nursing Homes (bedded)</i>	3209 Nos
<i>II Clinics, dispensaries</i>	6718 "
<i>Total Non-bedded units</i>	
<i>III Total No. of Beds</i>	1,68,323 "
<i>IV Quantity of Bio-medical wasted generations (kg, day)</i>	43120.87 Kgs.
<i>V Bio-medical waste generation by bedded hospital (kg, day)</i>	35603.29 Kgs.

<i>VI Bio-medical waste generation by non-bedded Hospital (kg, day)</i>	<i>7517.58 Kgs.</i>
<i>VII Bio-medical waste treatment and disposal (kg, day)</i>	<i>43120.87 Kgs.</i>

4. Matter requires consideration.
5. Issue notice to the Respondents, returnable within four weeks.
6. Mr. Sudip Kumar Dutta, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent Nos.1, 2, 3, 4 and 6, State Respondents, Government of West Bengal.
7. Mr. Ayush Kumar Dadhich, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No.5, West Bengal Pollution Control Board.
8. Mr. Ashok Prasad, learned Counsel who is present (in Virtual Mode), accepts notice on behalf of the Respondent No.7, Central Pollution Control Board.
9. All the Respondents shall file their counter-affidavits within four weeks.
10. The Counsel for the Applicant shall serve e-copy/soft copy of the Original Application along with all its annexures upon Mr. Sudip Kumar Dutta, Mr. Ayush Kumar Dachich and Mr. Ashok Prasad, learned Counsel for the Respondents, within 24 hours.
11. **List on 21.02.2025.**

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**B. Amit Sthalekar, JM**

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**Dr. Arun Kumar Verma, EM**

January 02, 2025,  
Original Application No.239/2024/EZ  
SKB