

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

[THROUGH PHYSICAL HEARING (WITH HYBRID OPTION)]

Original Application No.33/2025 (WZ)

Pathan Fuzailkhan Ashifkhan

.....Applicant

Versus

Gujarat Pollution Control Board & Ors.

....Respondents

Date of hearing: 07.03.2025

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

Applicant : Mr. Raghunath Mahabal, Advocate along-with
Mr. Sachin Gore, Advocate

ORDER

1. The issue raised in the present Original Application pertains to Respondent No.2- Eco Waste Management (EWM) not operating its facility and conducted its operations without waste treatment, which has resulted in accumulation of approximately 800-1000 track- loads of hazardous waste at the Plot No.201 to 204, GIDC Palej, Village: Palej, District: Bharuch, Gujarat, which was granted CC&A by Respondent No.1- GPCB, which is valid till 31.12.2027.

2. Learned counsel for the applicant submits that noxious odors are emanating from the accumulated waste, affecting nearby locality, which may lead to fire incidents as well as contamination of ground water etc. Respondent No.1- GPCB has already issued Closure Directions to Respondent No.2- Eco Waste Management (EWM) on 13.09.2023 pursuant to their visit conducted on 08.08.2023, wherein various non-compliances were found, which are recorded therein from serial nos.1 to 17.

3. Having drawn our attention to the above, it is apprehended by learned counsel for the applicant that it appears that at the time of grant of CC&A, Respondent No.1-GPCB might not have visited the site and granted the said CC&A to Respondent No.2 blindly. Hence, prayer is made that a direction may be issued for transportation, treatment and disposal of the said hazardous waste using Environmentally Sound Technology (EST) through other HWM-TSDF by GPCB and cost/expenses incurred in this process may be recovered from Respondent No.2.

4. In view of above, we find *prima facie* case adversely impacting environment is made out, therefore, we deem it appropriate to admit this application and accordingly admit the same.

5. Registry is directed to issue Notice to the respondents, returnable within 02(two) weeks.

6. Due to urgency in this matter, learned counsel for the applicant has undertaken to effect service of notice upon all the respondents by hand within two days. We direct that service affidavit be filed within a week thereafter.

7. Applicant is also directed to supply copy of the application and relevant documents to the respondents within the said period.

8. Respondents are directed to submit their reply affidavits within 02(two) weeks through e-filing portal of NGT and also circulate the same to the applicant as also other respondents by available e-mail.

9. Put up this matter for further consideration on 21.03.2025.

Dinesh Kumar Singh, JM

Dr. Vijay Kulkarni, EM

March 07, 2025
Original Application No.33/2025 (WZ)
P.Kr