

By Registered Post

F. No. B-31011/BMW (46.10)/2019/WMD-I 6367

September 09, 2019

To,

M/s Maruti Biomedical Waste Plant  
Hetampura, Bhiwani,  
Haryana.

**DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986**

WHEREAS the Central Government has notified the Bio-Medical Waste Management Rules, 2016 and amendments thereof (herein after referred as BMW Rules) in suppression of the Bio-Medical Waste (Management & Handling ) Rules, 1998, and amendments thereof, under the Environment (Protection) Act, 1986, to improve the collection, segregation, processing, treatment and disposal of the Bio-Medical wastes in an environmentally sound management thereby, reducing the biomedical waste generation and its impact on the environment;

WHEREAS Rule 4 of BMW Rules, 2016 stipulated duties of the Operator of Common Bio-Medical Waste Treatment Facility (CBWTF);

WHEREAS as per Rule 7 (1) of BMW Rules, "bio-medical waste shall be treated and disposed of in accordance with Schedule I and in compliance with the standards prescribed in Schedule II of the BMW Rules, 2016";

WHEREAS the Hon'ble National Green Tribunal, in the matter of O.A. No. 710 of 2017 filed by Shailesh Singh vide order dated 12.03.2019 directed "CPCB to undertake study and prepare a scale of compensation to be recovered from violators of Bio-Medical Waste Management Rules, 2016. Hon'ble NGT also states that scale of compensation must be different, rendering violation of Rules to be non-profitable and which should be adequate to remedy the situation".

WHEREAS in pursuant to Order dated 12.03.2019 passed by Hon'ble National Green Tribunal, in the matter of O.A. No. 710 of 2017, CPCB has prepared Guidelines for "Imposition of Environmental Compensation Charges (ECC) against Healthcare Facilities (HCFs) and Common Biomedical Waste Treatment Facilities (CBWTFs)";

WHEREAS the Common Bio-Medical Waste Treatment Facility (CBWTF) namely M/s Maruti Biomedical Waste Plant, Village Hetapura, District Bhiwani, Haryana (the Unit) was inspected by Central Pollution Control Board (CPCB) on 21.11.2018 and following discrepancies were found: (i) separate space for reception/storage of biomedical waste was not provided; (ii) Unit fails to comply with stack emission norms and not upgraded APCDs to comply with new emission norms; (iii) incinerator not upgraded to achieve two seconds Residence Time in secondary combustion chamber; (iv) stack monitoring platform not safe for conducting stack monitoring; (v) records related to accidents were not maintain by the facility;

WHEREAS based on above discrepancies CPCB has issued directions dated 19.02.2019 under section 5 of Environment (Protection) Act, 1986 to the Unit wherein it was directed to: (i) take corrective measures on above action points; (ii) deposit Environmental Compensation of ₹ 8,53,125/- for the period of 91 days since dated of inspection within 15 days; and (iii) thereafter deposit ₹ 9,375/- per day of Environmental Compensation till compliance to the provisions of BMW Rules, 2106;

WHEREAS the Unit vide letter dated 12.03.2019 and 20.03.2019 submitted its reply indicating point wise reply supported with photographs and copy of records for accidents reporting w.r.to CPCB action points and requested to waive off Environmental Compensation;

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WHEREAS the Unit was re-verified by CPCB on 04.06.2019 for verification of compliance to CPCB directions dated 19.02.2019 wherein the Unit found that: (i) Unit has provided separate space for reception/storage of biomedical waste is provided; (ii) Unit has upgraded Air Pollution Control Devices and stack emission monitoring results (PM : 23.3 mg/Nm<sup>3</sup>) also found complying with the norms; (iii) Incinerator is upgraded with two seconds residence time in secondary combustion chamber; (iv) new platform for stack monitoring has been provided by the operator; and (v) Unit is maintaining site records;


WHEREAS the Unit vide letter dated 05.08.2019 wherein documentary proof of compliance which also refers to monitoring report of Haryana State Pollution Control Board (HSPCB) dated 11.02.2019, wherein stack emissions vis-à-vis Particulate Matter (44.8 mg/Nm<sup>3</sup>) was found complying with the norms however the Unit has deposited Environmental Compensation only for the period between 21.11.2018 to 04.01.2019;

WHEREAS the Central Government vide notification S.O. 730 (E) dated July 10, 2002, has delegated the powers under Section 5 of the Environment (Protection) Act, 1986 to the Chairman, Central Pollution Control Board (CPCB), to issue directions to any industry or any local, or any other authority for any violation of the standards and rules relating to BMWM notified under the Environment (Protection) Act, 1986 and amendments made thereof;

Now therefore, in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, directions dated 19.02.2019 are hereby revoked with following conditions:

- i. Unit shall deposit ₹ 3,46,875/- as Environmental Compensation charges for the remaining period of 37 days (i.e. 05.01.2019 to 11.02.2019) till date of proof of compliance, within 15 days; and
- ii. Unit shall ensure compliance to provisions under Biomedical Waste Management Rules, 2016 including standards notified under said Rules.

In case Unit found non-complying with above directions, CPCB will be constrained to take legal proceedings against M/s Maruti Biomedical Waste Plant, Village Hetapura, District Bhiwani, Haryana, as deemed fit under the Environment (Protection) Act, 1986.

  
(S. P. Singh Parihar)  
Chairman

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**Copy to:**

1. Joint Secretary, HSM Division  
Ministry of Environment, Forest & Climate Change  
Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi – 110 003
2. Member Secretary : For kind information  
Haryana Pollution Control Board  
C-11, Sector-6, Panchkula  
Haryana-134 109 Chandigarh
3. Regional Director : For kind information  
Central Pollution Control Board  
Ground Floor, PICUP Bhawan,  
Vibhuti Khand, Gomti Nagar  
Lucknow – 226 010
4. Regional Directorate : For kind information  
Central Pollution Control Board  
Chandigarh.
5. ✓ DH, IT Division : For information and necessary action
6. . DH, ESS Division : For information and record
7. DH, Accounts Division : For information & for further necessary  
action

**(Prashant Gargava)**  
**Member Secretary**