



केन्द्रीय प्रदूषण नियंत्रण बोर्ड  
CENTRAL POLLUTION CONTROL BOARD  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय भारत सरकार  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE GOVT. OF INDIA

**By Registered Post**

F. No. B-31011/BMW (46.54)/2019/WMD-I/ 16972

March 09, 2021

To,

M/s Pondicherry Solid Waste Management Company Private Limited,  
Village Thuthipet, Villianur Commune,  
Puducherry

**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 5 of BMW Rules, 2016 stipulated duties of the operator of Common Bio-Medical Waste Treatment Facility (CBWTF); and

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"; and

WHEREAS the Common Bio-Medical Waste Treatment Facility (CBWTF) namely M/s Pondicherry Solid Waste Management Company Private Limited, Village Thuthipet, Villianur Commune, Puducherry (the Unit) was inspected by Central Pollution Control Board (CPCB) on 29.10.2018 to verify the compliance to the provision of BMW Rules, 2016 and based on the non-compliance observed, directions under section 5 of Environment (Protection) Act, 1986 issued to the Unit vide letter dated 14.02.2019 directing to take necessary corrective measures w.r.t. CPCB action points and to deposit Environmental Compensation (EC) of ₹ 10,21,875/- for violations to the provisions of BMW Rules, 2016 and thereafter ₹ 9,375/- per day of EC charges till compliance to said CPCB action points; and

WHEREAS subsequently the Unit has submitted its reply vide letter dated 19.03.2019 indicating point wise action taken w.r.t. CPCB action points claimed compliance except for data connectivity for Online Continuous Emission Monitoring System (OCEMS) with CPCB server. However, the Environmental Compensation Charges was not deposited by the Unit; and

WHEREAS based on the aforesaid non-compliance, revised direction has been issued to the Unit vide letter dated 29.05.2019 directing to deposit an amount of EC ₹ 10,21,875/- and to ensure connectivity of OCEMS data to CPCB server within 15 days; and

WHEREAS Unit vide letter dated 18.06.2019 informed that new order has placed for OCEMS and will be installed in 20 days, and requested to give time till 12.07.2019 to make the payment for ECC; and

WHEREAS re-inspection was carried out by CPCB on 22.08.2019. During the visit, it was found that the value for Particulate matter in stack emission, PM (72.8 mg/Nm<sup>3</sup>) exceeded the prescribed standard of 50 mg/Nm<sup>3</sup>; and

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"; and

Contd...2/-

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, Delhi-110032

दूरभाष/टेल. : 42102020, 22205702, वेबसाइट/Website : www.cpcb.nic.in

WHEREAS Hon'ble National Green Tribunal in its order dated 15.07.2019 in the matter of O.A. No. 710 of 2017, accepted Guidelines for "Imposition of Environmental Compensation Charges (ECC) against Healthcare Facilities (HCFs) and Common Biomedical Waste Treatment Facilities (CBWTFs)"; and

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 Bio-Medical Waste Management notified under the Environment (Protection) Act, 1986; and

Now, therefore in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, the Unit is hereby directed to:

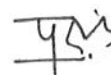
- (i) Upgrade and improve Air Pollution Control Devices (APCDs) to comply with stack emission norms and submit proof of compliance; and
- (ii) deposit Environmental Compensation Charges of ₹10,21,875/- in CPCB account No. 532702050000164 IFSC code UBIN0553271, I.P. Extension Branch within 15 days on receipt of this direction.

In case the Unit fails to comply with above direction, CPCB will be constrained to initiate proceedings against M/s Pondicherry Solid Waste Management Company Private Limited, Village Thuthipet, Villianur Commune, Puducherry under the Environment (Protection) Act, 1986.

  
(Shiv Das Meena)  
Chairman

**Copy to:**

1. Joint Secretary, HSM Division  
Ministry of Environment, Forest & Climate Change  
Indira Paryavaran Bhawan,  
Jorbagh Road, New Delhi - 110 003
2. The Member Secretary : For kind information  
Puducherry Pollution Control Committee  
Department of Science, Technology and Environment  
IIIrd floor, PHB Building, 5, Anna Nagar,  
Puducherry - 605005
3. The Regional Director : For kind information  
Central Pollution Control Board  
Second Floor, 77-A, South Avenue Road,  
Ambattur Industrial Estate, Chennai,  
Tamilnadu-600058
4. DH, IT Division : For information and necessary  
action
5. DH, Accounts Division : For information & for further  
necessary action

  
(Prashant Gargava)  
Member Secretary