

By Registered Post

F. No. B-31011/BMW (46.04)/2019/WMD-I

June 06, 2019

To,

M/s Intromedix (India) Pvt. Ltd.
Village Khori Ropda,
Jaipur Agra Highway, NH-11, Tehsil Sanganer
Jaipur-302031

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);

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 Rules 14(1) of BMW Rules, "every authorized person shall maintain records related to generation, collection, segregation, storage, transportation, treatment, disposal and or any form of handling of Bio-Medical waste in accordance with these Rules and by guidelines issued";

WHEREAS the Hon'ble National Green Tribunal (NGT), 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 Biomedical Waste Management Rules, 2016. Hon'ble NGT also states that the scale of compensation must be deterrent, 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 against Healthcare Facilities and Common Biomedical Waste Treatment Facilities";

WHEREAS the Common Bio-Medical Waste Treatment Facility (CBWTF) namely M/s Intromedix (India) Pvt. Ltd., Jaipur Agra Highway, NH-11, Tehsil Sanganer, Jaipur- 302031 (the Unit) was inspected by Central Pollution Control Board CPCB team, Bhopal on 16.01.2019 wherein following discrepancies were observed:

- a) Incinerator is not upgraded to achieve two seconds residence time in secondary combustion chamber;
- b) Segregation of untreated biomedical waste was carried out by the Unit inside the premises
- c) Discarded medicines were found stored openly in the premises.

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WHEREAS as per the CPCB guidelines for Imposition of Environmental Compensation against Healthcare Facilities and Common Biomedical Waste Treatment Facilities, the Environmental Compensation (EC) is calculated ₹ 5,000/- per day of non-compliance with effect from date of inspection;

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 BMWWM 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, the Unit is hereby directed to;

- i) Take necessary corrective measures w.r.t. the aforesaid action points mentioned at s.no.(a) to (c) and submit time bound action plan within 15 days of issue of this directions, to comply with provisions of BMWWM Rules, 2016;
- ii) Deposit ₹ 7,10,000/- as EC for not complying with the provisions of BMWWM Rules, 2016 as well as CPCB guideline for a period of 142 days since date of inspection to till date, in **CPCB Account No. 532702010009078 IFSC code UBIN0553271, I.P. Extension Branch within 15 days from receipt of this directions;**

In case the Unit fails to comply with above directions, CPCB will be constrained to initiate proceedings against M/s Intromedix (India) Pvt. Ltd., Village Khori Ropda, Jaipur, Agra Highway, NH-11, Tehsil Sanganer, Jaipur-30203 under the Environment (Protection) Act, 1986.

(S. P. Singh Parihar)
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
Rajasthan Pollution Control Board
4, Institutional Area, Jhalana Doongri
Jaipur – 302 004, Rajasthan.
3. The Regional Director : For kind information
Central Pollution Control Board
4th Floor, Sahkar Bhawan
North TT Nagar, Bhopal – 462 003
4. I/c IT Division : For information and necessary action
5. I/c ESS Division : For information and record
6. I/c Accounts Division : For information & for further necessary action

(Prashant Gargava)
Member Secretary