

F. No. B-31011/BMW (46.109)/2019/WMD-I By Speed- Post  
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June 12, 2019

To,

M/s EVB Technologies Pvt. Ltd.,  
Common Bio-Medical Waste Treatment Facility  
RS No. 560, Kanavaram, Pallakadium Village,  
Rajanagaram Mandal, East Godawari District (A.P.)

**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, in the matter of O.A. No. 710 of 2017 (Shailesh Singh Vs Hospitals) directed CPCB "to undertake study and prepare a scale of compensation to be recovered from violators of Biomedical Waste Management Rules, 2016 within one month. Hon'ble NGT also directed that State Pollution Control Boards (SPCBs) can also recover compensation from the polluters by laying down their own scale which should not less than the scale fixed by CPCB.

WHEREAS in pursuant to Hon'ble National Green Tribunal Order dated 12.03.2019, in the matter of O.A. No. 710 of 2017, CPCB has prepared the "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 EVB Technologies Pvt. Ltd., RS No. 560. Kanavaram, Pallakadium Village, Rajangaram Madal, East Godawari District, A.P. (the Unit) was inspected by Central Pollution Control Board (CPCB) on 08.03.2019 whereby following discrepancies w.r.t. provisions of the BMW Rules, 2016 were observed:

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- a) No documentary proof was available with the Unit for upgradation of incinerator for 02 seconds residence time in secondary chamber of incinerator;
- b) Bar-Code system is not adopted by the Unit;
- c) OCEMS is not installed for PM, NO<sub>x</sub> & HCl as required under authorisation granted by Andhra Pradesh SPCB;
- d) Autoclave is not operated at prescribed temperature and validation test for autoclave is not conducted as required under BMWWM Rules, 2016;
- e) Operator has not created its website as required under BMWWM Rules, 2106;
- f) As per the analysis results, BOD of treated wastewater was slightly exceeding (31 mg/l) the prescribed limit of 30 mg/l.

WHEREAS as per the CPCB guidelines for "Imposition of Environmental Compensation against Healthcare Facilities and Common Biomedical Waste Treatment Facilities", the Environmental Compensation (EC) Charges is calculated ₹ 6,250/- 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 (f) and submit the time bound action plan within 15 days from the issue of this directions, to comply with provisions of BMWWM Rules, 2016; and
- ii) Deposit ₹ 6,06,250/- as EC for not complying with the provisions of BMWWM Rules, 2016 as well as CPCB guideline for a period of 97 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 EVB Technologies Pvt. Ltd., RS No. 560, Kanavaram, Pallakadium Village, Rajanagaram Mandal, East Godavari District (A.P.) 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. The Member Secretary : For kind information  
Andhra Pradesh Pollution Control Board  
Paryavaran Bhawan, A-III  
Institutional Estate, Sanathnagar  
Hyderabad – 500018.
3. Regional Directorate : For kind information  
Central Pollution Control Board  
1st & 2nd Floors, Nisarga Bhavan  
A-Block, Thimmaiah Main Road  
7th D Cross, Shivanagar, Opp.  
Pushpanjali Theatre, Bengaluru –560 010
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