

Speed Post

F. No. B-31011/BMW (46.41)/2019/WMD-I 4013

July 12, 2019

To,

M/s Envision Enviro Engineer Pvt. Ltd.  
Plot No. 5008, Village Umarda,  
Tehsil Girwa, Distt. Udaipur,  
Rajasthan.

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

WHEREAS as per Rule 7 (1) of BMWWM 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 BMWWM Rules, 2016";

WHEREAS Rules 14(1) of BMWWM 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 Biomedical Waste Treatment Facility (CBWTF) namely M/s Envision Enviro Engineers Pvt. Ltd., Plot No. 5008, Village Umarda, Tehsil Girwa, Distt. Udaipur, Rajasthan (the Unit) was inspected by Central Pollution Control Board (CPCB) on 15.01.2019 to verify the compliance to the provisions under BMWWM Rules, 2016. During the inspection, the Unit was found complying with stack emission standards however it was found that: (a) Online Continuous Emission Monitoring System (OCEMS) is not connected to CPCB server for data transmission; and (b) segregation of untreated biomedical waste is practiced by the Unit;

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WHEREAS CPCB vide letter dated 16.05.2019 forwarded the above observations to the Unit and directed to ensure connectivity of OCEMS data with CPCB server within 15 days. The Unit was also directed to stop practice of segregation of untreated biomedical waste immediately and to submit action taken report by 04.06.2019 failing which direction under section 5 of Environment (Protection) Act, 1986 will be issued by CPCB. However, the Unit has not submitted the action taken report so far;

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, the Unit is hereby directed to:

- i) Take necessary corrective measures w.r.t. the aforesaid action points mentioned at S.No. (a) & (b) within a period of 30 days from the date issue of this directions;
- ii) Deposit ₹ 5,37,000/- as EC for not complying with the provisions of BMWM Rules, 2016 for a period of 179 days since date of inspection to till date, in **CPCB Account No. 532702050000164 IFSC code UBIN0553271, I.P. Extension Branch within 15 days from receipt of this directions;** and
- iii) Thereafter, Unit shall deposit ₹ 3,000/- per day Environmental Compensation till the Unit comply with above action points within a period of 30 days. A deterrent factor on Environmental Compensation may apply in case the Unit fails to comply within 30 days.

In case the Unit fails to comply with above directions, CPCB will be constrained to initiate proceedings against M/s Envision Enviro Engineers Pvt. Ltd., Plot No. 5008, Village Umarda, Tehsil Girwa, Distt. Udaipur, Rajasthan 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  
Rajasthan Pollution Control Board  
4, Institutional Area, Jhalana Doongri  
Jaipur – 302 004, Rajasthan.
3. 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

  
(B Vinod Babu)  
Member Secretary