



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 (16260)/2024/WMD-I १५०१
To,

February 02, 2024

M/s Greenzen Bio Pvt. Ltd.
Radha Apartment Iskcon Mandir Road,
2nd Floor, Siliguri,
Darjeeling, Pin- 734001, West Bengal

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 AND SHOW CAUSE NOTICE - THEREOF FOR IMPOSITION OF ENVIRONMENTAL COMPENSATION

WHEREAS, the Central Government has notified the Bio-Medical Waste Management Rules, 2016 and amendments thereof (herein after referred as BMW Rules, 2016) 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; and

WHEREAS, Rule 5 of BMW Rules, 2016 stipulate duties of the operator of Common Bio-Medical Waste Treatment Facility (CBWTF) to ensure treatment and disposal of biomedical waste in line with provisions of said Rules; and

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

WHEREAS, Rule 14 (1) of BMW Rules, 2016 stipulate that every authorized person is required to 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 guidelines issued by CPCB"; 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 directed that scale of compensation must be deterrent, rendering violation of Rules to be non-profitable which should be adequate to remedy the situation"; and

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 CBWTF namely M/s Greenzen Bio Pvt. Ltd., Mouza Binnaguri, J.L. No. 3, Site No. 12, P.O. Fulbarihat, P.S. Bhaktinagar, Dist. Jalpaiguri, West Bengal (the Unit) was inspected by Central Pollution Control Board (CPCB) on 09.11.2023 wherein following non-compliances were observed:

(3)

'परिवेश भवन' पूर्वी अर्जुन नगर, दिल्ली-110032

Parivesh Bhawan, East Arjun Nagar, New Delhi - 110032

दूरभाष/Tel: 43102030, 22305792, वेबसाइट/Website : www.cpcb.nic.in

- i. The facility is operating without authorization under BMW Rules, 2016 as the application of authorization was rejected by West Bengal SPCB.
- ii. As per analysis of Stack monitoring result, Particulate Matter concentration (246 mg/m³) exceeds the prescribed standard of Particulate Matter (50 mg/m³) under BMW Rules, 2016.
- iii. As per wastewater analysis of ETP outlet, pH (10.65) exceeds the prescribed standard of pH (6.5-9) under BMW Rules, 2016. Though the treated wastewater is recycled.
- iv. Treated and untreated plastic waste was found stored in backyard.
- v. Facility operator failed to provide evidence of handovering treated recyclable waste to authorized recycler.
- vi. It is observed that fuel gas from primary combustion chamber is not reaching secondary combustion chamber due to broken duct and fugitive emission was observed.
- vii. A large quantity of untreated mixed waste was found stored in an open area.
- viii. Online Continuous Emission Monitoring System was displaying value of Particulate Matter despite of broken PM sensor.
- ix. Incinerator ash found stored in the facility in an open area.


WHEREAS, as per the CPCB guidelines for "Imposition of Environmental Compensation Charges (ECC) against Healthcare Facilities (HCFs) and Common Biomedical Waste Treatment Facilities (CBWTFs)", the Environment Compensation for above mentioned non-compliances at S. No. i) to iv) at the rate of ₹ 6,875/- per day; 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 for violation of the standards and rules relating to Biomedical 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:

- a. Take corrective measures with immediate effect on receipt of this direction and submit the action taken report within 15 days along with supported documents and photographs; and
- b. Show Cause as to why Environmental Compensation Charges of ₹ 6,875/- per day should not be imposed for violation of provisions of BMW Rules, 2016 for the above mentioned non-compliances, as per CPCB guidelines.

In case the Unit found non-complying with above directions, CPCB will be constrained to take legal proceedings against CBWTF namely M/s Greenzen Bio Pvt. Ltd., Mouza Binnaguri, J.L. No. 3, Site No. 12, P.O. Fulbarihat, P.S. Bhaktinagar, Dist. Jalpaiguri, West Bengal, as deemed fit under the Environment (Protection) Act, 1986.


(Tanmay Kumar)
Chairman

Copy for information to:

1. The Additional Secretary, : For kind information
HSM Division,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003

2. The Member Secretary
West Bengal Pollution Control Board
Paribesh Bhawan, 10A, Block- LA, Sector III,
Salt Lake City, Calcutta- 700106,
West Bengal. : For kind information and follow-
up, please
3. The Regional Director,
The Regional Directorate
Central Pollution Control Board
South end Conclave, Block-502,
5th & 6th Floors, 1582, Razidanga Main Road,
Kolkata - 700 107. : For kind information
- ✓ 4. I/c IT Division : For information and necessary
action
5. I/c Accounts Division : For information & for further
necessary action

✓



(Bharat Kumar Sharma)
Member Secretary