



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 (145/46.53)2024/WMD-I 3691

August 21, 2024

To,

M/s Indo Water Management & Pollution Control Corporation,
C-32 II Floor, Parijat Complex, above Priyadarshini Super Market,
E-5 Bittan Market, Arera Colony,
Bhopal -462016.

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

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 Indo Water Management & Pollution Control Corporation, Satna, Madhya Pradesh (the Unit) was inspected by Central Pollution Control Board (CPCB) on 09th - 10th, January 2020 and based on non-compliances observed during inspection CPCB issued directions under section 5 of Environment (Protection) Act, 1986 to the Unit on 09.03.2021 to take necessary corrective measures and submit action taken report to CPCB; and

(Signature)

'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

-2-

WHEREAS the Unit was re-inspected on 28.05.2021 by CPCB against a complaint regarding illegal selling of PPE kits by the Unit. During inspection, it was found that incinerator ash was stored openly, secondary combustion chamber of incinerator is not upgraded to 2 second residence time, bar code system was not adopted by the Unit and as per analysis result of stack emission, PM (61.2 mg/Nm³) exceeds the standard for PM (50 mg/Nm³) prescribed under BMWM Rules, 2016; and

WHEREAS meanwhile the matter of Original Application no. 10/2021 (CZ) was filed before Hon'ble NGT by Nitin Singh Solanki Vs State of M.P. & Ors and as per Hon'ble NGT order dated 19.05.2021 in the said matter, a joint team of District Collector, CPCB and Madhya Pradesh SPCB conducted inspection of the Unit during 16th -17th June, 2021 wherein following gross violations were observed:

- i. About 1000 kg yellow category, 400 kg red category and 100 kg blue category of untreated bio medical waste was found stored in the facility.
- ii. The secondary chamber of incinerator was found under construction and the incinerator was operating only with primary chamber.
- iii. Emission parameters were found exceeding the prescribed standard for the parameter namely PM (225 mg/ Nm³) and NOx (740 mg/ Nm³).
- iv. Default setting was created in OCEMS system as the temperature for secondary chamber, which is under construction was displayed.
- v. No record was maintained for Spore test of autoclave to check its efficacy as required BMWM Rules, 2016.
- vi. Proper drainage system of floor washing and its connection to ETP was not provided.

WHEREAS CPCB issued directions under section 5 of E(P) Act, 1986 on 10.08.2021 to the Unit based on afore-said observations made by joint team to take corrective measures and to deposit Environmental Compensation Charges ₹ 30,81,250/- in CPCB account; and

WHEREAS Madhya Pradesh SPCB also imposed Environmental Compensation of ₹ 1,53,000 for violations observed during inspection conducted on 28.05.2021 and 16th -17th June, 2021; and

WHEREAS the Unit vide letter dated 02.02.2022 claimed compliance to action points mentioned in CPCB directions. However, stack monitoring results were not enclosed for showing compliance to the standards prescribed for of PM and Unit also did not deposited ECC; and

WHEREAS CPCB vide letter dated 29.03.2022 and 08.09.2022 issued reminders to the Unit for deposition of ECC and to comply with CPCB action points. Unit in reply vide letter dated 12.08.2022 submitted that as per Hon'ble NGT direction facility has submitted ₹1,53,000 to Madhya Pradesh SPCB; and

WHEREAS CPCB again inspected the Unit on 10.01.2024 wherein following shortcomings were observed:

- a) As per Stack emission monitoring result, PM concentration (i.e. 138 mg/Nm³) was found exceeding the standards (i.e. 50 mg/Nm³) prescribed under BMWM Rules, 2016.



-3-

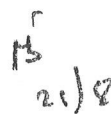
- b) As per analysis result of treated waste water pH (6.01) and O&G (12 mg/l) was found exceeding the standard of treated liquid waste for parameters namely pH (6.5-9.0) and O&G (10 mg/l) prescribed under BMW Rules, 2016.
- c) Date of issue of certificate is not mentioned in the certificate. It was also observed that secondary chamber is detachable from the incinerator and operating temperature of Primary & Secondary Chamber could not be verified, which reveals that the incinerator is not operated as required under BMW Rules, 2016.
- d) Leakage were observed around the APCDs attached with incinerator.
- e) OCEMS data was found to be manipulated and correct temperature could not be assessed as the thermocouple was not functioning properly.
- f) Though vehicles are fitted with GPS during physical verification, GPS data of one vehicle was not found in consonance with field condition.
- g) It was observed that around 1500 Kg untreated biomedical waste (including yellow, red, white & blue category) was stored.
- h) Mechanical feeding system was not functional during the inspection as required under CPCB guidelines.
- i) Proper drainage system for collection of floor washing of storage room, incinerator room and shredder area, to ETP was not provided.

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 BMW notified under the Environment (Protection) Act, 1986; and

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

- (i) Show-cause within 15 days of issuance of this direction why the unit be not closed for repeated gross violations to the provisions of BMW Rules, 2016 including non-compliance to prescribed standards.
- (ii) Deposit Environmental Compensation Charges of ₹ 30,81,250/- as per CPCB direction dated 10.08.2021 immediately.
- (iii) Take corrective measures with regard to observations as mentioned above at (a) to (i) immediately and to submit the action taken report along with supporting documents & photographs within 15 days from the issue of this direction.

In case the Unit is found non-complying with above directions, CPCB will be constrained to take actions against CBWTF namely M/s Indo Water Management & Pollution Control Corporation, Satna, Madhya Pradesh, as deemed fit under the Environment (Protection) Act, 1986.


(Tanmay Kumar)
Chairman



-4-

Copy for information to:

1. The Additional Secretary,
HSM Division,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003 : For kind information
2. The Member Secretary
Madhya Pradesh Pollution Control Board
Paryavaran Parisar, Sector E-5,
Arera Colony, Bhopal – 462 016 : With a request to arrange for diverting
the biomedical waste generated from
member HCFs of the Unit to M/s Chitra
Kiran waste Management pvt. Ltd.,
Rewa, in case of closure of the Unit
3. The Regional Director,
The Regional Directorate
Central Pollution Control Board
Paryavaran Parisar, Sector E-5,
Arera Colony, Bhopal – 462 016 : 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 Sharma)