By Registered Post

F. No. B-31011/BMW (15544)/2023/WMD-I/291 April 07,2025

To,

M/s Global Environmental Solutions,
Village Lambakhera, P.O Khanpur, Gadarpur, Rudrapur Road,
Udham Singh Nagar, Uttarakhand -- 263153

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986– FOR NON-COMPLIANCE TO BIOMEDICAL WASTE MANAGEMENT RULES, 2016.

WHEREAS the Central Government has notified the Bio-Medical Waste Management Rules, 2016 and amendments thereof (BMWM Rules, 2016) in supersession 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 BMWM 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 BMWM Rules, 2016, the bio-medical waste is required to be treated and disposed of in accordance with Schedule I and in compliance with the standards prescribed in Schedule II of the BMWM Rules, 2016; and

WHEREAS Rule 14 (1) of BMWM 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 CBWTF namely M/s Global Environmental Solutions, Village Lambakhera, P.O Khanpur, Rudrapur Road, Udham Singh Nagar, Uttarakhand (the Unit) was inspected by Central Pollution Control Board (CPCB) on 12.09.2023. Based on non-compliances observed during inspection, CPCB issued Show Cause Notice under section 5 of Environment (Protection) Act, 1986, against the Unit vide letter dated 18.12.2023 for violation of provisions of BMWM Rules, 2016 and directed to take corrective measures, submit the time bound action

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taken report and explain why Environmental Compensation Charges should not be imposed for violation of provisions of BMWM Rules, 2016; and

WHEREAS in response to the aforesaid Show Cause Notice, the Unit submitted its reply vide letter dated 17.01.2024 and claimed compliance. Accordingly, CPCB re-inspected the Unit on 07.01.2025 to verify compliance claimed by the Unit wherein following non-compliances were observed:

i. Temperature of primary and secondary combustion chamber of incinerator was observed as 541°C and 891°C, respectively which is less than minimum required temperature of 800°C and 1050±50°C, respectively prescribed under BMWM Rules, 2016.
ii. The Unit has applied for renewal of Consent and Authorisation. However, during the visit, the Unit was operational without having valid Consent and authorization from Uttarakhand Pollution Control Board.
iii. Validation test, routine test and spore test were not conducted by the Unit to check efficacy of autoclave as required under BMW Rules,2016.
iv. It was observed that the autoclave was not equipped with graphic or computer recording devices for automatic and continuously monitoring of operational parameter as required under BMWM Rules, 2016.
iv. The Unit was not maintaining records of treatment and disposal of biomedical waste as per CPCB guidelines.
v. OCEMS is installed and connected with CPCB server. However, the Unit is showing offline since 07.03.2025.
vi. Shredder was not fitted with separate energy meter for recording of total energy consumed during operation.
vii. Operator of the Unit has not provided any information regarding treatment and disposal of blue category biomedical waste.
viii. Vehicle used for collection of biomedical waste was not labelled with Bio Hazard as required under BMWM Rules, 2016.

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 Charges for above mentioned non-compliance at S.No. (i) is calculated as ₹14,52,000/- (From date of inspection i.e. 12.09.2023 to till last date of inspection i.e. 07.01.2025).

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

1. Take corrective measures immediately to ensure compliance to the aforementioned non-compliances at S. No. (i) to (viii) and submit time bound action taken report along with relevant documentary proofs & photographs within 15 days on issuance of this direction; and

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2. Deposit Environmental Compensation Charges of ₹14,52,000/- (From date of inspection i.e. 12.09.2023 to till last date of inspection i.e. 07.01.2025) in CPCB account No. 532702050000164 IFSC code UBIN0553271, I.P. Extension Branch within 15 days on receipt of this direction.

3. Show-cause within 15 days of issuance of this direction that why Environmental Compensation@₹3000/- per day shall not further be imposed for continued violation from 08.01.2025 till submission of proof of compliance with respect to non-compliances mentioned at S. No. (i).

In case the Unit fails to comply with above directions, CPCB will be constrained to initiate action against M/s Global Environmental Solutions, Village Lambakhera, P.O Khanpur, Gadarpur, Rudrapur Road, Udham Singh Nagar, Uttarakhand, under the provisions of Environment (Protection) Act, 1986.

(Amandeep Garg)
Chairman

Copy for information to:

1	The Additional Secretary, HSM Division, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, New Delhi – 110003	: For kind information, please.
2	The Member Secretary Uttarakhand Pollution Control Board, Gaura Devi Bhawan, 46 B IT Park, Sahastradhara, Dehradun, Uttarakhand.	: For kind information, please.
3	The Regional Director The Regional Directorate Central Pollution Control Board Building No. TC-12V, Vibhuti Khand, Gomti Nagar, Lucknow-226 010	: For kind information
4	I/c IT Division	: For kind information and necessary action
5	I/c Accounts Division	: For kind information and necessary action

(Bharat Kumar Sharma)
Member Secretary

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