By Registered Post

F. No. B-31011/BMW (17308)/2023/WMD-I/27 27 March ,2025

To,

M/s Medical Pollution Control Committee,
Plot No. G-2,3,4, Growth Centre UPSIDC, Bijauli,
Jhansi District, Uttar Pradesh - 284135

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 (Hon'ble NGT), 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 NGT 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 Medical Pollution Control Committee, Plot No. G-2,3,4, Growth Centre UPSIDC, Bijauli, Jhansi District, Uttar Pradesh (the Unit) was inspected by Central Pollution Control Board (CPCB) on 21.12.2023 and based on non-compliances observed during inspection, CPCB issued Show Cause Notice dated 02.05.2024

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under section 5 of Environment (Protection) act, 1986 to the Unit for violation of provisions under BMWM Rules, 2016. In the said Show Cause Notice, the Unit was directed to take corrective measures immediately, submit the action taken report within 15 days from the issue of this direction along with supporting documents & photographs 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 15.05.2024 claiming compliance to the aforesaid direction. Accordingly, CPCB re-inspected the unit on 04.10.2024 for verification of compliance claimed by the Unit wherein following non-compliances were observed;

i. As per analysis result of stack emission monitoring, concentration of Particulate Matter (2569 mg/Nm^3) found exceeding standards of Particulate Matter (50 mg/Nm^3) prescribed under BMWM Rules, 2016.
ii. Temperature of Primary Combustion Chamber and Secondary Combustion Chamber of incinerator was observed as 449°C and 693°C, respectively, which is less than the prescribed temperature of 800°C and 1050±50°C, respectively, notified under BMWM Rules, 2016.
iii. As per Analysis result of treated effluent of Effluent Treatment Plant, pH (12.1) exceeds the standards for pH (6.5-9) prescribed under BMWM Rules, 2016.
iv. Strip test and validation test for autoclave to check efficacy of autoclave was not conducted by the Unit as required under BMWM Rules, 2016.
v. The autoclave was not equipped with facility for recording operational parameters to monitor and record dates, time of day, load identification number and operating parameter.
vi. Housekeeping and sanitation of the unit was not satisfactory.
vii. The Unit has not provided display board in the main gate regarding Hazardous Waste generation.
viii. Log book for operation of incinerator, shredder and autoclave was not maintained properly.
ix. Online Continuous Emission Monitoring System (OCEMS) has been installed by the Unit but not connected to CPCB server.
x. The Unit has not provided adequate stack height for DG set of capacity 62.5 KVA operated by the Unit.

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-compliances at S. No. i) to iii) has been assessed as ₹ 8,67,000/- (From date of inspection i.e. 21.12.2023 to last date of inspection i.e. 04.10.2024); 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;

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

2. Deposit Environmental Compensation Charges of ₹ 8,67,000/- (from date of first inpsection i.e. 21.12.2023 to date of recent inspection i.e.04.10.2024) 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 05.10.2024 till submission of proof of compliance with respect to non-compliances mentioned at S. No. (i) to (iii).

In case the Unit fails to comply with above directions, CPCB will be constrained to initiate action against M/s Medical Pollution Control Committee, Bijauli, Jhansi District, Uttar Pradesh, 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 - 110 003	:	For kind information, please.
2	The Member Secretary, Uttar Pradesh Pollution Control Board, Building No. TC-12V Vibhuti Khand, Gomti Nagar, Lucknow-226	:	For kind information and follow-up, 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 and follow-up, please
4	I/c IT Division	:	For information and necessary action, please.
5	I/c Accounts Division	:	For information and necessary action, please.

(Bharat Kumar Sharma)
Member Secretary