By Registered Post

F. No. B-31011/BMW (17149)/2024/WMD-I/10374 March 27, 2025

To,

M/s Medicare Environment Management Private limited,
Opps Central Jail, Tajpur Road,
Ludhiana -141010, Punjab

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 – FOR COMPLIANCE TO BIOMEDICAL WASTE MANAGEMENT RULES, 2016 AND IMPOSITION OF ENVIRONMENTAL COMPENSATION CHARGES (ECC)

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

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WHEREAS the CBWTF namely M/s Medicare Environment Management Private limited, Tajpur Road, Ludhiana, Punjab (the Unit) was inspected by Central Pollution Control Board (CPCB) on 17.01.2024 and based on non-compliances observed during inspection, CPCB issued Show Cause Notice under section 5 of Environment (Protection) Act, 1986 on 06.06.2024 to the Unit directing to take corrective measures and submit the action taken report within 15 days from the issue of the direction along with supporting documents and photograph and Show Cause why Environmental Compensation Charges of ₹ 3,000/- per day 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 letters dated 24.06.2024 & 16.08.2024 and claimed compliance. Meanwhile, the Unit was re-inspected by CPCB on 31.07.2024 wherein following non-compliance were observed;

i. As per analysis results of treated effluent from Effluent Treatment Plant (ETP), SS (119 mg/l), BOD (481mg/l) and COD (894 mg/l) found exceeding standards of SS (100 mg/l), BOD (30 mg/l) and COD (250 mg/l) respectively, prescribed under BMWM Rules, 2016.

ii. Dedicated marked separate space was not provided by operator for storage of blue and red category of bio-medical waste as untreated waste was stored in the open area beneath the in-house shed.

iii. Stack monitoring platform and ladder was not provided by the Unit as per CPCB guidelines.

iv. Chemical disinfection for blue category of waste was not carried out as stipulated in BMWM Rules, 2016 & CPCB guidelines.

v. Floating empty glass vials, syringes, and plastic were found in the treated water tank of ETP.

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 v) is calculated as ₹ 5,91,000/- (from date of inspection i.e 17.01.2024 to till 31.07.2024); 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:

1. Augment the Effluent Treatment Plant so that effluent discharge should meet standards for liquid waste prescribed under BMWM Rules, 2016.
2. Provide dedicated separate space for storage of untreated waste and ensure timely treatment and disposal of biomedical waste;
3. Provide stack monitoring platform as per CPCB guidelines;
4. Ensure chemical disinfection for blue category of waste as stipulated in BMWM Rules, 2016 & CPCB guidelines and then be sent to recycler.

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5. Submit the time bound action taken report on above action points at S. No. 1) to 4) within 15 days from the issue of this direction along with supporting documents & photographs; and
6. Deposit Environmental Compensation Charges (ECC) of ₹ 5,91,000/- (from date of first inspection i.e 17.01.2024 to date of recent inspection i.e. 31.07.2024) in CPCB account No. 532702050000164 IFSC code UBIN0553271, I.P. Extension Branch within 15 days on receipt of this direction.
7. Show Cause within 15 days of issuance of this direction that why ECC@ Rs. 3000/- per day shall not be imposed for continued violation from 01.08.2024 till submission of proof of compliance with respect to non –compliances mentioned above at S. No. 1) to 6).

In case the Unit fails to comply with above directions, CPCB will be constrained to initiate action against CBWTF namely M/s Medicare Environment Management Private limited, Tajpur Road, Ludhiana, Punjab, under the provisions of the 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
2. The Member Secretary Punjab Pollution Control Board Vatavaran Bhawan, Nabha Road Patiala – 147 001, Punjab : For kind information
3. The Regional Director, The Regional Directorate Central Pollution Control Board Telephone Exchange, Sector- 49 Chandigarh- 160047 : 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