

By Registered Post

F. No. B-31011/BMW (47.57)/2022/WMD-I 13687

February 16, 2022

To,

M/s Medanta Awadh, Multispecialty Hospital,
Sector- A, Pocket- 1, Sushant Golf City,
Amar Shaheed Path, Lucknow,
Uttar Pradesh – 226030.

DIRECTION UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986 (NOTICE THEREOF)

WHEREAS the Central Government has notified the Bio-Medical Waste Management Rules, 2016 and amendments thereof (herein after referred as BMW Rules) 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 4 of BMW Rules, 2016 stipulated duties of the occupier of Health Care Facility (HCF); and

WHEREAS as per Rule 7 (1) of BMW Rules, "bio-medical waste shall be treated and disposed of in accordance with Schedule I and in compliance with the standards prescribed in Schedule II of the BMW Rules, 2016"; 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 Central Pollution Control Board (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 states that scale of compensation must be deterrent, rendering violation of Rules to be non-profitable and which should be adequate to remedy the situation"; and

WHEREAS in pursuant to order dated 12.03.2019 passed by Hon'ble National Green Tribunal, in the matter of O.A. No. 710 of 2017, CPCB has prepared Guidelines for "Imposition of Environmental Compensation Charges (ECC) against Healthcare Facilities (HCFs) and Common Biomedical Waste Treatment Facilities (CBWTFs)"; and

WHEREAS the Healthcare Facility (HCF) namely M/s Medanta Hospital (formerly known as M/s Medanta Awadh Multi Super Specialty Hospital), Sector- A, Pocket- 1, Sushant Golf City, Amar Shaheed Path, Lucknow, Uttar Pradesh - 226030 (the Unit) was inspected by Central Pollution Control Board (CPCB) on 24.02.2021 for verification of compliance to BMW Rules, 2016, wherein following discrepancies were found; (i) Improper segregation of biomedical waste; and (ii) following parameters were found exceeding the prescribed norms as per BMW Rules: BOD (70 mg/l against standard of 30 mg/l), COD (272 mg/l against standard of 250 mg/l) and O & G (47 mg/l against standard of 10 mg/l); and

WHEREAS the HCF was re- inspected by CPCB on 30.12.2021 to verify the status of compliance to BMW Rules, 2016 and following discrepancies were observed:

- i. Non-compliance to treated effluent standard w.r.t. BOD as 93.7 mg/l (against standard of 30 mg/l);
- ii. Provision for mercury waste management is not provided in the hospital;
- iii. No authorisation under Hazardous & Other Waste (Management & Transboundary Movement) Rules, 2016 for handling hazardous waste such as waste oil and ETP sludge; and
- iv. Poor Housekeeping of ETP.

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Now therefore, in exercise of the powers vested under Section 5 of the Environment (Protection) Act, 1986, the Unit is hereby directed to Show Cause why Environment compensation of ₹ Rs 1,16,05,000/- (Rs One Crore Sixteen Lac Five Thousand only) should not be imposed against M/s Medanta Hospital (formerly known as M/s Medanta Awadh Multi Super Specialty Hospital), Sector- A, Pocket- 1, Sushant Golf City, Amar Shaheed Path, Lucknow, Uttar Pradesh – 226030 for violating provisions under BMW Rules, 2016, thereby causing damage to environment.

You are hereby given an opportunity to submit reply within 15 days from issuance of this notice, failing which CPCB will be constrained to take action against M/s Medanta Awadh, Multispecialty Hospital, Sector- A, Pocket- 1, Sushant Golf City, Amar Shaheed Path, Lucknow, Uttar Pradesh as deemed fit under the Environment (Protection) Act, 1986.


(Tanmay Kumar)
Chairman

Copy to:

1. The Additional Secretary, HSM Division
Ministry of Environment, Forest & Climate Change
Indira Paryavaran Bhawan,
Jorbagh Road, New Delhi - 110 003
2. The Member Secretary : For kind information and follow-up
Uttar Pradesh Pollution Control Board
Building No TC-12V
Vibhuti Khand, Gomti Nagar
Lucknow – 226 010, Uttar Pradesh
3. The Regional Director : For kind information and follow-up
Central Pollution Control Board,
Ground Floor, PICUP Bhawan
Vibhuti Khand, Gomti Nagar
Lucknow - 226 010
4. ✓ DH, IT Division : For information and necessary
action
- 5 DH, Accounts Division : For information & for further
necessary action


(Prashant Gargava)
Member Secretary

