

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO 1015/2018

VETERANS FORUM FOR TRANSPARENCY IN PUBLIC LIFE  
.....APPLICANT(S)

VERSUS

DELHI POLLUTION CONTROL COMMITTEE & ORS.

.....RESPONDENT(S)

**NDOH:-18-11-2019**

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(Ajeeta Dayal Agrawal)  
Sr. Env. Engineer  
DPCC

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**COMPLIANCE REPORT FILED FOR AND ON BEHALF OF DPCC  
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ORDER DATED 21-08-19.**

A. Hon'ble NGT in its order dated 21/08/2019 in O. A. no. 1015 of 2018 in the matter of Veterans Forum for Transparency in public Life directed as follows:

*"...let UPSPCB and DPCC file further compliance reports in the matter giving exhaustive statistics of the HCFs operating in the States, Common Biomedical Waste Treatment Facilities (CBWTFs) functioning in the States and action taken against non-compliant HCFs and CBWTFs.."*

**B. Health Care Facilities operating in Delhi**

Following steps were taken by DPCC for identifying the health care facilities (HCFs) operating in Delhi without authorization from DPCC and to subsequently cover them under the ambit of Bio-medical Waste Management Rules, 2016.

1.0 DPCC has conducted survey of health care facilities operating in Delhi through both Common Bio-medical Waste Treatment Facilities operating in Delhi for the purpose of identifying the health care facilities operating in Delhi.

- 2.0 In addition to the above the following additional steps were taken by DPCC:
- 2.1 The list of registered HCFs with DHS was scrutinized and the data was tallied with the data of HCFs registered in DPCC.
- 2.2 Public Notices have been issued in Newspapers for all HCFs to apply for authorization under the Bio-Medical Waste Management, Rules, 2016.
- 2.3 DPCC has organized 22 Camps since May, 2019 for enabling the HCFs to apply on-line for Authorization en-mass.
- 2.4 As on 31.10.19, 9768 HCFs have applied for authorization in DPCC. Out of this around 4500 applications have been received since May19.
- 2.5 In order to ensure inclusion of all the small clinics, letters have been issued to various associations of HCF i.e. DMA, IMA, Delhi Dental Association etc and to both CBWTFs to certify that all the health care facilities, if any, operated/ run by their members have applied for authorization in DPCC.
- 2.6 Letters have also been issued to Directorate of Health Services, GNCTD; Husbandry Department, GNCTD, MCD and CDMOs to certify that all the health care facilities under their areas of jurisdiction have applied for authorization under BMWM Rules, 2016 in DPCC
- 2.7 Through the above efforts, all the health care facilities through known sources have been covered under the BMWM Rules, 2016.
- 2.8 At present, more than 99% applications received in DPCC for authorization are from small clinics/ diagnostic labs/consultants. Efforts are still going on to include small clinics in the ambit of DPCC.

2.9 The total biomedical waste generation in Delhi is 26.76 MT/day as on 31<sup>st</sup> December, 2018.

3.0 In Delhi, at present, there are:

- 71 HCFs = having bed strength of 200 and above
- 109 HCFs = having bed strength between 50 to 200
- 2000 HCF (approx.) = having bed strength up to 50 beds
- 7600 HCF (approx.)= non-bedded facilities i.e. small clinics/ diagnostic centres

**C. Authorization to health care facilities**

1,0 Since July, 2019 DPCC has processed about 3800 applications for authorization under BMW Rules. Out of these more than 98% are non-bedded facilities. 3318 authorizations have been granted.

2,0 This is a substantial increase from 4288 authorizations granted to health care facilities since 1998 (when the first BMW Rules were enacted) till April, 2019. In all, DPCC has granted/ processed more than 8000 applications for authorization under BMW Rules

3.0 Looking at the quantum of work in comparison to the staff position, full efforts are on to dispose of the pending applications at the earliest.

D. Apart from above health care facilities, Delhi has two Common Biomedical Waste Treatment Facilities (CBWTFs) operating in Delhi which cover the entire area and all known HCFs operating in Delhi. The total biomedical waste generation in Delhi is 26.76 MT/day. Both CBWTFs have adequate capacity to handle the entire bio-medical waste being generated in NCT of Delhi. The details of the CBWTFs operating in Delhi are as follows:

a) M/s Biotic Waste Solutions Pvt. Ltd., 46 , SSI Industrial Area,  
G.T.Karnal Road, New Delhi - 110033

b) M/s SMS Water Grace BMW Pvt. Ltd,  
Nilothi Sewage Treatment Plant Complex of DJB,  
Nilothi, New Delhi - 110041

**E. Monitoring of compliance in health care facilities and CBWTFs**

- 1.0 At present, there are 11 District Level Monitoring Committees (DLMC) formed under the chairmanship of concerned District Magistrates and consisting of officials from various departments, including DPCC, which conduct regular inspections.
- 2.0 Apart from the above, inspections are also undertaken by DPCC as per the decisions taken by the competent authority.
- 3.0 Common Bio-medical Waste Management facilities are being inspected by DPCC jointly with CPCB and an external expert, at least once in six months alongwith third party audits.
- 4.0 Actions are initiated against the Health Care Facilities found violating the provisions of Biomedical Waste Management Rules, 2016.
- 5.0 Since June, 2019 DPCC has started levying Environmental Damage Compensation (EDC) on the defaulters as per the formula developed by CPCB and approved by Hon'ble NGT on major provisions under the Rules such as:
  - a) Not having authorization under the Rules
  - b) No arrangement with CBWTF for disposal of biomedical waste
  - c) Improper segregation of generated biomedical waste as per color coded system prescribed under the Rules, 2016

- d) No facility for pre-treatment of Yellow (h) category waste (microbiology, biotechnology and other clinical laboratory waste)
- e) Storage facility not provided for segregated biomedical waste {applicable for bedded hospitals}
- f) Not provided effluent Treatment Plant for treatment of wastewater, where applicable,

5.1 Since 1<sup>st</sup> January, 2019, 257 no. of health care facilities have been inspected by DPCC.

5.2 Show cause notices have been issued to 3576 number of health care facilities.

5.3 Direction for closure have been issued to 719 number of health care facilities which were found to be violators under the provisions of the Bio-medical Waste Management Rules, 2016.

5.4 Till date Rs. 2,43,62,700 (Rupees two crore forty three lakh sixty two thousand seven hundred only) have been levied as Environmental Damage Compensation (EDC) based on the formula developed by CPCB.

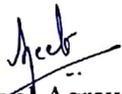
5.5 Out of the above levied EDC amount, Rs. 71,63,300/- (Rupees seventy one lakh sixty three thousand three hundred only) has been received in DPCC. Further, the remaining amount of EDC shall be recovered through post dated cheques.

5.6 Both the CBWTFs operating in Delhi were inspected on 10<sup>th</sup> and 11<sup>th</sup> October, 2019. During this inspection, the stack monitoring of both the CBWTFs was also carried out. Further action is under way.

6.0 Annual Report for the calendar year 2018 has been submitted to CPCB on 26.06.2019.

The compliance report may kindly be taken on record in compliance of the order of the Hon'ble Tribunal passed vide dated 21/08/2019, in the interest of justice. The DPCC is bound with the orders of the Hon'ble Tribunal and always abide the same.

Dated :-

  
(Ajeeta Dayal Agrawal)  
Sr. Env. Engineer,  
DPCC