

BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA —

Appeal NO. /2024/EZ

IN THE MATTER OF: -

M/s S. R. Solution

...APPELLANT

VERSUS

The State Environment Impact Assessment Authority & Ors.

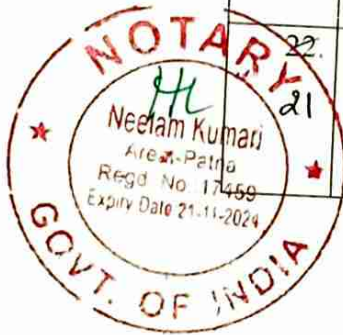
...RESPONDENTS

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BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA

Appeal NO. /2024/EZ

(Under Section 18 read with section 16 of the National Green
Tribunal Act, 2010.)

M/s S. R. Solution

...Appellant

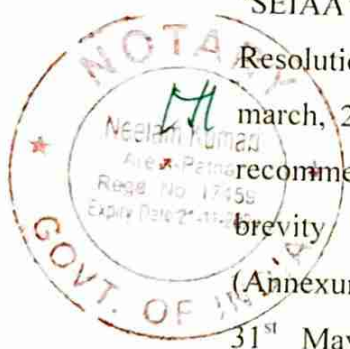
—Versus—

The State Environment Impact Assessment Authority & Ors.

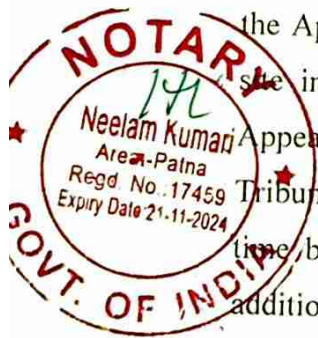
...Respondents

SYNOPSIS

The present appeal is being filed under Section 16 read with section 18 of the National Green Tribunal Act, 2010 by the appellant. The present appeal is a civil case, where a substantial question relating to environment is involved, which arises out of implementation of statutes relating to environment, more particularly mentioned in Schedule-I of the National Green Tribunal Act, 2010. The present case also arises out of the order dated 13th March, 2024 by State Environment Impact Assessment Authority, Bihar (for brevity 'SEIAA') (Annexure- A-¹⁷~~14~~) passed in consequence of its Resolution in 52nd Minutes of Meeting (MoM) of SEIAA dated 06th march, 2024 (Annexure- A-¹⁶~~13~~), which per se was based on the recommendation of State Level Expert Appraisal Committee (for brevity 'SEAC') vide its (MoM) dated 27th February 2024 (Annexure A-11), whereby the proposal of the Appellant Unit dated 31st May, 2022 (Annexure A-1) for grant of Environmental Clearance (EC) for establishment of Common Bio-Medical Waste Treatment Facility (for brevity 'CBWTF') at Patna, Bihar has been refused/rejected. The Appellant is a Sole Proprietorship and had presented an application dated 31st May, 2022 to the SEIAA for grant of EC for the establishment of CBWTF in Patna in the light of clause 8(b) of the Revised Guidelines for Common Bio-Medical Waste Treatment and Disposal Facilities, 2016 (hereinafter 'the Guidelines') which provide that a new CBWTF may be allowed in case the number of hospital beds exceeds 10,000 in an area. The



Appellant's application was duly considered by SEIAA and in consonance with the Environment Impact Assessment (EIA) notification vide S.O. 1533 (E) dated 14th September, 2006 for constitution of SEIAA, the Appellant completed the stage of Screening (stage 1) and Scoping (stage 2) and consequently was granted Terms of Reference (ToR) and completed the penultimate stage of Public Consultation on 21st December, 2022 (stage 3) However, all of a sudden the Bihar State Pollution Control Board (hereinafter 'the Board') invited tenders for establishment of CBWTF on 22nd December, 2022. The respondents, despite floating the tender, contemporaneously pursued the Appellant's application and forwarded the report of Public Hearing to the District Authorities on 04th January, 2023 (Annexure A- ¹⁰112) thus giving legitimate expectation to the appellant that his proposal is under active consideration despite the floating of tender but thereafter, the application was shunted by keeping it under abeyance for more than a year and ultimately after sitting over it for another year, rejected the same on the ground that tender process was under way. It is pertinent to point out that clause 2 (e) of the Guidelines provides that Expression of Interest (EoI) may be sought from those to whom land has been provided by the concerned department in the business allocation of land assignment however, in the instant case the Appellant Unit was providing its own private land as proposed in which case there is no requirement of EoI. The present Appeal, further, is being filed seeking directions from this Hon'ble Tribunal to the respondents to grant EC to the Appellant Unit in the time bound manner as provided under the EIA notification. It is additionally prayed that the respondent authorities be restrained from carrying out the tender process and/ or award tender to any other unit as the same is in contravention of the Guidelines, till disposal of the present appeal.

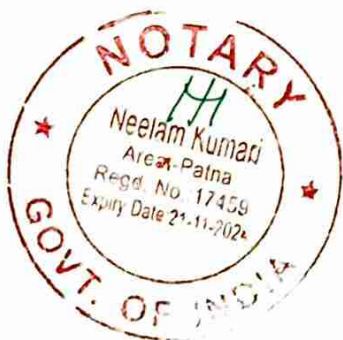


By the way of this application the appellant seeks intervention of this Hon'ble Tribunal and prays before the Hon'ble Tribunal as follows:

- a) To cancel and/or quash and/or set aside the impugned order dated 13th March, 2024 by SEIAA (Annexure- A-17-14), passed in consequence of its Resolution in 52nd

MoM dated 06th march, 2024 (Annexure- A- ¹⁶~~13~~) which per se was based on the recommendation of SEAC vides its MoM dated 27th February 2024 (Annexure A-11), whereby the proposal of the Appellant Unit dated 31st May, 2022 (Annexure A-1) for grant of Environmental Clearance (EC) for establishment of CBWTF at Patna has been rejected.

- b) To cancel and/or quash and/or set aside the Resolution in 52nd MoM of SEAA dated 06th march, 2024 (Annexure- A- 13), whereby recommendation has been made to reject the application of the Appellant for grant of Environmental Clearance (EC) for establishment of CBWTF.
- c) To cancel and/or quash and/or set aside, the recommendation of SEAC vides its MoM dated 27th February 2024, whereby the proposal of the Appellant Unit dated 31st May, 2022 (Annexure A-1) for grant of Environmental Clearance (EC) for establishment of CBWTF has been rejected.
- d) Direct the respondents to consider the application of the Appellant for grant of EC for establishment of CBWTF from the stage 4 of Appraisal;
- e) To Pass such further order or orders as this Hon'ble Tribunal may deem fit and proper.



BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA

Appeal NO./2024/EZ

(Under Section 18 read with section 16 of the National Green
Tribunal Act, 2010.)

M/s S. R. Solution

...Appellant

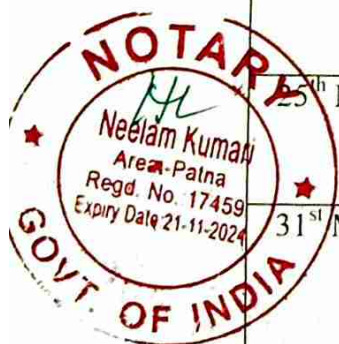
—VERSUS—

The State Environment Impact Assessment Authority & Ors.

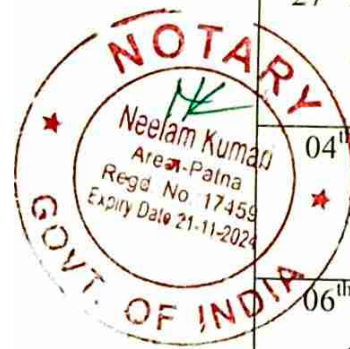
...Respondents

LIST OF DATES

<u>Dates</u>	<u>Particulars</u>
14 th September, 2006	<u>Environment Impact Assessment Notification</u>
2016	Revised Guidelines Common Bio-Medical Waste Treatment and Disposal Facilities, 2016.
07 th August, 2019	Application rejected by BSPCB on ground that CBWTF was to be established at other location.
24 th January, 2021	Review meeting was convened by the Chief Secretary on 24.11.2021 in respect of establishment of Common Bio-Medical Waste Treatment Facility
15 th March, 2022	Rejection of proposed site suggested by the Appellant for establishment of CBWTF.
25 th May 2022	Approval of second site suggested by the Appellant.
31 st May 2022	Application by Appellant in the prescribed format for grant of Environmental Clearance for establishment of CBWTF.
29 th July, 2022	Terms of Reference (ToR) alongwith additional conditions issued to the Appellant.



21 st December, 2022	Date fixed for Public Hearing
22 nd December, 2022	Date of first tender floated by Bihar State Pollution Control Board (for brevity 'BSPCB')
30 th December, 2022	Report and Minutes of the Public Hearing by the BSPCB,
04 th January, 2023	The report of Pubic Hearing forwarded by the Member Secretary, BSPCB to the District Authorities for necessary action.
30 th January, 2023	Final EIA report submitted by the Appellant.
27 th February 2023	SEAC keeps the proposal of the Appellant in abeyance till the completion of the tender process.
13 th July, 2023	Order passed CWJC 2031 of 2023 passed by Hon'ble Patna High Court noting that first tender 22 nd December 2022 has been cancelled by BSPCB
19 th July, 2023	Fresh tender was floated by the BSPCB.
28 th July, 2023	Order passed by Hon'ble Patna High Court in CWJC 10325 of 2023 staying the tender process with respect to Patna.
27 th February, 2024	SEAC recommends for rejection of the proposal of the Appellant for establishment of CBWTF.
04 th March, 2024	Representation filed by the Appellant.
06 th March, 2024	SEIAA recommends for rejection of the proposal of the Appellant for establishment of CBWTF on the basis of the recommendation of SEIAA.



VI

13 th March, 2024	Order of rejection of the application of the Appellant by SEIAA.
1 st April, 2024	Liberty granted by the Hon'ble Patna High Court to withdraw CWJC 14110 of 2023 to prefer Appeal before Hon'ble NGT, Kolkata against the order of rejection of the application.



BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN
ZONE BENCH, KOLKATA

Appeal NO./2024/EZ

IN THE MATTER OF: -

M/s S. R. Solution, a sole proprietorship bearing registration no. 2019/2039, represented through its proprietor namely Santosh Kumar Ojha, male, aged 47 years, S/o late Sri Kameshwar Ojha, having its registered office at House No. 384/549A, East Lane of N.S.C., Sheikpura, P.O.- B.V. College, Patna- 800014, Bihar; e-mail: santoshojha.bmw@gmail.com

... ..APPELLANT

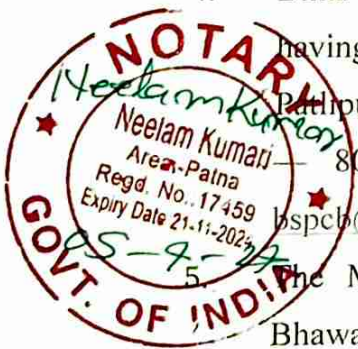
VERSUS

1. The State Environment Impact Assessment Authority, Bihar through its Chairman having its address at 2nd Floor, Beltron Bhawan, Shastri Nagar, Patna- 800023; e-mail id: seiaabihar@gmail.com;
2. The Chairman, State Environment Impact Assessment Authority, Bihar having its address at 2nd Floor, Beltron Bhawan, Shastri Nagar, Patna- 800023; e-mail id: seiaabihar@gmail.com;
3. The Member Secretary, State Environment Impact Assessment Authority, Bihar having its address at 2nd Floor, Beltron Bhawan, Shastri Nagar, Patna- 800023; Phone no.: ; e-mail id: seiaa.ms.br@gmail.com;
4. Bihar State Pollution Control Board, through its Chairman, having its address at Parivesh Bhawan, N.S.B — 2, Patliputra Industrial Area, P.O. — Sadakat Ashram, Patna — 800 010; Phone No. 0612- 2261709; e-mail id: msbspcb@yahoo.com; msbspcb-bih@gov.in; msbspcb-bih@gov.in; The Member Secretary, having its address at Parivesh Bhawan, N.S.B — 2, Patliputra Industrial Area, P.O. — Sadakat Ashram, Patna — 800 010; Phone No.: 0612- 2261250; Email id: msbspcb@yahoo.com; msbspcb-bih@gov.in;

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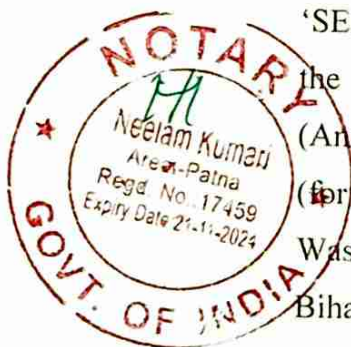
The humble petition on behalf of the Appellant above named.

MOST RESPECTFULLY SHEWETH:-

1. That the Appellant is a registered Sole Proprietorship and its Proprietor is a law-abiding citizen of India.
2. The address of the Appellant/Petitioner is given in the cause title above. The addresses of the respondents are also given in the cause title/memo of parties above.

BRIEF FACTS OF THE CASE:

1. The present appeal is being filed under Section 18 read with Section 16 (i) of the National Green Tribunal Act, 2010 (for brevity 'the NGT Act'). The present appeal is a civil case where a substantial question relating to environment is involved, which arises out of the implementation of statutes relating to environment, more particularly mentioned in Schedule-I of the National Green Tribunal Act, 2010.
2. The present matter arises out of the order dated 13th March, 2024 (Annexure- A-¹⁷4) passed in consequence of the Resolution in 52nd Minutes of Meeting (MoM) of State Environment Impact Assessment Authority, Bihar (for brevity 'SEIAA') dated 06th March, 2024 (Annexure- A-¹⁶3) whereby the application of the Appellant dated 31st May, 2022 (Annexure- A- 1) for grant of prior Environmental Clearance (for brevity 'EC') for establishment of Common Bio-Medical Waste Treatment Facility (for brevity 'CBWTF') at Patna, Bihar has been refused/rejected.
3. The respondent nos. 1 to 5 are authorities within the meaning of Article 12 of the Constitution of India and/or functionaries therein. The Appellant M/s S.R. Solution is having its registered office at House No. 384/549A, East Lane of N.S.C., Sheikpura, P.O.- B.V. College, Patna- 800014, Bihar (hereinafter 'the Appellant'). The Appellant is in the business of providing consultancy to healthcare facilities with respect



to various compliances pertaining to Bihar State Pollution Control Board (for brevity 'BSPCB') besides manufacturing and installation of Effluent Treatment Plants in bedded health care facilities for treatment and recycling of the effluents therein. Moreover, the Appellant has the experience of installing Rain Water Harvesting facilities as such.

4. The Appellant vide application dated 31st May, 2022 had made an application for grant of EC for establishment of CBWTF at Mauza- Ainio, Tehsil- Fatuha, District- Patna, Bihar bearing Khata no. -100, Plot No. 416 Khata, No, 133, Plot No. 415 and Khata No. 76, Plot no. 743 admeasuring 1.1 acres.

A photocopy of the application dated 31st May, 2022 is attached herewith and marked as Annexure:- A-1.

5. That with respect to EC it is stated that an Environment Impact Assessment (EIA) notification vide S.O. 1533 (E) dated 14th September, 2006 for constitution of SEIAA was issued by the Ministry of Environment, Forests and Climate Change (for brevity, 'MoEFCC') in exercise of powers under subsection (1) and clause (v) of sub-section (2) of Section 3 of the Environment (Protection) Act, 1986 (for short, 'the EP Act') read with clause (d) of sub-rule (3) of Rule 5 of the Environment (Protection) Rules, 1986 (for short, 'the EP Rules'). Clause 2 of the EIA notification is material, which reads thus:

"2. Requirements of prior Environmental Clearance (EC):-

The following projects or activities shall require prior environmental clearance from the concerned regulatory authority, which shall hereinafter referred to be as the Central Government in the Ministry of Environment and Forests for matters falling under Category 'A' in the Schedule and at State level the State Environment Impact Assessment Authority (SEIAA) for matters falling under Category 'B' in



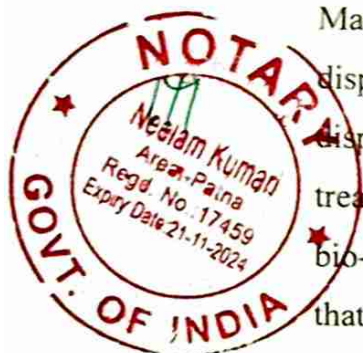
the said Schedule, before any construction work, or preparation of land by the project management except for securing the land, is started on the project or activity:

(i) All new projects or activities listed in the Schedule to this notification;

(ii) Expansion and modernization of existing projects or activities listed in the Schedule to this notification with addition of capacity beyond the limits specified for the concerned sector, that is, projects or activities which cross the threshold limits given in the Schedule, after expansion or modernization;

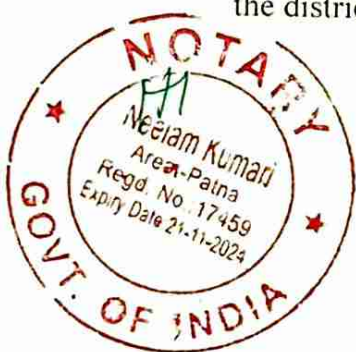
(iii) Any change in product - mix in an existing manufacturing unit included in Schedule beyond the specified range."

6. That the EIA notification provided that the projects falling under categories A and B set out in the Schedule to the notification will require prior Environmental Clearance (EC) from the concerned Regulatory Authority. The Regulatory Authorities for different projects have been named in clause (2) of the EIA notification. For the A category, the Central Government in the MoEFCC was named as the Regulatory Authority. For projects in the B category, SEIAA was named as the Regulatory Authority. Various procedural aspects regarding applying for the grant of EC, its processing, etc., have been incorporated in the EIA notification. There were subsequent modifications to the EIA notification, which may be produced, if and when required or found relevant.
7. That further, as regards Bio-Medical Waste Treatment Facility, according to rule 3(g) of the Bio-medical Waste Management Rules, 2016, "bio-medical waste treatment and disposal facility" means any facility wherein treatment, disposal of bio-medical waste or processes incidental to such treatment and disposal is carried out, and includes common bio-medical waste treatment facilities; and rule 3 (n) provides that "operator of a common bio-medical waste treatment facility" means a person who owns or controls a Common



Bio-medical Waste Treatment and Disposal Facility (CBWTF) for the collection, reception, storage, transport, treatment, disposal or any other form of handling of bio-medical waste.

8. That moreover, the Central Pollution Control Board (for brevity 'CPCB'), on 21st December, 2016, promulgated the Revised Guidelines for Common Bio-Medical Waste Treatment and Disposal Facilities, 2016 (hereinafter 'the Guidelines'), wherein clause 8 (a) provides that in a locality a CBWTF shall be allowed to cater health care units situated at a radial distance of 75 KM and clause 8 (b) provides that a new CBWTF may be allowed in case number of beds in health care facilities exceed 10,000 in a locality. It is submitted that in contravention of the Guidelines, a single CBWTF situated at Baria, Patna caters to Bio-medical waste from 6 districts of Bihar and some other un-registered health care facilities. The said data is available on the website of Indira Gandhi Institute of Medical Science as available on 29th March, 2024. That moreover, vide NIT dated 22nd December, 2022 it is evident that the said single CBWTF situated in Patna caters to 45617 health care facility beds including 31477 beds in Patna. Thus, it is not in dispute that the district of Patna requires at least three more CBWTFs.



A photocopy of the NIT dated 22nd December, 2022 is attached herewith and marked as Annexure- A-2.

9. That it is submitted that clause 2 of the Guidelines provides for criteria for development of new CBWTF for a locality or region. A bare perusal of clause 2 (c), it will transpire that a suitable land for establishment of CBWTF is to be provided by the department in the business allocation of land in the identified coverage area for setting up of a CBWTF in consultation with prescribed authorities, other stake holders and in accordance with these Guidelines issued by CPCB

from time to time

10. That it is pertinent to point out here that clause 2 (d) specifically provides that alternatively, a CBWTF may also be allowed to be established on a land procured by an entrepreneur himself, in accordance with the location criteria suggested under these Guidelines.

11. That it is submitted that prior to 2017 only one CBWTF was operating in Patna and is functional till date. The other being under consideration on the application of one M/s Ramky Enviro Engineers Ltd., which was subsequently withdrawn by it. Thus, Patna had only one CBWTF against the requirement of at least three. The Appellant having long standing experience in the field of disposal of waste from health care facilities had submitted an application for establishment of CBWTF at Patna in 2017 itself after the withdrawal of application by M/s Ramky Enviro Engineers Ltd. However, the proposal was rejected by SEAC vide letter dated 06th July, 2018 in a very routine and mechanical manner, stating that the proposal was not found fit for consideration 'for the time being'. There was no proper rejection of the proposal even then and the same was not informed with reason. However, the said application was finally rejected by BSPCB by passing a non-speaking order dated 07th August, 2019 on a very different ground by merely stating therein that decision has been made to establish additional CBWTF at other places such as Koilwar and Madhepura despite the fact that even then city of Patna lacked prescribed numbers of CBWTF as per the Guidelines. However, it is pertinent to mention that till date, even after lapse of four years, no steps have been taken to establish CBWTF at Koilwar and Madhepura. The said fact clearly establishes that the respondents kept on glossing over the issue of lack of prescribed no. of CBWTFs and despite the fact that the Appellant was willing and eligible to establish CBWTF, it was restrained for wrong reasons.



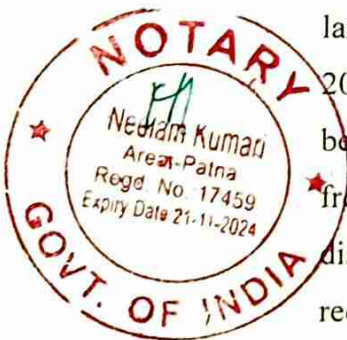
A true copy of the order dated

07th August, 2019 is attached herewith and marked as Annexure:- A- 3.

12. That the Appellant humbly submits that thereafter a review meeting was convened by the Chief Secretary, Government of Bihar on 24th November, 2021 in respect of establishment of CBWTF in which it was decided that an additional CBWTF be established in the District of Patna for which Expression of Interest (EoI) may be issued as per CPCB's Guidelines. Further, it was decided that if any private proponent is willing to establish CBWTF on his own private land, other than the earmarked plot, then option of the same may also be given. The said MoM is contained in memo no. 493, dated 24th January, 2021.

A photocopy of the minutes of the meeting dated 24th November, 2021 is attached herewith and marked as Annexure- A-4.

13. That the Appellant in the light of the clause 2(d) of the Guidelines and the decision taken in the meeting dated 24th November, 2021 (Annexure A- 4), approached the appropriate authority to establish CBWTF on its own private land. It is submitted that as per NIT dated 22nd December, 2022 (Annexure A-2) there exists 31477 health care facility beds in Patna alone and there is only one CBWTF, and apart from Patna it is catering to bio-medical waste of 6 other districts. Therefore, in the light of above there was requirement of at least 2 more CBWTF.



14. That Appellant's proposal was examined by BSPCB and on inspection of the proposed land, the same was not found suitable as per the siting criteria and as such was rejected and communicated vide letter dated 15th March, 2022. On having received the communication, the Appellant immediately proposed another plot of private land owned by him at

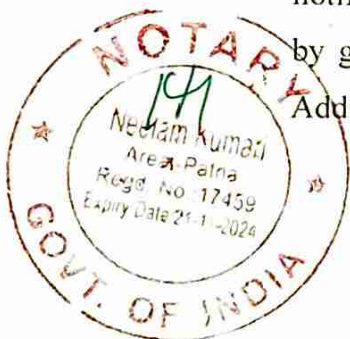
Mauza- Ainio, Tehsil- Fatuha, District- Patna, Bihar, bearing Khata no. -100, Plot No. 416 Khata No, 133, Plot No. 415 and Khata No. 76, Plot no. 743 admeasuring 1.1 acre. The respondent BSPCB inspected the same and vide letter dated 25th May 2022 conveyed to the Appellant that that the said plot is at the prescribed distance from the population.

A photocopy of the letter dated 15th March, 2022 and 25th May 2022 are attached herewith and marked as Annexure:- A- 5 and A- ~~5~~ 6 respectively.

15. That it is submitted that having complied with the requirements of siting criteria of maintaining buffer distance of 500 m. from residential and sensitive areas in light of the clause 6(b) of the Guidelines, the Appellant again, made the application dated 31st May, 2022 (Annexure:- A-1) to the Member Secretary, SEIAA for grant of EC vide submission of Form I and Pre-feasibility Report (PFR) for approval of Terms of Reference (ToR). The said PFR being voluminous is not being annexed herewith and the same may be produced, if and when required by this Hon'ble Tribunal.
16. That it is submitted that in the light of the above application, SEIAA, after completing Stage 1 of Screening as per the EIA notification, considered the Appellant for Stage 2 of Scoping by granting ToR vide letter dated 29th July, 2022 including Additional Conditions for undertaking EIA.

A photocopy of the ToR dated 29th July, 2022 is attached herewith and marked as Annexure:- A- ~~6~~ 7

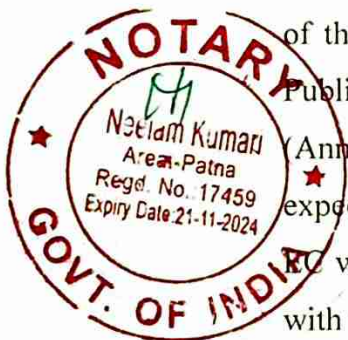
17. That in compliance with the ToR, the Appellant duly entered into Stage 3 of Public Consultation and conducted a Public Hearing on 21st December, 2022. A prior notice of the same was publicized in a local newspaper. The minutes of the Public Hearing were prepared by the respondent BSPCB on



30th December, 2022. The said minutes were sent to the Additional District Magistrate, Patna by the Member Secretary of the BSPCB vide letter dated 04th January, 2023, informing about the same and for taking necessary action.

True photocopies of the paper publication, minutes of Public Hearing dated 30th December, 2022 and attendance sheet and letter dated 04th January, 2023 are attached herewith and marked as Annexure:- A-^{7,8}~~7~~, A-⁹~~11~~ and A-¹⁰~~12~~ respectively.

18. That it is submitted that while on one hand the Appellant, under legitimate expectation from the respondents, completed the Stage 3 of the Public Consultation for establishment of CBWTF and was just one stage away (Stage 4- Appraisal) from getting EC as per the EIA notification, the respondent BSPCB contemporaneously, to the Applicant's shock and dismay and in the most arbitrary manner, floated a tender inviting Expressions of interest (EoI) for the establishment of CBWTF on 22nd December, 2022 (Annexure A-2). As it transpires from the above, the Public Hearing was held on 21st December, 2022 and on the very next day respondent BSPCB floated a tender for the same project. And even after floating of the tender, the BSPCB informed the ADM, Patna of the Public Hearing vide letter dated 04th January, 2023 (Annexure- A-¹⁰~~12~~) for necessary action giving legitimate expectation to the Appellant that the application for grant of EC was still under active consideration and had nothing to do with the tender process.



19. That it is pertinent to state that in the midst of the application of the Appellant under active consideration, the tender process was initiated by the BSPCB on 22nd December, 2022. However, after award of tender, several interested parties approached the Hon'ble Patna High Court. Subsequently, the whole tender process was cancelled by the

BSPCB itself on 26th June 2023 and the same is evident from the order dated 13th July, 2023 passed in CWJC 2031 of 2023 passed by Hon'ble Patna High Court. Again, fresh tender was floated by the BSPCB on 19th July, 2023 and the same was stayed by the Hon'ble Patna High Court vide order dated 28th July, 2023 passed in CWJC 10325 of 2023 with respect to establishment of CBWTF at Patna and some other districts. The said writ petition is still pending.

True copies of the order dated 13th July, 2023 and 28th July, 2023 are attached herewith and marked as Annexure- 8/11 series.

20. That it is further submitted that all this while the respondents were contemporaneously considering the application of the Appellant and accepted the Final EIA report on 30th January, 2023 and the same is duly admitted by the respondents. The Final EIA report, being voluminous, is not being attached herewith and may be produced if and when required by this Hon'ble Tribunal. However, SEAC Bihar vide its 18th MoM dated 27th February, 2023, has in the most cryptic manner and in contravention of the EIA notification decided to keep the application in abeyance. It is pertinent to point out that the SEAC report is the last and final stage, i.e. Stage 4 called Appraisal for grant of EC wherein it is mandated to grant categorical recommendation to the regulatory authority for grant or rejection of EC and that too within 60 days of the receipt of the Final EIA report. The relevant para is being reproduced herewith:-



7 (i)IV(iii) "The appraisal of an application be shall be completed by the Expert Appraisal Committee or State Level Expert Appraisal Committee concerned within sixty days of the receipt of the final Environment Impact Assessment report and other documents or the receipt of Form 1 and Form 1 A, where public consultation is not necessary and the recommendations of the Expert Appraisal Committee or State Level Expert Appraisal

Committee shall be placed before the competent authority for a final decision within the next fifteen days .The prescribed procedure for appraisal is given in Appendix V ;”

A photocopy of the MoM dated 27th February, 2023 are attached herewith and marked as Annexure A-~~8~~.12

21. That it is submitted that thereafter, the application was arbitrarily kept in abeyance beyond the stipulated period as mandated in the EIA notification, thus forcing the Applicant to approach Hon’ble Patna High Court vide writ petition bearing CWJC no. 14110 of 2023 with prayer to direct the respondents to dispose of the application of the Applicant for grant of EC. In the meantime, the respondents rejected the Application of the Appellant vide order dated 13th March, 2024. Thus, since the Appellant’s writ petition was now infructuous, therefore, the same was withdrawn with liberty to file an Appeal before the Hon’ble National Green Tribunal at Kolkata

A photocopy of the order dated 1st April, 2024 is attached herewith and marked as Annexure:- A-~~10~~.13

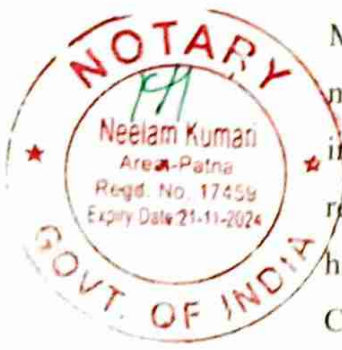
22. That it is submitted that after unlawfully and arbitrarily keeping the application of the Appellant in abeyance for one year, SEAC, recommended for rejection of the same vide 35th MoM dated 27th February, 2024 in complete violation of the EIA notification. A bare perusal of the considerations upon which the recommendation of rejection has been made, appear to be manufactured for the sake of concocting a case against the Appellant. Pertinently, the recommendation for rejection is based on the Counter Affidavit filed by the respondent Board and a letter received from it dated 24th January, 2024, wherein it has been stated that the Additional Conditions 2 and 3 have not been complied with by the Appellant. The additional condition 2 is that the proposed



project must fulfill the criteria of CPCB/BSPCB and other government authority. It is submitted that till date no such non-fulfillment of the criteria has been pointed out by the respondents and the same is hence denied. The additional condition 3 is that the ToR is subject to decision of the authorities. The above contention is wrong on the ground that the application of the Appellant was way past the stage of ToR, which is Stage 2 and was granted on 29th July, 2022 itself. After compliance with the ToR, the application was in Stage 3 – Public Consultation and the Public Hearing was duly conducted after paper publication and the report (Annexure A- ⁹11) of the same was prepared by the respondent Board and the Member Secretary forwarded the same to the ADM, Patna (Annexure A- ¹⁰12) to take appropriate action. Therefore, it is unacceptable, wrong and denied that the ToR was not complied with. The said contention is merely an afterthought to reject the Appellant's application with a purpose to benefit other parties. Moreover, the Appellant was never subjected to the said letter dated 24th January, 2024 by the respondent Board to SEAC thus, the same cannot be used against the Appellant to reject the application.

A photocopy of the minutes dated 27th February, 2024 is attached herewith and marked as Annexure A- ¹¹14

23. That it is further submitted that the contention of SEAC in the Minutes dated 27th February, 2024 (Annexure A- ¹⁴11) that no more CBWTF was required in Patna is wrong and denied as in the light of clause 8(b) of the Guidelines one CBWTF is required for 10,000 health care facility beds whereas, Patna has more than 31477/- beds alone. Still further, the single CBWTF at Patna is handling bio-medical waste from total 6 districts totaling 45617 health care facility beds (ref. NIT @ Annexure A-2). Thus, it is amply clear that the respondents were anyhow determined to reject the Appellants application arbitrarily, without any basis in law.



24. That moreover, it was further mentioned in the SEAC minutes of the meeting (Annexure A-¹⁴1) that there is stay on the tender process by the order of the Hon'ble Patna High Court, and as per the Guidelines, Expressions of Interest (EoI) was to be invited for establishment of CBWTF. The same is wrong and denied and it is reiterated that the above contention is manufactured as an afterthought, simply to find one way or the other to oust the Appellant to benefit others. A bare perusal of the said clause 2(e) of the Guidelines would make it amply clear that EoI seeking proponents/ applicants for establishing new CBWTF is to be done when the land is being allocated by the government department/ local authority. The same can also be deduced from the flow chart provided in the said Guidelines. However, clause 2(d) of the Guidelines, alternatively, provides for establishment of CBWTF on the land procured by private entrepreneur, but there is no requirement calling for EoI for seeking such proponents/applicants. Thus, it is clear from the Guidelines itself that the Appellant was not required to participate in the tender process more so when the Stage 3 of Public Hearing was duly completed.

25. That again, the contention that the application is being rejected because the Appellant did not participate in the tender process does not hold ground, is liable to be rejected as the respondents from their conduct itself made it appear that the Appellant's application was being considered despite there being a contemporaneous tender process as even after the issue of tender, the application was being considered and recommendation (Annexure A-¹⁰12) were being made by the respondents for appropriate action on the application. Thus, the Appellant was acting upon the promise/ actions of the respondent thus providing legitimate expectations that the Application was under active consideration. Still further, the contention of the respondents that the EC can be granted only to those who participate in the tender is wrong and denied in view of clause 2(d) of the Guidelines as on more than one



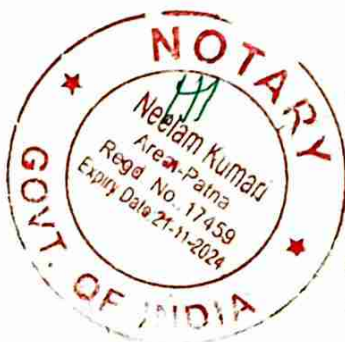
occasion in the recent past, after the promulgation of Guidelines of 2016, EC has been granted just on the basis of proposals and not via tender. M/s Sangam Mediverse Pvt Ltd. is one such entity which was granted EC vide letter dated 10th January, 2020 without undergoing the tender process. Therefore, in the light of the above, all the contentions of the respondents against granting of EC to the Appellant's stand nullified.

A photocopy of the letter dated 10th January, 2020 is attached herewith and marked as Annexure A- ~~12~~ 15

26. That subsequently, after keeping the Appellant's application pending for almost two years and in violation of the EIA notification, SEIAA vide 52nd MoM dated 06th March, 2024 resolved to reject the proposal of the Appellant in consideration of the SEAC MoM dated 27th February, 2024 (Annexure A- ~~11~~ 14). The said resolution made no note or consideration of the fact that the Appellant was acting under legitimate expectation for almost two years that the respondents were actively considering the application even after floating of tender and that it was never rejected all this while even when the tender process was under way.

A photocopy of the Minutes dated 06th March, 2024 is attached herewith and marked as Annexure A- ~~13~~ 16.

27. That the application of the Appellant seeking EC for establishment of CBWTF was finally rejected/ refused by SEIAA vide order dated 13th March, 2024 by a cryptic and non-speaking order after almost two years, in complete violation of the EIA notification, when only the last stage for grant of EC was pending and the Appellant had successfully completed all the stages and complied with ToR.

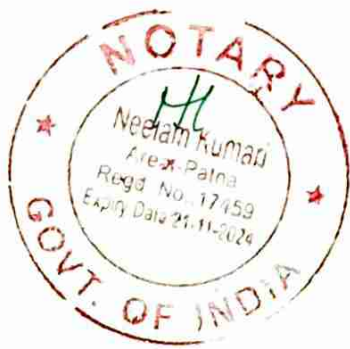


A photocopy of the order dated 13th March, 2024 is

attached herewith and marked
as Annexure- A-14.17

28. That the case of the Appellant is that order dated 13th March, 2024 by SEIAA (Annexure- A-14) passed in consequence of its Resolution in 52nd MoM dated 06th March, 2024 (Annexure- A-13) which per se was based on the recommendation of SEAC vide its MoM dated 27th February 2024 (Annexure A-11), whereby the proposal of the Appellant Unit dated 31st May, 2022 for grant of Environmental Clearance (EC) for establishment of CBWTF at Patna, Bihar has been rejected/ refused is not sustainable in the eyes of law for the following reasons:-

- a) That the Appellant was not required to participate in the tender process, as a joint reading of clause 2(c), (d) and (e) of the Guidelines would make it amply clear that EoI is to be sought from the proponents/ applicants for establishing new CBWTF only when the suitable land is being allocated by the department in the business allocation of land assignment. The same can also be deduced from the flow chart provided in the said Guidelines.
- b) That clause 2(d) of the Guidelines provides that alternatively, a CBWTF may also be allowed to be established on a land procured by an entrepreneur himself, in accordance with the location criteria suggested under these Guidelines.
- c) That clause 2 (e) of the Guidelines specifically provide that EoI may be sought from those proponents/ applicants to whom land has been allocated by concerned department in the business allocation of land.
- d) That the respondents did not consider the application of the Applicant in the time bound manner as per the EIA notification.
- e) That it is wrong that the Appellant did not comply with the Additional conditions 2 and 3 of the ToR as the application of the Appellant was way past the



stage of ToR, which is Stage 2. After compliance of all conditions of the ToR, the respondents accepted the same and the application was in Stage 3 – Public Consultation and the Public Hearing was duly conducted after paper publication and the report (Annexure A-⁹~~11~~) of the same was prepared by the respondent Board and the Member Secretary of the Board forwarded the same to the ADM, Patna (Annexure A-¹⁰~~12~~) to take appropriate action. Therefore, all conditions of ToR were complied with.

- f) That the contention of the respondents that the city Patna has sufficient CBWTF is wrong as in light of clause 8(b) of the Guidelines, one CBWTF is required for 10,000 health care facilities beds, whereas Patna alone has 31477 health care beds and the sole CBWTF in Patna is handling 45617 health care beds.
- g) The Public Hearing was held on 21st December, 2022 and on 22nd December, 2022 the respondent Board floated a tender for the same project. And even after the floating of the tender, the Board actively considered the Application of the Appellant, prepared the report of the Public Hearing (Annexure A-⁹~~11~~) and still further informed the ADM, Patna of the Public Hearing vide letter dated 04th January, 2023 (Annexure- A-¹⁰~~12~~) for necessary action, giving legitimate expectation to the Appellant that the application for grant of EC was still under active consideration.
- h) The application of the Appellant was not rejected for even after floating of tender and on 27th February, 2023 (Annexure A-¹²~~9~~), the application was kept in abeyance by SEAC, which is in the teeth of the EIA notification dated 14th September, 2006 as SEAC is required to make categorical recommendation of acceptance or rejection of the



application within 60 days of receiving EIA report and the same was received by it on 30th January, 2023 (Annexure A-¹²~~9~~).

- i) That EC has been granted in the past without the tender process as in case of one M/s Sangam Mediverse Pvt Ltd. is one such entity, which was granted EC on its proposal/ application vide letter dated 10th January, 2020 (Annexure A-¹⁵~~12~~).

B. GROUND

1. FOR THAT the order dated 13th March, 2024 by SEIAA (Annexure- A-¹⁷~~14~~) passed in consequence of its Resolution in 52nd MoM dated 06th March, 2024 (Annexure- A-¹⁶~~13~~) which per se was based on the recommendation of SEAC vide its MoM dated 27th February 2024 (Annexure A-¹⁴~~11~~), whereby the application of the Appellant dated 31st May, 2022 (Annexure A-1) for grant of Environmental Clearance towards establishment of CBWTF at Patna, Bihar is not sustainable in the eyes of law.
2. FOR THAT the rejection of the application for grant of EC has been done erroneous ground that the Appellant did not participate in the tender process as private entities providing their private own land for establishment of CBWTF are not required to participate in tender process in light of clause 2(d) of the Guidelines.
3. FOR THAT the impugned order is in contravention of clause 2(d) of the Guidelines which provide that alternatively, a CBWTF may also be allowed to be established on a land procured by an entrepreneur himself, in accordance with the location criteria suggested under these Guidelines.
4. FOR THAT the rejection of the application of the Appellant is bad in law on the ground that clause 2 (e) of the Guidelines provide for calling of EoI only from those to whom land has been allocated by the



department in the business allocation of land assignment and not from those who have offered their own private land for establishment of CBWTF.

5. FOR THAT the act of the respondents in keeping the application of the Appellant in abeyance is bad in law as the same is violative of the time period set forth in the EIA notification vide clause 7 read with Appendix V wherein the SEAC is mandatorily required to give categorical recommendation of either acceptance or rejection of the application for grant of EC within 60 days from the receipt of the Final EIA. Final EAI was received by the respondents on 30th January 2023 and thereafter, the application was kept in abeyance for more than one year.
6. FOR THAT the regulatory authority, in the light of clause 8 of the EIA notification, was required to consider the recommendation of the SEAC and convey its decision within 105 days of the receipt of final EIA report whereas, the same was done after a lapse of more than a year, i.e., 365 days.
7. FOR THAT even after the initiation of tender process, the Application of the Appellant was being actively considered and acted upon by the respondents and was not refused/rejected thus giving legitimate expectation to the Appellant that his application is being considered despite the contemporaneous tender process for the same work.
8. FOR THAT the ToR granted to the Appellant including the additional conditions were duly complied with and accepted by the respondents and after acceptance of the same, the Stage 3 i.e., Public consultation was initiated and duly completed and complied with by the Appellant even after the issue of NIT on 26th December, 2022. The same was acknowledged by the Board by forwarding the report of Public Hearing was communicated to the ADM on 04th January, 2023 for necessary action even after the initiation of the tender



process. Thus, keeping the Application alive even after the tender and giving legitimate expectation to the Appellant.

9. For THAT the act of the respondents in keeping the application of the Appellant in abeyance on the ground that tender process has begun despite compliance of all the required conditions and duties as laid down in law by the Appellant and consideration, acknowledging and forwarding the application, is bad in law and in contravention of the EIA notification dated 14th September, 2006 which prescribes the disposal of the application/ proposal for establishment of CBWTF in a time bound manner as prescribed therein.
10. FOR THAT the respondents never rejected the application of the Appellant despite the initiation of tender process dated 22nd December, 2022 for more than a year and kept considering the application during which period the Appellant completed the first 3 stages, i.e. Screening, Scoping and Public Consultation and even submitted the Final EIA report, however, all of a sudden, when almost two years had passed from the date of application on 31st May, 2022, the application was rejected on manufactured and frivolous grounds not sustainable in the eyes of law simply to benefits others.
11. FOR THAT the application of the Appellant was rejected all of a sudden and in a mechanical manner only after the filing writ petition bearing CWJC 14110 of 2023 at Hon'ble Patna High Court for directing the instant respondents for disposal of his application for grant of EC.
12. FOR THAT the respondents have granted EC without any tender process in the past as that is permissible in terms of the law and rules pertaining to grant of EC for establishment of CBWTF.
13. FOR THAT the Appellant is eligible and fulfills all the mandatory criteria such as 500 m. distance from



sensitive and residential areas and prescribed area of minimum 1 acres under the relevant laws, rules and notification for grant of EC for establishment of CBWTF.

14. FOR THAT Appellant has successfully completed the first three stages, i.e., Screening, Scoping and Public Consultation as mandated by the EIA notification dated 14th September, 2006 for grant of EC for establishment of CBWTF and has even submitted the Final EIA on 30th January, 2023 itself.
15. FOR THAT the only CBWTF at Patna is catering to the bio-medical waste of 45617 beds of health care facilities from situated in Patna and 5 other districts which is not permitted and dangerous and thus against public interest as well.
16. FOR THAT impugned order has been passed by the respondents without application of mind and in a routine and casual manner without appreciating the relevant provisions of law and the related rules therein.
17. FOR THAT any decision of the authorities must be informed with good and cogent reasons.
18. FOR THAT any other ground may be argued at the time of hearing of the appeal.

C. LIMITATION

1. That there has been no delay in preferring this Appeal and the same is not barred by the Laws of Limitation.
2. That the respondent's order dated 13th March, 2024 by SEIAA (Annexure- A-¹⁷4), passed in consequence of its Resolution in 52nd MoM dated 06th March, 2024 (Annexure- A-¹⁶3), which per se was based on the recommendation of SEAC vide its MoM dated 27th February 2024 (Annexure A-¹⁴11), whereby the proposal of the Appellant Unit dated 31st May, 2022 (Annexure A- 1) for grant of Environmental Clearance (EC) for establishment of CBWTF at Patna, Bihar.
3. That it is apparent from the above that the order dated



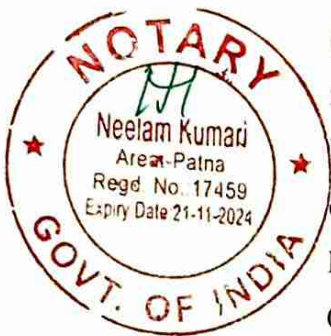
13th March, 2024 was the final order, however Resolution in 52nd MoM dated 06th March, 2024 was uploaded on the same day, therefore. Thus, the present appeal is well within limitation.

4. There is no other effective and alternative remedy, and the subject matter falls within the jurisdiction of this Hon'ble Tribunal.
5. The instant application is made bonafide and for the ends of justice.

D. PRAYERS

In the light of the aforesaid facts and circumstances it is humbly submitted that this Hon'ble Tribunal may be pleased:-

- a.) *X* To cancel and/or quash and/or set aside the impugned order dated 13th March, 2024 by SEIAA (Annexure- A-¹⁷~~14~~), passed in consequence of its Resolution in 52nd MoM dated 06th March, 2024 (Annexure- A-¹⁶~~13~~) which per se was based on the recommendation of SEAC vides its MoM dated 27th February 2024 (Annexure A-¹⁴~~11~~), whereby the proposal of the Appellant Unit dated 31st May, 2022 for grant of Environmental Clearance (EC) for establishment of CBWTF at Patna has been rejected.
- b.) *X* To cancel and/or quash and/or set aside the Resolution in 52nd MoM of SEAA dated 06th March, 2024 (Annexure- A-¹⁶~~13~~), whereby recommendation has been made to reject the application of the Appellant for grant of Environmental Clearance (EC) for establishment of CBWTF.
- c.) *X* To cancel and/or quash and/or set aside the recommendation of SEAC vides its MoM dated 27th February 2024, whereby the proposal of the Appellant Unit dated 31st May, 2022 (Annexure A-1) for grant of Environmental Clearance (EC) for establishment of CBWTF has been rejected.
- d.) *X* Direct the respondents to consider the application of



the Appellant for grant of EC for establishment of CBWTF from the stage 4 of Appraisal;

e) To Pass such further order or orders as this Hon'ble Tribunal may deem fit and proper.

E. PRAYERS FOR INTERIM RELIEF:

a) That in the light of the above facts and circumstances it is most respectfully submitted that since a single CBWTF in Patna is catering to the bio-medical waste of 45617 beds of health care facilities from situated in Patna and 5 other districts which is not permitted and dangerous and thus against public interest as well. Therefore, it is most important that the application of the Appellant for grant of EC is duly considered positively in a time bound manner without the compulsion of participating in the tender process as the Appellant fulfils all the required criteria for grant of EC for establishment of CBWTF. And that EC is not granted to any other entity till the disposal of the instant Appeal and moreover the said tender process is set-aside.

सतीश कुमार झा
APPELLANT

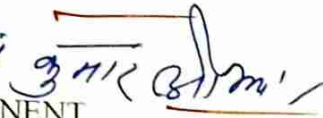
Rumesh Singh
05/04/2024
THROUGH
(.....)
ADVOCATE

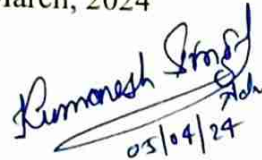


VERIFICATION

I, Santosh Kumar Ojha, male, aged 47 years, S/o late Sri Kameshwar Ojha at House No. 384/549A, East Lane of N.S.C., Sheikpura, P.O.- B.V. College, Patna- 800014, Bihar, do hereby solemnly verify that the contents of the aforesaid affidavit are true and correct to the best of my knowledge and belief that nothing has been concealed therefrom.

Verified at Patna on this day of March, 2024

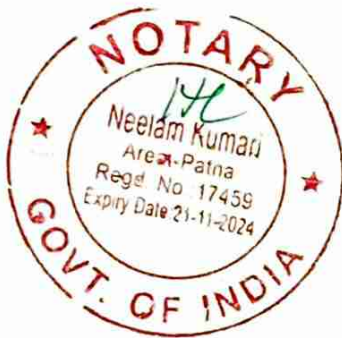

DEPONENT
5/4/2024.


05/04/24
FILED BY

ADVOCATE OF THE Appellant

PLACE: Patna

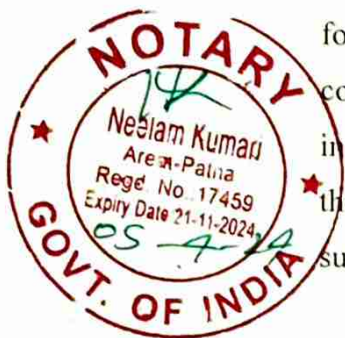
DATE: 05.04.2024



AFFIDAVIT

I, Santosh Kumar Ojha, male, aged 47 years , S/o late Sri Kameshwar Ojha at House No. 384/549A, East Lane of N.S.C., Sheikpura, P.O.- B.V. College, Patna- 800014, Bihar, do hereby solemnly affirm and say as follows:

- I am the Sole Proprietor of the Appellant herein and competent to affirm the present affidavit for the Appellant herein. I am well acquainted and conversant with the facts and circumstances of the instant case and as such I am competent to swear this affidavit. Copy of the registration of Sole Proprietorship is annexed hereto.
- The statements contained in paragraphs 1 to 15 of the foregoing petition are true to my knowledge and those contained in paragraphs 4, 8, 11, 12, 14, 16, 17, 19, 20, 21, 22, 25, 26 and 27 thereof are based on information derived from records and believed to be true and those contained in paragraphs 18 thereof are my humble submissions before this Hon'ble Court.



Prepared in my Office and identified by me

Kumaresh Singh
 03/04/24
 Advocate

Santosh Kumar Ojha
 Deponent 5/4/2024.

Sl.No. 1751
 Date 05-4-24

Sr/smt. Santosh Kumar Ojha
 Who is affirmed by Sri. Kumaresh Singh
 Advocate solemnly affirmed and
 declares before me Adv
Neelam Kumari
 05-4-24
 Neelam Kumari
 Notary Public Advocate
 Patna

Identify the deponent who has
 signed this in my Presence
Kumaresh Singh
 05/04/24
 ADVOCATE

Reg. No. -2019/02039

EAST LANE OF H.S.C. SHEIKHPURA, P.O.- B.V. COLLEGE, PATHA-14
WARD NO:-5, C.NO-251, H.NO-384/549A, Shastri Nagar, Patna, Bihar
Mob. :-9334234549, 8757628880/ Email Id- santoshojha.brrw@gmail.com

Date: 31.05.2022

To

The Member Secretary
State Environmental Impact Assessment Authority (SEIAA)
2nd Floor, Beltron Bhawan
Shastri Nagar,
Patna (Bihar) - 800023

Subject: Submission of form I & PFR for approval of Terms of reference (ToR) for setting up of 'Proposed Common Biomedical Waste Treatment Facility' by M/s S.R Solution at Khata no.100 (Plot no. 416), Khata no.133 (Plot no.415), Khata no.76 (Plot no.742) having total Plot area 1.1 Acre at Mauza Ainio, Fatuha, District Patna, Bihar

Reference: (i) 6th SEIAA-Bihar meeting held on 29.01.2022 at agenda-item no.4 (File No.: SIA/7(da)/1850/2021; Proposal No. SIA/BR/MIS/70457/2021)
(ii) Letter no. B-532, dated 15.03.22 by Bihar state Pollution control board(BSPCB)
(iii) letter no. B-1311, dated 25.05.22 by Bihar state Pollution control board(BSPCB)

Dear Sir

With reference to the above-mentioned subject & reference, an application for grant of TOR was made vide File No.: SIA/7(da)/1850/2021; Proposal No. SIA/BR/MIS/70457/2021) for setting up of Common Biomedical Waste Treatment Facility (CBWTF) at Thana 72, Plot No.193, Khata No.47, Mauza Ainio, Fatuha, District Patna, Bihar proposed by M/s S.R Solution.

The case was considered in 6th SEIAA meeting held on 29.01.2022 at agenda item no.4 (File No.: SIA/7(da)/1850/2021; Proposal No. SIA/BR/MIS/70457/2021), it was advised to get the site approved by the Bihar State Pollution Control Board.



M/S S.R. SOLUTION

Reg. No. -2019/02039

EAST LANE O.P.S.C. SHEIKHUPURA, P.O.- B.V. COLLEGE PATNA-74
WARD NO.-5, PIN-251, H.NO.-334/549A, Shastri Nagar, Patna, Bihar
Mob. :-9334234567, 8757628880/ Email Id- santoshjha.brow@gmail.com

Accordingly, a Committee from Bihar State Pollution Control Board (BSPCB) inspected the site and gave its observations vide letter no. B-532, dated 15.03.22 (enclosed as Annexure I) and advised to select another suitable site as the site selected was 348 mt away from residential area of Ainio village which is less than 500 mt away from the residential area as per CPCB guidelines.

In view of above, another site was selected at Khata no. 100 (Plot no. 416), Khata no. 133 (Plot no. 415), Khata no. 76 (Plot no. 742) having total Plot area 1.1 Acre at Mauza Ainio, Fatuha, District Patna, Bihar, the same was inspected by committee from Bihar State Pollution Control Board (BSPCB). As per the observations given vide letter no. B-1311, dated 25.05.22 the site was found suitable as there is no habitation in 500 mt area from the site (enclosed as Annexure II)

We are submitting herewith, revised Form I & Pre-feasibility Report (enclosed as Annexure III) for proposed Common Biomedical Waste Treatment Facility" by M/s S.R Solution at Mauza Ainio, Fatuha, District Patna, Bihar in hard copy as well as soft copy (in single PDF Format).

Kindly consider our proposal for the approval of ToR at the earliest.

Thanking You

Yours Truly


M/S S.R. Solution

Encl.

- 1. Letter no. B-532, dated 15.03.22 by BSPCB
- 2. Letter no. B-1311 dated 25.05.2022 by BSPCB
- 3. Revised Form I & Pre-Feasibility Report



NOTICE INVITING e-TENDER

FOR

SELECTION OF ENTREPRENEUR/SERVICE PROVIDER

FOR

SETTING UP & OPERATING

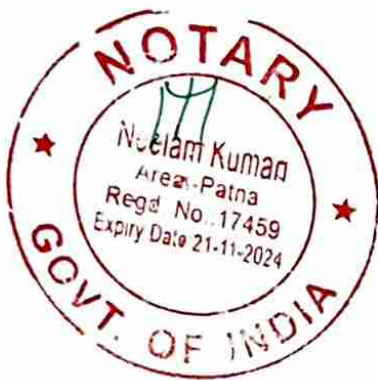
"COMMON BIO-MEDICAL WASTE TREATMENT FACILITY

(CBWTF)"

IN

BIHAR

e-TENDER DOCUMENT



BIHAR STATE POLLUTION CONTROL BOARD
Parivesh Bhawan, Patliputra Industrial Area, Patna-800 010 (Bihar).

BIHAR STATE POLLUTION CONTROL BOARD

No.

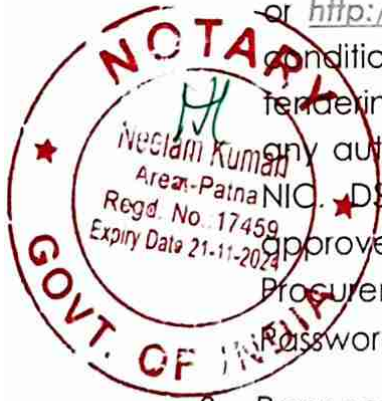
Dated:

NOTICE INVITING TENDER (NIT) THROUGH E-PROCUREMENT

Project: Selection of Entrepreneur/Service Provider for Setting Up & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar.

TENDER NOTICE

1. Bihar State Pollution Control Board (BSPCB), Patna invites e-tender from reputed registered company in India under the Companies Act, 1956/2013/ Society registered under the Societies Registration Act, 1860/Trust firm under the Indian Trust Act, 1882/Partnership firm registered under partnership Act, 1932/ Proprietorship firm registered with any government entity/ joint venture/ consortium of not more than two organizations having qualifying criteria as mentioned in the e-tender document for **Selection of Entrepreneur/ Service Provider for Setting Up & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar (Patna: 02; Gopalganj: 01; Madhubani: 01; Purnea: 01, Sasaram: 01, Muzaffarpur: 01, Bhagalpur:01 and Gaya: 01)** . Manual Bids shall not be accepted.
2. Prospective bidders may visit websites: <https://www.eproc2.bihar.gov.in> or <http://bspcb.bihar.gov.in/tenders-notice.html> for detailed terms and conditions of e-tender. Bidders willing to take part in the process of e-tendering are required to obtain Digital Signature Certificate (DSC) from any authorized Certifying Authority (CA) under CCA, Govt. of India viz. NIC. DSC is given as USB e-token. After obtaining DSC from the approved CA they are required to register themselves on e-Procurement portal <https://www.eproc2.bihar.gov.in> to obtain user ID & Password and then submit their bids online through the same.
3. Prospective bidders may download a complete set of tender documents from the website: <https://www.eproc2.bihar.gov.in> with the help of e-token. This is the only mode of collection of tender document. Any incomplete bid shall be rejected out rightly.
4. Bidder shall submit **Tender Processing Fee (TPF)** of Rs 590/- (Five hundred



and ninety) only to be paid through e-Payment mode (i.e. NEFT/RTGS, Credit/Debit Card & Net Banking).

- 5. Bidders shall submit a non-refundable **Bid Document Fee** of Rs. 10,000/- (Ten thousand) through e-Payment mode (i.e. NEFT/RTGS, Credit/Debit Card & Net Banking) only through <https://www.eproc2.bihar.gov.in>.
- 6. Bidders shall submit "**Earnest Money Deposit**" (EMD) of Rs. 6,00,000/- (Rs. Six Lakh) for each CBWTF location through e-Payment mode (i.e. NEFT/RTGS, Credit/Debit Card & Net Banking) only through <https://www.eproc2.bihar.gov.in>.

Note:-"The Tendering Authority doesn't take any responsibility for the delay/non submission of tender/non reconciliation of online payment caused due to non-availability of internet connection, network traffic/holidays or any other reason."

- 7. The bidders shall submit their eligibility and qualification details, technical bid, financial bid etc., in the online standard formats given in e-Procurement web site only. The bidders shall upload the scanned copies of all the relevant certificates, documents etc. in support of their eligibility criteria/technical bids and other certificate/documents through the e-Procurement web site. The bidder shall digitally sign on all the supporting statements, documents and certificates uploaded by him, owning responsibility for their correctness/authenticity.
- 8. All the required documents should be attached at the proper place as mentioned in the e-forms otherwise the tender of the bidder will be rejected.
- 9. For support related to e-tendering process, bidders may contact the following address: "e Proc 2.0 Help Desk Address: M Junction Services Limited RJ Complex, 2nd Floor, Canara Bank Campus, Khajpura, Ashiana Road, P.S - Shastri Nagar, Patna 800014, Bihar. Toll Free Number: 1800 572 6571, Email Id: eproc2support@bihar.gov.in".

- 10. This bidding takes simultaneous bidding procedure in two parts (Folder bidding system Part-1: Techno Commercial Bid and Part-2: Financial Bid. All the eligible and interested bidders are required to submit the Techno Commercial Bid and Financial Bid simultaneously through online e-tender system. Technical offer will be opened and analyzed first. Only the bidders, whose Technical offer is found responsive will be notified by the Board and uploaded on e-tender system. Financial Bids (to be submitted



in the Template provided with the Tender document) will be opened only for technically qualified bidders and the date and place will be intimated to participate in the public opening of the financial bid.

For amendment in bidding, in documents or extension of bid submission date, if any, bidders are requested to visit website <https://www.eproc2.bihar.gov.in> and the Board will not publish any further notice in newspapers for such amendment/extension.

- 11. Bidders must submit their bids online for **Selection of Entrepreneur/ Service Provider for Setting Up & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar (Patna: 02; Gopalganj: 01; Madhubani: 01; Purnea: 01, Sasaram: 01, Muzaffarpur: 01, Bhagalpur:01 and Gaya: 01)** as per bid document.
- 12. **The bidder may submit bid for one or two or three or all four locations. The bidder shall submit separate bid for establishment and operation of CBWTF for each proposed location/in the group district area.**
- 13. The BSPCB reserves the right to reject any or all the tenders without assigning any reason whatsoever.
- 14. In the event of date being declared as a closed holiday for BSPCB's Office, the date for submissions of bids and opening of bids will be the following working day at the appointed time.
- 15. The bidder or his official representative is invited to attend a **pre-bid meeting**, which will take place **at 15:00 Hrs on 06th January, 2023** at the Board's office or online through Video Conferencing (VC) by clicking the following link:

<http://webvc.nic.in/flex.html?roomdirect.html&key=kCPjVxF9zi>

Or

Copy the link and paste it into the URL field of Internet Explorer (Recommended)

Meeting ID : 117644

For joining through Mobile Devices, Install Mobile App (VidyoMobile) from Play store/App store and then Click on the link received through e-mail/WhatsApp.

For any issues please call Phone No: 7050507272.

Prospective bidders are requested to send their queries, if any, through the e-mail ID: msbspcb-bih@gov.in/bspcb@yahoo.com or contact at phone numbers (9771423957; 0612-2262265) at least 3 days prior to the

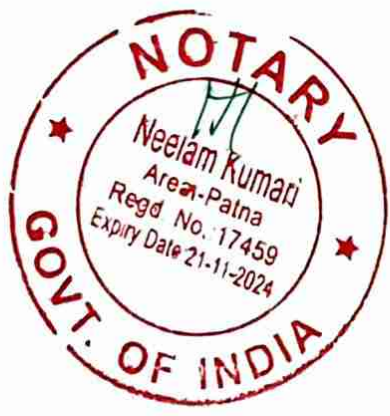


scheduled date of pre-bid meeting positively to prepare for discussion at the pre-bid meeting. However, if there are any other queries that must be submitted in writing (hard copy & soft copy) before the pre-bid meeting. No verbal queries will be entertained for discussion at the pre-bid meeting.

- 16. Bidder should have adequate financial and technical capability to execute the contract. Bidder should have minimum average annual turnover of Rs. 05 Crore during last three financial years in the books of account. They should also submit PAN, GST numbers and annual turnover of last 03 (three) years related documents along with technical bid.
- 17. For any Tender related assistance/tender questionnaire please contact:- Bihar State Pollution Control Board, Parivesh Bhawan, Patliputra industrial Area, P.O-Sadakat Ashram, Patna-800 010. EPABX: 0612-2261250/2262265, Fax: 0612-2261050; e-mail: msbspcb-bih@gov.in/bspcb@yahoo.com

CRITICAL DATE SHEET

Date of Publishing of Tender	26.12.2022; 17:00 hrs
Bid Document Download Start Date/ Bid Submission START Date	26.12.2022; 18:00 hrs
Pre Bid Meeting	06.01.2023; 15:00 hrs
Minutes of Pre-Bid Meeting to be uploaded	10.01.2023; 15:00 hrs
Bid Submission END Date	12.02.2023; 15:00 hrs
Technical Bid Opening Date	13.02.2023; 15:00 hrs



Sd/-
Member Secretary
Bihar State Pollution Control Board

INSTRUCTION TO BIDDERS

1.0 INTRODUCTION

1.1 Bihar State Pollution Control Board (BSPCB), Patna invites e-tender from eligible bidders having qualifying criteria as mentioned in the e-tender document for Selection of Entrepreneur/ Service Provider for Setting Up & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar (Patna: 02; Gopalganj: 01; Madhubani: 01; Purnea: 01, Sasaram: 01, Muzaffarpur: 01, Bhagalpur:01 and Gaya: 01). Manual Bids shall not be accepted.

2.0 General Terms & Conditions

2.1 Bihar State Pollution Control Board (BSPCB), Patna invites e-tender from reputed registered company in India under the Companies Act, 1956/2013/ Society registered under the Societies Registration Act, 1860/Trust firm under the Indian Trust Act, 1882/Partnership firm registered under partnership Act, 1932/ Proprietorship firm registered with any government entity/ joint venture/ consortium of not more than two organizations having qualifying criteria as mentioned in the e-tender document for Selection of Entrepreneur/ Service Provider for Setting Up & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar (Patna: 02; Gopalganj: 01; Madhubani: 01; Purnea: 01, Sasaram: 01, Muzaffarpur: 01, Bhagalpur:01 and Gaya: 01). The bidder may submit bid for one or two or three or all four locations.

2.2 Prospective bidders may visit websites: <https://www.eproc2.bihar.gov.in> or <http://bspccb.bihar.gov.in/tenders-notice.html> for detailed terms and conditions of e-tender. Bidders willing to take part in the process of e-tendering are required to obtain Digital Signature Certificate (DSC) from any authorized Certifying Authority (CA) under CCA, Govt. of India viz. NIC. DSC is given as USB e-token. After obtaining DSC from the approved CA they are required to register themselves on e-Procurement portal <https://www.eproc2.bihar.gov.in> to obtain user ID & Password and then submit their bids online through the same.

2.3 Prospective bidders may download a complete set of bidding documents from the website: <https://www.eproc2.bihar.gov.in> with the help of e-token. This is the only mode of collection of tender document.



Eligible bidders must submit their bids for complete scope of work. Any incomplete bid shall be rejected out rightly.

2.4 Bidder shall submit **Tender Processing Fee** (TPF) of Rs 590/- (Five hundred and ninety only) to be paid through e-Payment mode (i.e. NEFT/RTGS, Credit/Debit Card & Net Banking).

2.5 Bidders shall submit a non-refundable **Bid Document Fee** of Rs. 10,000/- (Ten thousand) through e-Payment mode (i.e. NEFT/RTGS, Credit/Debit Card & Net Banking) only through <https://www.eproc2.bihar.gov.in>.

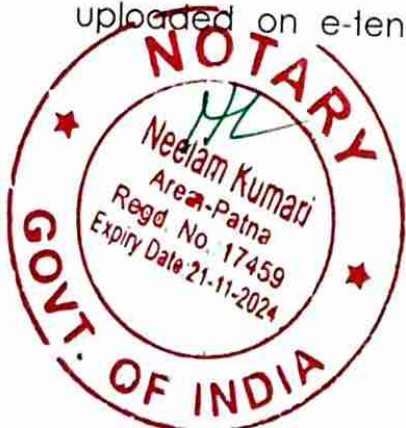
2.6 Bidders shall submit "**Earnest Money Deposit**" (EMD) of Rs. 6,00,000/- (Rs. Six Lakh) for each CBWTF location through e-Payment mode (i.e. NEFT/RTGS, Credit/Debit Card & Net Banking) only through <https://www.eproc2.bihar.gov.in>.

Note: "The Tendering Authority doesn't take any responsibility for the delay/non submission of tender/non reconciliation of online payment caused due to non-availability of internet connection, network traffic/holidays or any other reason."

2.7 The bidders shall submit their eligibility and qualification details, Technical bid, Financial bid etc., in the online standard formats given in e-Procurement web site only. The bidders shall upload the scanned copies of all the relevant certificates, documents etc. in support of their eligibility criteria/ technical bids and other certificate/ documents through the e-Procurement web site. The bidder shall digitally sign on all the supporting statements, documents and certificates uploaded by him, owning responsibility for their correctness/authenticity.

2.8 All the required documents should be attached at the proper place as mentioned in the e-forms otherwise the tender of the bidder will be rejected.

2.9 This bidding takes simultaneous bidding procedure in two parts (Folder) bidding system Part-1: Techno Commercial Bid and Part-2: Financial Bid. All the eligible and interested bidders are required to submit the Techno Commercial Bid and Financial Bid simultaneously through online e-tender system. Technical offer will be opened and analyzed first. Only the bidders, whose Technical offer is found responsive will be notified by the Board and uploaded on e-tender system. Financial Bids (to be submitted in the



Template provided with the Tender document) will be opened only for technically qualified bidders and the date and place will be intimated to participate in the public opening of the financial bid.

For amendment in bidding, in documents or extension of bid submission date, if any, bidders are requested to visit website [https:// www.eproc2.bihar.gov.in](https://www.eproc2.bihar.gov.in) and the Board will not publish any further notice in newspapers for such amendment/ extension.

- 2.10 Bidders must submit their bids online for conducting **Selection of Entrepreneur/ Service Provider for Setting Up & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" In Bihar (Patna: 01; Gopalganj: 01; Madhubani: 01; and Purnea: 01)** as per bid document.
- 2.11 The BSPCB reserves the right to reject any or all the tenders without assigning any reason whatsoever.
- 2.12 In the event of date being declared as a closed holiday for BSPCB's Office, the date for submissions of bids and opening of bids will be the following working day at the appointed time.
- 2.13 The bidder or his official representative is invited to attend a **pre-bid meeting**, which will take place **at 1500 Hrs on 06th Jan., 2023** at the Board's office or online through Video Conferencing (VC) by clicking the following link:
<http://webvc.nic.in/flex.html?roomdirect.html&key=kCPjVxF9zi>

Or

Copy the link and paste it into the URL field of Internet Explorer (Recommended)

Meeting ID : 117644

For joining from Mobile Devices, Install Mobile App (VidyoMobile) from Play store/App store and then Click on the link received through e-mail/WhatsApp.

For any issues please call Phone No : 7050507272.

Prospective bidders are requested to send their queries, if any, through the e-mail ID: msbspcb-bih@gov.in/bspccb@yahoo.com or contact at phone numbers (9771423957; 0612-2262265) at least 3 days prior to the scheduled date of pre-bid meeting positively to prepare for discussion at the pre-bid meeting. However, if there is any other queries that must be submitted in writing (hard copy & soft copy) before the pre-bid meeting. No verbal queries will be entertained for discussion at the pre-bid meeting.



2.14. Bidder should have adequate financial and technical capability to execute the contract. Bidder should have minimum average annual turnover of Rs. 05 Crore during last three financial years in the books of account. They should also submit PAN, GST numbers and annual turnover of last 03 (three) years related documents along with technical bid.

2.15 For any Tender related assistance/ tender questionnaire please contact:-
Bihar State Pollution Control Board,
Parivesh Bhawan, Patliputra industrial Area, P.O-Sadakat Ashram,
Patna-800 010.
EPABX: 0612-2261250/2262265, Fax: 0612-2261050;
e-mail: msbspcb-bih@gov.in/ bspcb@yahoo.com

3.0 **Qualifying Requirements of Bidders**

- 3.1 The bidder should be reputed registered company in India under the Companies Act, 1956/2013/ Society registered under the Societies Registration Act, 1860/Trust firm under the Indian Trust Act, 1882/Partnership firm registered under partnership Act, 1932/ Proprietorship firm registered with any government entity/ joint venture/ consortium of not more than two organizations.
- 3.2 Bidder should have adequate financial and technical capability to execute the contract. Bidder should have minimum average annual turnover of Rs. 05 Crore during last three financial years in the books of account. They should have PAN, GST numbers and annual turnover of last 03 (three) years and aforesaid related documents shall be submitted along with technical bid.
- 3.3 The bidder should have past experience in handling and operating Common Bio-Medical Waste Treatment Facility (CBWTF) for at least five (05) years. The years of experience of handling and operating CBWTF shall be considered for one member only in case of Joint Venture (JV).
- 3.4 The bidder shall furnish the information on all past work experiences and in "Performance Statement" as per **Attachment-3**.
- 3.5 The bidder should have at least one (01) on pay role of organization having degree in any branch and having minimum experience of at least five (05) years in operation of CBWTF. In case of JV, the lead/joint venture member shall meet this criteria.



- 3.6 The bidder should have the land/plot size of not less than one (01) acre (either owned/or registered lease) for setting up of a CBWTF in an approved industrial area/ land conforming minimum distance of 500 meter from habitation (minimum 200 permanent dwellers), school/ hospital/court, river/wetland and NH/SH/railway line.
- 3.7 The bidder shall submit the documentary evidence along with tender showing proof of land (i.e. ownership/registered lease) in the name of the bidder/organization/ any joint venture member.
- 3.8 The bidder shall submit declaration that the identified land is free from any dispute/litigation in any forum and without any encumbrances.
- 3.9 The bidder shall declare that they have not been blacklisted by Central Govt./any State Govt./ CPCB/any SPCB or any other Central/State/Local Govt./organization. In case of JV, all the members shall meet this criteria.
- 4.0 **Bidding Procedure/Submission of Bid**
- 4.1 The Bidding will be in two parts, **Part-1: Technical offer** and **Part-2: Financial Bid** through **e-procurement portal** <https://www.eproc2.bihar.gov.in>
- 4.2 Both parts of the Bid shall be submitted online simultaneously **through e-procurement portal** by the designated date specified in Tender Notice above.
- 4.3 Technical offer for '**Selection of Entrepreneur/ Service Provider for Setting Up & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar** as per bid document, will be opened and evaluated first. Those who technically qualify alone will be considered for opening of financial Bid and status notification will be uploaded through e-tender system as per evaluation of proposal.
- 4.4 The date to participate in opening of the financial bid will also be informed through e-tender system.
- 4.5 The bid prepared by the bidder and all correspondences and documents relating to the bid shall be in English language.
- 4.6 All the required documents should be attached at their proper places as mentioned in the e-forms, otherwise the tender of the bidder will be rejected.
- 4.7 It may be noted that mere quoting lowest rates will not entitle any firm to get the order. For qualifying in the technical bid, previous work



experiences will also be taken into consideration. The Board may call for any details, explanation, regarding technical & financial aspect.

- 4.8 The bidder shall disclose the capacity of the proposed CBWTF to cater the treatment and disposal of bio-medical waste.
- 4.9 The proposal of locations for establishment of CBWTF is tentative viz. Patna, Gopalganj, Madhubani and Purnea. The location at other districts of the group area may also be considered in case of non-availability of land at the proposed location, but should be in conformity with the CPCB guidelines.
- 4.10 The validity of rate for transportation, storage, treatment and disposal of BMW shall be initially for ten (10) years. There shall be an increment of 10% on the quoted lowest rate on every three (3) years, thereafter, for a maximum of two times, which is be based on the performance of the concerned CBWTF/agency.
- 4.11 **The bidder shall submit separate bid for establishment and operation of CBWTF for each proposed location/in the group district area.**

5.0 **BIDDING DOCUMENTS**

5.1 The Bidding Documents will be available only at Website: <https://www.eproc2.bihar.gov.in> and can be downloaded as a complete set of bidding documents, attachments & financial template file.

5.2 **Checking of bidding document:** The Bidder shall check the number of pages and drawings and notify the Board of any missing or duplicate pages and drawings or of any figures or words, which may be indistinct or ambiguous. No claim will be admitted as result of the Bidder's failure to comply with the foregoing.

5.3 **Clarification of Bidding Documents:** If a prospective Bidder has any doubt as to the meaning of any part of the Bidding Documents he may notify the Board for supplementary information and explanation in writing/email or facsimile in compliance with Form of Questionnaire of **Attachment-1** at the following address at least three (3) days prior to the date set for pre-bid conference.

Member Secretary
Bihar State Pollution Control Board,
Parivesh Bhawan,
Patliputra Industrial Area, P.O.-Sadakat Ashram,
Patna-800 010, Bihar.



5.4 Pre-Bid Conference/Meeting

The bidder or his authorized representative is invited to attend the pre-bid conference to be held at the office of the Board on the date and time mentioned above. If required the Pre-bid conference will continue on next working day, as well.

- a) The purpose of the conference will be, to clarify issues regarding the Bidding Document.
- b) The bidder is required to submit questions in the prescribed form of questionnaire in writing/e-mail to reach the Board's office, not later than three days prior to the pre-bid conference.
- c) Record notes of conference including the text of the questions raised and responses given will be transmitted without delay to prospective bidders who have purchased the Bidding Documents through e-procurement website. Any modification of the Bidding Document which may become necessary as a result of the pre-bid conference shall be made by the Board exclusively through an addendum to the bidding documents through designated website only and not through the record notes of the pre-bid conference.
- d) Non-attendance of the pre-bid conference will not be a cause for disqualification of a bidder.
- e) The bidder shall depute maximum two authorized persons to take part in pre-bid conference.
- f) The bidder is not expected to raise any additional query after pre-bid conference and the Board is not obliged to reply any such query.
- g) The pre-bid conference shall be open to any prospective bidders.

5.5 Amendment of Bidding Documents

- (1) At any time prior to the deadline for submission of the Bid, the Board, for any reason, whether at its own initiative or in response to a clarification requested by a prospective Bidder, may modify the Bidding Documents by amendment. For amendment in bidding documents or extension of bid submission date, if any, bidders are requested to visit website <https://bspcb.bihar.gov.in> and <https://www.eproc2.bihar.gov.in> before bid submission closing date. **Board will not publish any further notice in the newspapers for such addendum/amendment/extension.**
- (2) The Board will not be responsible or take any liability arising out of non-receipt of the same on time or otherwise.



(3) In order to allow prospective Bidders reasonable time in which to take amendment into account in preparing their Bids, the Board at its own discretion may extend the deadline for submission of the Bid, without any liability on the Board.

6.0 Bid Security/Earnest Money

6.1 Bidders shall submit "**Earnest Money Deposit**" (EMD) of Rs. 6,00,000/- (Rs. Six Lakh) for each CBWTF location through e-Payment mode (i.e. NEFT/RTGS, Credit/Debit Card & Net Banking) only through <https://www.eproc2.bihar.gov.in>.

6.2 Any Bid not secured by the Bid Security shall be rejected by the Board as non-responsive.

6.3 The bidder registered with the Central Purchase Organization/State Purchase Organization, National Small Industries Corporation (NSIC) or the concerned Department shall be exempted from submission of EMD as per Bihar Finance (Amendment) Rules, 2005.

BSPCB may also accept bids without EMD from those bidders who are Micro and Small Enterprises (MSEs) as defined in MSE Procurement Policy issued by Department of Micro, Small and Medium Enterprises (MSME), Govt. of India.

6.4 Return of EMD:

(a) Unsuccessful bidder's earnest money shall be refunded/ returned without any interest after the finalization/ signing of the agreement with the successful bidder/ service provider.

(b) The successful Bidder's Bid Security shall be discharged upon the Bidder signing the Contract and furnishing the Performance Security.

6.5 No interest shall be payable by the Board on the above Bid Security.

6.6 The Bid Security may be forfeited:

a. If a Bidder withdraws its bid during the period of bid validity specified hereunder;

b. If a bidder refuses to accept the arithmetical corrections;

c. In case of a successful Bidder, if the Bidder fails to sign the contract and furnish Performance Security.

6.7 Validity of Bid

The validity of tender would be for a minimum period of 180 days



from the date of opening of tenders. A Bid valid for a shorter period may be rejected by the Board as non-responsive. In case the validity is to be extended; the Board may solicit the Bidder's consent to an extension on the period of validity and the bid shall remain valid for the extended period as mutually agreed upon.

6.8 Rejection of Bid

Failure by the Bidder to comply with the provisions of these Instructions to Bidders or any part of the Bidding Document may result in rejection of the Bid and forfeiture of the Bid Security.

The Board reserves the right to accept or reject any or all Bids or to amend the Bidding document/ process at any time prior to finalization of agreement with successful bidder without thereby incurring any liability to the affected Bidder or Bidders or any obligation to inform the affected Bidder or Bidders of the grounds for the Board's action.

The Board also reserves to itself the right of accepting the whole or any part of the Bid and the Bidder shall be bound to perform the same at the rate quoted.

7.0 **Objective & Justification:** Ministry of Environment, Forest & Climate Change, Govt. of India has notified the Bio-Medical Waste Management Rules, 2016 vide notification G.S.R. 343 (E), dated-28.03.2016 in supersession of the Bio-Medical Waste (Management & Handling) Rules, 1998 to ensure proper collection, segregation, processing, treatment and disposal of bio-medical wastes in an environmentally sound manner with the defined responsibilities of all the concerned stakeholders including operator of a Common Bio-Medical Waste Treatment Facility (CBWTF). The Central Pollution Control Board has published revised guidelines for CBWTF in December, 2016.

7.1 As per the guidelines, State Pollution Control Board, the prescribed authority under the Bio-Medical Waste Management Rules, 2016 is required to prepare and inventory with regard to bio-medical waste generation and to conduct gap analysis with respect to coverage area of bio-medical waste generation, adequacy of existing treatment capacity of CBWTF in each coverage area of 75 Km. and to prepare action plan for development of new CBWTF. CBWTF may be allowed to be established in an approved industrial area or on a land procured by entrepreneur in accordance with location criteria prescribed under these guidelines in consultation with the SPCB.



- 7.2 A CBWTF located within the respective State/UT shall be allowed to cater the healthcare units situated at a radial distance of 75 Km. However, in a coverage area where 10,000 beds are not available within a radial distance of 75 Km., existing CBWTF in the locality (located within the respective State/UT may be allowed to cater to the healthcare units situated upto 150 Km. radius w.r.t. its location provided the bio-medical waste generated is collected, treated and disposed of within 48 hours as stipulated under the Bio-Medical Waste Management Rules, 2016, as amended.
- 7.3 In case, number of beds is exceeding >10,000 beds in a locality (i.e. coverage of the CBWTF under reference) and the existing treatment capacity is not adequate, in such as case, **an new CBWTF may be allowed in such a locality in compliance to various provisions notified under the Environmental (Protection) Act, 1986, to cater services only to such additional bed strength of the HCFs located.**
- 7.4 There are four (04) Common Bio-Medical Waste Treatment Facilities (Namely M/s Indira Gandhi Institute of Medical Science, Sheikhpura, Patna-20, Operated by M/s Sangam Mediserv Pvt. Ltd.; M/s Synergy Waste Management (P) Ltd., Hanuman Ghat Road, Jawaharlal Nehru Medical College, Bhagalpur; M/s Medicare Environmental Management (P) Ltd., Muzaffarpur Industrial Area, P.O.-Bela, Muzaffarpur; and M/s Synergy Waste Management (P) Ltd., Gaya) and three captive treatment facilities with a total capacity of 33600 kg/day under operation in the State.
- 7.5 A total no. of 24996 Health Care Facilities (HCFs) have been identified in the State estimated to generate about 34812 kg/day of Bio-Medical Wastes. There are 4821 bedded HCFs and 20175 non-bedded HCFs. Out of the above generated BMW, approximately 10777 Kg/day is being treated and disposed. It indicates only approximately 31% of the generated BMW is treated and disposed indicating a gap of 69%.
- 7.6 As per records available a total number of beds under the coverage area of CBWTFs are hereunder:-

Sl. No.	CBWTF	Coverage area of CBWTF and nos. of beds thereof		Total nos. of beds under coverage area
1.	M/s Indira Gandhi Institute of Medical	Patna	31477	45617
		Nalanda	3507	



	Science, Sheikhpura, Patna-20, Operated by M/s Sangam Mediserv Pvt. Ltd.	Bhojpur	2593	
		Buxar	1325	
		Rohtas	5007	
		Kaimur	1708	
2.	M/s Synergy Waste Management (P) Ltd., Hanuman Ghat Road, Jawaharlal Nehru Medical College, Bhagalpur.	Bhagalpur	2549	13772
		Banka	742	
		Katihar	1695	
		Purnea	1718	
		Kishanganj	1872	
		Araria	725	
		Begusarai	1999	
		Khagria	718	
		Munger	657	
		Jamui	691	
		Sheikhpura	284	
		Lakhisarai	392	
3.	M/s Medicare Environmental Management (P) Ltd., Muzaffarpur Industrial Area, P.O.-Bela, Muzaffarpur.	Muzaffarpur	6390	38745
		Samstipur	3663	
		Darbhanga	4454	
		Madubani	2207	
		Supaul	825	
		Sahrsa	1657	
		Medhepura	1590	
		Sitamarhi	2130	
		Sheohar	281	
		East Champaran	3263	
		West Champaran	1816	
		Gopalganj	2189	
		Siwan	2979	
		Saran	2204	
		Vaishali	3097	
4.	M/s Synergy Waste Management (P) Ltd., Gaya.	Gaya	3154	6257
		Aurangabad	1051	
		Jehanabad	573	
		Arwal	270	
		Nawada	1209	

7.7 Based on the records of number of beds, the requirement of 09 CBWTF has been assessed (one each at Muzaffarpur, Bhagalpur, Gaya, Gopalganj, Madhubani, Purnea & Rohtas and two at Patna) as hereunder:-



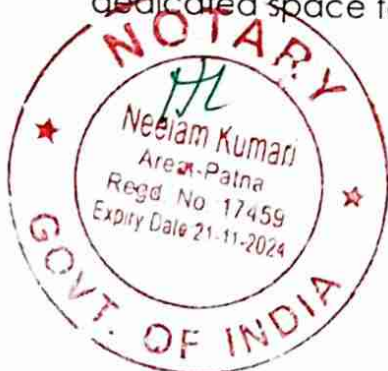
Sl. No.	District	No. of beds	Existing CBWTF	Requirement of New CBWTF
1.	Patna	31477	01	01
2.	Gaya	3154	01	
	Aurangabad	1051		
	Jehanabad	573		
	Arwal	270		
	Nalanda	3507		
	Nawada	1209		
	District-06	Total-10064		
3.	Bhojpur	2593		
	Buxar	1325		
	Rohtas	5007		01
	Kaimur	1708		
	District-04	Total-10633		
4.	Muzaffarpur	6390	01	
	Vaishali	3097		
	Saran	2204		
	Sitamarhi	2130		
	District-04	Total-13821		
5.	East Champaran	3263		
	West Champaran	1816		
	Sheohar	281		
	Gopalganj	2189		01
	Siwan	2929		
	District-05	Total-10528		
6.	Darbhanga	4454		
	Samstipur	3663		
	Madhubani	2207		01
	District-03	Total-10324		
7.	Madhepura	1590		
	Sahrsa	1657		
	Supaul	825		
	Purnea	1718		01
	Kishanganj	1872		
	Araria	725		
	District-06	Total-8387		
8.	Bhagalpur	2549	01	
	Banka	472		
	Katihar	1695		
	Begusarai	1999		



	Khagaria	718		
	Munger	657		
	Lakhisarai	392		
	Jamui	691		
	Sheikhpura	284		
	Nawada	1209		
	District-09	Total-9757	04	05

8.0 Duties of Operator of CBWTF:

- 8.1 The successful bidder shall comply with the duties of Common Bio-Medical Waste Treatment Facility (CBWTF) as enumerated under the Bio-Medical Waste Management Rules, 2016, as amended and follow the revised guidelines for CBWTF published by CPCB, Delhi from time-to-time.
- 8.2 The successful bidder shall obtain prior Environmental Clearance from the competent authority (SEIAA, Bihar) as BWTF is categorized under item 7(da), category-B in the schedule of EIA Notification, 2006 (MoEF&CC, Govt. of India notification no. S.O. 1142 (E), dated-17.04.2015).
- 8.3 The successful bidder shall obtain Consent-to-Establish (CTE) and Consent-to-Operate (CTOs) for establishment and operation of plant under the provisions of section 25 of the Water (Prevention and Control of Pollution) Act, 1974 and section 21 of the Air (Prevention and Control of Pollution) Act, 1981 from Bihar State Pollution Control Board.
- 8.4 The successful bidder shall obtain authorization for handling bio-medical waste under the Rule-10 of the Bio-Medical Waste Management Rules, 2016 from the Bihar State Pollution Control Board and submit annual return in the prescribed Form-IV before the 30th June of every year to the Bihar State Pollution Control Board and the same shall be uploaded on the website of CBWTF.
- 8.5 The successful bidder should have the land/plot size of not less than one (01) acre (either owned/or registered lease) for setting up of a CBWTF in an approved industrial area/ land conforming minimum distance of 500 meter from the habitation (minimum 200 permanent dwellers), school/hospital/court, river/wetland and NH/SH/railway line.
- 8.6 The successful bidder shall provide all requisite system which includes dedicated space for storage of waste, waste treatment equipment as per



the prescribed specification, vehicle washing bay, vehicle parking space, ETP, incineration ash storage provision, administrative room, space for D.G. set, green vegetation in 33% of total land area and bar coding system to track the BWM movement.

8.7 The successful bidder shall ensure that bio-medical wastes are collected from the occupier (of Health Care Establishment) and transported, handled, treated and disposed of, without any adverse effect to the human health and environment in accordance with the BMW, Rules, 2016, as amended and guidelines issued by CPCB from time-to-time.

8.8 The successful bidder shall collect bio-medical waste from the deposition centre to be created at block level Government hospital/PHC/APHC for the group of Government Health Sub-Centres(HSCs)/Additional Primary Health Centres (APHCs). Accordingly, the tie-up agreement shall be made between the CBWTF and the concerned authority/authorities of the State Health Department.

9.0 **Treatment Equipment:**

The Common Bio-medical Waste Treatment Facility should treat the bio-medical waste as per BMW Rules and as per the authorisation granted by the prescribed authority. The CBWTF should have the following treatment facilities:

a) **Incineration/Plasma Pyrolysis:**

Incineration is a controlled combustion process where waste is completely oxidized and harmful microorganisms present in it are destroyed/ denatured under high temperature. The guidelines for "Design & Construction Requirements of Bio-medical Waste Incinerators" by CPCB from time to time shall be followed for selecting/or augmenting the incinerator.

Plasma Pyrolysis is an alternate to incinerator, Plasma Pyrolysis treatment technology can be installed for disposal of bio-medical waste categories as per BMW Rules wherein destruction of bio-medical waste is similar to incineration can be achieved. In case of plasma pyrolysis, waste is treated at high temperature under controlled condition to form gases like methane, hydrogen and carbon monoxide which are subjected to



combustion (oxidation) in secondary chamber. In the plasma pyrolysis process waste is converted into small clinker which can be disposed in secured landfills.

b) **Autoclaving/Hydroclaving:**

(i) **Autoclaving** is a low-heat thermal process where steam is brought into direct contact with waste in a controlled manner and for sufficient duration to disinfect the wastes as stipulated under the Bio-medical Waste Management Rules. For ease and safety in operation, the system should be horizontal type and exclusively designed for treatment of bio-medical waste. For optimum results, pre-vacuum based system be preferred against the gravity type system. It shall have tamper-proof control panel with efficient display and recording devices for recording critical parameters such as time, temperature, pressure, date and batch number etc. as required under the BMW Rules.

(ii) **Hydroclaving** is similar to that of autoclaving except that the waste is subjected to indirect heating by applying steam in the outer jacket. The waste is continuously tumbled in the chamber during the process.

c) **Microwaving:** In microwaving, microbial inactivation occurs as a result of the thermal effect of electromagnetic radiation spectrum lying between the frequencies 300 and 300,000MHz. Microwave heating is an inter-molecular heating process. The heating occurs inside the waste material in the presence of steam.

d) **Chemical disinfection:** Though chemical disinfection or alternates as stipulated under the BMW Rules is also an option for treatment of certain categories of biomedical waste such as glass waste but looking at the volume of waste to be disinfected at the CBWTF and the pollution load associated with the use of chemical disinfectants, the chemical disinfection for treatment of bio-medical waste as part of a CBWTF may be used sparingly or avoided as far as possible.

e) **Dry heat sterilization:** This is the additional option for treatment of waste sharps as stipulated under the BMW Rules. In this method, waste sharps are treated using dry heat (hot air) at a temperature not less than 185° C,



at least for a residence period of 150 minutes in each cycle (with sterilization period of 90 minutes).

f) **Shredder:** Shredding is a process by which waste are de-shaped or cut into smaller pieces so as to make the wastes unrecognizable. It helps in prevention of reuse of bio-medical waste and also acts as identifier that the wastes have been disinfected and are safe to dispose off. A shredder to be used for shredding bio-medical waste shall confirm to the following minimum requirements:

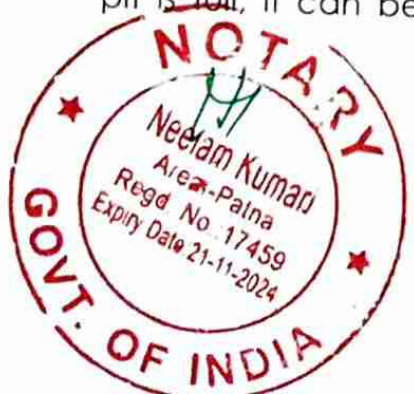
- (i) The shredder for bio-medical waste shall be of robust design with minimum maintenance requirement;
- (ii) The shredder should be properly designed and covered to avoid spillage and dust generation. It should be designed such that it has minimum manual handling;
- (iii) The hopper and cutting chamber of the shredder should be so designed to accommodate the waste bag full of bio-medical waste;
- (iv) The shredder blade should be highly resistant and should be able to shred waste sharps, syringes, scalpels, blades, plastics, catheters, intravenous sets/ bottles, blood bags, gloves, bandages etc. It should be able to handle/ shred wet waste, especially after microwave/ autoclave/hydroclave;
- (v) The shredder blade shall be of non-corrosive and hardened steel;
- (vi) The shredder should be so designed and mounted so as not to generate dust, high noise & vibration;
- (vii) If hopper lid or door of collection box is opened, the shredder should stop automatically for safety of operator;
- (viii) In case of shock-loading (non-shreddable material in the hopper), there should be a mechanism to automatically stop the shredder to avoid any emergency/accident;
- (ix) In case of overload or jamming, the shredder should have mechanism of reverse motion of shaft to avoid any emergency/accident;



- (x) The motor shall be connected to the shredder shaft through a gear mechanism, to ensure low rpm and safety;
- (xi) The unit shall be suitably designed for operator safety, mechanical as well as electrical;
- (xii) The shredder should have low rotational speed (maximum 50 rpm). This will ensure better gripping and cutting of the bio-medical waste;
- (xiii) The discharge height (from discharge point to ground level) shall be sufficient (minimum 3 feet) to accommodate the containers for collection of shredded material. This would avoid spillage of shredded material;
- (xiv) The minimum capacity of the motor attached with the shredder shall be 3 KW for 50 Kg/hr, 5 KW for 100 kg/hr & 7.5 KW for 200 Kg/hr and shall be three phase induction motor. This will ensure efficient cutting of the bio-medical wastes as prescribed in the Bio-medical Waste Management Rules; and
- (xv) The shredder also should be fitted with separate 'energy meter' for recording total energy consumed for operation of this equipment.

g) **Sharp pit/ Encapsulation:** A sharp pit or a facility for sharp encapsulation in a metal container or cement concrete shall be provided for treated sharps (i.e., treatment by autoclaving or dry heat sterilization followed by shredding or mutilation). An option may also be worked out for recovery of metal from treated and shredded waste sharps within the CBWTF or iron foundries having consent to operate from the SPCBs and located nearby, as per the conditions imposed in authorization granted under BMWM Rules by the SPCB.

A sharp pit may be of circular or rectangular shape and shall be dug and lined with cement plastered brick masonry or concrete rings. The pit should be covered with a heavy concrete slab with a provision of galvanized steel pipe projecting about 1.5 meters above the slab, with an internal diameter of up to 50 mm or 1.5 times the length of vials, whichever is more. The top opening of the steel pipe shall have a provision of locking after the treated waste sharps are disposed into the sharp pit. When the pit is full, it can be sealed completely, after another pit is prepared. In



case of high water table regions (i.e., where water table is less than 6 metres beneath the bottom of the sharp pit), a tank with above mentioned arrangements shall be made above the ground.

- h) **Deep burial:** Operator shall not do the 'deep burial' of bio-medical waste as a part of CBWTF.
- i) **Vehicle/Containers washing facility:** Every time a vehicle is unloaded, the vehicle and empty waste containers shall be washed properly and disinfected. Washing can be carried out in an open area but on an impermeable surface and liquid effluent so generated shall be conveyed and treated in an effluent treatment plant. The impermeable area shall be of appropriate size so as to avoid spillage of liquid during washing.
- j) **Effluent Treatment Plant:** A suitable Effluent Treatment Plant (ETP) shall be installed to ensure that liquid effluent generated during the process of washing containers, vehicles, floors etc. is treated and reused after treatment. Proper treatment of waste water shall be ensured in case of zero discharge by recirculation of treated waste water for scrubbing. ETP may have treatment unit operations comprising collection tank, O & G trap, chemical dosing cum mixing (Flash and slow), coagulation chamber, primary settling tank (s), biological treatment process, secondary settling tank, pressure filter and activated carbon filter, pH Correction tank (wherever recirculation of treated water is practiced) so as to comply with the liquid discharge standards stipulated under the Bio-medical Waste Management Rules, 2016. ETP may also have the following provisions:
- (i) separate 'energy meter' so as to know total consumption of electricity for operation of the machinery attached with the ETP.
 - (ii) pH meter so as to know pH level of treated water as well as pH level of treated water used for recirculated or recycling in APCD attached with the incinerator or any utility within the CBWTF.
 - (iii) A 'magnetic flow meter' should also be fitted at all the water supply extraction points of the CBWTF as well as the outlet to know the total wastewater treated for further end use or discharge in compliance to the BMW Rules.



- (iv) Provision of 'press filter' to reduce the moisture content of the ETP Sludge or it may be dried in 'sludge drying bed'. After removal of moisture content or drying, same need to be disposed off in an environmentally sound manner depending upon the hazardous constituents present in it as per Hazardous and Other Waste (Management and Transboundary Movement) Rules, 2016. In case, ETP sludge contains metal contents within the prescribed limits as per Hazardous & Other Waste (Management & Transboundary Movement) Rules, 2016, such ETP sludge shall be given to CBWTF for incineration or to hazardous waste treatment, storage and disposal facility (TSDF) for disposal in secured landfill.

10.0 **Infrastructure set up:**

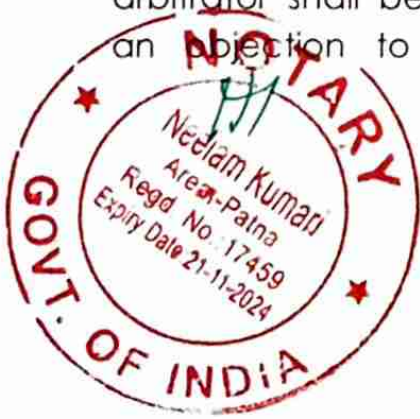
The CBWTF shall have enough space within it to install required treatment equipment, untreated and treated waste storage area, vehicle-parking, vehicle and containers washing area, Effluent Treatment Plant (ETP), administration room or staff room, D.G. set, Continuous Emission Monitoring System, etc. The required area for CBWTF would depend upon the projected amount of bio-medical waste to be handled by it. The infrastructure shall be in accordance with CPCB guidelines.

11. **Disposal option of solid waste generated from the CBWTF:**

Treated plastic waste, incineration ash, treated waste sharps and glass waste, Oil & Grease waste and ETP sludge are generally generated from the CBWTF from the treatment systems such as autoclaving/microwaving, incineration, chemical disinfection and effluent treatment plant respectively. These shall be disposed as per the revised CPCB guidelines for CBWTF.

12.0 **Settlement of Dispute, Arbitration:**

- 12.1 All disputes or difference arising out of or in connection with the contract under the same shall be settled by the Chairman, Bihar State Pollution Control Board in accordance with the Arbitration and Conciliation Act, 1996. The Chairman, Bihar State Pollution Control Board, Patna shall appoint a sole arbitrator. The decision of the sole arbitrator shall be final and binding on both the parties. It will not be an objection to any such appointment that the arbitrator is the



(51)

Government servant and has any interest in the Board or the contract entered in to directly or indirectly or otherwise. In all cases, the arbitrator shall state his decision in writing. Arbitration proceedings shall be held at Patna, Bihar (India) only and the language of arbitration proceeding and that all documents and communications between the parties shall be in English.

12.2 The concerned District Level Monitoring Committee (DLMC) under the chairmanship of the concerned District Magistrate (DM) shall act as the Dispute Redressal Committee (DRC) for Redressal of any dispute between CBWTF and tie-up HCFs.

13.0 **Laws and Regulations**

The formation, validity and performance of this Contract shall be governed as to all matters by and under the laws and regulations of India and courts of Patna shall have exclusive jurisdiction in all matters arising under this Contract.

The successful bidder shall respect and abide by all laws and regulations of India and shall make it best effort to ensure that the personnel of the CBWTF and their dependents, while staying in India, shall respect and abide by all laws and regulation of India.

The successful bidder shall protect, absolve and indemnify the Board and their representatives from any claim, loss or damage arising from any non compliance alleged or proved, without claiming them for payment. All legal disputes subject to Patna jurisdiction only.

14.0 **FORCE MAJEURE**

Contractor/agency/bidder shall not be considered in default if delay in compliance occurs due to causes beyond his control such as acts of God, natural calamities, civil, wars, strikes, fire, frost, floods, riots, pandemic and acts of usurped power. Only those above causes which have a duration of more than seven calendar days shall be considered cause of force majeure.

15.0 **Performance Security Deposit:**

15.1 Within thirty (30) days of notification of award from the Board, the successful Bidder shall furnish the Performance Security deposit in the form



of bank guarantee issued by a reputable bank having license to do business in India or as bank draft payable to Bihar State Pollution Control Board, Patna for an amount equivalent to 10 % of the capital cost (land, building, plant & machineries) towards commitment of establishment and operation of CBWTF. In case of CBWTF establishing on leased land and/or building or any other assets, ten times the annual lease value shall be taken as equivalent as capital investment or guidance value of property /land whichever is higher.

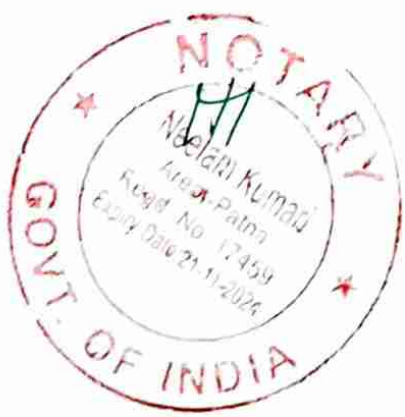
15.2 No interest will be paid by the State Board on the performance security deposit.

15.3 The performance security deposit shall be refunded after the expiry of the period of agreement and after being satisfied that there are no liabilities outstanding against the bidder.

16.0 **Forfeiture of Performance Security Deposit:** Performance Security amount in full or part may be forfeited in the following cases:-

- (a) When any terms and conditions of the agreement is breached.
 - (b) When the bidder fails to establish and operate CBWTF satisfactorily.
- Prior Notice will be given in case of forfeiture of performance security deposit.

17.0 **Award of Contract to Successful Bidder:** The Board will award the Contract to successful Bidder in all respects as per the bid document after all clearances from the competent authority of the Board.



Attachment 1

<Letterhead of the Bidder>

FORM OF QUESTIONNAIRE

(To be submitted before Pre-Bid Meeting)

BIDDING DOCUMENTS

For Selection of Entrepreneur/ Service Provider for Setting Up & Operating
"Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar.

Date :

To,

**The Member Secretary,
Bihar State Pollution Control Board,
Parivesh Bhawan, Patliputra Industrial Area,
P.O.-Sadakat Ashram,
Patna-800 010, Bihar, India.**

From: Name of Bidder
Address
Fax No.
Email id.

Questionnaire Format			
Tender Page No.	Clause No.	Tender Clause	Question

Signature of the Authorized Representative
Name of the person:
Designation:



Attachment 2

**PROFORMA FOR FINANCIAL CAPABILITY OF BIDDER
(for a period of last three years)**

NIT No. -----, Dated-----

Date of Opening ----- Time -----

Name of the Bidder & address

.....

Year	Currency	Turnover
2018-2019 financial year		
2019-2020 financial year		
2020-2021 financial year		
Average		

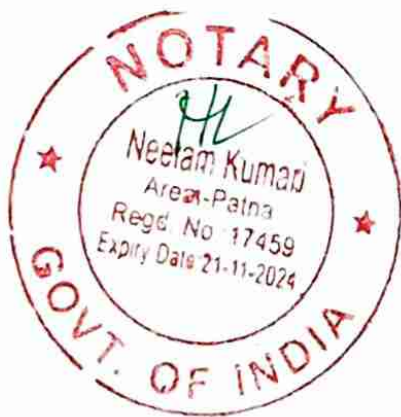
Note:

1. The annual turnover amount is to be supported by annual report/ audited balance sheet.

Signature of the Authorized Representative

Name of the Person:

Designation:



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Attachment 3

PROFORMA FOR PREVIOUS WORK EXPERIENCE OF THE BIDDER

NIT No. -----, Dated-----

Date of Opening -----Time -----

Name of the Bidder & address
.....

Details of CBWTF set up and operated/ operating.	Order No. & Date	Description of work conducted	Value of order	Performance Certificates from the previous organization.
1	2	3	4	5

Signature of the Authorized Representative

Name of the Person:

Designation:



Attachment 4

Form of Bank Guarantee for Performance Security
(To be stamped in accordance with Stamp Act by the issuing Bank)

Bank Guarantee No. -----

Date : -----

Ref. No.:-----

To,
The Member Secretary,
Bihar State Pollution Control Board,
Parivesh Bhawan, Patliputra Industrial Area,
P.O. Sadakat Ashram,
Patna-800 010, Bihar, India.

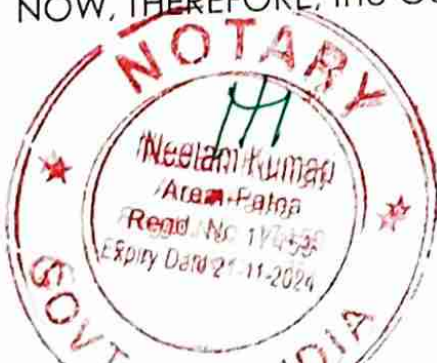
Dear Sir,

THIS AGREEMENT is made on the -----days of----- 2023 -----
Between [Name of the Bank] of ----- [address of the bank]
(hereinafter called "the Guarantor") of the one part and Bihar State
Pollution Control Board (hereinafter called "the Board") of the other part.

WHEREAS

- (1) this agreement is supplemental to a contract number -----(insert Contract Number) (hereinafter called "the Contract") made between ----- [name of Contractor] of ----- [address of Contractor] (hereinafter called "the Contractor) of the one part and the Board of the other part whereby the Contractor agreed and undertook to execute the works of Setting Up of & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar for BSPCB at Patna/ Muzaffarpur/ Bhagalpur/ Gaya/ Gopalganj/ Madhubani, Purnea/ Rohtas against the Contract for the sum of ----- [amount in Contract Currency] being the Contract Price; and
- (2) the Guarantor has agreed to guarantee the due performance of the Contract in the manner hereinafter appearing.

NOW, THEREFORE, the Guarantor hereby agrees with the Board as follows;



(a) If the Contractor (unless relieved from the performance by any clause of the Contract or by statute or by the decision of a tribunal of competent jurisdiction) shall in any respect fail to execute the Contract or commit any breach of his obligations there under then the Guarantor will indemnify and pay the Board the aggregate sum of _____ [amount of Guarantee shall be ten (10)% (Percent) of the said value of the Contract]----- [in words], such sum being payable in the types and amount of currencies in which the Contract Price is payable, provided that the Board or his Authorized Representative has notified the Guarantor to that effect and has made a claim against the Guarantor before the validity of bank guarantee.

(b) The guarantor shall not be discharged or released from his guarantee by an arrangement between the Contractor and the Board, with or without the consent of the Guarantor, or by any alteration in the obligations undertaken by the Contractor, or by any forbearance on the part of the Contractor, whether as to payment, time, performance, or otherwise, any notice to the Guarantor of any such arrangement, alteration, or forbearance is hereby expressly waived.

This guarantee shall be valid for one year from date of acceptance letter from the contractor.

Given under our hand on the date first mentioned above.

SIGNED BY -----
for and on behalf of the
Guarantor
(Seal of Guarantor)

in the presence of

(Witness)



Annexure-I

APPLICATION FORM (To be filled by the bidder)

NIT No. -----, Dated-----

Date of Opening -----Time -----

1)	Location for which bid application is being submitted.	
2)	Name and full address of the Bidder including Telegraphic Address/Telex No. and Fax No	
3)	Name and Designation of the Head of the organization/agency and his contact number.	
4)	(i) In case the organization/agency is located out of Bihar; specify the Address, if any.	
	(ii) Name, Designation, Address, Telephone & Fax Numbers of the Authorised Person who may be contacted during the process /execution of the work concerned under this document (Applicable for all the operators).	
5)	Capacity of CBWTF to cater the bio-medical waste treatment and disposal.	
6)	Whether Earnest Money of Rs. 6,00,000/- (Rs. Six Lakh) for each CBWTF location Deposited? Yes/No	(Amount: in Rs) -----
7)	Whether Tender Document Fee of Rs. 10,000/- deposited? Yes/No	
8)	Whether bidder has submitted information on all past work experiences and satisfactory performance/statement, in "Performance Statement" as per Attachment-3 ? Yes/No	
9)	Whether bidder has submitted? Yes/No	
	(a) Income Tax Returns and turnover of last 03 years;	
	(b) PAN	
	(c) GST	
	(d) Land ownership paper/ Registered Lease Deed.	
	(e) Declaration/undertaking that bidder has not been blacklisted.	

Place:

Date:



Legally Binding Signature with stamp

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Annexure-II

<Letterhead of the Bidder>

Date: .

Grant no.:-----

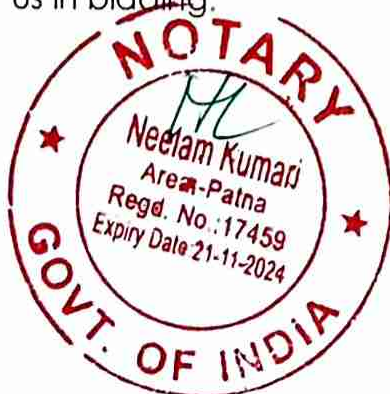
Bid No. -----

BID FORM

To

**Bihar State Pollution Control Board,
Parivesh Bhawan,
Patliputra Industrial Area,
P.O. Sadakat Ashram,
Patna-800 010.**

1. Having examined the Bidding documents for Selection of Entrepreneur/ Service Provider for Setting Up & Operating "Common Bio-Medical Waste Treatment Facility (CBWTF)" in Bihar (Patna: 02; Gopalganj: 01; Madhubani: 01; Purnea: 01, Sasaram: 01, Muzaffarpur: 01, Bhagalpur:01 and Gaya: 01) including Instructions to Bidders, Scope of Works, Attachments/Annexures, Amendment Nos. we, the undersigned, offer to execute and complete the whole of the works and remedy any defects therein, in conformity with the said Bidding Documents for the sum Rs.(INR in figures.....) as may be ascertained in accordance with the Summary of Bid Price and Bid Price breakup attached herewith and made part of this bid.
2. We undertake, if our Bid is accepted, to complete works comprised in the Contract till the time specified in the contract, subject to the said conditions.
3. If our Bid is accepted, we will obtain the guarantee of a bank for a sum equivalent to 10% of the Contract Price for the due performance of the Contract, in the form prescribed by the Board, till the contract period.
4. We agree to abide by this Bid for a period of one hundred eighty (180) days from the final date of the submission of Bid and shall remain binding upon us and may be accepted at any time before the expiration of that period.
5. Unless and until a formal Contract is prepared and executed, this Bid, together with your written acceptance thereof, shall constitute a binding Contract between us.
6. We understand that you are not bound to accept the lowest of any bid you may receive, and that you will not defray any expense incurred by us in bidding.



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Date this-----day of ----- 2023.

Signature ----- in the capacity of -----

Duly authorized to sign Bid for and on behalf of -----

(IN BLOCK CAPITAL) -----

Address -----

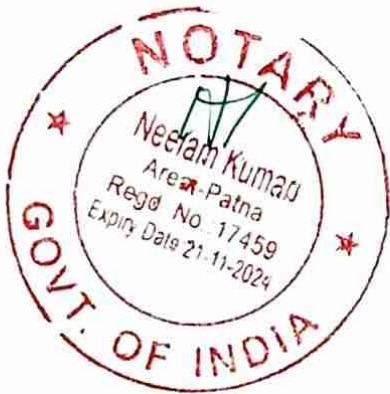
Telephone Number -----

Email id. -----

WITNESS -----

Address -----

Occupation -----



Bid Price Breakup

Sl. No.	Name of the bidder wishing to set up and operate "Common Bio-Medical Waste Treatment Facility (CBWTF)" at..... in Bihar.	Quoted rate for collection, transportation, treatment and disposal of BMW (In Rs.)			Taxes rate as applicable (In Rs.)
		For non-bedded HCFs on monthly basis	For HCFs ≤ 10 beds monthly basis	For HCFs > 10 beds on per bed/per day	
1.					
2.					
3.					
4.					
5.					
6.					
7.					

Signature of authorized person, name with stamp

Full Address:



पत्रांक : पर्या0/वन-42/2002-1078 (ई0)/प0व0ज0प0

बिहार सरकार

पर्यावरण, वन एवं जलवायु परिवर्तन विभाग

प्रेषक,

कमलजीत सिंह, भावसे
वन संरक्षक-सह-अपर सचिव।

सेवा में,

श्री संतोष ओझा,
M/s S.R. Solutions,
111, ताराटावर, शारत्रीनगर, पटना-23,
ई0मेल- Santosh Ojha.bmw@gmail.com.

विषय :

Proposal for Common Bio-medical Waste Treatment Facility at Naubatpur, Karai,
Patna.

पटना-15, दिनांक 07/08/19

प्रसंग:

आपका पत्रांक SR/CBNWTF/01A-2019/4-004 दिनांक 08.04.19

महाशय,

निदेशानुसार उपर्युक्त विषयक प्रासंगिक पत्र के आलोक में स्वास्थ्य विभाग (राज्य स्वास्थ्य समिति) के पत्रांक 2568, दिनांक 15.07.19 की छाया प्रति सलग्न करते हुए सूचित करना है कि जैव-चिकित्सा अपशिष्ट प्रबंधन हेतु गठित राज्य स्तरीय सलाहकार समिति की दिनांक 10.06.19 को आयोजित तृतीय बैठक में पूर्व में निर्धारित स्थल कोईलावर एवं मधेपुरा में ही दो अतिरिक्त सामूहिक जैव-चिकित्सा अपशिष्ट उपचार केन्द्र की स्थापना की कार्यवाही करने का निर्णय लिया गया है।

सूचनार्थ प्रेषित।

अनु0-यथोक्त।

विश्वासभाजन,

(कमलजीत सिंह)

वन संरक्षक-सह-अपर सचिव।



पत्रांक

63

Letter No.: Environment/Forest-42/2002-1078 (60P.V.J.050)

Bihar Government

Environment, Forest and Climate Change Department

From,

Kamaljit Singh, I.F.S.

Forest Conservator-cum-Additional Secretary.

To,

Mr. Santosh Ojha, M/s S.R. Solutions.

Taratower, Shastri Nagar, Patna-23,

Email- Santosh Ojha.bmw@gmail.com.

Patna-15, dated 07/08/19

Subject : Proposal for Common Bio-medical Waste Treatment Facility at Naubatpur. Karai, Patna.

Reference: Your letter number SR/CBNWTF/01A-2019/4-004 dated 08.04.19.

Sir,

As per instructions, in the light of the relevant letter on the above mentioned subject, attaching the photocopy of Health Department (State Health Society) letter no. 2568, dated 15.07.19, it is to be informed that on 10.06.19, the State Regulatory and Advisory Committee constituted for bio-medical waste management in the third meeting held, it was decided to take action to establish two additional CBWTF at the previously determined sites of Koilwar and Madhepura.

Transmitted for information.

Anu-As per.

*True typed and translated
prepared by
Kamranish Singh
BR/1889/2013*

Yours,

(Kamaljit Singh)

Forest Conservator, Additional Secretary.

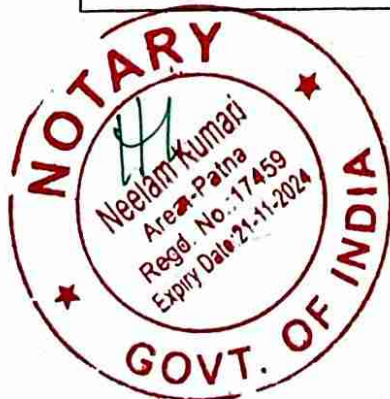
मुख्य सचिव, बिहार की अध्यक्षता में Common Bio-Medical Waste Treatment Facility (CBWTF) की स्थापना संबंधित दिनांक-17.11.2021 को सम्पन्न समीक्षात्मक बैठक की कार्यवाही :-

मुख्य सचिव, बिहार की अध्यक्षता में दिनांक-17.11.2021 को अपराह्न 04:00 बजे उनके कार्यालय कक्ष में Common Bio-Medical Waste Treatment Facility (CBWTF) की स्थापना संबंधित समीक्षा के संबंध में एक बैठक सम्पन्न हुई।

प्रधान सचिव, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, बिहार सरकार द्वारा सूचित किया गया कि वर्तमान में बिहार में चार (04) Common Bio-Medical Waste Treatment Facilities (CBWTFs) कार्यरत हैं, जो पटना, मुजफ्फरपुर, भागलपुर एवं गया में स्थित हैं। इन सामूहिक उपचार सुविधाओं (CBWTFs) द्वारा संबंधित जिलों में सुविधाएँ प्रदान की जा रही हैं। केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली द्वारा जारी मार्गदर्शिका के अनुरूप एक Common Bio-Medical Waste Treatment Facility (CBWTF) के संबंधित क्षेत्र के अंदर यदि शय्याओं (Beds) की संख्या 10,000 से अधिक होती है तो अतिरिक्त शय्याओं को सुविधा प्रदान करने हेतु एक नये Common Bio-Medical Waste Treatment Facility (CBWTF) की स्थापना की स्वीकृति दी जा सकती है। वर्तमान में (CBWTF) पटना, मुजफ्फरपुर एवं भागलपुर द्वारा 10,000 से अधिक शय्याओं को सुविधा प्रदान की जा रही है। अतः इन क्षेत्रों में अतिरिक्त Common Bio-Medical Waste Treatment Facility (CBWTF) की स्थापना की जा सकती है। इस हेतु पूर्व में जीव-धिकित्ता अपशिष्ट प्रबंधन हेतु गठित राज्य स्तरीय सलाहकार समिति द्वारा कोईलवर (मोजपुर) एवं मधेपुरा में एक-एक Common Bio-Medical Waste Treatment Facility (CBWTF) स्थापित करने का निर्णय लिया गया था एवं इस हेतु बिहार मेडिकल सर्विसेज एंड इन्फ्रास्ट्रक्चर कॉर्पोरेशन लिमिटेड, पटना द्वारा निविदा जारी की गयी है। लेकिन, अभी तक स्थापना नहीं हो पायी है।

कार्यपालक निदेशक, राज्य स्वास्थ्य समिति द्वारा सूचित किया गया कि कोईलवर एवं मधेपुरा में Common Bio-Medical Waste Treatment Facility (CBWTF) की स्थापना हेतु प्राप्त निविदाओं के आधार पर एजेंसी का चयन कर लिया गया है एवं इस हेतु भूमि की पहचान भी कर ली गयी है, अतः स्थापना हेतु कार्यदेश शीघ्र ही जारी कर दिया जायेगा। उन्होंने यह भी सूचित किया कि वर्तमान में कार्यरत भागलपुर, मुजफ्फरपुर एवं गया में स्थापित CBWTF के अनुबंध की अवधि भी शीघ्र ही समाप्त हो रही है। अतः इस हेतु भी शीघ्र ही निविदा जारी की जायेगी।

सदस्य-सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्यट, पटना द्वारा सूचित किया गया कि राज्य में कुल शय्याओं की अनुमानित संख्या लगभग 70,000 है। अभी भी कई स्वास्थ्य उपचार केन्द्रों द्वारा Common Bio-Medical Waste Treatment Facility (CBWTF) से सम्बद्ध किया जाना शेष है। पटना में भी शय्याओं की बढ़ती संख्याओं को ध्यान में रखते हुए एक अतिरिक्त सामूहिक जीव-धिकित्ता अपशिष्ट उपचार केन्द्र (CBWTF) की स्थापना पर विचार किया जा सकता है।



Signature

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वर्तमान में कोईलबर के लिए जो निविदा जारी की गई है, उसमें पटना के अलावा अन्य जिले यथा-मोजपुर, बक्सर, रोहतास, कैमूर एवं नालंदा को टैग किया गया है। इसके अलावा भी 2019 के आँकड़ों के अनुसार पटना में ही 14,000 से ज्यादा बेड हैं। कोविड के दौरान बेड की संख्या बढ़ी है। इसके अलावा अगर वैशाली को भी शामिल किया जाय तो पटना जिले में एक से ज्यादा CBWTF की संभावना बनती है।

विस्तृत धर्मा के उपरान्त निर्णय लिया गया कि,

➤ पटना जिले में एक अतिरिक्त सामूहिक जैव-धिकित्वा अपशिष्ट उपचार केन्द्र (CBWTF) की स्थापना की जाय। इस हेतु राज्य स्वास्थ्य समिति, बिहार द्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी मार्गदर्शिका के अनुरूप यथाशीघ्र Expression of Interest (Eoi) जारी किया जाये। जारी किये जाने वाले Expression of Interest (Eoi) में सरकार द्वारा CBWTF की स्थापना हेतु चिन्हित भू-खण्ड के अतिरिक्त यदि कोई प्रस्तावक निजी जमीन पर भी CBWTF स्थापित करना चाहता है तो उत्तका भी विकल्प दिया जाये।

धन्यवाद ज्ञापन के साथ बैठक सम्पन्न हुई।

ह०/-

(त्रिपुरारि शरण)

मुख्य सचिव, बिहार।

ज्ञापक- 493

दिनांक- 24.11.2021

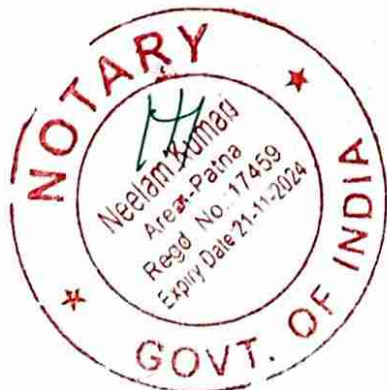
प्रतिलिपि-प्रधान सचिव, स्वास्थ्य विभाग, बिहार सरकार/कार्यपालक निदेशक, राज्य स्वास्थ्य समिति, बिहार/सदस्य-सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्यद, पटना एवं सभी संबंधित को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

(Handwritten Signature)
24/11/2021

(दीपक कुमार सिंह)

प्रधान सचिव,

पर्यावरण, वन एवं जलवायु परिवर्तन विभाग,
बिहार।



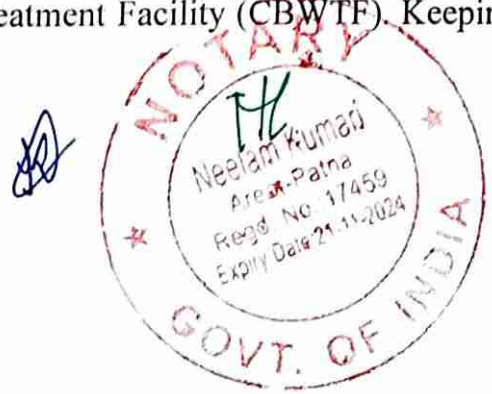
Proceedings of the review meeting held on 17.11.2021 regarding the establishment of Common Bio-Medical Waste Treatment Facility (CBWTF) under the chairmanship of Chief Secretary, Bihar:-

A review meeting related to the establishment of Common Bio-Medical Waste Treatment Facility (CBWTF) was held under the chairmanship of Chief Secretary, Bihar on 17.11.2021 at 04:00 pm in his office room.

Principal Secretary, Environment, Forest and Climate Change Department, Government of Bihar informed that at present four (04) Common Bio-Medical Waste Treatment Facilities (CBWTFs) are operational in Bihar, which are located in Patna, Muzaffarpur, Bhagalpur and Gaya. The facilities are being provided by these CBWTFs in the respective districts. As per the guidelines issued by the Central Pollution Control Board, Delhi, if the number of beds within the respective area of a Common Bio-Medical Waste Treatment Facility (CBWTF) exceeds 10,000, then a new Common Bio-Medical Waste Treatment Facility (CBWTF) will be constructed to facilitate the additional beds. Approval can be given for the establishment of Bio-Medical Waste Treatment Facility (CBWTF). At present, more than 10,000 beds are being provided by CBWTF Patna, Muzaffarpur and Bhagalpur. Therefore, additional Common Bio-Medical Waste Treatment Facility (CBWTF) can be established in these areas. For this, earlier the decision was taken by the state level advisory committee constituted for bio-medical waste management to establish one Common Bio-Medical Waste Treatment Facility (CBWTF) each in Koilwar (Mojpur) and Madhepura and for this, Bihar Medical Services Infrastructure Corporation Ltd. had issued a tender. But, the installation has not been done yet.

Executive Director, State Health Society informed that the agency has been selected on the basis of tenders received for the establishment of Common Bio-Medical Waste Treatment Facility (CBWTF) in Koilwar and Madhepura and land for this has also been identified. Therefore, work order for establishment will be issued soon. He also informed that the contract period of CBWTF currently working in Bhagalpur, Muzaffarpur and Gaya is also ending soon. Therefore, tender will be issued very soon for this also.

Member-Secretary, Bihar State Pollution Control Board, Patna informed that the total estimated number of beds in the state is approximately 70,000. Many health treatment centers are still to be affiliated with the Common Bio-Medical Waste Treatment Facility (CBWTF). Keeping in mind the increasing number of



beds in Patna also, establishment of an additional mass bio-medical waste treatment center (CBWTF) can be considered.

At present, in the tender issued for Koilwar, apart from Patna, other districts like Bhojpur, Buxar, Rohtas, Kaimur and Nalanda have been tagged. Apart from this, according to the figures of 2019, there are more than 14,000 beds in Patna itself. The number of beds has increased during Covid. Apart from this, if Vaishali is also included then there is a possibility of more than one CBWTF in Patna district.

After detailed discussion it was decided that,

> An additional Common Bio-Medical Waste Treatment Facility (CBWTF) should be established in Patna district. For this, Expression of Interest (EoI) should be issued as soon as possible by the State Health Society, Bihar as per the guidelines issued by the Central Pollution Control Board. In the Expression of Interest (EoI) to be issued, in addition to the land identified by the government for the establishment of CBWTF, if any proponent wants to establish CBWTF on private land, then the option should also be given.

The meeting concluded with a vote of thanks.

(Tripurari Sharan)

Chief Secretary, Bihar.

Memo No:- 493

Dated-24-11-2021

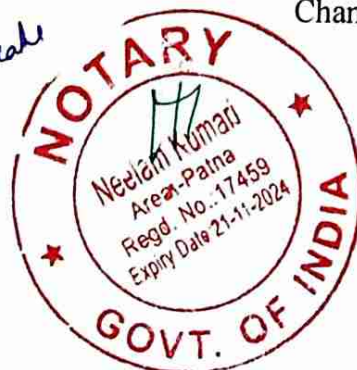
Copy sent to Principal Secretary, Health Department, Government of Bihar / Executive Director, State Health Society, Bihar / Member-Secretary, Bihar State Pollution Control Board, Patna and all concerned for information and necessary action.

(Deepak Kumar)

Principal Secretary,

Environment, Forest and Climate Change Department, Bihar.

True Typed copy prepared by Kamesh Singh Advocate 13/11/2021



बिहार राज्य प्रदूषण नियंत्रण पत्र
 धारवेश भवन, एन०एस०ब्लॉक-२, पाटलिपुत्र औद्योगिक क्षेत्र, पो०-भद्रकान आमम, पटना-800010
 दूरभाष संख्या : 06122-2261250/2262265/2261709 ई-मेल msbspb-bih@gov.in,
 वेबसाइट-http://bspb.bih.nic.in

पत्रांक-8-532
 प्रेषक,

पटना, दिनांक: 15/3/22

एस०चन्द्रशेखर, एन०एस०,
 सदस्य-सचिव।

सेवा में,

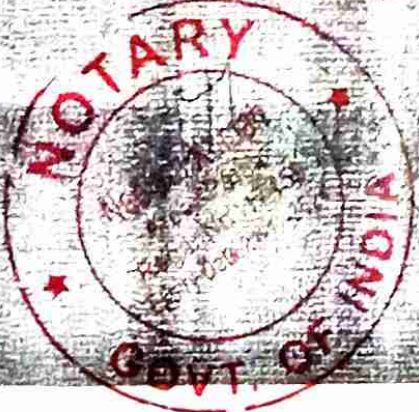
श्री संतोष कुमार ओझा,
 मेसर्स एस० आर० सॉल्यूशन,
 पूर्वा लेन ऑफ एन०एस०सी० शेखपुरा
 पो०-बी०भी० कॉलेज, वार्ड-05 सी० न.-251,
 एच न.-384/549A, शास्त्रीनगर, पटना-800014

विषय: मेसर्स एस० आर० सॉल्यूशन इकाई के स्थापना हेतु प्रस्तावित चिह्नित भू-खण्ड निरीक्षण के संबंध में।

महोदय,

उपरोक्त विषयक आलोक में सूचित करना है कि मेसर्स एस० आर० सॉल्यूशन इकाई की स्थापना के लिए भौजा-ऐनियो, तहसील-फतुहा, जिला-पटना में प्रस्तावित सामूहिक जीव-चिकित्सा अप्रशिष्ट उपचार केन्द्र हेतु चिह्नित भू-खण्ड का राज्य पत्रद्वारा गठित संयुक्त टीम द्वारा दिनांक 23-02-2022 को निरीक्षण किया गया। निरीक्षण के दौरान चिह्नित भू-खण्ड के उत्तर-पश्चिम कोना से नजदीक के आबादी की दूरी मापी गयी। प्रस्तावित स्थल से आबादी (ऐनियो गाँव) की दूरी 348 मीटर पाया गया तथा भू-खण्ड के उत्तर-पश्चिम कोना से नजदीक के स्कूल उत्क्रमित पथ्य विद्यालय, ऐनियो की दूरी 417 मीटर पाया गया। केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के दिशा निर्देशों के अनुसार उक्त दूरी कम से कम 500 मीटर सुनिश्चित किया गया है।

अतः आपको निर्देशित किया जाता है कि प्रस्तावित चिह्नित भू-खण्ड पर सामूहिक चिकित्सा अप्रशिष्ट उपचार केन्द्र की स्थापना करना नियमावली नहीं होगा। इस कार्य के लिए किसी अन्य भू-खण्ड का पहचान सुनिश्चित करें कि प्रस्तावित स्थल से आबादी की दूरी केन्द्रीय प्रदूषण नियंत्रण बोर्ड, दिल्ली के द्वारा निर्धारित दूरी संबंधी मापदण्ड का अनुपालन हो सके।



विवासायिन,
 (एस०चन्द्रशेखर)
 सदस्य-सचिव

RCD

Bihar State Pollution Control Board

Parivartan Bhawan, NASB-2, Patliputra Industrial Area, P.O. Jan Aam, Par-800010
Telephone number: 06122-2261250/2262265/2261709-msbspcb-bih@gov.in ume-
http://bspcb.bih.nic.in

Letter No. 8-532

Patna, Date: 15.03.2022

From

S.Chandrashekhar,
Member-Secretary.

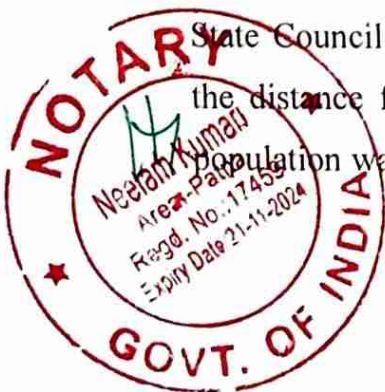
To,

Shri Santosh Kumar Ojha, M/s S. R. Solution,
East Lane of NSC Sheikhpura PO-B.H. College,
Ward-05 C. No.-251. H No.-384/549A, Shastri Nagar,
Patta-800014

Subject: Regarding inspection of the proposed identified land for setting up
M/s S.R. Solution unit.

Sir,

In the light of the above subject, it is to be informed that the land plot identified for the proposed CBWTF in Mauza Anio, Tehsil Fatuha, District Patna for establishment of M/s S.R. Solution Unit by the joint team constituted by the State Council and inspection was done on 23.02.2022. During the inspection, the distance from the north-west corner of the identified land to the nearest population was measured. The distance from the proposed site to the population



[Handwritten signature]

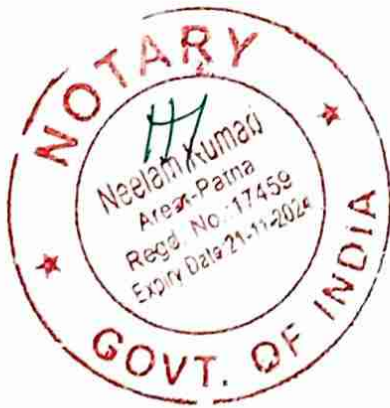
(Ainio village) was found to be 348 meters and the distance from the north-west corner of the plot to the nearest school, Upgraded Middle School, Ainio, was found to be 417 meters. As per the guidelines of Central Pollution Control Board, Delhi, the said distance has been ensured to be at least 500 meters.

Therefore, you are directed that it would not be as per rules to establish a CBWTF on the proposed identified land. Identifying any other land for this work will ensure that the distance of the population from the proposed site meets the distance criteria prescribed by the Central Pollution Control Board, Delhi.

*True typed copy
prepared by
Hemant Singh
BR/1889/2013*

(S. Chandrashekhar)

Member-Secretary



परिवेश भवन, एनएसबीओ-2, पादलिपुर औद्योगिक क्षेत्र, पो-सदाकत आश्रम, पटना-800010
दूरभाष संख्या : 06122-2261250/2262269/2261709
ई-मेल- msbspcb-blh@gov.in, वेबसाइट- http://bspcb.bih.nic.in

पत्रांक-B-1311

पटना, दिनांक: 25/5/22

प्रेषक,

एस0 चन्द्रशेखर, भा0व0से0
सदस्य-सचिव।

सेवा में,

श्री संतोष कुमार ओझा,
मेसर्स एस0 आर0 सॉल्यूशन,
पूर्वी लेन ऑफ एन0एस0सी0 शेखपुरा,
पो0- बी0भी0 कॉलेज, पटना-800014.

विषय: मेसर्स एस0 आर0 सॉल्यूशन इकाई के स्थापना हेतु नये प्रस्तावित चिन्हित भूखण्ड के निरीक्षण के सम्बन्ध में।

प्रसंग: पर्वद पत्रांक B-1273 दिनांक 20-05-2022.

महाशय,

उपरोक्त प्रासंगिक विषय के क्रम में पुनः सूचित करना है कि मेसर्स एस0 आर0 सॉल्यूशन इकाई की स्थापना के लिए मौजा-ऐनियों, थाना-गौरीचक, तहसील-फतुहा, जिला-पटना में प्रस्तावित सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्र हेतु चिन्हित भूखण्डों जिसका खाता नं.-100, प्लॉट नं.-416, खाता नं.-133, प्लॉट नं.-415 एवं खाता नं.-76, प्लॉट नं.-742 का राज्य पर्वद द्वारा गठित संयुक्त जाँच दल द्वारा दिनांक-06.05.2022 को निरीक्षण किया गया। निरीक्षण के दौरान चिन्हित भूखण्डों से चारों ओर आबादी वाला गाँवों की दूरी 500 मीटर से अधिक पायी गयी।



विश्वसिपापनि,
(एस0 चन्द्रशेखर)
सदस्य-सचिव।
25/5/22

Bihar State Pollution Control Board

Parivesh Bhawan, NSB-2, Pataliputra Industrial Area, P.O.-Sadakat Ashram, Patna-800010
Telephone No.: 06122-2261250/2262265/2261709 Email-msbspcb-blh@gov.in, Website-
http://bspcb.bih.nic.in

Memo No.-8-532

Patna, Date: 25.05.2022

From,
S. Chandrashekhar, I.A.S.
Member-Secretary.

To,

Shri Santosh Kumar Ojha,
M/s S.R. Solution,
East Lane of N.S.C. Sheikhpura,
P.O. B.B.H. College, Patna-800014.

Subject: Regarding inspection of the newly proposed identified plot for the establishment of M/s S.R. Solution unit.

Ref:- Letter no. B-1273 daed 20.05.2022

Sir,

In the light of the above, it is to be informed that for the establishment of M/s S.R. Solution unit, the plots identified for the proposed CBWTF in Mauza-Ainio, Thana-Gaurichak, Tehsil-Fathuha, District-Patna, whose Khata no. -100, Plot No.-416, Khata No.-133, Plot No.-415 and Khata No.-76, Plot No.-742 by the Joint Investigation Team was constituted by the State Council. Inspection was done on 06.05.2022. During inspection, the distance from the identified plots to the surrounding populated villages was found to be more than 500 meters.

Vishwas Bharani,
(S. Chandrashekhar)
Member-Secretary.
25/5/2022

*True typed copy
Reviewed by
Kumaresh Singh
ISA/1885/2013*



Annexure - A-67

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F. No. - SIA/7(da)/2036/2022
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT
AUTHORITY,
BIHAR

2nd Floor, Beltron Bhawn
Shastri Nagar
Patna - 800 023
E-mail:- seiaabihar@gmail.com
seiaa.ms.br@gmail.com

Dated:- 29/07/2022

To,

Shri Santosh Ojha
Proprietor,
M/s S. R. Solution,
House No. 384/549 A,
East Lane of N. S. C., Sheikhpura,
P.O.:- B. V. College, Patna, Bihar,
Pin code:- 800 014,
E-mail:- santoshojha.bmw@gmail.com,
Telephone No.:- 9334234549, 8757628880.

Sub: Proposed Common Bio-Medical Waste Treatment
Facility at Mauza:-Ainio, Tehsil:- Fatuha, District:-
Patna, State:- Bihar, by M/S S. R. Solutions; (Total Area:
1.1 Acres) - Terms of Reference regarding.

Ref: 1. Online Application - SIA/BR/MIS/77565/2022.
2. Minutes of the SEAC meeting held on 02-07-2022.
3. Minutes of the SEIAA meeting held on 25-07-2022.



Member Secretary
SEIAA, Bihar

74

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Sir,

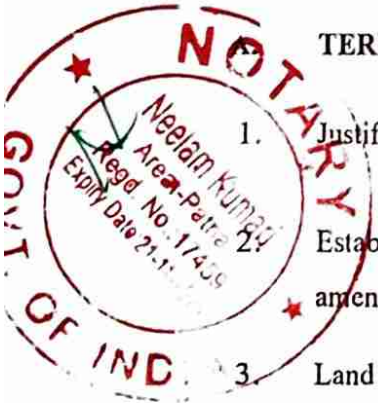
This has reference to the online proposal submitted in the State Level Environment Impact Assessment Authority to prescribe the Terms of Reference (ToR) for undertaking detailed EIA study for the purpose of obtaining Environmental Clearance in accordance with the provisions of the EIA Notification, 2006. For this purpose, you had submitted online information in the prescribed format (Form - I) along with a Form - I (A). The details of the proposal as described in the application are as follows:

1.	Online Proposal No.	SIA/BR/MIS/77565/2022
2.	File No.:	SIA/7(da)/2036/2022
3.	Name of the Proposal	Proposed Common Bio-Medical Waste Treatment Facility at Mauza - Ainio, Tehsil:- Fatuha, District:- Patna, State:- Bihar, by M/s S. R. Solutions
4.	Category of the Proposal:	Common Bio-Medical Waste Treatment Facility
5.	Project/Activity applied for	7(da) Common Bio-Medical Waste Treatment Facility.

In this regard, under the provisions of the EIA Notification, 2006 as amended, the ToR for the purpose of preparing Environment Impact Assessment report and Environment Management Plan for obtaining prior Environmental Clearance is prescribed with Public Consultation as follows:-

TERMS OF REFERENCE

1. Justification for selecting the proposed capacity of the incineration facility.
2. Establishment of the facility as per Bio Medial Waste Management Rules, 2016 as amended.
3. Land requirement for the facility including its break up for various purposes, its availability and optimization.
4. Details of proposed layout clearly demarcating various activities such as security, Waste Storage Rooms, Waste Treatment Equipment Rooms/Areas, Treated Waste Storage Room, Pollution Control Devices like APCS and ETP, ash storage/disposal



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(69) (75)

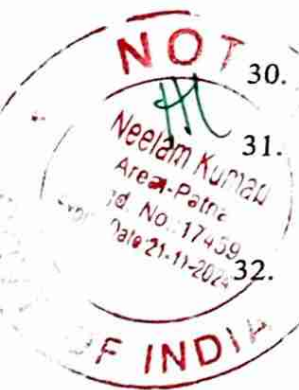
area, vehicle washing areas, and others such as admin area, worker's room, health centres, greenbelt, etc.

5. Details on collection and transportation of Bio Medical Wastes from health care establishments. No. of vehicles and feature of vehicles, etc.
6. Details of waste storage facilities/rooms.
7. Details of the treatment equipment's capacity and make.
8. Details of the incineration system.
9. The CPCB guidelines for common bio medical waste treatment facilities in respect of waste feed cut-offs, operating parameters of combustion chambers, flue gas cleaning, ash handling, etc.
10. Details on fuel requirement for incineration.
11. Details on flue gas emissions discharge through stack and proposed pollution control technologies.
12. Details on residue/ash generation and management.
13. Details of waste heat utilization, if any.
14. Details on wastewater management.
15. Details of the proposed overall safety and health protection measures.
16. Details on source of water and power to the facility.
17. Details of the existing access road(s)/walkways to the designed operations in the site and its layout.
18. Location of the incineration facility and nearest human habitation with distances from the facility to be demarcated on a toposheet (1: 50000 scale).
19. Land use map based on satellite imagery including location specific sensitivities such as national parks / wildlife sanctuary, villages, industries, ground water table etc.
20. Topography details.
21. Surface water quality of nearby water bodies.



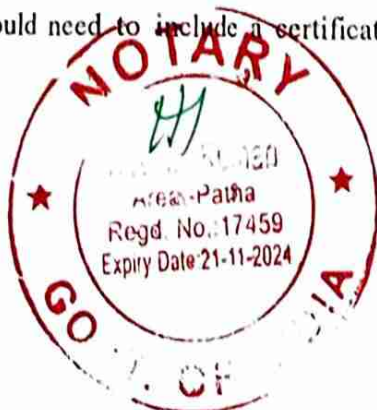
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22. Details on proposed groundwater monitoring wells, locations, frequency of monitoring, parameters, etc.
23. Action plan for the greenbelt development in accordance to CPCB published guidelines.
24. Details on pollution control technologies and online monitoring equipments.
25. Details on monitoring of pollutants at source -performance of the incinerator. including operating hours, fuel consumption, operating parameters (Combustion chamber - temperature, pressure, Stack temperature, total particulate matter, HCl, NOx as per Bio Medial Waste Management Rules 2016 as amended.
26. Stack and fugitive emissions may be monitored for SPM, HCL & NO-2 as per Bio Medial Waste Management Rules 2016 as amended.
27. Specific programme to monitor safety and health protection of workers.
28. Details of Administrative and technical organizational structure.
29. EMP devised to mitigate the adverse impacts of the project should be provided along with item-wise cost of its implementation (Capital and recurring costs).
30. Permission for water requirement.
31. The Project Proponent is required to conduct public hearing as per EIA notification, 2006.
32. Fresh base line data to be generated for EIA/EMP preparation. One season (non-monsoon) [i.e. March-May (Summer Season); October-December (post monsoon season); December-February (winter season)] primary baseline data on ambient air quality as per CPCB Notification of 2009 and its amendments, water quality, noise level, soil and flora and fauna shall be collected and the AAQ and other data so compiled presented date-wise in the EIA and EMP Report. Site-specific meteorological data should also be collected. The location of the monitoring stations should be such as to represent whole of the study area and justified keeping in view the pre-dominant downwind direction and location of sensitive receptors.



Member Secretary 4

33. Fund allocation for Corporate Environment Responsibility (CER) shall be made as per Ministry's O.M. No. 22-65/2017-IA.III dated 1st May, 2018 for various activities therein. The details of fund allocation and activities for CER shall be incorporated in EIA/EMP report.
34. Waste water shall be treated in in-house ETP and the treated wastewater shall be continuously re-circulated to full fill the water requirement of Air Pollution Control Devices (APCDs) attached to the incinerator(s).
35. List of waste to be handled and their source along with mode of transportation.
36. Layout maps of proposed common Bio-Medical waste treatment facility indicating storage area, plant area, green belt area, utilities, etc.
37. Details of drainage of the project site upto 5 km radius of the study area. If the site is within 1 km radius of any major river, peak and lean seasonal river discharge as well as flood occurrence frequency based on peak rainfall data of the past 30 years. Details of Flood level of the project site and maximum flood level of the river shall also be provided.
38. Leachate Study Report and detailed leachate management plan to be incorporated.
39. Action Plan for measures to be taken for excessive leachate generation during monsoon period.
40. The EIA documents shall be printed on both sides, as far as possible.
41. All documents should be properly indexed, page numbered.
42. Period/dated of data collection should be clearly indicated.
43. Examine the details of monitoring of Dixon and Furon.
44. MoU for disposal of ash through the TSDF.
45. Examine and submit details of monitoring of water quality around the landfill site.
46. Details of the emergency preparedness plan and on-site & off-site disaster management plan.
47. The consultant involved in preparation of EIA/EMP report after accreditation with Quality Council of India / National accreditation board of Education and Training (QCI/NABET) would need to include a certificate in this regard in the EIA/EMP



[Handwritten Signature]
Member Secretary
SEIAA, Bihar

reports prepared by them and data provided by other Organisation(s) Laboratories including their status of approvals, etc. Vide Notification of the MoEF&CC dated 19.07.2013 as amended.

B. Additional Conditions:-

1. Show the proposed project as per Patna Master plan and fulfill the criteria of Patna Master plan, if located within the master plan area.
2. The proposed project must fulfill the criteria of CPCB / BSPCB and other government authority.
3. This term of reference is subject to any decision(s) taken by the concerned departments(s) of the state government regarding establishment and operation of common biomedical waste treatment facility in the state as per the extant policy/guidelines/requirement. Issuance of this ToR does not guarantee the grant of Environmental clearance.

S 29.7.2012
(Sudhir Kumar)
Member-Secretary
SEIAA, Bihar
Member Secretary
SEIAA, Bihar



ना

PR. No. 10727 (Planning) 2022-23

कार्यपालक आभयता,
स्थानीय क्षेत्र अभियंत्रण संगठन,
कार्य प्रमंडल-01, समस्तीपुर

नशे से बचने का है एक ही उपचार, दृढ़ संकल्प और परिवार से प्यार।

लोक-सुनवाई की सूचना

मे0 एस. आर. सोल्यूशन, हाउस नं0-384/549 A, ईस्ट लेन एन.एस.सी., शेखपुरा, पो0-बी.भी. कॉलेज, पटना द्वारा जिला-पटना के मोजा-एनियो, अंचल-फतुहा, थाना नं0-72 में साझा जैव-धिकित्सा अपशिष्ट-शोधन सुविधाओं (Common Bio Medical Waste Treatment Facilities) की स्थापना का प्रस्ताव है। इस परियोजना के कार्यान्वयन के पूर्व पर्यावरणीय स्वीकृति हेतु पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार के ई.आई.ए. अधिसूचना संख्या एस.ओ. 1533, दिनांक 14.09.2008 यथा संशोधित, के आलोक में राज्य स्तरीय पर्यावरण समाघात निर्धारण प्राधिकरण, बिहार द्वारा परियोजना को TOR (Terms of Reference) निर्गत किया गया है तथा लोक-सुनवाई की जानी है।

परियोजना का पर्यावरण प्रभाव मूल्यांकन प्रतिवेदन तैयार किया गया है जिसमें सम्भावित कुप्रभावों को निरस्त करने के उपाय प्रस्तावित हैं। उक्त प्रतिवेदन तथा परियोजना के कार्यपालक स्वर की प्रति जिला पदाधिकारी, पटना, कार्यपालक पदाधिकारी, जिला पर्वद, पटना एवं जिला उद्योग केन्द्र, पटना के कार्यालय में प्रभावित क्षेत्र के लोगों के अवलोकनार्थ उपलब्ध है। परियोजना की विवरणी पर्वद के वेबसाइट: <http://bspcb.bihar.gov.in> पर अवलोकन किया जा सकता है। ऐसे व्यक्ति जो इस परियोजना से प्रभावित होने वाले हों, वह कोविड गाईड लाईन का अनुपालन करते हुए अपना लिखित सुझाव/विचार एवं मंतव्य इस सूचना प्रकाशन के 30 दिनों के अन्दर पर्वद कार्यालय में जमा कर सकते हैं। साथ ही पर्वद के ई-मेल-msbspcb-bih@gov.in अथवा डाक द्वारा भी लिखित सुझाव/विचार एवं मंतव्य भेजी जा सकती है।

परियोजना प्रभाव क्षेत्र के नागरिकों के लिए लोक-सुनवाई निम्नानुसार आहूत किया गया है:-

दिनांक	समय	लोक-सुनवाई का स्थल
21.12.2022	पूर्वाह्न 11:30 बजे	उत्कर्मित मध्य विद्यालय, एनियो, अंचल-फतुहा, थाना-गौरीचक, जिला-पटना।

सभी आम लोगों/संबंधितों से अनुरोध है कि उपरोक्त लोक-सुनवाई में उपस्थित होकर परियोजना से संबंधित अपने मंतव्य/सुझाव/विचार से अवगत करायेंगे।

सदस्य-सचिव



बिहार राज्य प्रदूषण नियंत्रण पर्वद

परिवेश भवन, पाटलिपुत्र औद्योगिक क्षेत्र, पटना-800010

दूरभाष नं.-0612-2261250/2262265, फैक्स-0612-2261050

ई-मेल-msbspcb-bih@gov.in वेबसाइट-<http://bspcb.bihar.gov.in>

Neelam Kumar

Regd. No. 17459

Expiry Date 21-11-2024

Join us as a teacher at Azim Premji School in Chhattisgarh

Azim Premji

Join us now to join us as a teacher at Azim Premji School in Chhattisgarh

Annexure - A-~~7~~ A-9 (14) (80)

Minutes of Public Hearing for establishment of proposed Common Biomedical Waste Treatment Facilities (CBWTF) by M/s S.R. Solution, House No.-384/549A, East Lane of N.S.C., Sheikhpura, P.O.-B.V. College, Patna-800014.

This public hearing was organized by the Bihar State Pollution Control Board, Patna and presided by the ADM, Patna under the provisions of EIA, 2006. Notice of public hearing had been published in daily news papers-The Times of India, Saturday, November 19, 2022; Hindustan Times, Patna, Saturday, November 19, 2022 and Prabhat Khabar, Patna, Saturday, November 19, 2022. Alongside, announcement with amplifier had also been done by the applicant prior the hearing in concern villages for the publicity of the public hearing to ensure maximum participation of the public concerned.

This specific CBWTF is proposed at Mauza-Anio, Anchal-Fatuha, Thana No.-72, District-Patna of Bihar.

VENUE: Utkramit Madhya Vidyalay, Anchal-Fatuha, P.S.-Gaurichak, District-Patna.

Date & Time: 21st December, 2022; At: 11.30 A.M.

The following officials attended the Public Hearing:

1. Sri Amitav Sinha, ADM, Patna; and
2. Sri Anil Kumar, Regional Officer, BSPCB, Patna.

The following proponents/officials/representatives attended the Public Hearing:

1. Smt. Daksha Gupta, M/s Shivalik Solid Waste Management Ltd, Zirakpur, Punjab-140604; and
2. Sri Santosh Kumar Ojha, M/s S.R. Solution, House No.-384/549A, East Lane of N.S.C., Sheikhpura, P.O.-B.V. College, Patna.

Number of persons participated in the Public Hearing were 39 and their list is enclosed as Annexure-I.

Sri Anil Kumar, Regional Officer, BSPCB, Patna welcome representatives of local public representatives, project proponent, public and other participants in the public hearing and initiated with introduction about the project. He informed the importance of public hearing for Environmental Clearance of the proposed project in such a rural area and its benefits to the local people.

Sri Amitav Sinha, ADM, Patna welcome all participants in the public hearing. He highlighted significance of the project to the public and region. ADM told that we are here to hear you all and resolve the issue if any. Further, ADM said that proposed project is facilities for disposal of biomedical wastes generated in hospital and nursing homes etc. ADM added that District administration will fully support to the project and the public, similarly



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any issue arises, we are available to resolve under the Rules.

Consultant of M/s S.R. Solution made a presentation on the project in detail, Environmental Impact Assessment study conducted and proposed mitigation measures for environment and social safeguards. On the end of presentation, Shri Anil Kumar, RO, BSPCB requested participants to put questions/doubt/suggestions one by one.

Response of the Public & their opinion:

In the public hearing following persons have expressed their query/views/opinions as given below:

Sl. No.	Name & Address	Query/comments/suggestions raised/given by the participants at Public Hearing.	Response of Project Proponent/Consultant.
1.	Sri Ajay Kumar Singh, Salempur, Anchal-Fatuha, District-Patna.	Said that there will be emission of smoke; Hepatitis diseases will spread; liquid waste will be discharged. Our farming lands are adjacent to the site which is a fertile land and they will be destroyed. There are fisheries activities nearby. Women are working in their agricultural fields. It should be established on barren land.	Environmental consultant Smt Diksha Gupta replied that not a drop of liquid wastes shall be discharged; ETP will be established and treated water shall be re-used. Adequate air pollution control facilities shall be provided including online continuous emission monitoring system.
2.	Sri Shankar Dayal Singh, Sahjalpur, Anchal-Fatuha, District-Patna.	Said that Second China is being made; 50 villages are; area will become polluted and it will be same as transport nagar.	
3.	Sri Pankaj Kumar, Village-Saidanpur, Anchal-Fatuha,	Our agricultural land is only at a distance of 10meter from the proposed	



AE

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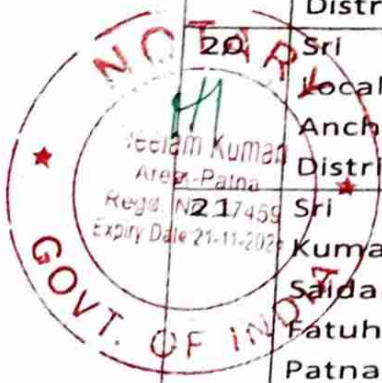
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4.	Sri Ram Babu Singh, Local villager, Fatuha, Patna. Anchal-District-	Came to know- 'Kachra plant khul raha hai'. He was not in favour of the proposed CBWTF on that specific site.	
5.	Sri Ajay Kumar Panday, Village-Anio, Anchal-Fatuha, District-Patna.	Stated that If the proposed project is as per approved guideline of the government, then project should be go ahead.	
6	Sri Satish Kumar Dubey, Village-Anio, Anchal-Fatuha, District-Patna.	Stated same as above. He was in favor of the project.	
7	Sri Shambhu Kumar Dubey, Village-Anio, Anchal-Fatuha, District-Patna.	Stated same as above. He was in favor of the project.	
8	Sri Dinanath Dubey, Village-Anio, Anchal-Fatuha, District-Patna.	Stated in favor of the project.	
9	Sri Jitendra Dubey, Village-Anio, Anchal-Fatuha, District-Patna.	Stated that this proposed plant will harm us; cremation of dead body will be taken place. This specific project should be pollution free.	
10	Sri Arun Kumar Singh, Local Villager, Fatuha, District-Patna. Anchal-	Stated that waste shall be burnt, it is densely populated area, there will be problem for local people and no any labour will work in nearby area.	The compensation of the acquired land shall be provided as per norms.
11	Sri Alok Ojha, Local Villager, Fatuha, District-Patna. Anchal-	Stated that there is tendency to protest any good work; if adequate treatment facilities are provided, then what	



12	Sri Kameshwer Ojha, Village-Anio, Anchal-Fatuha, District-Patna.	Stated that all such works for people and if it is as per govt. norms then it is OK.	
13	Sri Alok Kumar Ojha, Village-Anio, Anchal-Fatuha, District-Patna.	Stated that if project is safe as per govt. norms then it should be allowed.	
14	Sri Ojhaji, Village-Anio, Anchal-Fatuha, District-Patna.	Stated in favor of the project.	
15	Sri Bam Bahadur Singh, Village-Anio, Anchal-Fatuha, District-Patna.	Stated to repeat about the project.	Consultant of the project repeated about the project in brief.
16	Sri Rakesh Kumar Singh, Local Village, Anchal-Fatuha, District-Patna.	Stated in favor of the project.	
17	Sri Lallu Singh, Local Village, Anchal-Fatuha, District-Patna.	Stated that he was not in favor of the project.	
18	Sri Om Prakash Singh, Local Village, Anchal-Fatuha, District-Patna.	Stated that he was not in favor of the project.	
19	Sri Avinash Singh, Local Village, Anchal-Fatuha, District-Patna.	Stated that he was not in favor of the project.	
20	Sri Raju Kumar, Local Village, Anchal-Fatuha, District-Patna.	Stated that he was not in favor of the project.	
	Sri Ramakant Kumar, Village-Saldanpur, Anchal-Fatuha, District-Patna.	Stated that he was not in favor of the project.	
22	Sri Sonu Kumar, Local Village, Anchal-Fatuha,	Stated that he was not in favor of the project.	



ME

23	Sri Vijay Singh, Stated that he was	78 84
	Anchal-Fatuha, District-Patna.	

The public hearing has been conducted successfully. The proceedings of the public hearing are recorded and video taken. The same shall be submitted to all concern and the authority for necessary action.

Akumar
20.12.22
(Anil Kumar)
RO, BSPCB, Patna

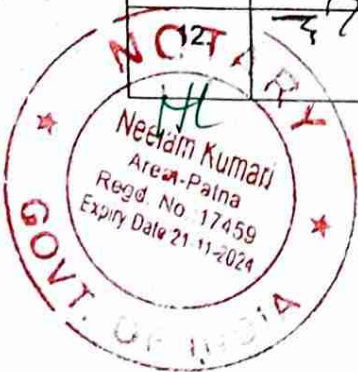

(Amitav Sinha)
ADM, Patna



उपस्थिति सूची

मे० एस. आर. सोल्यूशन, शेखपुरा, पो०-बी.भी. कॉलेज, पटना द्वारा मौजा-ऐनियो, अंचल-फतुहा, जिला-पटना में साझा जैव-चिकित्सा अपशिष्ट शोधन सुविधाओं (Common Bio Medical Waste Treatment Facilities) की पर्यावरणीय स्वीकृति हेतु दिनांक 21.12.2022 को पूर्वाह्न 11:30 बजे उत्क्रमित मध्य विद्यालय, ऐनियो, अंचल-फतुहा, थाना-गौरीचक, जिला-पटना में आयोजित लोक सुनवाई के दौरान उपस्थित व्यक्तियों की सूची:

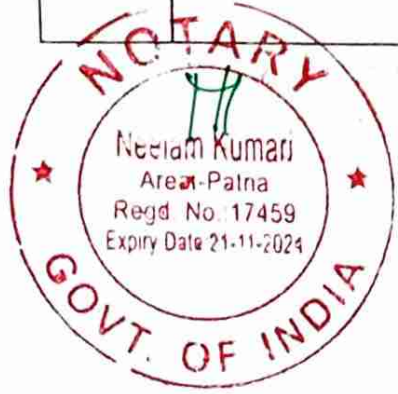
क्र०सं०	नाम	पता	हस्ताक्षर
1.	अनिमल कुमार	अंचल जिला अदालत, पटना	अनिमल कुमार 21.12.22
2.	अनिमल कुमार	श्री० पटना वि० प्र० नि० पं० पटना	अनिमल कुमार 21.12.22
3.			
4.	इक्ष्वा गुप्ता	वैवाचिक स्पोर्ट्स वेस्ट मेजमेन्ट निगम	इक्ष्वा गुप्ता
5.	इंद्र शंकर सिन्हा	मिडिलेरी (मिडिलेरी)	इंद्र शंकर सिन्हा
6.	कृष्ण कुमार पुत्र	इक्ष्वा	कृष्ण कुमार पुत्र
7.	उदय विश्वकर्मा	बिसरपुरा गंजपर	98042 449 उदय विश्वकर्मा 9931831503
8.	शरत कुमार	इक्ष्वा	शरत कुमार 9931831503
9.	शैलेंद्र नाथ	इक्ष्वा	9631 852580
10.	शैलेंद्र नाथ	इक्ष्वा	शैलेंद्र नाथ
11.	Shailendra Narayan	Anio	9234388547
	शैलेंद्र नाथ	इक्ष्वा	973279968



13.	सतीश कुमार झा	सतीश	सतीश कुमार झा
14.	Vishay Kumar Dubey	विकास	विकास कुमार
15.	K. ojha	Ajnis	
16.	Alok K ojha	Ajnis	Ajnis
17.	शिव प्रसाद झा	शिव	शिव प्रसाद झा
18.	Harendra Prasad	Ajnis	
19.	Madan Mohan Dubey	Ajnis	
20.	Balram Prasad Dubey	Ajnis	Balram
21.	Pankaj Kumar	Monsingh Pr	Pankaj Kumar
22.	Ajay Pr.	Sailesh Pr	
23.	Shamsher Chandra	Shamsher	
24.	शिव प्रसाद झा	शिव	
25.	शिव प्रसाद झा	शिव	शिव प्रसाद झा
26.	शिव प्रसाद झा	शिव	शिव प्रसाद झा
27.	शिव प्रसाद झा	शिव	Shubay
28.	शिव प्रसाद झा	शिव	शिव प्रसाद झा
29.	Shiv Nath Tiwary		S. N. Tiwary



30.	RANJEET KA	PARSABAZAR	9835222421
31.	शंकर कुमार	सैदपुर	9631977760
32.	अशोक कुमार	पिनया	9533303111
33.	प्रमोद कुमार	पिनया	9533303111
34.	अनील कुमार	सैदपुर	अनील कुमार
35.	Sury Prasad	PARSABAZAR	Sury
36.	R.K.	Pinaya	
37.	अशोक कुमार कुंज	पिनया	अशोक कुमार कुंज
38.	Sury Raj	Sheikhpura, Patna	Sury
39.	Buntala Singh	S.P. Salution.	Singh
40.			
41.			
42.			
43.			
44.			
45.			
46.			



Annexure A-7/2 A-10



बिहार राज्य प्रदूषण नियंत्रण पषद्

परिवेश भवन, एन.एस.बी-2, पाटलिपुत्र औद्योगिक क्षेत्र,
पो0-सदाकत आश्रम, पाटलिपुत्र, पटना-800 010

पत्रांक :-प/त6-100/22

पटना, दिनांक:-

प्रेषक

एस. चन्द्रशेखर, भा0व0से0,

सदस्य-सचिव

सेवा में,

श्री अमिताभ सिन्हा, अपर जिला दण्डाधिकारी, समाहरणालय, सामान्य शाखा, पटना।

कार्यपालक पदाधिकारी, जिला परिषद, पटना।

महाप्रबंधक, जिला उद्योग केन्द्र, पटना।

कार्यपालक पदाधिकारी, नगर परिषद, फतुहा, पटना-803201

विषय: मे० एस. आर. सोल्यूशन, हाउस नं०-384/549 A, ईस्ट लेन एन.एस.सी., शेखपुरा, पो०-बी.भी. कॉलेज, पटना द्वारा जिला-पटना के मौजा-ऐनियो, अंचल-फतुहा, थाना नं०-72 में साझा जैव-चिकित्सा अपशिष्ट शोधन सुविधाओं (Common Bio Medical Waste Treatment Facilities) की स्थापना के लिए परियोजना के पर्यावरणीय स्वीकृति हेतु लोक-सुनवाई का वृत्त के संबंध में।

महाशय,

उपरोक्त विषयक सूचित करना है कि परियोजना के पर्यावरणीय स्वीकृति हेतु लोक सुनवाई दिनांक 21.12.2022 को पूर्वाह्न 11:30 बजे उत्कर्मित मध्य विद्यालय, ऐनियो, अंचल-फतुहा, थाना-गौरीचक, जिला-पटना में आहुत की गयी थी। लोक सुनवाई का वृत्त एवं विडियो सी.डी. की प्रति संलग्न कर भेजी जा रही है ताकि प्रभाव क्षेत्र के लोगों के अवलोकनार्थ प्रदर्शित कराये जा सके।

सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

अनु०: लोक सुनवाई का वृत्त एवं विडियो सी.डी. की प्रति संलग्न।

विश्वासभाजन

ह०/-

(एस. चन्द्रशेखर)

सदस्य सचिव

ज्ञापांक:

पटना, दिनांक:

प्रतिलिपि: सदस्य सचिव, राज्य पर्यावरण समाघात निर्धारण प्राधिकरण (SEIAA), बिहार, बेल्ट्रॉन भवन, शास्त्रीनगर, बेली रोड, पटना को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित। साझा जैव-चिकित्सा अपशिष्ट शोधन सुविधा इकाई-मे० संगम मेडिसरव्स प्रा० लि०, बैरिया, पटना एवं अन्य से बार-बार प्रस्तावित इकाई (मे० एस. आर. सोल्यूशन) के प्रसंग में पषद् में शिकायतवाद जमा किया जा रहा है। इस तरफ प्राप्त शिकायतवाद दिनांक 19.12.2022, 28.12.2022 एवं 23.12.2022 की प्रति संलग्न कर आवश्यक कार्रवाई हेतु भेजी जा रही है।

अनु०: वथ०।

ह०/-

(एस. चन्द्रशेखर)

सदस्य सचिव

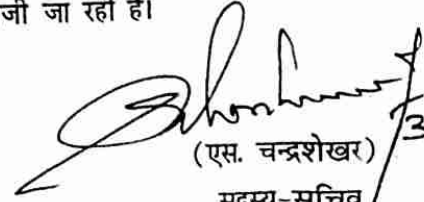


(89)

ज्ञापक :- 14.

पटना, दिनांक :- 04.01.23

प्रतिलिपि:- ऑथोराईज्ड सिगनेटरी, मे0 एस. आर. सोल्यूशन, हाउस नं0-384/549 A, ईस्ट लेन एन.एस. सी., शेखपुरा, पो0-बी.भी. कॉलेज, पटना को उनके पत्र दिनांक 28.10.2022 के प्रसंग में सूचनार्थ प्रेषिता लोक सुनवाई का वृत् एवं विडियो सी.डी. की प्रति संलग्न कर भेजी जा रही है।


(एस. चन्द्रशेखर) 30/12/22
सदस्य-सचिव



90

Bihar State Pollution Control Board

Parivartan Bhawan, NSB-2, Patliputra Industrial Area, P.O.-Sadakat Ashram, Patliputra,
Patna-800 010 Patna, Date:-

Letter No.:-P/T6-100/22

From,

S. Chandrashekhar, IAS, Member-Secretary

To,

Shri Amitabh Sinha, Additional District Magistrate,

Collectorate, General Branch, Patna.

Executive Officer, Zila Parishad, Patna

General Manager, District Industries Centre, Patna.

Executive Officer, Municipal Council, Fatuha, Patna-803201

Subject: M/s. R. Solution, House No.-384/549 A, East Lane N.S.C.,
Sheikhpura, P.O.-B.B.H. College, Patna held a round of public hearing for
Environmental Clearance of the project for establishment of Common Bio-
Medical Waste Treatment Facilities in Mauza-Ainio, Anchal- Fatuha, Police
Station No. 72 of District Patna. in relation.

Sir,

On the above subject, it is to be informed that the public hearing for
environmental approval of the project was held on 21.12.2022 at 11:30 am in
Upgraded Middle School, Ainio, Anchal-Fatuha, Police Station-Gaurichak,
District-Patna. A copy of the Transcript and video CD of public hearing is
being sent attached so that it can be displayed for perusal of the people of the
affected area.

Sent for information and necessary action.



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Enclosed: Record of public hearing and video CD.

(S. Chandrashekhar)

Member Secretary

Memorandum:

Patna, Date:

Copy: Sent to Member Secretary, State Environment Impact Assessment Authority (SEIAA), Bihar, Beltron Bhawan, Shastri Nagar, Bailey Road, Patna for information and necessary action. Complaints are being submitted to the Council regarding the shared bio-medical waste treatment facility unit - M/s Sangam Mediservices Pvt. Ltd., Bairia, Patna and others repeatedly regarding the proposed unit (M/s S.R. Solution). In this regard, copies of the complaints dated 19.12.2022, 28.12.2022 and 23.12.2022 are being attached and sent for necessary action.

(S. Chandrashekhar)

Member Secretary

Memo:- 14

Patna, Date : - 04.01.2023

Copy:- Authorized Signatory, M/s. R. Solution, House No.-384/549 A, East Lane N.S. C., Shekhpura, P.O.-B.B.H. College, Patna for information regarding their letter dated 28.10.2022. Transcript and video CD of public hearing. A copy is being sent enclosed.

*True typed copy prepared by Hemant Singh
BR/1885/13*

(S. Chandrashekhar)

Member-Secretary



Annexure - ~~A-8 series~~ A-11 series

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92

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2031 of 2023

M/S Sangam Mediserve Pvt. Ltd. having its Registered office at 189 Sector-D, Shantipuram, Phaphamau, Prayagraj- 211012 (Uttar Pradesh) through one of its Director namely Sandeep Kumar Singh, Aged about 46 years, Male, Son of Lal Sahab Singh, Resident of 189-D, Shantipuram, Phaphamau, Lehra, P.S. Prayagraj, District Allahabad known as Prayagraj (Uttar Pradesh).

Versus

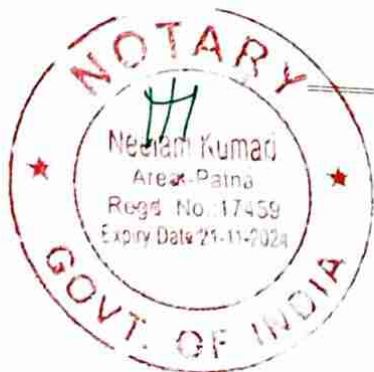
... .. Petitioner/s

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Health and Family, Welfare, Government of Bihar, Vikash Bhawan, Baily Road, Patna.
3. The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Bihar, Vikash Bhawan, Patna.
4. The Bihar State Pollution Control Board, through the Member-Secretary, Parivesh Bhawan, Plot No. NS-B/2 Patliputra Industrial Area, Patliputra, Patna.
5. The Member Secretary, Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2 Patliputra Industrial Area, Patliputra, Patna.
6. The Executive Director, State Health Society, Pariwar Kalyan Bhawan, Sheikhpura, Bailey Road, Patna.
7. The Bihar Medical Services and Infrastructure Corporation Ltd., 4th Floor, Bihar State Building Construction Company Ltd., Hospital Road, Shahtri Nagar, Patna through its Managing Director.
8. The Managing Director, Bihar Medical Services and Infrastructure Corporation Ltd., (BMSICL), 4th Floor, Bihar State Building Construction Company Ltd., Hospital Road, Shahtri Nagar, Patna.
9. The General Manager (Procurement), Bihar Medical Services and Infrastructure Corporation Ltd., (BMSICL), 4th Floor, Bihar State Building Construction Company Ltd., Hospital Road, Shahtri Nagar, Patna.
10. The District Magistrate, Madhepura.
11. The District Magistrate, Bhojpur.
12. Sri S Chandra Shekhar, presently posted as the Member- Secretary, Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2 Patliputra Industrial Area, Patliputra Industrial Area, Patliputra, Patna.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 376 of 2023



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M/s Sangam Mediserve Pvt Ltd. Having its Registered office at 189 Sector-D, Shantipuram, Phaaphamnu, Prayagraj- 211012 (Uttar Pradesh) through one of its Directors namely Sandeep Kumar Singh, aged about 46 years, Male, Son of Lal Sahab Singh, Resident of 189-D, Shantipuram, Allahabad, Phaphamau, Lehra, P.S.- Prayagraj, District- Allahabad known as Prayagraj, (Uttar Pradesh)

Versus

... .. Petitioner/s

- 1 The Union of India through the Additional Secretary, Department of Environment, Forest and Climate Change, Government of India, New Delhi.
- 2 The Additional Secretary, Department of Environment, Forest and Climate Change, Government of India, New Delhi.
- 3 The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
- 4 The Principal Secretary, Department of Health and Family Welfare, Government of Bihar, Vikash Bhawan, Baily Road, Patna.
- 5 The Principal Secretary, Department of Environment, Forest and Climate Change, Government of Bihar, Vikash Bhawan, Patna
- 6 The Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi- 110032.
- 7 The Regional Director, Central Pollution Control Board, 502, Southern Conclave, 1582, Rajdanga Main Road, Kolkata- 700107.
- 8 The Member- Secretary, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi- 110032.
- 9 The Chairman, Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2 Patliputra Industrial Area, Patliputra, Patna (Bihar)- 800010
- 10 The Member- Secretary, Bihar State Pollution Control Board, Parivesh Bhawan, Plot No. NS-B/2 Patliputra Industrial Area, Patliputra, Patna (Bihar)- 800010.
- 11 The Executive Director, State Health Society, Pariwar Kalyan Bhawan, Sheikhpura, Baily Road, Patna- 800014.
- 12 The Director, Indira Gandhi Medical Institute of Medical Sciences, Sheikhpura, Baily Road, Patna- 800014.
- 13 The District Magistrate-cum-Collector, Collectorate, Patna.
- 14 The Civil Surgeon, Office of Civil Surgeon, Gardanibagh, Patna.
- 15 Member Secretary, State Level Environment Impact Assessment Authority, Bihar having its office at 2nd Floor, Beltron Bhawan, Shastri Nagar, Patna.

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 2031 of 2023)

For the Petitioner/s

Shri S.D. Sanjay, Sr. Advocate
with Mr. Mohit Agarwal, Ms. Priya Gupta
and Mr. Rahul Kumar, Advocates



For the State : Mr. Rajeshwar Singh, GA 10
(In Civil Writ Jurisdiction Case No. 376 of 2023)
For the Petitioner/s : Shri S.D. Sanjay, Sr. Advocate
with Mr. Mohit Agarwal, Ms. Priya Gupta
and Mr. Rahul Kumar, Advocates
For the State : Mr. Rajeshwar Singh, GA 10
For the UOI : Dr. K.N. Singh, ASGI
For the IGIMS : Mr. Sunil Kumar Singh, Advocate
For the CPCB : Mrs. Binita Singh, Advocate
For the BSPCB : Mr. Parijat Saurav, Advocate
For the State Health Society: Dr. Anand Kumar, Advocate
For the SEIAA : Mr. Kumar Ravish, Advocate
For the Private respondent: Mr. Surendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

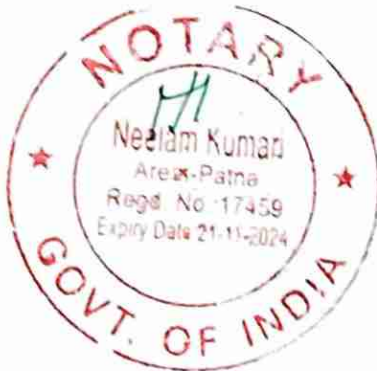
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

9 13-07-2023

In the instant petition, petitioner has prayed for the

following reliefs:-

"(i) For Quashing the part of Notice Inviting e-Tender bearing No. CL/884/2022/210 dated 22.12.2022 floated by the Respondent Bihar State Pollution Control Board, Patna whereby e-tender has been invited for selection of entrepreneur or service provider for setting up and operating Common Bio-Medical Waste Treatment Facility (CBWTF) in Bihar (Patna-2, Gopalganj, Madhubani-1, Sasaram-1, Muzaffarpur-1, Bhagalpur and Gaya-1) to the extent with respect to exclude the districts of Madhepura, Supaul, Saharsa, Purnea, Katihar, Kishanganj and Araria and also the districts of Patna, Bhojpur, Nalanda, Buxar and Rohtas as Respondent BMSICL had earlier floated e-tender bearing NIT Reference No. BMSICL/2019-20/ME 153 inviting tender for establishing and operating CBWTF in Madhepura covering Government and Private Healthcare Facilities in the districts of Madhepura,



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Supaul, Saharsa, Purnea, Katihar and Kishanganj and another tender bearing e-Tender NIT Reference No. BMSICL/2018-19/ME 155 for establishing and operating CBWTF at Koelwar covering district of Patna, Bhojpur, Nalanda, Buxar, Kaimur wherein the petitioner was declared L-1;

(ii) For holding that the part of the impugned NIT dated 22.12.2022 has been arbitrarily published by the Respondent Bihar State Pollution Control Board, Patna without considering the fact that the Respondent BMSICL had earlier published two NITs for establishment and operation of CBWTF under public private partnership mode covering many districts included in the impugned NIT wherein the petitioner has been declared L-1 and the same has not yet been withdrawn by the Respondent BMSICL;

(iii) For direction upon the Respondent BMSICL to conclude the proceedings of the tenders published by it bearing NIT Reference No. BMSICL/2019-20/ME 153 and e-Tender NIT Reference No. BMSICL/2018-19/ME 155 wherein the petitioner was declared L-1 and lands from the concerned District Magistrates have also being demarcated and allotted for establishment of new CBWTF in favour of the petitioner;

(iv) For any other relief or reliefs to which the petitioner is found entitled in the facts and circumstances in this case."

2. On 28.02.2023, the following order was passed by

this Court:-



"Matter related to tender process .



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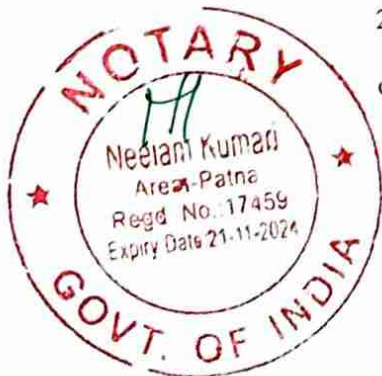
in respect of establishing Common Bio-Medical Waste Treatment Facility in various districts of State of Bihar.

Bihar Medical Services and Infrastructure Corporation Limited (for short 'corporation') have processed the notice inviting tender on 18.10.2019 and it has reached the state of opening of financial bid. For want of land process of NIT issued by the corporation could not be finalised. When things stood thus, State Pollution Control Board proceeded to issue notice inviting e-tender on 22.12.2022. The petitioner is a successful bidder as claimed by him with reference to NIT issued by the corporation. Therefore, there is an overlapping as to who is the competent authority whether Bihar Medical Services and Infrastructure Corporation Limited or State Pollution Control Board is the subject matter.

In this regard, the Chief Secretary, Government of Bihar, Patna is hereby directed to file affidavit with the relevant rules and apprise this Court who is the competent authority to proceed with the NIT in respect of establishment of Common Bio-Medical Waste Treatment Facility in various districts of the State of Bihar before the next date of hearing.

Relist this matter along with CWJC No. 376 of 2023 on 21.03.2023."

3. During pendency of the present petition, subject matter of NIT has been cancelled vide Memo No. 1506 dated 26.06.2023. Therefore, both the present petitions stand disposed off as it has become infructuous reserving liberty to the



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respective petitioner to question the competency of the authority
with reference to observation made on 28.02.2023 in future
tenders.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

Vikash/-

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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10325 of 2023

Medicare Environmental Management Pvt. Ltd. ... Petitioner/s

Versus

State of Bihar & Ors ... Respondent/s

Appearance :

For the Petitioner/s : Mr.Brisketu Sharan Pandey, Advocate
For the Respondent/s : Mr.Pratik Sinha, Advocate
For the BSPCB : Mr.Parijat Saurav, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

2 28-07-2023

Respondent – Bihar State Pollution Control Board is hereby directed to file their counter affidavit positively before the next date of hearing.

2. Relist this matter on 25.08.2023.

3. In the meanwhile, Board is hereby directed not to proceed with the fresh tender insofar as Common Bio-Medical Waste Treatment Facility at the location set at Patna, Muzaffarpur, Bhagalpur and Sasaram.

4. State has been arrayed as Respondent Nos. 1 & 2 without their being any relief sought against them, accordingly, petitioner is hereby directed to delete their names during the course of the day.



(P. B. Bajanthri, J)

(Jitendra Kumar, J)

abhishekr/-

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STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), BIHAR

2nd Floor, BELTRON Bhawan, Shastri Nagar, Patna – 800023.

Ref. No. - 90

Patna Dated: - 27/02/2023

**MINUTES OF 18th MEETING OF STATE LEVEL EXPERT APPRAISAL
COMMITTEE (SEAC), BIHAR CONSTITUTED ON 12.08.2021**

VENUE: SEIAA Office

DATE: 20th February, 2023

Minutes/Proceeding of the Meeting

- 1. Opening Remarks of the Chairman:** The Chairman and Members extended warm welcome with each other and other participants of the meeting. Thereafter, the meeting was opened for the proceedings as per the agenda adopted for the meeting.
- 2. Confirmation of Minutes of 17th Meeting (17/2023)** vide Ref. No.- 13, dated 09.01.2023 of State Expert Appraisal Committee held on 09th January, 2023. The State Expert Appraisal Committee, hereinafter called the SEAC, was informed that no representation has been received regarding projects considered in meeting held on 09th January, 2023. Minutes of meeting of the said SEAC was confirmed.
- 3. Consideration of Proposals:** The SEAC considered the proposals received as per the agenda adopted for 18th meeting (18/2023) vide ref. no. 74 dated- 10.02.2023. The key points of deliberations held were as follows.
- 4. With regard to the proposals submitted for the real-estate/ apartment/ residential building projects, industry, etc. and various issues concerning the green belt area / greenery, human health hazards and status of Waste Management, etc. were thoroughly discussed and scrutinized.**

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period of six months, AND submit a detailed action plan within three months from date of grant of Environmental Clearance by the SEIAA, Bihar.

AGENDA ITEM NO. 11

✓ Proposed Common Bio-Medical Waste Treatment Facility at Mauza:- Ainlo, Tehsil:- Fatwah, District:- Patna, State:- Bihar, by M/S S. R. Solutions [Proposed Capacity:- Incinerator – 750 Kg/hour, Autoclave – 1000 Liters/batch, Shredder – 300 Kg/hour, Effluent Treatment Plant – 10 KLD] – Reg. Environmental Clearance (File No.: SIA/7(da)/2036/2022, Proposal No.: SIA/BR/INFRA2/414514/2023).

Environment Consultant: M/s Shivalik Solid Waste Management Limited.

Application along with filled up Form - I, Prefeasibility Report and Environment Management Plan in the prescribed format was submitted to SEIAA, Bihar on 03rd June, 2022 for obtaining Terms of reference (ToR). ToR has been granted by SEIAA, Bihar vide F. No.: SIA/7(da)/2036/2022, dated 29.07.2022 and Public Consultation has been conducted by Bihar State Pollution Control Board, Patna on dated 21.12.2022. Final EIA in the prescribed format was submitted to SEIAA, Bihar on 30th January, 2023 for obtaining Environmental Clearance (EC).

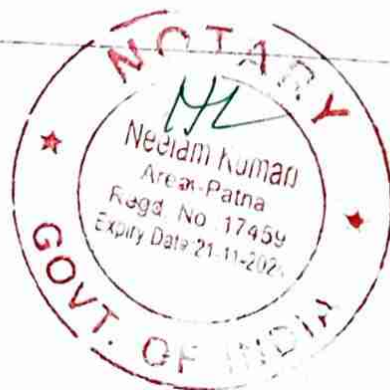
The Project Proponent along with environmental consultant M/s Shivalik Solid Waste Management Limited, made a presentation on the key parameters and salient features of the project. Based on the discussion, the committee decided to keep this project proposal in abeyance till the time the disposal of the tender called by Bihar State Pollution Control Board, for establishment of additional Common Bio-Medical Waste Treatment Facility for Patna.

Consideration of Terms of Reference Proposal

AGENDA ITEM NO. 12

Proposed Metallurgical Project "Dina Mahabir Re-rollers Private Limited" at Mauza:- Agamkuan, Tehsil:- Patna Rural, District:- Patna, State:- Bihar; Area:- 3.8 Acres by M/s Dina Mahabir Re-rollers Private Limited [Proposed production capacity of TMT Bars 94,500 TPA] – Reg. Terms of Reference

(File No.: SIA/3(a)/2245/2023, Proposal No.: SIA/BR/IND1/411172/2022).



IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14110 of 2023

M/s S.R. Solution, East Lane of N.S.C., Sheikhpura, P.O- B.V. College, Patna-14, Ward No.- 05, East Lane of NSC., H.No- 384/549A, Shastrinagar, Patna, Bihar Through its Proprietor Sri Santosh Kumar Ojha, age 45, male, S/o Late Kameshwar Ojha, R/o Village- Ainio, P.S- Gaurichak, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Environment, Forest and Climate Change, Govt. of Bihar, Vikash Bhawan, Patna.
2. The Principal Secretary, Department of Environment, Forest and Climate Change, Govt. of Bihar, Vikash Bhawan, Patna.
3. The Chairman, Central Pollution Control Board, Parivesh Bhawan, East Arjun Nagar, Delhi- 110032.
4. The State Environment Impact Assessment Authority (SEIAA) through its Chairman, 2nd Floor, Beltron Bhawan, Shastri Nagar, Patna-23, Bihar.
5. The Chairman, State Level Environment Impact Assessment Authority, 2nd Floor, Beltron Bhawan, Shastri Nagar, Patna-23, Bihar.
6. The State Expert Appraisal Committee (SEIAA), through its Chairman, 2nd Floor, Beltron Bhawan, Shastri Nagar, Patna-23, Bihar.
7. The Chairman, Bihar Pollution Control Board, Parivesh Bhawan, Plot No- NS-B/2 Patliputra Industrial Area, Patliputra, Patna.
8. The Member Secretary, Bihar Pollution Control Board, Parivesh Bhawan, Plot No- NS-B/2 Patliputra Industrial Area, Patliputra, Patna.

... .. Respondent/s

Appearance :

- | | |
|---|--|
| For the Petitioner/s | Mr.Surendra Kumar Singh, Adv.
Mr. Sudha Chandra, Adv. |
| For the State | Mr. Bidyanand Singh, Adv.
Mr.P.K. Shahi (AG) |
| For the BSPCB
For the SEIAA, Bihar
For the Intervenor | Mr. Manish Dhari Singh, AC to AG
Mr. Abhimanyu Singh, Adv.
Mr. Kumar Ravish, Adv.
Mr. Lokesh Kumar, Advocate
Mr. Mohit Agrawal, Adv.
Mr. Rahul Kumar, Adv.
Ms. Binbita Singh, Adv. |
| For Resp. No. 3 | |

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 01-04-2024



Learned counsel appearing on behalf of the



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petitioner has stated that during the pendency of the present writ petition, the application of the petitioner for granting consent to establish and operate the unit of common Bio-Medical Waste Treatment Facility was rejected. The petitioner intends to move the National Green Tribunal Eastern Zone, Kolkata by way of appeal against the said order. Learned counsel appearing on behalf of the petitioner seeks permission to withdraw the present writ petition with a liberty to avail alternative remedy available to him.

2. Having regard to the same, the present writ petition is disposed of with the aforesaid liberty.

(A. Abhishek Reddy , J)

Bhardwaj/-

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Annexure - A-14

A-14

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STATE LEVEL EXPERT APPRAISAL COMMITTEE (SEAC), BIHAR

2nd Floor, BELTRON Bhawan, Shastri Nagar, Patna – 800023.

Ref. No. - 106.

Patna Dated: - 27/02/2024.

**MINUTES OF 35th MEETING OF STATE LEVEL EXPERT APPRAISAL
COMMITTEE (SEAC), BIHAR CONSTITUTED ON 12.08.2021**

VENUE: SEIAA Office

DATE: 17th February, 2024.

Minutes/Proceeding of the Meeting

- Opening Remarks of the Chairman:** The Chairman and Members extended a warm welcome to each other and among participants of the meeting. Thereafter, the meeting was opened for the proceedings as per the agenda adopted for the meeting.
- Confirmations of Minutes of 34th Meeting (34/2023) vide Ref. No.-25, dated:- 12.01.2024 of State Expert Appraisal Committee held on 10th January, 2024.** The State Expert Appraisal Committee, hereinafter referred to as SEAC, was informed that no representation has been received regarding projects considered in the meeting held on 10th January, 2024. The minutes of the said SEAC meeting was confirmed by the Committee.
- Consideration of Proposals:** The SEAC considered the proposals received as per the agenda adopted for the 35th meeting (35/2024) vide Ref. No. - 100, dated- 14.02.2024. The key points of the deliberations held were as follows.
- With regard to the proposals submitted for the Real-estate / apartment / Residential building projects, industry, Sand Mining project, etc. the committee discussed about how to get the E.C. conditions complied during and after the completion of the projects and various issues concerning the green belt area / greenery, public health hazards, and status of Waste Management, etc. were thoroughly discussed and scrutinized.



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Consideration of Environmental Clearance Proposal

AGENDA ITEM NO. 01

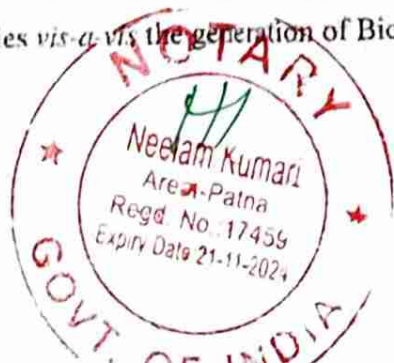
Proposed Common Bio-Medical Waste Treatment Facility at Mauza:-
Ainio, Tehsil:- Fatuha, District:- Patna, State:- Bihar, by M/S S. R. Solutions; (Total
Area: 1.1 Acres) (File No. :SIA/7(da)/2036/2022, Proposal No:
SIA/BR/INFRA2/414514/2023).

Environment Consultant: -Shivalik Solid Waste Management Limited.

Application along with filled up Form - I, Pre-feasibility report and Environment Management Plan in the prescribed format was submitted to SEIAA, Bihar on 03rd June, 2022 for obtaining Terms of Reference (ToR). SEIAA, Bihar issued ToR Vide F.No. SIA/7(da)/2036/2022, dated 29.07.2022 and public hearing for the proposed project was conducted by Bihar State Pollution Control Board on 21.12.2022. Final EIA report was submitted by Project Proponent in the prescribed format to SEIAA, Bihar on 30.01.2023 for obtaining Environmental Clearance (EC).

Earlier in the meeting dated-20.02.2023, the committee decided to keep this proposal in abeyance till the disposal of the tender (EoI) called by the Bihar State Pollution Control Board (BSPCB) for the establishment of additional Common Bio-Medical Waste Treatment facilities.

The Project Proponent along with the Environmental consultant made a presentation on the key parameters and salient features of the project. Based on the discussion, the Committee perused the letter no.-205 dated 24.01.2023 received from the Bihar state Pollution Control Board (BSPCB) regarding the counter affidavit filed in CWJC No. 14110/2023, S R Solution Vs The State of Bihar & Ors before the Hon'ble Patna High Court and the additional conditions imposed in the ToR granted to the project proponent. The committee observed that the Project Proponent has not complied with the additional conditions no. 2 and 3 as mentioned in the ToR issued to the Project Proponent. From the perusal of the counter affidavit, the committee observed that the BSPCB cancelled its earlier tender inviting Expression of Interest (EOI) for establishing additional Common Bio-Medical Waste Treatment Facility (CBWTF) in various districts in the State, as per the revised guidelines issued by the CPCB as prescribed in the Bio Medical Waste Management Rules, 2016. Later, the BSPCB floated re-tender as per the revised guidelines issued by the CPCB after considering the gap analysis regarding the disposal capacity of the existing facilities vis-a-vis the generation of Bio Medical Waste, then it has been found that at present



there is no need of additional facility for Patna district, as the existing facility is possessing the required treatment facility to dispose the bio-medical waste in the Patna coverage area. The committee has also noted that the counter affidavit (filed by the BSPCB) also discloses that the Hon'ble Patna High Court has imposed a stay on the Board's decision to issue tender, and this matter is under consideration of the Hon'ble Patna High Court. During discussion in the presence of the Project Proponent, it was informed by the Member Secretary of the SEAC who is holding the post of the Member Secretary of BSPCB to the committee (SEAC) that the project proponent has not participated in the tender process initiated by the BSPCB. As per the revised guidelines notified by the Central Pollution Control Board (CPCB) in conformity with the prescribed provisions of the Bio Medical Waste Management Rules, 2016, the concerned SPCB is expected to issue a notice inviting Expression of Interest (EoI) for development of a CBWTF in a coverage area and instruct the successful proponent to obtain EC as per EIA Notification, 2006. The project proponent in this case has approached the SEIAA on his own without participating in the tender process as prescribed. Therefore in the facts and circumstances as mentioned above, the committee after discussion and due diligence has decided to recommend for rejection of this proposal for the Environmental Clearance.

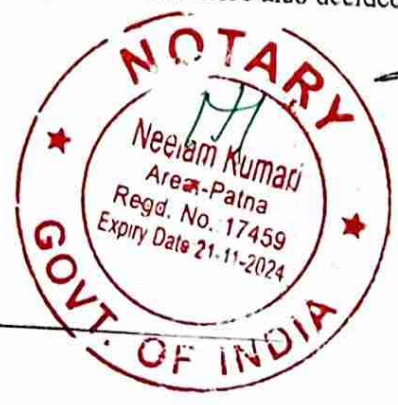
AGENDA ITEM NO. 02

Proposed Residential Building Project "Thakur Singh Suncity Complex" at Village:- Hario, Thana-Chandauti, Dist-Gaya, State-Bihar; by M/s Bhuswami Buideon Private Limited [Total Plot Area:-16915.86m², Total Built-up Area:-55,312.43 m²] – Reg.- Environmental Clearance, (File No. : SIA/8(a)/2485/2023, Proposal No: SIA/BR/INFRA2/447629/2023).

Environment Consultant: M/s PARAMARSH (Servicing Environment and Development).

Application along with filled up Form - I, Form - I(A) and Conceptual Plan in the prescribed format was submitted to SEIAA, Bihar on 19th October, 2023 for obtaining Environmental Clearance (EC).

Earlier in the meeting dated - 08.11.2023, the committee directed the project proponent to submit the plan of Residential Building / Block for Economically weaker section (EWS). The Committee also decided to make a site visit o the proposed project site.





F. No. - SIA/7(da)/650/19
STATE LEVEL ENVIRONMENT IMPACT ASSESSMENT AUTHORITY,
BIHAR

2nd Floor, Beltron Bhawan
Shastri Nagar
Patna - 800 023
E-mail- seiaabihar@gmail.com
seiaa.ms.br@gmail.com
Telephone No:- 0612-2281255

Dated:- 10/01/2020

To,

Shri Hari Om Sharan Dwivedi,
(Director),
M/s Sangam Mediserve Private Limited,
Plot No. - 189, Santipuram,
Phaphamau,
Allahabad, Uttar Pradesh,
Pin:- 211 013,
E-mail: sangammediserve@gmail.com,
dwivedihariom@gmail.com,
info@sangammediserve.com

Website: www.sangammediserve.com,
Mobile No.:- 09670557744, 09670555533, 09670222266,
0887733838, 07283001616.

Common Bio-Medical Waste Treatment Facility industries
of "Common Bio-Medical Waste Treatment Facility" at

Member Secretary
SEIAA, Bihar



Village - Ramchak Bairiya, Tehsil - Patna, District - Patna, State - Bihar.-regarding Environmental Clearance.

Reference:-

1. Online Application - SIA/BR/MIS/31274/2018.
2. Your application dated 05-03-2019 (hard copy submission).
3. Minutes of the SEAC meeting held on 25-11-2019.
4. Minutes of the SEIAA meeting held on 13-12-2019.

Dear Sir,

This has reference to your application for the above proposal of M/s Sangam Mediserve Private Limited, for "Common Bio-Medical Waste Treatment Facility" at Village - Ramchak Bairiya, Tehsil - Patna, District - Patna, State - Bihar.

The details of the project provided by project proponent:-

Sl. No.	Item	Details												
1.	Name of the project	Common Bio-Medical Waste Treatment Facility" at Village - Ramchak Bairiya, Tehsil - Patna, District - Patna, State - Bihar.												
2.	Total plot area of the project	0.607028 Hectare												
3.	Greer Belt Development	Proposed - 200 Nos. of trees												
4.	Geo-Coordinates of the project	Corner 1 - 25° 34' 00.90" N 85° 10' 44.70" E Corner 2 - 25° 34' 00.65" N 85° 10' 48.51" E Corner 3 - 25° 33' 58.77" N 85° 10' 48.54" E Corner 4 - 25° 33' 58.94" N 85° 10' 45.02" E												
	5. Project Capacity	Total treatment capacity of the CBWTF plant.												
		<table border="1"> <thead> <tr> <th>Particular</th> <th>Capacity</th> <th>Nos.</th> <th>Alternate and additional arrangement</th> </tr> </thead> <tbody> <tr> <td>Incinerator</td> <td>5 Ton per day (250 Kg/hr)</td> <td>02</td> <td>Installation of two number of Incinerator with one standby arrangement.</td> </tr> <tr> <td>Autoclave</td> <td>2 Ton/day</td> <td>02</td> <td>Installation of</td> </tr> </tbody> </table>	Particular	Capacity	Nos.	Alternate and additional arrangement	Incinerator	5 Ton per day (250 Kg/hr)	02	Installation of two number of Incinerator with one standby arrangement.	Autoclave	2 Ton/day	02	Installation of
Particular	Capacity	Nos.	Alternate and additional arrangement											
Incinerator	5 Ton per day (250 Kg/hr)	02	Installation of two number of Incinerator with one standby arrangement.											
Autoclave	2 Ton/day	02	Installation of											



[Signature]
Member Secretary
SEIAA, Bihar

				two number of Autoclave including one standby arrangement.	
		Shredder	3.3 Tons	01	Nil
		Effluent Treatment Plant	40 KLD	01	Nil
6.	Raw Material Requirement	Sl. No.	Name	Source	Quantity
		1.	Bio-Medical Waste	Various Health Care Units	15 Tonnes
		2.	Plastic Color Coded Containers	Nearby Shop / Area	As per requirement
		3.	Plastic Color Coded bags	Nearby Shop / Area	As per requirement
		4.	Diesel	Nearby Shop / Area	Litre / Hr (as per DG set design)
		5.	Spares	Nearby Shop / Area	As per requirement
		6.	Chemicals: Sodium Hypochlorite, Caustic Soda, Quick Lime etc.	Nearby Shop / Area	As per requirement
		7.	Safety Gadgets	Nearby Shop / Area	Gloves, Apron, Mask, Boots
7.	S. No. in the Schedule	7(da) (Common Bio-Medical Waste Treatment Facility projects) as per MoEF&CC Notification, dated 17 th April 2015.			
8.	Category of project	"B"			
9.	Type of Project	Common Bio-Medical Waste Treatment Facility projects			
10.	Location of the Project	Part of Khesra No. - 118, C.S. Part of Plot No. - 03, Village - Ram Chak Bariya, Tehsil - Patna, District - Patna, State - Bihar			
11.	Water Requirement	40 KED of water for proposed project Domestic Use:- 05 KLD Green Belt Area:- 02 KLD Floor & Vehicle Washing:- 07 KLD Process:- 26 KLD			
12.	Power Requirement	Existing Power Consumption 62.2 KW Source:- Bihar Vidyut Nigam Limited			



Member Secretary
SEIAA, Bihar

I. Statutory compliance:

1. The Project Proponent shall obtain Consent to Establish / Operate under the provisions of Air (Prevention & Control of Pollution) Act, 1981 and the Water (Prevention & Control of Pollution) Act, 1974 from the concerned State Pollution Control Board / Committee.
2. Transportation and handling of Bio-medical Wastes shall be as per the Biomedical Wastes (Management and Handling) Rules, 2016 including the section 129 to 137 of Central Motor Vehicle Rules 1989.
3. Project Proponent shall fulfill all the provisions of hazardous Wastes (Management, handling and Transboundary Movement) Rules, 2016 including collection and transportation design etc and also guidelines for Common Hazardous Waste Incineration — 2005, issued by CPCB. Guidelines of CPCB / MPPCB for Bio-medical Waste Common Hazardous Wastes incinerators shall be followed.
4. The Project Proponent shall obtain the necessary permission from the Central Ground Water Authority, in case of drawal of ground water / from the competent authority concerned in case of drawal of surface water required for the project.
5. A certificate of adequacy of available power from the agency supplying power to the project along with the load allowed for the project should be obtained.
6. All other statutory clearances such as the approvals for storage of diesel from Chief Controller of Explosives, Fire Department, Civil Aviation Department shall be obtained, as applicable by project proponents from the respective competent authority and a copy of the same shall be submitted to SEIAA, Bihar.

II. Air quality monitoring and preservation

1. The Project Proponent shall install emission monitoring system including Dioxin and Furans to monitor stack emission with respect to standards prescribed in Environment (Protection) Rules 1986 and connected to SPCB and CPCB online servers and calibrate



Neelam Kumari
 Member Secretary
 SEIAA, Bihar

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**State Environment Impact Assessment Authority, Bihar
Government of India**

- X. Any appeal against this clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.
- XI. The proponent shall upload the status of compliance of the stipulated EC conditions, including results of monitored data on their website and shall update the same periodically. It shall simultaneously be sent to the Regional Office of MoEF, the respective Zonal Office of CPCB and the SPCB. The criteria pollutant levels namely; SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.

R.C. Sinha
(Prof. R.C. Sinha)
Chairman SEIAA, Bihar
CHAIRMAN
STATE ENVIRONMENT IMPACT
ASSESSMENT AUTHORITY
(SEIAA) BIHAR



13.	Proposed Cost of Project site	Total Project Cost - ₹ 4,93,00,000/- Total cost of Environment Management Plan - ₹ 57,00,000/- (Capital Cost) ₹ 24,00,000/- (Recurring Cost)
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PREMISES OF THE ENVIRONMENTAL CLEARANCE

This Environmental clearance is being issued on the premises which have been substantiated/described in detail in the format of application along with enclosed affidavits/certificate/undertakings etc. furnished therewith by the project proponent:-

- (i) Information provided, descriptions mentioned are complete, true and actual and no relevant fact has been concealed to obtain Environmental Clearance deceitfully by the project proponent.
- (ii) EC shall be liable to be revoked if furnished information provided description / Certificates / Affidavits / Undertaking etc. are found false/concocted at any stage of its validity.
- (iii) Project Proponent shall intimate SEIAA immediately if there is any change in their official address / E-mail / Ph. No / Cell. no etc failing which communication sent to them on old address shall be considered as delivered.
- (iv) This EC is issued without affecting any court order / statutory other institutions as well as relevant other laws enacted by Ministry of Environment, Forest & Climate Change, Government of India, New Delhi.
- (v) Project Proponent shall follow all the rules, order and observations issued by the Hon'ble Courts, Tribunals and Ministry of Environment, Forest & Climate Change, Government of India, New Delhi.

[Signature]
Member Secretary
SEIAA, Bihar



these systems from time to time according to equipment supplier specification through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.

2. Periodical air quality monitoring in and around the site including VOC, HC shall be carried out.
3. Incineration plants shall be operated (combustion chambers) with such temperature, retention time and turbulence, so as to achieve Total Organic Carbon (TOC) content in the slag and bottom ashes less than 3%, or their loss on ignition is less than 5% of the dry weight of the material.
4. Venturiscrubber (alkaline) should be provided with the incinerator with stack of adequate height (Minimum 30 meters) to control particulate emission within 50mg/Nm³.
5. Appropriate Air Pollution Control (APC) system shall be provided for fugitive dust from all vulnerable sources, so as to comply prescribed standards. All necessary air pollution control devises (quenching, Venturi scrubber, mist eliminator) should be provided for compliance of emission standards.
6. Masking agents should be used for odour control.

III. Water quality monitoring and preservation

1. The Project Proponent shall install effluent monitoring system with respect to standards prescribed in Environment (Protection) Rules 1986 through labs recognized under Environment (Protection) Act, 1986 or NABL accredited laboratories.
2. Waste water generated from the facility shall be treated in the ETP and treated waste water shall be reused in the APCD connected to the Incinerator. The water quality of treated effluent shall meet the norms prescribed by State Pollution Control Board. Zero discharge should be maintained.
3. Process effluent / any waste water should not be allowed to mix with storm water.



Member Secretary
SEIAA, Bihar

4. Total fresh water use shall not exceed the proposed requirement as provided in the project details. Prior permission from competent authority shall be obtained for use of fresh water.
5. Sewage Treatment Plant shall be provided to treat the wastewater generated from the project. Treated water shall be reused within the project.
6. A certificate from the competent authority for discharging treated effluent / untreated effluents into the Public sewer / disposal / drainage systems along with the final disposal point should be obtained.
7. The leachate from the facility shall be collected and treated to meet the prescribed standards before disposal.
8. Magnetic flow meters shall be provided at the inlet and outlet of the ETP & all ground water abstraction points and records for the same shall be maintained regularly.
9. Rain water runoff from hazardous waste storage area shall be collected and treated in the effluent treatment plant.

IV. Noise monitoring and prevention

1. The ambient noise levels should conform to the standards prescribed under E(P)A Rules, 1986 viz. 75 dB(A) during day time and 70 dB(A) during night time.

V. Energy Conservation measures

1. Provide solar power generation on roof tops of buildings, for solar light system for all common areas, street lights, parking around project area and maintain the same regularly.
2. Provide LED lights in their offices and residential areas.



[Signature]
 Member Secretary
 SEIAA, Bihar

VI. Waste management

1. Incinerated ash shall be disposed at approved TSDF and MoU made in this regard shall be submitted to the SEIAA, Bihar prior to the commencement.
2. The solid wastes shall be segregated as per the norms of the Solid Waste Management Rules, 2016.
3. A certificate from the competent authority handling Municipal Solid Wastes (M.S.W.) should be obtained, indicating the existing civic capacities of handling and their adequacy to cater to the M.S.W. generated from project.
4. Any wastes from construction and demolition activities related thereto shall be managed so as to strictly conform to the Construction and Demolition Rules, 2016.
5. No landfill site is allowed within the CBWTF site.
6. The Project Proponent shall not store the Hazardous Wastes more than the quantity that has been permitted by the CPCB / SPCB to them.

VII. Green Belt

1. Green belt shall be developed in area as provided in project details with native trees. Green belt shall be developed in an area equal to 2,003.19 m² of the plant area with a native tree species in accordance with CPCB guidelines. The greenbelt shall inter alia cover the entire periphery of the plant.

VIII. Public hearing and Human health issues

1. Feeding of materials/Bio-medical waste should be mechanized and automatic no manual feeding is permitted.
2. Proper parking facility should be provided for employees & transport used for collection & disposal of waste materials.



Member Secretary
SEIAA, Bihar

- 3. Necessary provision shall be made for fire-fighting facilities within the complex.
- 4. Emergency preparedness plan based on the Hazard Identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
- 5. Emergency plan shall be drawn in consultation with SPCB/CPCB and implemented in order to minimize the hazards to human health or environment from fires, explosion or any unplanned sudden or gradual release of hazardous waste or hazardous waste constituents to air, soil or surface water.
- 6. Provision shall be made for the housing of construction labour within the site with all necessary infrastructure and facilities such as fuel for cooking, mobile toilets, mobile STP, safe drinking water, medical health care, crèche etc. The housing may be in the form of temporary structures to be removed after the completion of the project.
- 7. Occupational health surveillance of the workers shall be done on a regular basis.

IX. Corporate Environment Responsibility

- 1. The Project Proponent shall comply with the provisions contained in this Ministry's OM vide F. No. 22-65/2017-IA.III dated 1st May 2018, as applicable, regarding Corporate Environment Responsibility.
- 2. The company shall have a well laid down environmental policy duly approved by the Board of Directors. The environmental policy should prescribe for standard operating procedures to have proper checks and balances and to bring into focus any infringements / deviation / violation of the environmental / forest / wildlife norms / conditions. The company shall have defined system of reporting infringements / deviation / violation of the environmental / forest / wildlife norms / conditions and / or shareholders / stakeholders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.



[Signature]
Member Secretary
SEIAA, Bihar

3. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
4. Action plan for implementing EMP and environmental conditions along with responsibility matrix of the company shall be prepared and shall be duly approved by competent authority. The year wise funds earmarked for environmental protection measures shall be kept in separate account and not to be diverted for any other purpose. Year wise progress of implementation of action plan shall be reported to the SEIAA, Bihar / Regional Office along with the Six Monthly Compliance Report.
5. Self environmental audit shall be conducted annually. Every three years third party environmental audit shall be carried out.

X. Miscellaneous

1. The Project Proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded Environment Clearance and the details of MoEFCC / SEIAA, Bihar website where it is displayed.
2. The copies of the Environmental Clearance shall be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.
3. The Project Proponent shall upload the status of compliance of the stipulated Environment Clearance conditions, including results of monitored data on their website and update the same on half-yearly basis.
4. The Project Proponent shall submit six-monthly reports on the status of the compliance of the stipulated environmental conditions on the website of the Ministry of Environment, Forest and Climate Change at environment clearance portal.



[Signature]
 Member Secretary
 SEIAA, Bihar

- 5. The Project Proponent shall submit the environmental statement for each financial year in Form - V to the concerned State Pollution Control Board as prescribed under the Environment (Protection) Rules, 1986, as amended subsequently and put on the website of the company.
- 6. The criteria pollutant levels namely: SPM, RSPM, SO₂, NO_x (ambient levels as well as stack emissions) or critical sectoral parameters, indicated for the project shall be monitored and displayed at a convenient location near the main gate of the company in the public domain.
- 7. The Project Proponent shall inform to SEIAA, Bihar and the Regional Office as well as the Ministry, the date of financial closure and final approval of the project by the concerned authorities, commencing the land development work and start of production operation by the project.
- 8. The project authorities must strictly adhere to the stipulations made by the State Pollution Control Board and the State Government.
- 9. The Project Proponent shall abide by all the commitments and recommendations made in the EIA/EMP report, commitment made during Public Hearing and also that during their presentation to the Expert Appraisal Committee.
- 10. The EC granted on submitted basis of the layout plan of proposed construction of buildings/establishments of industries shall be provisional for a period of one year or till its approved by the competent authority whichever is earlier. Should there be any deviation / change in the layout plan (as contained in the project proposal on which EC is granted), the Project Proponent shall furnish a copy along with a request to SEIAA, Bihar to make necessary correction/revision in the EC accordingly. Any failure on part of the Project Proponent in doing so will be treated as a violation of EC condition.
- 11. No further expansion or modifications in the plant shall be carried out without prior approval of the Ministry of Environment, Forests and Climate Change (MoEF&CC).



[Signature]
 Member Secretary
 SEIAA, Bihar

- 12. Concealing factual data or submission of false / fabricated data may result in revocation of this Environmental Clearance and attract action under the provisions of Environment (Protection) Act, 1986.
- 13. The Ministry / SEIAA, Bihar may revoke or suspend the clearance, if implementation of any of the above conditions is not satisfactory.
- 14. The Ministry / SEIAA, Bihar reserves the right to stipulate additional conditions if found necessary. The Company in a time bound manner shall implement these conditions.
- 15. SEIAA, Bihar as well as the Regional Office of this Ministry shall monitor compliance of the stipulated conditions. The project authorities should extend full cooperation to the officer (s) of the Regional Office by furnishing the requisite data / information/monitoring reports.
- 16. Project proponent shall erect a signboard on his project site and display information regarding name of the project, No. date and validity period of EC, capacity and other relevant information for the general public.
- 17. The above conditions shall be enforced, inter-alia under the provisions of the Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, the Environment (Protection) Act, 1986, Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 and the Public Liability Insurance Act, 1991 along with their amendments and Rules and any other orders passed by the Hon'ble Supreme Court of India / High Courts / NGT and any other Court of Law relating to the subject matter.
- 18. Any appeal against this Environmental Clearance shall lie with the National Green Tribunal, if preferred, within a period of 30 days as prescribed under Section 16 of the National Green Tribunal Act, 2010.

[Signature]
 Member Secretary
 SEIAA, Bihar

Sd/-
 (Kamal Jeet Singh)
 Member Secretary
 SEIAA, Bihar



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Copy forwarded to:

1. The Principal Secretary, Environment, Forest & Climate Change, Dept. Govt. of Bihar, Sanchai Bhawan, Patna.
2. The Principal Secretary, Industries Deptt., Govt. of Bihar, 2nd Floor, Vikash Bhawan, Patna.
3. The Member Secretary, Bihar State Pollution Control Board, Patna-23 (By E-mail)
4. The Chairman, Central Pollution Control Board, Delhi (By E-mail).
5. The Advisor, (EIA), Indira Paryavaran Bhawan, JorBagh Road, Aliganj, New Delhi-11 0003 (By E-mail)
6. Regional office of Ministry of Environment, Forest & Climate Change; Bungalow No. A - 2, Shyamali Colony, Doranda, Ranchi - 834002 (By E-mail).
7. Guard file.

(Signature)
 (Kamal Teer Singh)
 Member-Secretary
 SEIAA, Bihar

Member Secretary
SEIAA, Bihar



Annexure - A-13 A-16

(111)

(120)

State Environment Impact Assessment Authority, Bihar

2nd floor, Beltron Bhawan, Shastri Nagar, Patna - 800 023.

Ref. No. - 120

Patna, Date:- 06/03/2024

Minutes of the 52nd meeting of SEIAA, Bihar, constituted on 12-08-2021 convened on 02nd March, 2024

A meeting of SEIAA was convened on Saturday, 02.03.2024. Following members were present in the meeting.

Present: -

- | | | |
|----------------------------|---|------------------|
| 1. Shri Atul Aditya Pandey | - | Chairman. |
| 2. Shri Arun Prakash | - | Member. |
| 3. Shri Abhay Kumar | - | Member Secretary |

Agenda Item No.- 01

Sand Mining Project on river Ulai at Jamui Block No. - 04 Sand Ghat of Jamui district, Area - 05.0 Ha. (File No.:- SIA/1(a)/2326/2023, Online Proposal No.:- SIA/BR/MIN/444603/2023).

- **Proposal discussed in SEAC** on 17th February, 2024 and recommended for Environmental Clearance with Standard conditions along with special conditions.

➤ **Resolve of the SEIAA:-**

The Proposal was discussed in the light of the letter received from IA - Division, Ministry of Environment, Forest and Climate Change (MoEF&CC), Govt. of India vide F.No.L-11011/13/2021-IA-II(M) dated 4th December 2023 and also the Bihar Minerals (Prevention of Illegal Mining Transportation and Storage (Amendment) Rules 2019 regarding clarification on imposing conditions relating to manual / semi-mechanized / mechanized method of mining in the environmental clearance relating to the sand in Bihar particularly where the District Survey Report (DSR) has been approved for one-meter mining depth.

The SEAC has recommended to grant Environmental Clearance (EC), with standard conditions in addition to special conditions i.e. (a) The proposed plantation consisting of mixture of indigenous and fast growing species of trees must be done

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and proper care must be taken to ensure 100% survival. Plantation of a minimum of 5 feet tall plants must be done in the 1st year of lease period and properly maintained till the validity of Environmental Clearance. (b) The Project Proponent shall execute and conduct measurable Corporate Environment Responsibility (CER) activities like facilities for drinking water supply, infrastructure creation, solar power, Rain Water Harvesting, Solid Waste Management Facilities, sanitation, essential furnitures for the local government schools and Anganwadi Kendras. A display board must be placed for the information to the public (with intimation to the concerned District Magistrate and the concerned district level officers of the concerned departments). (c) Under the Corporate Environment Responsibilities the modalities of all expenditure on skill development programme need to be done in consultation with and guidance of Bihar Skill Devolvement Mission. (d) Project Proponent has to fix display board on each mining site mentioning thereupon various activities to be done under Environment Management Plan (EMP). (e) The Project Proponent should undertake the sand mining limited to 01 meter (one meter) depth by semi-mechanised method (without using any heavy machine), preferably by manual excavation. (f) The Project Proponent must maintain existing ponds nearby, if any. (g) Proper care should to be taken during transportation of sand from the sand mining site. There should be freeboard of atleast 03 inches from the body level of the vehicle, so that the sand doesn't get spilled on the road and doesn't affect the air quality as well. (h) Observing the increase in the number of deaths due to lightning in Bihar, the SEIAA resolved to direct the Project Proponent to install lightning arrestor in the area concerned to protect the inhabitants from hazards like lightning. (i) The Proponent must submit untreated high resolution satellite images with stereoscopic 3D view from the National Remote Sensing Center (NRSC), Hyderabad for the month of June and December every year, along with the respective half-yearly compliance report in hard and soft copy. The conditions be fulfilled along with standard conditions as imposed by the SEAC (Annexure – A) in its MoM (Ref. No. 106, dated 27.02.2024).

The SEIAA resolved to grant EC in view of the recommendation of SEAC, letter of the MoEF&CC (dated 04.12.2023) and Bihar Minerals (Prevention of Illegal Mining Transportation and Storage (Amendment) Rules 2019.



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Agenda Item No.- 02

Sand Mining Project on river Kiul at Jamui Block No. – 05 Sand Ghat of Jamui district. Area – 23.40 Ha. (File No.:- SIA/1(a)/2280/2023, Online Proposal No.:- SIA/BR/MIN/445780/2023).

- **Proposal discussed in SEAC** on 17th February, 2024 and recommended for Environmental Clearance with Standard conditions along with special conditions.

➤ **Resolve of the SEIAA:-**

The Proposal was discussed in the light of the letter received from IA – Division, Ministry of Environment, Forest and Climate Change (MoEF&CC), Govt. of India vide F No.L-11011/13/2021-IA-II(M) dated 4th December 2023 and also the Bihar Minerals (Prevention of Illegal Mining Transportation and Storage (Amendment) Rules 2019 regarding clarification on imposing conditions relating to manual / semi-mechanized / mechanized method of mining in the environmental clearance relating to the sand in Bihar particularly where the District Survey Report (DSR) has been approved for one-meter mining depth.

The SEAC has recommended to grant Environmental Clearance (EC), with standard conditions in addition to special conditions i.e. (a) The proposed plantation consisting of mixture of indigenous and fast growing species of trees must be done and proper care must be taken to ensure 100% survival. Plantation of a minimum of 5 feet tall plants must be done in the 1st year of lease period and properly maintained till the validity of Environmental Clearance. (b) The Project Proponent shall execute and conduct measurable Corporate Environment Responsibility (CER) activities like facilities for drinking water supply, infrastructure creation, solar power, Rain Water Harvesting, Solid Waste Management Facilities, sanitation, essential furnitures for the local government schools and Anganwadi Kendras. A display board must be placed for the information to the public (with intimation to the concerned District Magistrate and the concerned district level officers of the concerned departments). (c) The Project Proponent should undertake the sand mining limited to 01 meter (one meter) depth by semi-mechanised method (without using any heavy machine), preferably by manual excavation. (d) The Project Proponent must maintain existing ponds nearby, if any. (e) Proper care should to be taken during transportation of sand from the sand mining site. There should be freeboard of atleast 03 inches from the body level of the

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vehicle, so that the sand doesn't get spilled on the road and doesn't affect the air quality as well. (f) Observing the increase in the number of deaths due to lightning in Bihar, the SEIAA resolved to direct the Project Proponent to install lightning arrestor in the area concerned to protect the inhabitants from hazards like lightning. (g) The Proponent must submit untreated high resolution satellite images with stereoscopic 3D view from the National Remote Sensing Center (NRSC), Hyderabad for the month of June and December every year, along with the respective half-yearly compliance report in hard and soft copy. (h) The Project Proponent should submit the replacement study report. The conditions be fulfilled along with standard conditions as imposed by the SEAC (Annexure – B) in its MoM (Ref. No. 487, dated 28.12.2023).

The SEIAA resolved to grant EC in view of the recommendation of SEAC, letter of the MoEF&CC (dated 04.12.2023) and Bihar Minerals (Prevention of Illegal Mining Transportation and Storage (Amendment) Rules 2019.

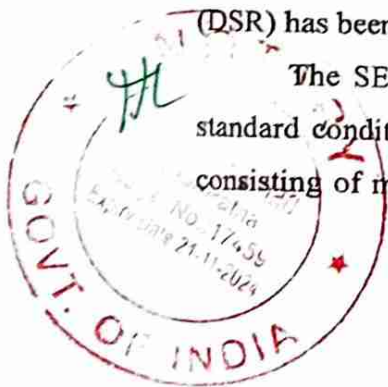
Agenda Item No.- 03

Sand Mining Project on river Barnar at Jamui Block No. – 01 Sand Ghat of Jamui district, Area – 07.41 Ha. (File No.:- SIA/1(a)/2267/2023, Online Proposal No.:- SIA/BR/MIN/453572/2023).

- **Proposal discussed in SEAC** on 17th February, 2024 and recommended for Environmental Clearance with Standard conditions along with special conditions.
- **Resolve of the SEIAA:-**

The Proposal was discussed in the light of the letter received from IA – Division, Ministry of Environment, Forest and Climate Change (MoEF&CC), Govt. of India vide F.No.L-11011/13/2021-IA-II(M) dated 4th December 2023 and also the Bihar Minerals (Prevention of Illegal Mining Transportation and Storage (Amendment) Rules 2019 regarding clarification on imposing conditions relating to manual / semi-mechanized / mechanized method of mining in the environmental clearance relating to the sand in Bihar particularly where the District Survey Report (DSR) has been approved for one-meter mining depth.

The SEAC has recommended to grant Environmental Clearance (EC), with standard conditions in addition to special conditions i.e. (a) The proposed plantation consisting of mixture of indigenous and fast growing species of trees must be done



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and proper care must be taken to ensure 100% survival. Plantation of a minimum of 5 feet tall plants must be done in the 1st year of lease period and properly maintained till the validity of Environmental Clearance. (b) The Project Proponent shall execute and conduct measurable Corporate Environment Responsibility (CER) activities like facilities for drinking water supply, infrastructure creation, solar power, Rain Water Harvesting, Solid Waste Management Facilities, sanitation, essential furnitures for the local government schools and Anganwadi Kendras. A display board must be placed for the information to the public (with intimation to the concerned District Magistrate and the concerned district level officers of the concerned departments). (c) Under the Corporate Environment Responsibilities the modalities of all expenditure on skill development programme need to be done in consultation with and guidance of Bihar Skill Devolvment Mission. (d) Project Proponent has to fix display board on each mining site mentioning thereupon various activities to be done under Environment Management Plan (EMP). (e) The Project Proponent should undertake the sand mining limited to 01 meter (one meter) depth by semi-mechanised method (without using any heavy machine), preferably by manual excavation. (f) The Project Proponent must maintain existing ponds nearby, if any. (g) Proper care should to be taken during transportation of sand from the sand mining site. There should be freeboard of atleast 03 inches from the body level of the vehicle, so that the sand doesn't get spilled on the road and doesn't affect the air quality as well. (h) Observing the increase in the number of deaths due to lightning in Bihar, the SEIAA resolved to direct the Project Proponent to install lightning arrestor in the area concerned to protect the inhabitants from hazards like lightning. (i) The Proponent must submit untreated high resolution satellite images with stereoscopic 3D view from the National Remote Sensing Center (NRSC), Hyderabad for the month of June and December every year, along with the respective half-yearly compliance report in hard and soft copy. The conditions be fulfilled along with standard conditions as imposed by the SEAC (Annexure - A) in its MoM (Ref. No. 106, dated 27.02.2024).

The SEIAA resolved to grant EC in view of the recommendation of SEAC, letter of the MoEF&CC (dated 04.12.2023) and Bihar Minerals (Prevention of Illegal Mining Transportation and Storage (Amendment) Rules 2019.

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Agenda Item No.- 04

Sand Mining Project on Punpun River at Patna Cluster No. – 02 (Patna Punpun Ghat - 14, 15, 16, 17, 18, 19, 20 & 21) Balu Ghat of District – Patna, Area – 9.21 Ha. (File No.- SIA/1(a)/2477/2023, Online Proposal No.:-SIA/BR/MIN/456296/2023).

➤ **Proposal discussed in SEAC** on 17th February, 2024 and recommended for Environmental Clearance with Standard conditions along with special conditions.

➤ **Resolve of the SEIAA:-**

In the view of consideration of SEAC and its recommendation to grant of Environmental Clearance (EC), the SEIAA resolve to grant EC with standard condition in addition to special condition i.e. (a) The proposed plantation consisting of mixture of indigenous and fast growing species of trees must be done and proper care must be taken to ensure 100% survival. Plantation of a minimum of 5 feet tall plants must be done in the 1st year of lease period and properly maintained till the validity of Environmental Clearance. (b) The Project Proponent shall execute and conduct measurable Corporate Environment Responsibility (CER) activities like facilities for drinking water supply, infrastructure creation, solar power, Rain Water Harvesting, Solid Waste Management Facilities, sanitation, essential furnitures for the local government schools and Anganwadi Kendras. A display board must be placed for the information to the public (with intimation to the concerned District Magistrate and the concerned district level officers of the concerned departments). (c) Under the Corporate Environment Responsibilities the modalities of all expenditure on skill development programme need to be done in consultation with and guidance of Bihar Skill Devolvment Mission. (d) Project Proponent has to fix display board on each mining site mentioning thereupon various activities to be done under Environment Management Plan (EMP). (e) The Project Proponent should undertake the sand mining limited to 03 meters (three meters) depth by semi-mechanised method (without using any heavy machine), preferably by manual excavation. (f) The Project Proponent must maintain existing ponds nearby, if any. (g) Proper care should be taken during transportation of sand from the sand mining site. There should be freeboard of atleast 03 inches from the body level of the vehicle, so that the sand doesn't get spilled on the road and doesn't affect the air quality as well. (h) Observing the increase in the number of deaths due to lightning in Bihar, the SEIAA resolved to direct the Project Proponent to install lightning arrestor in the area concerned to



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protect the inhabitants from hazards like lightning. (i) The Proponent must submit untreated high resolution satellite images with stereoscopic 3D view from the National Remote Sensing Center (NRSC), Hyderabad for the month of June and December every year, along with the respective half-yearly compliance report in hard and soft copy. The conditions be fulfilled along with standard conditions as imposed by the SEAC (Annexure – B) in its MoM (Ref. No. 106, dated 27.02.2024).

Agenda Item No.- 05

Proposed Commercial Building Project "Azalfa Trade Centre" at Mauza:-Mainpura Shankar, Saugna More, Tehsil:- Danapur, District:- Patna, State:- Bihar; by M/s Azalfa Building Construction Private Limited [Total Plot Area:- 5,194.74 m², Total Built-up Area:- 25,934.71 m²] – (File No.: SIA/8(a)/2454/2023, Proposal No.: SIA/BR/INFRA2/437780/2023).

- **Proposal discussed in SEAC** on 10th January, 2024 and recommended for rejection of proposal with instruction to submit a revised proposal with a correction of total plot area from 5194.74 Sqm. to 10000 Sqm. and Built-up Area from 25939.71 Sqm. to 51789.23 Sqm. (Ref. No. 25, dated 12.01.2024).

➤ **Resolve of the SEIAA:-**

In view of the consideration of SEAC and its recommendation for rejection of the proposal, the SEIAA resolved to reject the proposal for Environmental Clearance as mentioned in the SEAC in its MoM (Ref. No. 25, dated 12.01.2024).

Agenda Item No.- 06

Stone Mining Project on Khakhanduwa Stone Deposit is located at Mauza-Khakhanduwa, Plot No.- 1(P), Thana No.- 309, Thana- Govindpur, Anchal-Govindpur, District- Nawada, Bihar over an area of 16.0 Acre / 6.475 ha. The concerned Khakhanduwa Stone Deposit is proposed by Applicant- M/S Patel Agri Industries Pvt. Ltd., (File No.- SIA/1(a)/2493/2023, Online Proposal No.:- SIA/BR/MIN/452917/2023).

- **Proposal discussed in SEAC** on 10th January, 2024 and recommended for Terms of Reference with Standard conditions along with special conditions.



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➤ **Resolve of the SEIAA:-**

In view of the consideration of SEAC and its recommendation to grant Terms of Reference (ToR), the SEIAA resolved to grant ToR along with standard conditions as imposed by the SEAC (Annexure - C) in its MoM (Ref. No. 106, dated 27.02.2024). Further, the District Magistrate, Nawada be requested to provide the approved District Survey Report for minor minerals other than sand as prescribed by the MoEF&CC, GoI.


✓ **Agenda Item No.- 07**


Proposed Common Bio - Medical Waste Treatment Facility at Mauza:- Ainio, Tehsil:- Fatuha, District:- Patna, State:- Bihar, by M/s S. R. Solutions, (Total Area: 1.1 Acres) (File No. :SIA/7(da)/2036/2022, Proposal No: SIA/BR/INFRA2/414514/2023).


➤ **Proposal discussed in SEAC** on 17th February, 2024 and recommended for rejection from Environmental Clearance.

➤ **Resolve of the SEIAA:-**

In view of the consideration of SEAC and its recommendation for rejection of Environmental Clearance (EC), the SEIAA resolved to reject the proposal for Environmental Clearance as mentioned in the SEAC in its MoM (Ref. No. 106, dated 27.02.2024).


(Abhay Kumar)
Member Secretary, SEIAA


(Arun Prakash),
Member, SEIAA


(Atul Aditya Pandey)
Chairman, SEIAA



Annexure- ~~A-14~~ A-17

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State Environment Impact Assessment Authority, Bihar

2nd floor, Beltron Bhawan, Shastri Nagar, Patna - 800 023.

Ref. No. 136

Patna, Dated:- 13/03/2024

From,

Abhay Kumar, I.F.S.
Member Secretary,
SEIAA, Bihar.

To,

Shri Santosh Ojha,
Proprietor,
M/s S. R. Solution,
House No 384, 549A East of NSC,
Sheikhpura P.O. :- BV College,
Patna, Bihar, Pin:- 800014,
Email:- srsolution165@gmail.com,
santoshojha bmw@gmail.com.

Subject:- Rejection of your proposal of Environmental Clearance for Proposed Common Bio – Medical Waste Treatment Facility at Mauza:- Ainio, Tehsil:- Fatuha, District:- Patna, State:- Bihar, by M/s S. R. Solutions, (Total Area: 0.434 Ha./1.1 Acres).

Ref.:- SEAC meeting dated 17.02.2024 (Ref. No. 106, dated 27.02.2024) and SEIAA meeting dated- 02.03.2024 (Ref. No.- 120, Dated:- 06.03.2024)

Sir,

This has reference to your online application for the proposal of Common Bio – Medical Waste Treatment Facility at Patna district, in prescribed Form – I, Prefeasibility Report, Environment Impact Assessment (EIA) Report and other documents seeking Environmental Clearance (EC) of the project mentioned in the subject as below:-

Proposed Common Bio – Medical Waste Treatment Facility at Mauza:- Ainio, Tehsil:- Fatuha, District:- Patna, State:- Bihar, by M/s S. R. Solutions, (Total Area: 0.434 Ha./1.1 Acres) (File No.: SIA/7(da)/2036/2022, Proposal No: SIA/BR/INFRA2/414514/2023).

It is to inform you that on the basis of recommendation of SEAC, the SEIAA has resolved to reject your above mention proposal. Hence your proposal shall now be treated as **rejected** for Environmental Clearance.

This is for your information and records.



Yours faithfully,
Sd/-
(Abhay Kumar)
Member Secretary
SEIAA, Bihar

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Copy, through email, for information and necessary action to :-

1. The Secretary, Environment, Forest and Climate Change Deptt., Govt. of Bihar, Sinchai Bhawan, Patna - 15.
2. The Member Secretary, Bihar State Pollution Control Board, Patna-23.
3. MoEF&CC, Integrated Regional Office, Ranchi, 2nd Floor, Headquarter - Jharkhand State Housing Board, Harmu Chowk, Ranchi, Jharkhand - 834002.
4. Guard file

AW
12/3/24

(Abhay Kumar)
Member Secretary,
SEIAA, Bihar



"VAKALATNAMA"

BEFORE THE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
Appeal No. /2024/EZ

M/s S.R. Solutions

... .. Appellant

Vs.

The State Environment Impact Assessment Authority & Ors.

... .. Respondents

KNOW ALL MEN by these presents that I/We Santosh Kumar Osha having its address at S/O Kamalakar Osha, near Shiv Mandir, Alinid, Patna do hereby in my/our name and my/our behalf constitute and appoint Ms. Sneha Singh, Advocate as our true and lawful Pleader/Advocate & Attorneys to appear and act for me/us in the matter noted above to file suit, written statement, conduct suit, appeal from original suit, order etc., And for that purpose to do all acts and things, whatsoever in that connection including compromise of the above matter depositing in or withdrawing money from, filing or taking out of appear, document and payment order from Court referring matters in dispute between the parties here to arbitration, withdrawing the above matters with liberty to file fresh suit, sending properties released from attachment, filing execution or miscellaneous cases and other petitions, bidding at execution sale, obtaining payment from us out of Court withdrawing custody and other fees and doing on my/our behalf other acts, in the above matter as are necessary and proper. I/We hereby agreeing to ratify and confirm all acts so done by the said advocate or attorneys as my/our own acts and as if done by me/us to all intents and purposes.

57/4/2024
Sneha Singh
21/11/2024



Received Vakalatnama from the Executant and accepted the same.

Bidyand Singh
1. Mr. Bidyanand Singh, Advocate
Enrollment No. 763/1977
Mobile No. 9473436054
e-mail: bidyanand6@gmail.com
Flat no. 34, Kamla Apartment,
Road No. 10, Patel Nagar, Patna-800023

Kumaresh Singh
2. Kumaresh Singh, Advocate
Enrollment No. BR/1889/2013
Mobile No. 9262696308
e-mail: kumareshlaw@gmail.com
'Radha Niwas', Road No. 4A, Rajiv
Nagar, Patna -800024



भारत सरकार
GOVERNMENT OF INDIA



संतोष कुमार ओझा
Santosh Kumar Ojha
जन्म तिथि/DOB: 12/02/1977
पुरुष / MALE



4848 0296 5236

मेरा आधार, मेरी पहचान



भारतीय विशिष्ट पहचान प्राधिकरण
UNIQUE IDENTIFICATION AUTHORITY OF INDIA

पता:

Address:

आत्मज: कामेश्वर ओझा, शिव S/O Kameshwar Ojha, Near Shiv
मंदिर के पास, ऐनियो, Mandir, Ainio, Patna,
पटना, Bihar - 803201
बिहार - 803201

4848 0296 5236

MEERA AADHAAR, MERI PEHACHAN

संतोष कुमार ओझा
5/4/2024



FORM III
[Rule 3]
Certificate of Registration

- | | |
|---|---|
| 1. Registration Mark and Number : | P.T./ TBSE_REG/2019/02039 |
| 2. Name of Establishment : | S R SOLUTION |
| 3. Full Postal address of the Establishment : | EAST OF N.S.C. SHEIKHPURA, P.O-
B.V.COLLEGE, PATNA |
| 4. Location of the Establishment : | WARD NO-5, C.NO-251, H.NO-
384/549A |
| 5. Type of Business, trade or profession carried on : | Others |
| 6. Name and designation of the Manager or Agent or any other person in the immediate charge or control of the establishment : | SANTOSH KUMAR OJHA, PROP |
| 7. Name and designation of other persons having interest as employer in the establishment : | |

S. No.	Name and Percentage	Designation
1.	SANTOSH KUMAR OJHA,S/O- KAMESHWAR OJHA	PROP
2.		
3.		
4.		
5.		
6.		

8. Maximum number of persons to be employed on any day : 2

This is to certify that the establishment, the particulars of which have been given above, has been registered under the Bihar Shops and Establishment Act,1953 on: 20/02/2019

Date : 20/02/2019

Digital Signature

संतोष कुमार ओजा
5/4/2024.



Digitally signed by RAJIV RANJAN
Date 2019.02.20 10:44:46 +05:30