

BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN  
ZONE BENCH, KOLKATA —  
Appcal NO. 06/2024/EZ

IN THE MATTER OF: -

M/s S. R. Solution

...APPELLANT

VERSUS

The State Environment Impact Assessment Authority & Ors.

...RESPONDENTS

REPLY OF THE APPELLANT TO COUNTER AFFIDAVIT

BY THE SEIAA:-

INDEX

| Sr. No. | Particular   | Annexure No.  | Pg. No. |
|---------|--|---------------|---------|
| 1.      | Reply to Counter Affidavit   |               | 1-13    |
| 2.      | A true copy of the letter dated 10 <sup>th</sup> October, 2023   | A-18          | 14-16   |
| 3.      | A true copy of the order dated 17 <sup>th</sup> May, 2023  | A-19          | 17-20   |
| 4.      | A true copy of the EC and Authorisation to M/s Sangam Mediverse dated 10 <sup>th</sup> January, 2020                                     | A-20/A        | 21-32   |
| 5.      | A true copy of the Authorisation to M/s Sangam Mediverse dated <del>27<sup>th</sup> January, 2023</del> <sup>18<sup>th</sup> April</sup> | A-20/B Series | 33-38   |
| 6.      | A true copy of the Minutes of the Meeting dated 18 <sup>th</sup> August, 2023  | A-21          | 39-45   |

Filed By:

*Kumaresh Singh*  
Adv

88/1889/13

'Road No. 4A, Rajiv Nagar'

Patna - 24

e-mail - Kumareshlaw@gmail.com

Mo. 92 62 89 63 08

BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN  
ZONE BENCH, KOLKATA  
Appeal NO. 6 /2024/EZ

IN THE MATTER OF: -

M/s S. R. Solution ...APPELLANT

VERSUS

The State Environment Impact Assessment Authority & Ors.

...RESPONDENTS

REPLY OF THE APPELLANT TO COUNTER AFFIDAVIT  
BY THE SEIAA  
BY THE SEIAA

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, do hereby solemnly affirm and declare as under :-

1. That I am competent to affirm the present affidavit for and on behalf of 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 sole proprietorship registration.
2. That The Appellant has preferred the instant appeal with the following prayers:-



- a) To cancel and/or quash and/or set aside the impugned order dated 13<sup>th</sup> March, 2024 by SEIAA (Annexure- A- 17 to the Memo of Appeal), passed in consequence of its Resolution in 52<sup>nd</sup> MoM dated 06<sup>th</sup> march, 2024 (Annexure- A- 16 to the Memo of Appeal) which per se was based on the recommendation of SEAC vide its MoM dated 27<sup>th</sup> February 2024 (Annexure A-11 to the Memo of Appeal), whereby the proposal of the Appellant Unit dated 31<sup>st</sup> May, 2022 (Annexure A-1 to the Memo of Appeal) 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 52<sup>nd</sup> MoM of SEAA dated 06<sup>th</sup> march, 2024 (Annexure- A- 13 to the Memo of Appeal), 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 vide its MoM dated 27<sup>th</sup> February 2024, whereby the proposal of the Appellant Unit dated 31<sup>st</sup> May, 2022 (Annexure A-1 to the Memo of Appeal) 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;
3. That at the outset it is submitted that the Counter Affidavit filed by the ~~Bihar State Pollution Control Board~~ <sup>State Environment Impact Assessment Authority</sup> (hereinafter ~~BSPCB~~ <sup>SEIAA</sup>) is a near reiteration of the contents of the impugned order dated 13<sup>th</sup> March, 2024 by SEIAA, its Resolution dated 06<sup>th</sup> march, 2024 and the SEAC recommendation of rejection vide its MoM dated 27<sup>th</sup> February 2024, whereby the proposal/ application of the Appellant Unit dated 31<sup>st</sup> May, 2022 for grant of EC for establishment of CBWTF at Patna has been rejected. It is



rather unfortunate that the Counter Affidavit has failed to reply to the grounds raised in the Memo of Appeal for assailing the above order.

4. That the para-wise reply to the counter affidavit is being filed herewith by the Appellant and set-out and traversed ad seriatim. Any specific denial with regard to statement and/or allegations contained in the said Counter Affidavit shall not be construed as by admission.
5. That with respect to the contents of paragraph 1 to 6 it is stated that the same needs no reply.
6. That with respect to the contents of paragraph 7 and 8 it is stated that the same is matter of record. However, it is submitted that the issue of imposing additional conditions while granting TOR has lost its relevance at this stage and is being fabricated by SEIAA as basis for rejection of EC, on twin grounds, *firstly*, as it was only after compliance of all the conditions including the additional conditions that the application of Appellant was considered for the third stage for grant of EC, i.e., Public Consultation. The said Public Consultation was duly undertaken by publishing a prior notice in a local newspaper. The minutes of the Public Hearing were prepared by the respondent BSPCB on 30<sup>th</sup> December, 2022. The said minutes were sent to the Additional District Magistrate, Patna by the Member Secretary of the BSPCB vide letter dated 04<sup>th</sup> January, 2023, informing about the same and for taking necessary action. The details have been appended to the Memo of Appeal as Annexures 8, 9 and 10. *Secondly*, the fact that the respondent remained mute regarding the alleged non compliance of the additional conditions of TOR by the Appellant and the said issue was first raised by the SEAC after 1 and half years in its 35<sup>th</sup> MOM dated 27<sup>th</sup> February 2024 (Annexure- 14) is demonstration of high handedness and illegal disposition on part of the respondents.



7. That with respect to the contents of paragraph 9, 10 and 11 it is submitted that the Appellant was never subjected to any such complaint against it by any third party or individual. As regards letter by M/s Sangam Mediverse for cancellation of Public Hearing undertaken by the Appellant, it is submitted that the Public Hearing was successfully conducted and even the report was prepared and forwarded by the BSPCB to the concerned district officials for necessary action (Annexures 8, 9 and 10 to the Memo of Appeal). Moreover, M/s Sangam Mediverse is an interested party as it is officially one of the aspiring proponents for establishment of CBMWTF in the State of Bihar thus, a competitor of the Appellant. Therefore, the complaint by M/s Sangam Mediverse against the Appellant was made with the illegal purpose of preventing the Appellant from establishing CBMWTF. Further, the respondent for the first time, through the Counter Affidavit under reply, have raised the issue of complaint by M/s Sangam Mediverse, thus, it is amply clear that the same is being done for want of any good and cogent reason for justifying the rejection the application of the Appellant for grant of EC. And lastly, such complaints have not been made ground for rejection of the application of EC, therefore, the conduct of the respondents casts a shadow over the veracity and intent of such complaint and the respondent may be prevented from the raising the issue at this stage as the same has no bearing on the present proceeding.
8. That similarly, with the respect to the contents of paragraph 10 and 11 it is submitted that raising the issue of complaint by any individual at such a belated stage without giving any opportunity to the Appellant to reply when the same was raised, is sheer high handedness by the respondent. And moreover, such complaint was never mentioned or was made basis for the rejection of application of the Appellant for grant of EC. Therefore, the conduct of the respondents casts a shadow over the veracity and intent of such complaint and moreover, the respondent may be prevented from the raising



the issue at this stage as the same has no bearing on the present proceeding.

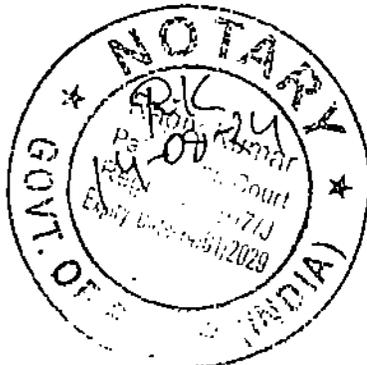
9. That with respect to the contents of paragraph 12 it is stated that the same is a matter of record and hence needs no comment.
10. That with respect to the contents of paragraph 13 it is submitted that, *firstly*, the said letter has no bearing on the present proceeding as the same was not made the basis for rejection of the application for grant of EC. *Secondly*, the material content of the said letter reads thus, *para 3. "It is to be noted that new facilities may be allowed on the basis of gap analysis by SPCBs wherever required."* *Para 4. "...In case of insufficient capacity proper gap-analyses be made and new facilities may be allowed..."*. A bare reading of the said letter would elucidate the fact that by emphasising on gap analysis the MoEFCC is laying impetus on establishment of new CBMWTF so that no bio-medical waste is left untreated. Therefore, the purpose of gap analysis is to see that there are sufficient CBMWTF available so that not even an ounce of dangerous bio-medical waste is left untreated.
11. That with respect to the contents of paragraph 14 it is stated that the same is a matter of record and hence needs no comment.
12. That with respect to the contents of paragraph 15 it is submitted that the act of respondents by keeping the application of the Appellant in abeyance for more than a year is an act of arbitrariness and illegal disposition on their part. The application was decided to be kept in abeyance on 27<sup>th</sup> February 2023 and was rejected on 13<sup>th</sup> March 2024. The application was kept in abeyance till the time of disposal of tender process called by BSPCB, "for establishment of additional CBMWTF for Patna." It is pertinent that the ground for keeping the application in abeyance was sheer high handedness and arbitrary as the same could not be kept



in abeyance for an unreasonable period of more than a year. Furthermore, 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 21<sup>st</sup> 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 04<sup>th</sup> January, 2023 (Annexure- A-10 to the Memo of Appeal) and recommended 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.

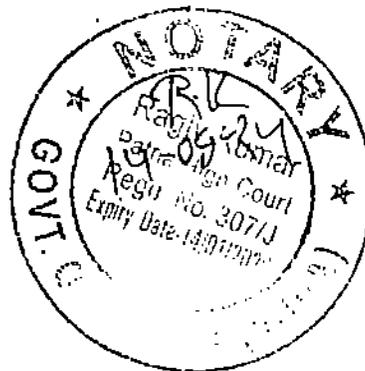
Still further, even after the floating of the tender by BSPCB the respondents took more than a year to reject the application for grant EC. Thus, it can be easily deduced from the conduct of the respondent that the application was being actively and positively considered over the period for grant of EC and the act of the respondent in keeping the application in abeyance for such unreasonable period is illegal and is against the object and purpose of EIA notification by which 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 (in this case 30<sup>th</sup> January, 2023) for timely disposal of application for grant of EC.

13. That with respect to the contents of paragraph 16 it is submitted that the same is an in verbatim reiteration of the recommendation made in 35<sup>th</sup> MOM of SEAC dated 27<sup>th</sup>



February, 2024 (Annexure-17 to the memo of Appeal) and the same is under challenge in the present case. Mere reiteration of the same without defending it serves no purpose. As the grounds taken in the memo of Appeal assailing the same has not been countered, hence stand of the Appellant stands affirmed and accepted by the respondents. On this ground alone the Appeal is fit to be allowed.

14. That with respect to the contents of paragraph 17 it is stated that the same is a matter of record and has already been appended as Annexure-16 to the memo of Appeal and is under challenge vide the instant Appeal. Mere reiteration of the same without the countering the grounds assailing the same, as raised in the memo of Appeal amounts to acceptance by the respondents. On this score alone the instant Appeal is fit to be allowed.
15. That with respect to the contents of paragraph 18 it is stated that the same is a matter of record and has already been appended as Annexure-17 to the memo of Appeal and is under challenge vide the instant Appeal. Mere reiteration of the same without the countering the grounds challenging the same, as raised in the memo of Appeal, amounts to acceptance by the respondents. On this score alone the instant Appeal is fit to be allowed.
16. That with respect to the contents of paragraph 19 it is submitted that the same is wrong and denied and demonstrates the act of high handedness and illegal dispositions on part of the respondent SEIAA in keeping the application in abeyance for such a long period of 1 year, whereas under law it was required to reject the same within 60 days, and moreover, contemporaneously considering the application of the Appellant during and even after floating of tender and suddenly rejecting the application on frivolous grounds is arbitrariness and illegal and reeks of malafide done with purpose of serving a selected few entities. Hence, the order of rejection dated 13<sup>th</sup> March, 2024, resolution dated

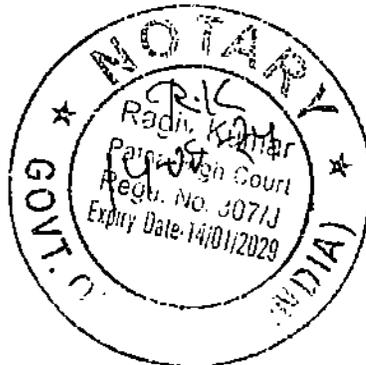


06<sup>th</sup> March, 2024 , recommendation dated 27<sup>th</sup> February 2024 by SEAC are illegal and bad in law and hence liable to be rejected.

17. That with respect to the contents of paragraph 20 and 21 it is stated that the same needs no reply at this stage.
18. That it is submitted that at this stage it is pertinent to point out that the trite term for the instant case, i.e., 'gap analysis', has been used multiple times by the respondents but it is rather unfortunate that same has not been explained as to what is the gap analysis in the present context and that what is the methodology to conduct the same. In this regard the letter dated 10<sup>th</sup> October, 2023 issued by CPCB sent to all the SPCB is very significant. A bare perusal of the said methodology would make it amply clear that the intent and purpose of the said gap analysis is to identify and examine the need for additional treatment capacity well in advance. The said methodology provides for data of existing bio-medical waste generation and also data with respect to extrapolation for the coming years within the prescribed coverage area of 75 km. It would appear from the same that the intent is to increase the number of CBMWTF within the range of 75 km depending upon the waste generation. Nowhere the methodology makes any indication for allowing a single CBMWTF to cater to waste treatment beyond the range of 75 kms. Therefore, allowing a single CBMWTF to treat waste by beyond the range of 75 km and more than 10,000 beds is impermissible as per the gap analysis.

A true copy of the letter dated 10<sup>th</sup> October, 2023 is attached herewith and marked as Annexure- 18.

19. That it is further submitted that in a case before the Hon'ble Principle Bench of NGT at New Delhi, bearing O.A. no. 180/2021- Mukul Kumar vs. State of Uttar Pradesh a consolidated report was submitted on 15<sup>th</sup> May, 2024 by



CPCB with respect to CBMWTF in all the states. The said report highlights the fact that 2811 number of Health Care Facilities (HCFs) in Bihar remained unauthorized. Meaning thereby that the bio-medical waste generated from 2811 HCFs remain unaccounted for and is hence not counted as being treated by the established CBMWTF in the state. The said report also provides that **there is gap in generation and treatment and the same is attributed to non reporting of bio-medical waste generation.** The said report at page 34 reiterated the fact that gap analysis is required to examine the requirement of setting up of **additional CBMWTF** in a region or locality and that it would be based upon extrapolation of data of biomedical waste generation in next ten years. Thus, it is clear from the above that argument with respect to gap analysis holds no ground at all and is being made to benefit selected few entities and oust the Appellant from applying from the same. The said report may be produced if and when required at the time of submission.

20. That it is further submitted that in case of Deep Kumar Tyagi vs Union of India (O.A. 126/2023) Honb'le NGT, Principal Bench held that guidelines do not take precedence over rules and that the criteria of distance and beds can be revised for the purpose of treat of bio-medical waste.

A true copy of the order dated 17<sup>th</sup> may, 2023 is attached herewith and marked as Annexure-19.

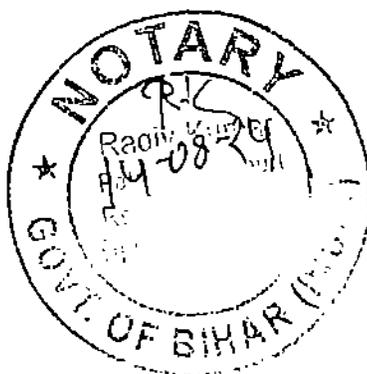
21. That it is further submitted that with respect to the stand by the Respondent that there is enough capacity of existing CBMWTF and that there is no need for additional facilities in Patna is a blatant lie and the same is being made with the purpose of benefitting an entity by the name of M/s Sangam Mediverse. It is submitted that the respondent SEIAA and the BSPCB are in cahoots with M/s Sangam Medicverse. M/s Sangam is an 'Operator' of a CBMWTF which caters to the



bio-medical waste of Patna and surrounding districts. It is submitted that the EC for establishment of CBMWTF has been granted to M/s Sangam Mediverse in complete disregard of all the relevant laws and norms such as the siting criteria. Moreover, there is difference between the permitted handling capacity allowed to M/s Sangam Mediverse as per EC and the Authorisation dated 10<sup>th</sup> January 2020 and 18<sup>th</sup> April, 2023 respectively. Thus, it is amply clear that both the respondents are acting to further the interest of M/s Sangam Mediverse and in the vein are taking the stand that no additional CBMWTF is required in Patna.

A true copy of the EC and Authorisation to M/s Sangam Mediverse dated 10<sup>th</sup> January, 2020 and Authorisations dated 27<sup>th</sup> January, 2021 <sup>and 18<sup>th</sup> April, 2023</sup> are attached herewith and marked as Ammexure 20/A and 20/B <sup>Series</sup> respectively.

22. That it is submitted that the stand of the respondent that no additional CBMWTF is required in Patna is blatantly false and denied. As in the light of the original tender dated 22<sup>nd</sup> December, 2022 (Annexure A-2 to the memo of Appeal) it is evident that the said single CBWTF situated in Patna caters to 45617 health care facility beds including 31477 beds in Patna alone and presently, all the bio-medical waste generated therein is treated by one entity alone i.e., M/s Sangam Mediverse. Thus, it is not in dispute that the district of Patna requires at least three more CBWTFs.
23. That it is submitted that with respect to the averment of the respondent that the Appellant is requirement to participate in the tender process, the same has been sufficiently dealt with in the Memo of Appeal and needs no reiteration herein and may be placed by way of submissions. Moreover, in the light of the Minutes of the Meeting of State Advisory Committee dated 18<sup>th</sup> August, 2022, in para 10 the Member Secretary,



BSPCB has categorically informed the members of the committee that a private entity is willing to establish CBMWTF on his own land and is in consultation with the BSPC and has applied to SEIAA for grant of EC. Thus, it can be easily deduced that the Applicant even without participating in the tender was being considered by the respondents.

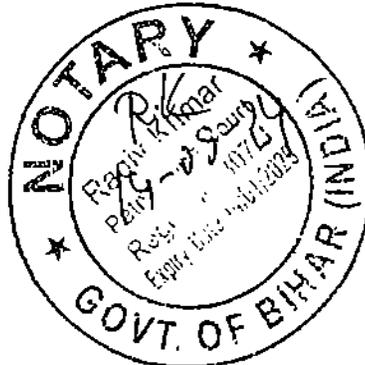
A true copy of the Minutes of the Meeting dated 18<sup>th</sup> August, 2023 is being attached herewith and marked as Annexure- 21.

24. That it is submitted that in the light of the above the respondents have illegally rejected the Application of the Appellant and the said rejection is bad in law and the Applicant is fit for grant of EC for establishment of CBMWTF.

*Handwritten signature of Appellant*  
APPELLANT  
*14/8/24*

THROUGH

*Handwritten signature of Advocate*  
14/08/24  
ADVOCATE



VERIFICATION

I the above named deponent, do hereby solemnly verify that the contents of the aforesaid affidavit are true and correct to the best of my knowledge and belief nothing has been concealed therefrom.

Verified at Patna on this      day of August, 2024

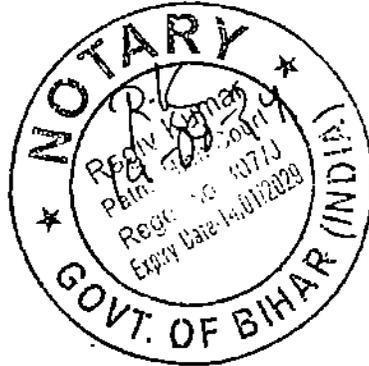
*[Handwritten signature]*  
DEPONENT  
*[Handwritten signature]*  
24/8/24.

*[Handwritten signature]*  
FILED BY  
19/08/24

ADVOCATE OF THE Appellant

PLACE: Patna

DATE: 14/08/2024



Sl No. 2288 Dated 14/8/2024

13

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, do hereby solemnly affirm and say as follows:

1. I am competent to affirm the present affidavit for and on behalf of 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 board resolution is annexed hereto.
2. The statements contained in paragraphs 1.. To 4... of the foregoing petition are true to my knowledge and those contained in paragraphs 5 to 7... thereof are based on information derived from records and believed to be true and those contained in paragraphs .....thereof are my humble submissions before this Hon'ble Court.

Prepared in my Office and identified by me

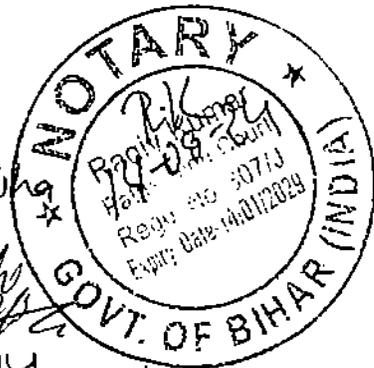
*Ramesh Singh*  
Adv.  
Advocate 14/08/24

*श्री संतोष ओजहा*  
Deponent  
*S.K. Ojha*  
14/8/2024

I identify the Deponent who  
Signed/L TI in my presence

*Ramesh Singh*  
Advocate 14/08/24  
B.A./1889/13

Santosh Kumar Ojha  
Sri/Smt. who is identify by Sri...  
Advocate solemnly affirmed and  
declare before me



*Rajiv Kumar*  
14-08-2024  
Rajiv Kumar  
Reg. No. 307  
Notary Public Advocate  
Patna High Court

(14)

By Speed Post

F. No. B-31011-BMW (3398)-2023-WM-I

4933-68

October 10, 2023

To  
The Member Secretary,  
All SPCB and PCC

Sub: Regarding methodology to conduct gap analysis with respect to generation and treatment of biomedical waste -reg.

Sr. Madam,

It is to inform that State Pollution Control Boards/Pollution Control Committees are required to conduct gap analysis with respect to generation and treatment of biomedical waste in respective State/UT. A format for conducting gap analysis is given in CPCB guidelines for Common Bio-medical Waste Treatment Facilities. Few State Boards have prepared gap analysis report adopting their own methodology. The matter was also discussed in Central Monitoring Committee meeting on 18.07.2023 wherein need for adopting uniform methodology was emphasised. Hence, to avoid the ambiguity and to adopt uniform procedure, CPCB has prepared a methodology to conduct gap analysis (Copy attached herewith for ready reference).

In view of above, it is requested to kindly conduct gap analysis with respect to generation and treatment of biomedical waste in your State/UT using the aforesaid methodology and report may be submitted to CPCB within one month.

Yours faithfully,

(V. P. Yadav)

Director & Head

Waste Management -I Division

Encl. As above

Copy to:

1. PS to 'MS'

For kind information of 'MS' please

(V. P. Yadav)

MS Singh - %  
18/10/2023



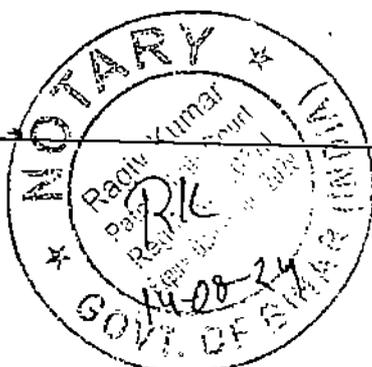
## Methodology to Conduct gap analysis with respect to generation and treatment of biomedical waste

15

Guidelines for Common Biomedical Waste Treatment Facilities was prepared by CPCB with an aim to have uniformity in ensuring site selection, allowing and establishment of a state-of-the-art Common Biomedical Waste Treatment Facilities (CBWTFs), operation as well as verification of compliance to the BMWM Rules, 2016 throughout the country. As per the said guideline, SPCB/PCC is required to prepare an inventory or review with regard to the bio-medical waste generation at least once in five years in the coverage areas of the existing CBWTF and conduct gap analysis as per format given in Annexure-I of the guideline.

To avoid the ambiguity and maintaining the uniformity for conducting gap analysis a methodology is suggested for estimating generation, treatment of biomedical waste and its extrapolation in the State and coverage area of CBMWTF. It is elaborated in following table.

| S. No. | Parameters   | Details  |
|--------|--|--|
| 1.     | Coverage area of CBWTF   | Up to 75 km  |
| 2.     | No. of HCFs (Bedded and non-bedded)  | In Number  |
| 3.     | No. of Beds covered  | In Number  |
| 4.     | Total biomedical waste generation (in Kg/day)  | The generation may be calculated considering following factors:<br><br>a) Generation from Bedded hospital<br><br>(in absence of availability of required information biomedical waste generation may be taken as 274 grams per bed)<br><br>b) Biomedical waste generated from non-bedded HCFs and other sources also be considered |
| 5.     | Extrapolate the biomedical waste generation for next years   | Extrapolation may be based on factors such as population growth of the districts/cities covered by CBWTF, Rate of increase in number of HCFs/beds in past years etc. as decided by SPCB in consultation with Health department and CBMWTF associations.  |
| 6.     | Total existing treatment capacity (in Kg/day) (Sum of Incineration Capacity and Autoclave/Microwave/Hydroclave Capacity) | For calculation of existing treatment capacity, maintenance time may be considered for calculating operational hours of equipment as below:<br><br>a) Operational Hours for static incinerator 20 hrs/day<br>b) Operational hours for Rotary incinerator 22 hrs/day  |



|    |   |  |
|----|---|--|
|    |   | c) 18 cycle per day for autoclave<br><br>The actual capacity may be considered as 90% of available capacity keeping 10% margin for diverted/extra waste etc. |
| 7. | Total Biomedical Waste treated and disposed (Kg/day)  | Sum of all categories of biomedical waste treated and disposal.  |
| 8. | Gap between total extrapolated biomedical waste generation (for next 10 years) and existing biomedical waste treatment capacity | Extrapolate the biomedical waste generation minus total existing treatment capacity  |

Based on the above data, the gap between existing treatment capacity and need of additional treatment capacity should be examined after carrying out gap analysis at coverage area/city level and State level.

\*\*\*



Item No. 05

Court No. 1

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

**(BY VIDEO CONFERENCING)**

Original Application No. 126/2023  
(I.A. No. 109/2023)

Deep Kumar Tyagi

Applicant

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 17.05.2023

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

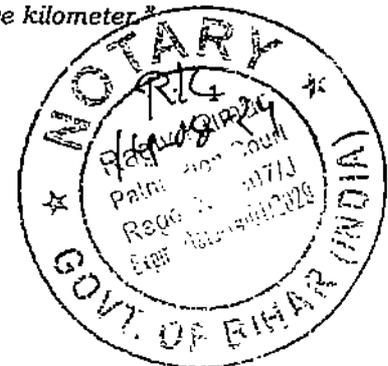
Applicant: Mr. Gaurav Kumar Bansal, Advocate for Applicant

**ORDER**

1. Prayer in this application is for prohibiting Common Bio-medical Waste Treatment Facilities (CBWTFs) operating in UP within 75 kms of already functioning CBWTFs.
2. Case set out in the application is that under Rule 7(3) of Bio-medical Waste Management Rules, 2016 (BMW Rules), it is the duty of Occupier (Health Care Facility) to dispose its Bio Medical Waste by way of providing the same to the Common Bio Medical Waste Treatment Facility within the distance of Seventy Five Kms. The text of Rule 7(3) is reproduced below:-

"7...

*(3) No occupier shall establish on-site treatment and disposal facility, if a service of common biomedical waste treatment facility is available at a distance of seventy-five kilometer.*



3. As per the said CPCB Guidelines, if a Common Bio Medical Waste Treatment Facility is available at a distance of 75 Km from the "Occupier" (Health Care Facility), then Bio Medical Waste should be treated and disposed only through such CBWTF facility.
4. The MoEF&CC vide Office Memorandum dated 20/05/2022 expressed its concern over the violation of BMW Rules. In State of Uttar Pradesh many CBWTFs are collecting the Bio Medical Waste from those HCF which have another CBWTF within their 75 km of radius.
5. When the matter came up for hearing on 03.03.2023, the counsel sought adjournment to file application to implead the alleged violators.
6. I.A No. 109/2023 has been filed to implead 12 CBWTFs operating at different locations in the State of U.P.
7. We have heard learned counsel for the applicant but are unable to find any violation calling for interference by this Tribunal.
8. No doubt the occupier is prohibited from establishing on site treatment disposal facility if a facility is available within 75 kms but there is no bar to another facility being set up within 75 kms of an existing Facility as far as the Rule is concerned. Such bar is only under CPCB Guidelines as follows:-

***"5.12 Requirements for Establishment of CBWTF within the premises of HCFs***

***As per Bio Medical Waste Management Rules, 2016, a Healthcare facility shall not install on-site captive treatment and disposal facility if service of a CBWTF available within 75 Km from the HCF. In case a service of common bio-medical waste treatment facility is not available within 75 KMs, the HCFs can explore the possibility of sending BMW to a CBWTF located beyond 75Km distance if the operator is authorised to cover the area and also capable***



**to provide services of collection, treatment and disposal within 48 hours as required under BMW Rules, 2016.”**

9. The status of the above Guidelines was considered by this Tribunal in recent order dated 23.01.2023 in M.A. No. 98/2022 in Original Application No. 180/2021, Mukul Kumar v. State of Uttar Pradesh & Ors., as follows:-

*“12. Record of discussion of meeting conducted by the CMC held on 09.05.2022 (Annexure 7 to the report) shows suggestions to modify existing guidelines on the issue of CBMWTFs for better compliance. At the moment only one CBMWTF is allowed in radius of 75 KMs and upto 1000 beds to enable service provider fair return on investment. Important suggestion of Odisha and Punjab PCBs is to reduce limit of 75 km radius for CBMWTF to 40 or 50 km decrease mandatory requirement of 1000 beds for CBWTF facility approx. 500 beds to achieve the aim of ‘One district, one Facility’. After all, fair return to investor is not to take precedence over compliance as is being understood in certain quarters. Relevant extract the discussion in the meeting is as follows:*

*“5. On the aspect of operation of CBWTFs, the representative of Odisha PCB and Punjab PCB suggested that the limit of 75 km radius for CBMWTF should be further reduced to 40 or 50 km radius, as a prescription of radius in small states allow a player to create monopoly in the area for BMW management. Further, it was also suggested that the mandatory requirement of 1000 beds for CBWTF facility should be decreased to approx. 500 beds to achieve the aim of ‘One district, one Facility’. However, the CMC and other stakeholders noted that the proposal needs further discussion among various entities engaged in BMW management.”*

13. No decision appears to have been taken on such important suggestion. It is well known that inadequate number of treatment Facilities are not able to cater to large areas and large number of beds as it makes daily collection and treatment difficult. This gap results in unscientific disposal of bio-medical waste to the detriment of public health. In this regard, we may refer to observations of the Tribunal in order dated 15.12.2022 in OA No.900/2022, M/s Rainbow Environments Pvt. Ltd. vs. State of Punjab & Ors., as follows:

*8. In above background, guidelines on the subject are to be understood. Object of guidelines being to ensure effective treatment of bio medical waste for protection of environment and public health and not merely to advance business interest of a Facility by creating monopoly, prime concern is bridging of gap in compliance of norms for which free play in joints has to be allowed to the statutory prescribed authority*



*under the BMW Rules to take effective measures for better compliance and coverage, including availability of a Facility close to generation of waste and efficiency of existing Facility. ..."*

*14. Thus, with a view to ensure protection of environment, we find it necessary to direct that pending further decision of the CMC in the matter, radius for permission for additional CBMWTFs will stand reduced to 40 km of existing Facility and number of 1000 beds will stand reduced to 500 beds for addition of a Facility, as suggested by Odisha and Punjab State PCBs. State PCBs will be entitled to further reduce the gap, if found necessary in a fact situation, for ensuring better compliance. Principle of one district one facility cannot be universal as there may be big districts which may require more than one Facility or there may be small districts which may have to be dealt with differently."*

10. Thus, the Tribunal has held that the Guidelines could not take precedence over addressing the gaps in compliance of BMW Rules. Under the Rules, the Facility has to obtain EC and consents which are granted after examining the need for establishing such Facility. It is not the case of the applicant that Facilities in question are operating without any permission.

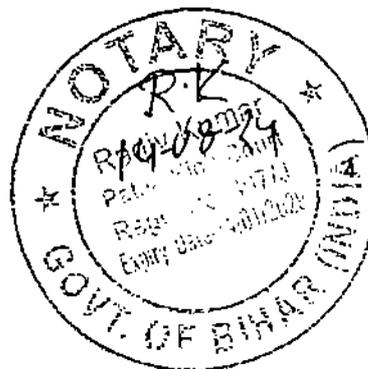
We thus do not find any ground to entertain this application which stands disposed of.

Adarsh Kumar Goel, CP

Sudhir Agarwal, JM

Dr. A. Senthil Vel, EM

May 17, 2023  
Original Application No. 126/2023  
(I.A. No. 109/2023)  
AB





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

2<sup>nd</sup> 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,

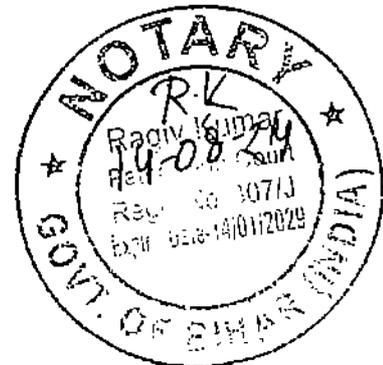
Shri Hari Om Sharan Dwivedi,  
(Director),  
M/s Sangam Mediserve Private Limited,  
Plot No.- 189, Santipuram,  
Phaphamau,  
Allahabad, Uttar Pradesh,  
Pin:- 211 013,  
E-mail: sangammediserve@gmail.com,  
dwivedihariom@gmail.com,  
info@sangammediserve.com  
Website: www.sangammediserve.com,  
Mobile No.:- 09670557744, 09670555533, 09670222266,  
0887733838, 07283001616.

Sub:

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

  
Member Secretary  
SEIAA, Bihar

Page 1 of 13



**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.          | Green 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<br>Corner 2 - 25° 34' 00.65" N 85° 10' 48.51" E<br>Corner 3 - 25° 33' 58.77" N 85° 10' 48.54" E<br>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   |          |                                      |                                      |             |                           |    |   |           |           |    |                 |

*h*  
Member Secretary  
SEIAA, Bihar

Page 2 of 13



|     |                          |   |   |                           |  |
|-----|--------------------------|---|---|---------------------------|--|
|     |                          |   |   |                           | 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)<br>(Common Bio-Medical Waste Treatment Facility projects) as per MoEF&CC Notification, dated 17 <sup>th</sup> 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 Khiesra No.- 118,<br>C.S. Part of Plot No. - 03,<br>Village — Ram Chak Bariya, Tehsil — Patna, District Patna, State — Bihar              |   |                           |  |
| 11. | Water Requirement        | 40 KLD of water for proposed project<br>Domestic Use:- 05 KLD<br>Green Belt Area:- 02 KLD<br>Floor & Vehicle Washing:- 07 KLD<br>Process:- 26 KLD |   |                           |  |
| 12. | Power Requirement        | Existing Power Consumption 62.2 KW<br>Source:- Bihar Vidyut Nigam Limited   |   |                           |  |

*S*  
Member Secretary  
SEIAA, Bihar  
Page 3 of 13



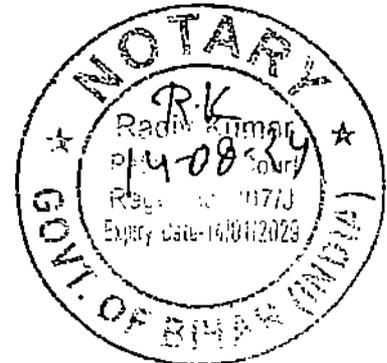
|     |                               |   |
|-----|-------------------------------|---|
| 13. | Proposed Cost of Project site | Total Project Cost - ₹ 4,93,00,000/-<br>Total cost of Environment Management Plan -<br>₹ 57,00,000/- (Capital Cost)<br>₹ 24,00,000/- (Recurring Cost) |
|-----|-------------------------------|---|

### 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/certificates/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



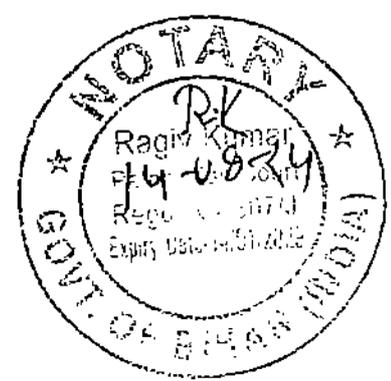
**I. Statutory compliance:**

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

*R*  
 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.

*J*  
 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.

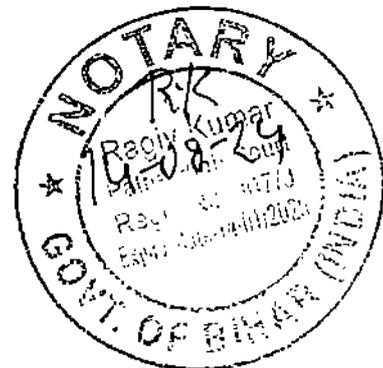
#### IV. Noise monitoring and prevention

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.

*J*  
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.

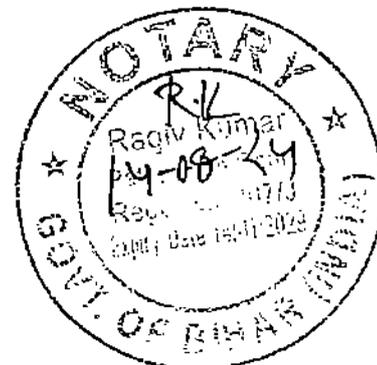
## VII. Green Belt

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 m<sup>2</sup> 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.

*[Signature]*  
Member Secretary  
SEIAA, Bihar



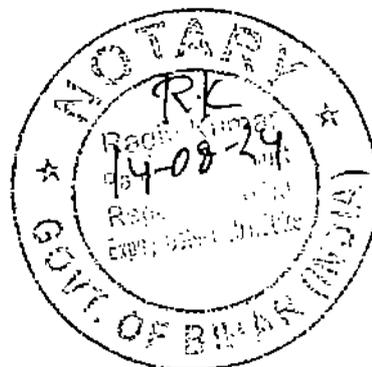
3. Necessary provision shall be made for fire-fighting facilities within the complex.
4. Emergency preparedness plan based on the Hazard identification and Risk Assessment (HIRA) and Disaster Management Plan shall be implemented.
5. Emergency plan shall be drawn in consultation with SPCB/CPCB and implemented 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 1<sup>st</sup> 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 / stake holders. The copy of the board resolution in this regard shall be submitted to the MoEF&CC as a part of six-monthly report.

*J*  
Member Secretary  
SEIAA, Bihar

Page 9 of 13

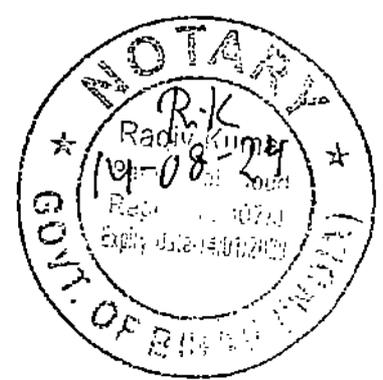


- 3. A separate Environmental Cell both at the project and company head quarter level, with qualified personnel shall be set up under the control of senior Executive, who will directly to the head of the organization.
- 4. Action plan for implementing EMP and environmental conditions along with responsibility 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**

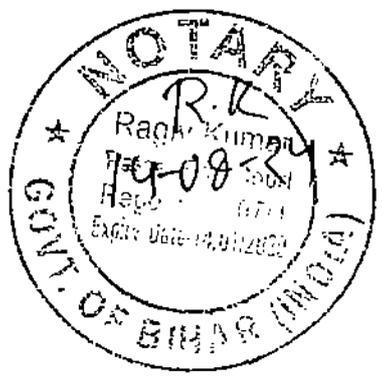
- 1. The Project Proponent shall prominently advertise it at least in two local newspapers of the District or State, of which one shall be in the vernacular language within seven days indicating that the project has been accorded Environment Clearance and the details of MoEF/CC / SEIAA, Bihar website 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.

*H*  
**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, SO<sub>2</sub>, NO<sub>x</sub> (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).

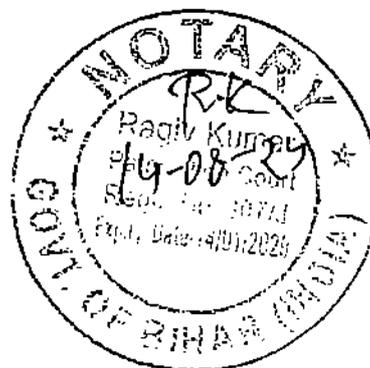
  
 Member Secretary  
 SEIAA, Bihar



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.

  
Member Secretary  
SEIAA, Bihar

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

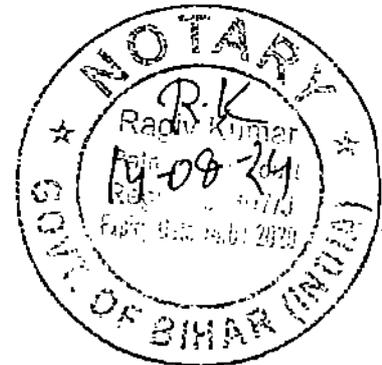


**Copy forwarded to:**

1. The Principal Secretary, Environment , Forest & Climate Change, Dept. Govt. of Bihar, Sinchai 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-110003 (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.

*A. J. Singh*  
(Kamal Jeet Singh)  
Member-Secretary  
SEIAA, Bihar

**Member Secretary**  
**SEIAA, Bihar**





BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area

P.O: Sadaquat Ashram, Patna-800010

EPABX-0612-2261250/2262265, Fax-0612-2261050

E-mail-bspcb@yahoo.com, Website -http://bspcb.bih.nic

184 33

[Authorisation under rule 10 of the Bio-Medical Waste Management Rules, 2016]

"Form-III"

[See Rule 10]

(Authorisation for operating a facility for collection, reception, treatment, storage, transport and disposal of bio-medical wastes)

1. File number of Authorisation and date of issue: BMW/2355/20 / dt
2. Application No.-4265414 dated 16.12.2020
3. Sri Hari Om S Dwivedi, Director, M/s Sangam Mediserve Pvt. Ltd., an Operator of the Common Bio-Medical Waste Treatment Facility of IGIMS, Patna located at Village-Jakariyarpur (Ramchak Bairiya), Tahsil- Patna, Dist.- Patna is hereby granted an authorization for,

Activity:  
 Generation, Segregation,  
 Collection,  
 Storage,  
 Packaging,  
 Reception,  
 Transportation,  
 Treatment or Processing or conversion,  
 Recycling,  
 Disposal or Destruction,  
 Use,  
 Offering for sale, transfer,  
 Any other form of handling

4. M/s Sangam Mediserve Pvt. Ltd., at Village- Jakariyarpur (Ramchak Bairiya), Tahsil- Patna, Dist.- Patna is hereby authorised for handling of bio-medical wastes as per the capacity given below:

- (i) No. of Health Care Facilities covered by CBWTF- 3000
- (ii) Installed treatment and disposal capacity:  
 (a) Incinerator- 5 MT/day  
 (b) Autoclave- 2 MT/day  
 (c) Shredder- 3.3 MT/day
- (iii) Area covered Districts of Patna, Bhojpur, Buxar, Nalanda, Rohtas and Kaimur
- (iv) Quantity of bio-medical waste handled, treated or disposed:

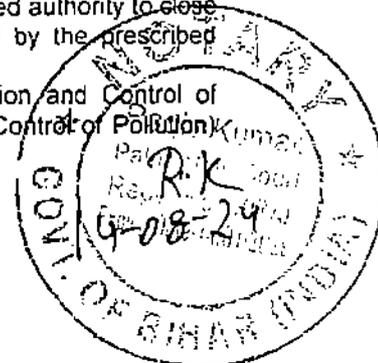
| Type of Waste Category | Quantity permitted for Handling |
|------------------------|---------------------------------|
| Yellow                 | : 7775 kg/day                   |
| Red                    | : 1000 kg/day                   |
| White (Translucent)    | : 25 kg/day                     |
| Blue                   | : 1000 kg/day                   |

5. This authorisation shall be valid a period of five years from the date of issue or till the validity of agreement with IGIMS, Patna whichever is earlier.
6. This Authorisation is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force the Environment (Protection) Act, 1986.

Terms and Conditions of authorization

1. The authorized shall comply with the provisions of the Environment (Protection) Act, 1986 and the rules made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorised by the prescribed authority.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the bio-medical wastes without obtaining prior permission of the prescribed authority.
4. Any unauthorized change in personnel, equipment or working conditions as application by the person authorized shall constitute a breach of his authorisation.
5. It is the duty of the authorized person to take prior permission of the prescribed authority to close down the facility and such other terms and conditions may be stipulated by the prescribed authority.
6. The Operator shall obtain Discharge Consent under the Water (Prevention and Control of Pollution) Act, 1974 and Emission Consent under the Air (Prevention and Control of Pollution) Act, 1981 from this Board.

BB

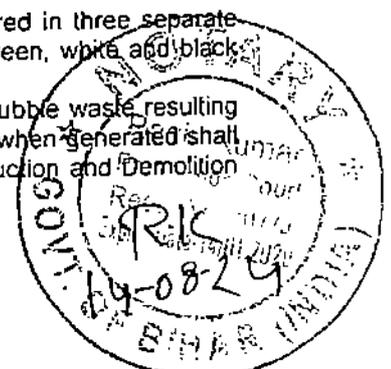


7. The Operator shall strictly comply with the provisions of these rules and in no case they are expected to dispose of any waste on roadside or at any unauthorised place under any circumstances;
8. The Operator shall take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of, without any adverse effect to the human health and the environment, in accordance with these rules and guidelines issued by the Central Government or, as the case may be, the central pollution control board from time to time;
9. The Operator shall ensure timely collection of bio-medical waste from the occupier as prescribed under these rules;
10. **The Operator shall establish bar coding and global positioning system for handling of bio-medical waste;**
11. The Operator shall inform the prescribed authority immediately regarding the occupiers which are not handling over the segregated bio-medical waste in accordance with these rules.
12. The Operator shall provide training for all its workers involved in handling of bio-medical waste at the time of induction and at least once a year thereafter;
13. The Operator shall assist the occupier in training conducted by them for bio-medical waste management;
14. The Operator shall undertake appropriate medical examination at the time of induction and at least once in a year and immunize all its workers involved in handling of bio-medical waste for protection against diseases, including Hepatitis B and Tetanus, that are likely to be transmitted while handling bio-medical waste and maintain the records for the same.
15. The Operator shall ensure occupational safety of all its workers involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipment;
16. The Operator shall report major accidents including accidents caused by fire hazards, blasts during handling of biomedical waste and the remedial action taken and the records relevant thereto. (including nit report) in Form I to the prescribed authority and also along with the annual report.
17. The Operator shall maintain a log book for each of its treatment equipment according to weight of batch; categories of waste treated; time, date and duration of treatment cycle and total hours of operation;
18. The Operator shall allow occupier, who are giving waste for treatment to the operator, to see whether the treatment is carried out as per the rules;
19. The Operator shall display details of authorization, treatment, annual report etc. on its web-site;
20. After ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio-medical wastes such as plastics and glass, shall be given to recyclers having valid consent or authorization or registration from the respective State Pollution Control Board or Pollution Control Committee;
21. The Operator shall supply non-chlorinated plastic coloured bags to the occupier on chargeable basis, if required;
22. Common bio-medical waste treatment facility shall ensure collection of biomedical waste on holidays also;
23. The Operator shall maintain all records for operation of incineration, hydro or autoclaving for a period of five years;
24. The Operator shall operate and maintain OCEMS system attached with the incinerator regularly with display of temperature of both primary and secondary chambers and ensure its proper connectivity with CPCB and SPCB servers; and
25. The operator shall ensure to follow guidelines of Common Bio-Medical Waste Treatment and Disposal Facilities issued by CPCB, as amended time to time.

#### Other Conditions:

26. The general domestic solid waste generated shall be segregated and stored in three separate streams namely bio-degradable, recyclable and other wastes in suitable green, white and black coloured bins respectively;
27. The construction and demolition waste such as building materials debris, rubble waste resulting from construction, re-modeling, repair and demolition of any civil structure, when generated shall be stored in its own premises and shall be disposed off as per the Construction and Demolition Waste Management Rules, 2016;

*AB*



28. The Horticulture Waste and Garden Waste should be stored in its own premises and disposed of as per the directions of local authority time to time;
29. No Solid Waste should be thrown, burnt, or buried on streets, open public spaces outside its premises or in the drain or water bodies;
30. Recyclable material shall be handed over to either the authorized waste pickers or the authorized recyclers;
31. Plastic sheet or like less than fifty microns in thickness shall not be used;
32. The Unit shall ensure that used Lead Acid Batteries or components are not disposed of in any manner other than depositing with the dealer, manufacturer, importer, assembler, registered recycler, reconditioner, or at the designated collection centres. A record of which shall be maintained by the Unit.
33. The construction and demolition waste to be kept within the premise or get the waste deposited at collection centre so made by the local body or hand over it to the authorized processing facilities of construction and demolition waste; and ensure that there is no littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains.
34. User fee/ Relevant charges for the collection, transportation, processing and disposal of general solid waste, plastic waste, construction and demolition waste, etc. are to be paid as specified by the local bodies.

This has approval of the competent authority

Signature: Sd/-

Name: Dr. Naveen Kumar

Designation: Scientist

Date:

To

Sri Hari Om S Dwivedi,  
Director,  
M/s Sangam Mediserve Pvt. Ltd.,  
Village- Jakariyarpur (Ramchak Balriya),  
Tahsil- Patna, Dist.- Patna

Memo no.:

Patna, dated:

Copy to: The Director, Indira Gandhi Institute of Medical Sciences, Shekhpura, Patna-800014 for information and necessary action.

Sd/-

(Naveen Kumar)  
Scientist

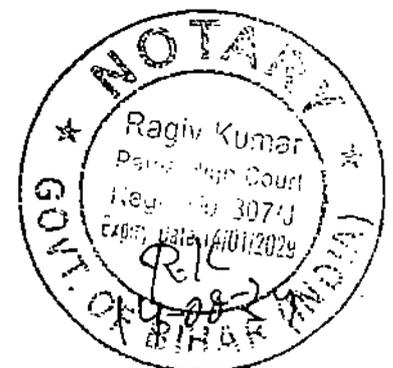
Memo no.: B-173

Patna, dated: 22-1-2021

Copy to: The Regional Officer, Bihar State Pollution Control Board, Regional Office, Patna for information and necessary action.

*(Signature)*  
(Naveen Kumar)  
Scientist

9





# BIHAR STATE POLLUTION CONTROL BOARD

Parivesh Bhawan, Patliputra Industrial Area  
P.O: Sadaquat Ashram, Patna-800010

EPABX-0612-2261250/2262265, Fax-0612-2261050

E-mail- msbspcb-bih@gov.in, Website- http://bspcb.bihar.gov.in

[Authorisation under rule 10 of the Bio-Medical Waste Management Rules, 2016]  
"Form-III"

[See Rule 10]

(Authorisation for operating a facility for collection, reception, treatment, storage, transport and disposal of bio-medical wastes)

- 1 File number of Authorisation and date of issue: BMW/2366/22/B-1000 dt. 18-4-23
- 2 Application No. 6932054/ 28.11.2022
- 3 Mr. Hari Om S Dwivedi, Director, Sangam Mediserve Pvt. Ltd., an operator of the Common Bio-Medical Waste Treatment Facility of IGIMS, Patna located at Village- Jakariyapur (Ramchak Bairiya), Tehsil + Dist.- Patna, Bihar- 800007 is hereby granted an authorization for;

- ✓ Activity
- ✓ Generation, Segregation
- Collection.
- ✓ Storage
- Packaging
- Reception
- Transportation
- ✓ Treatment or Processing or conversion
- Recycling
- ✓ Disposal or Destruction
- Use
- Offering for sale, transfer
- Any other form of handling

4. M/s. Sangam Mediserve Pvt. Ltd., Village- Jakariyapur (Ramchak Bairiya), Tehsil+Dist.- Patna, Bihar- 800007 is hereby authorised for handling of bio-medical wastes as per the capacity given below:

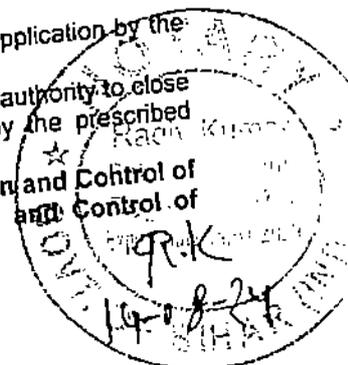
- (i) No. of Health Care Facilities covered by CBWTF- 6000
- (ii) Installed treatment and disposal capacity:
  - (a) Incinerator- 10 MT/day
  - (b) Autoclave- 05 MT/day
  - (c) Shredder- 05 MT/day
- (iii) Area covered Districts of Patna, Bhojpur, Buxar, Nalanda, Rohtas and Kaimur
- (iv) Quantity of bio-medical waste handled, treated or disposed:

| Type of Waste Category | Quantity permitted for Handling |
|------------------------|---------------------------------|
| Yellow                 | 09 Tonne/day                    |
| Red                    | 05 Tonne/day                    |
| White (Translucent)    | 05 Tonne/day                    |
| Blue                   | 01 Tonne/day                    |

5. This authorisation shall be valid a period of five years from the date of issue or till the validity of agreement with IGIMS, Patna whichever is earlier.
6. This Authorisation is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force the Environment (Protection) Act, 1986.

### Terms and Conditions of authorization

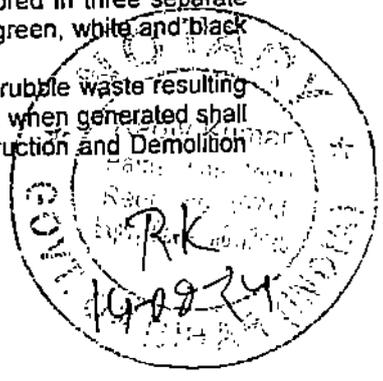
1. The authorized shall comply with the provisions of the Environment (Protection) Act, 1986 and the rules made there under.
2. The authorization or its renewal shall be produced for inspection at the request of an officer authorised by the prescribed authority.
3. The person authorized shall not rent, lend, sell, transfer or otherwise transport the bio-medical wastes without obtaining prior permission of the prescribed authority.
4. Any unauthorized change in personnel, equipment or working conditions as application by the person authorized shall constitute a breach of his authorisation.
5. It is the duty of the authorized person to take prior permission of the prescribed authority to close down the facility and such other terms and conditions may be stipulated by the prescribed authority.
6. The Operator shall obtain Discharge Consent under the Water (Prevention and Control of Pollution) Act, 1974 and Emission Consent under the Air (Prevention and Control of Pollution) Act, 1981 from this Board.



7. The Occupier shall strictly comply with the provisions of these rules and in no case they are expected to dispose of any waste on roadside or at any unauthorised place under any circumstances;
8. The operator shall take all necessary steps to ensure that the bio-medical waste collected from the occupier is transported, handled, stored, treated and disposed of without any adverse effect to the human health and the environment, in accordance with these rules and guidelines issued by the Central Government or as the case may be, the central pollution control board from time to time;
9. The operator shall ensure timely collection of bio-medical waste from the occupier as prescribed under these rules;
10. The operator shall establish bar coding and global positioning system for handling of bio-medical waste;
11. The operator shall inform the prescribed authority immediately regarding the occupiers which are not handling over the segregated bio-medical waste in accordance with these rules;
12. The operator shall assist the occupier in training conducted by them for bio-medical waste at the time of induction and at least once a year thereafter.
13. The operator shall assist the occupier in training conducted by them for bio-medical waste management,
14. The operator shall undertake appropriate medical examination at the time of induction and at least once in a year and immunize all its workers involved in handling of bio-medical waste for protection against diseases, including Hepatitis B and Tetanus, that are likely to be transmitted while handling bio-medical waste and maintain the records for the same.
15. The operator shall ensure occupational safety of all its workers involved in handling of bio-medical waste by providing appropriate and adequate personal protective equipment;
16. The operator shall report major accidents including accidents caused by fire hazards, blasts during handling of biomedical waste and the remedial action taken and the records relevant thereto, (including nil report) in Form I to the prescribed authority and also along with the annual report;
17. The operator shall maintain in a logbook for each of its treatment equipment according to weight of batch; categories of waste treated; time; date and duration of treatment cycle and total hours of operation;
18. The operator shall allow occupier, who are giving waste for treatment to the operator to see whether the treatment is carried out as per the rules;
19. The operator shall display details of authorization, treatment, annual report etc. on its web site;
20. After ensuring treatment by autoclaving or microwaving followed by mutilation or shredding, whichever is applicable, the recyclables from the treated bio medical wastes such as plastics and glass, shall be given to recyclers having valid consent or authorization or registration from the respective State Pollution Control Board or Pollution Control Committee;
21. The Operator shall supply non-chlorinated plastic coloured bags to the occupier on chargeable basis, if required;
22. Common bio-medical waste treatment facility shall ensure collection of bio medical waste on holidays also;
23. The operator shall maintain all records for operation of incineration, hydro or autoclaving for a period of five years;
24. The operator shall operate and maintain OCEMS system attached with the incinerator regularly with display of temperature of both primary and secondary chambers and ensure its proper connectivity with CPCB and SPCB servers; and
25. The operator shall ensure to follow guidelines of Common Bio-Medical Waste Treatment and Disposal Facilities issued by CPCB, as amended time to time.
26. The Operator shall treat and dispose expired and damaged medicinal products.

Other Conditions:

27. The general domestic solid waste generated shall be segregated and stored in three separate streams namely bio- degradable, recyclable and other wastes in suitable green, white and black coloured bins respectively;
28. The construction and demolition waste such as building materials debris, rubble waste resulting from construction, re-modelling, repair and demolition of any civil structure, when generated shall be stored in its own premises and shall be disposed of as per the Construction and Demolition Waste Management Rules, 2016;

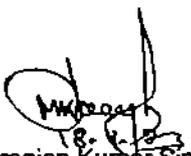


- 29. The Horticulture Waste and Garden Waste should be stored in its own premises and disposal of as per the directions of local authority time to time;
- 30. No solid waste should be thrown, burnt or buried on streets, open public spaces outside its premises or in the drain or water bodies;
- 31. Recyclable material shall be handed over to either the authorized waste pickers or the authorized recycler;
- 32. Plastic sheet or like less than fifty microns in thickness shall not be used;
- 33. The unit shall ensure that used lead acid batteries or components are not disposed of in any manner other than depositing with the dealer, manufacturer, importer, assembler, registered recycler, reconditioner or at the designated collection Centers. A record of which shall be maintained by the Unit.
- 34. The construction and demolition waste to be kept within the premises or get the waste deposited at collection centre so made by the local body or hand over it to the authorized processing facilities of construction and demolition waste; and ensure that there is no littering or deposition of construction and demolition waste so as to prevent obstruction to the traffic or the public or drains;
- 35. User fee/Relevant charges for the collection, transportation, processing and disposal of general solid waste, plastic waste, construction and demolition waste, etc. are to be paid as specified by the local bodies;

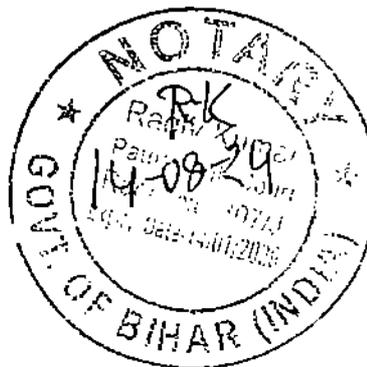
*This has approval of the competent authority.*

To

Mr. Hari Om S Dwivedi,  
 Director,  
 Sangam Mediserve Pvt. Ltd.,  
 Village- Jakariyapur (Ramchak Bairyia),  
 Tehsil + Dist.- Patna,  
 Bihar- 800007

Signature:   
 Name: Manoranjan Kumar Singh  
 Designation: Scientist

(9)



गुरुवार, दिनांक 04.08.2022 को माननीय राष्ट्रीय हरित अधिकरण (NGT) प्रधान बेंच, नई दिल्ली द्वारा O.A.No.- 180/2021 के मामले में दिनांक 07-01-2022 को पारित आदेश के आलोक में जीव-चिकित्सा अपशिष्ट प्रबंधन नियमावली 2016 के अन्तर्गत जीव-चिकित्सा अपशिष्ट का निपटान एवं सामूहिक जीव-चिकित्सा अपशिष्ट उपचार सुविधाओं के अनुश्रवण एवं निगरानी हेतु सचिव, स्वास्थ्य विभाग, बिहार सरकार, पटना की अध्यक्षता में गठित राज्य स्तरीय समिति की द्वितीय बैठक का वृत्त।

माननीय राष्ट्रीय हरित अधिकरण (NGT) प्रधान बेंच, नई दिल्ली द्वारा O.A.No.- 180/2021 के मामले में दिनांक 07.01.2022 को पारित आदेश के सन्दर्भ में जीव-चिकित्सा अपशिष्ट प्रबंधन नियमावली, 2016 के अन्तर्गत जीव-चिकित्सा अपशिष्ट निपटान एवं सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों के अनुश्रवण एवं निगरानी हेतु गठित राज्य स्तरीय समिति की द्वितीय बैठक गुरुवार दिनांक 04.08.2022 को अपराह्न 12:00 वजे सचिव, स्वास्थ्य विभाग, बिहार सरकार, पटना की अध्यक्षता में उनके कार्यालय कक्ष में सम्पन्न हुई। बैठक में निम्नलिखित पदाधिकारियों ने भाग लिया:-

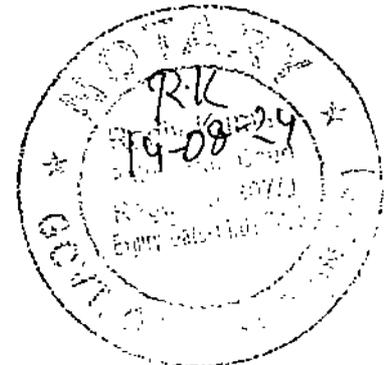
1. श्री के0 सेन्थिल कुमार, भा0प्र0से0, सचिव, स्वास्थ्य विभाग, बिहार सरकार, पटना।
2. श्री एस0 चन्द्रशेखर, भा0व0से0, सदस्य-सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्वद्, पटना।
3. डा0 के0 गणेश कुमार, भा0व0से0, वन संरक्षक, पर्यावरण, वन एवं जलवायु परिवर्तन विभाग, पटना।
4. श्री विशाल आनन्द, संयुक्त निदेशक, नगर विकास एवं आवास विभाग, बिहार सरकार, पटना।
5. डा0 विद्यापति चौधरी, प्राचार्य, पटना मेडिकल कॉलेज अस्पताल, पटना।
6. श्री कमल नयन, प्रशासी पदाधिकारी सह-प्रभारी, पी.पी.सेल, राज्य स्वास्थ्य समिति, बिहार, पटना।
7. श्री पीयूष कुमार चन्दन, सहायक निदेशक, जीव चिकित्सा अपशिष्ट कोषांग, राज्य स्वास्थ्य समिति, बिहार, पटना।
8. डा0 जी0के0 मंडल, वैज्ञानिक, जीव-चिकित्सा अपशिष्ट कोषांग, बिहार राज्य प्रदूषण नियंत्रण पर्वद्, पटना।

बैठक में निम्नलिखित पदाधिकारियों ने भाग नहीं लिया।

- (i). निदेशक, इंदिरा गाँधी आयुर्विज्ञान संस्थान, शेखपुरा, पटना।
- (ii). उपाध्यक्ष, बिहार राज्य आपदा प्रबंधन प्राधिकार, पटना।

#### बैठक की कार्यवाही

सर्वप्रथम अध्यक्ष महोदय द्वारा बैठक में उपस्थित सभी पदाधिकारियों का स्वागत किया गया। तत्पश्चात् सदस्य-सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्वद् द्वारा माननीय राष्ट्रीय हरित अधिकरण, प्रधान बेंच, नई दिल्ली में दायर O.A.No.- 180/2021 मुकुल कुमार बनाम उत्तर प्रदेश एवं अन्य में दिनांक 07.01.2022 को पारित आदेश के सम्बन्ध में विस्तृत जानकारी दी गयी। पारित आदेश, जीव-चिकित्सा अपशिष्ट प्रबंधन नियमावली, 2016 के अन्तर्गत जीव-चिकित्सा अपशिष्ट के उचित



निष्पादन एवं सामूहिक जीव-चिकित्सा अपशिष्ट उपचार सुविधा केन्द्रों के अनुश्रवण एवं निगरानी से सम्बन्धित है। बैठक में नियमावली के सफल क्रियान्वयन के लिए विस्तृत चर्चा की गयी। O.A.No.- 180/2021 में दिनांक 07.01.2022 को पारित आदेश में उल्लेखित आँकड़ों के अनुसार बिहार राज्य में कुल 15027 स्वास्थ्य उपचार सुविधाओं (HCFs) द्वारा अभी भी बिना 'प्राधिकार' (Authorization) प्राप्त किये संचालित है, का उल्लेख है। उक्त 15027 HCFs में से सरकारी 11711 HCFs (APHC एवं HSC) जो अभी तक बिहार राज्य प्रदूषण नियंत्रण पर्षद् से प्राधिकार प्राप्त नहीं की गयी है। जो पूरे देश में सर्वाधिक पाया गया है। विस्तृत चर्चा के उपरान्त निम्नलिखित निर्णय लिये गये:-

- (1) निदेशक, इंदिरा गांधी आयुर्विज्ञान संस्थान, पटना एवं प्राचार्य, पटना मेडिकल कॉलेज एवं अस्पताल, पटना को समिति द्वारा विशेषज्ञ सदस्य के रूप नामित किया गया था जिसका अनुपालन राज्य पर्षद् द्वारा किया गया।

(अनुपालन- वि0रा0प्र0नि0 पर्षद्)

- (2) सदस्य-सचिव द्वारा सूचित किया गया कि माननीय राष्ट्रीय हरित अधिकरण (NGT), प्रधान बेंच, नई दिल्ली में दायर O.A.No.- 180/2021 मामले में मुकुल कुमार बनाम उत्तर प्रदेश एवं अन्य में दिनांक 07.01.2022 को पारित आदेश क्रियाशील है। पारित आदेश, जीव चिकित्सा अपशिष्ट प्रबंधन नियमावली, 2016 के अन्तर्गत जीव-चिकित्सा अपशिष्ट के समुचित निष्पादन एवं सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केन्द्रों के अनुश्रवण नियमित रूप से करना अनिवार्य है। बैठक में O.A.No.- 180/2021 में पारित आदेश के उल्लेखित आँकड़ों के अनुसार बिहार राज्य में कुल 15027 स्वास्थ्य उपचार सुविधाओं (Health Care Facilities) द्वारा अभी तक बिहार राज्य प्रदूषण नियंत्रण पर्षद् से प्राधिकार (Authorization) प्राप्त नहीं की गयी है। जो संपूर्ण देश में सर्वाधिक पाया गया है। उक्त 15027 HCFs में से सरकारी 11711 HCFs (APHCs एवं HSCs) भी प्राधिकार प्राप्त किये बिना संचालित है। इस संबंध में अध्यक्ष महोदय द्वारा राज्य स्वास्थ्य समिति, बिहार को निर्देशित किया गया कि सभी APHCs & HSCs स्वास्थ्य उपचार सुविधाओं का संबंधित क्षेत्र के सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केन्द्र से सम्बद्ध (Tie-up) प्राप्त किया जाय। तत्पश्चात् राज्य में स्थित सभी स्वास्थ्य उपचार सुविधाओं का प्राधिकार (Authorization), बिहार राज्य प्रदूषण नियंत्रण पर्षद् से यथाशीघ्र प्राप्त करना अनिवार्य किया जाय। बिना प्राधिकार प्राप्त सरकारी एवं गैर-सरकारी स्वास्थ्य उपचार सुविधाओं का संचालन करना माननीय NGT के आदेश का उल्लंघन का मामला बनता है तथा पारित आदेशानुसार पर्यावरण क्षतिपूर्ति के रूप में स्वास्थ्य विभाग, बिहार सरकार से अनुपालन करने तक प्रत्येक महीना ₹0 एक करोड़ वसूलने का प्रावधान राज्य पर्षद् को प्राप्त है तथा अन्य दण्डात्मक कार्रवाई भी किया जा सकता है।

(कार्रवाई- राज्य स्वास्थ्य समिति, बिहार)



- (3) प्रशासी पदाधिकारी-सह-प्रभारी, पी0पी0 सेल, राज्य स्वास्थ्य समिति, विहार द्वारा सूचित किया गया कि तत्काल 1173 शय्यायुक्त सरकारी स्वास्थ्य उपचार सुविधाओं कार्यरत है जिसमें 491 शय्यायुक्त सरकारी स्वास्थ्य उपचार सुविधाओं द्वारा प्राधिकार (Authorization) विहार राज्य प्रदूषण नियंत्रण पर्यट से प्राप्त है तथा शेष 682 शय्यायुक्त स्वास्थ्य उपचार सुविधाओं का प्राधिकार प्राप्त करने हेतु यथाशीघ्र प्रक्रिया शुरू की जायेगी। शेष अन्य सरकारी उपचार सुविधाओं का भी प्राधिकार प्राप्त करने की दिशा में निदेशानुसार आवश्यक पहल किया जायेगा जिससे माननीय राष्ट्रीय हरित अधिकरण द्वारा पारित आदेश का अनुपालन सुनिश्चित किया जा सके।

(कार्रवाई -राज्य स्वास्थ्य समिति, विहार)

- (4) वर्तमान में राज्य में कुल चार सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्र संचालित है। राज्य पर्यट द्वारा 2021 में राज्य में स्थित सभी सरकारी एवं गैर सरकारी स्वास्थ्य उपचार सुविधाओं (Health Care Facilities) का चिन्हित (Inventorization) करने का कार्य किया गया। प्राप्त आँकड़ों के अनुसार राज्य में कुल 26478 स्वास्थ्य उपचार सुविधाएँ में से 6608 शय्या वाले स्वास्थ्य उपचार सुविधाओं स्थापित है। जिसमें कुल शय्या की संख्या 104391 है। सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्र की स्थापना से संबंधित C.P.C.B. Delhi के पुनरीक्षित मार्गदर्शिका के अनुसार 10,000 शय्या पर एक CBWTF स्थापित किया जा सकता है। वर्तमान में कुल शय्या की संख्या के आधार पर राज्य में कम से कम 10 सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों का स्थापना एवं संचालन किया जा सकता है। इसलिए राज्य में तत्काल छः अतिरिक्त सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों की स्थापना अपेक्षित है। इस संबंध में अध्यक्ष महोदय द्वारा राज्य स्वास्थ्य समिति एवं विहार एवं राज्य प्रदूषण नियंत्रण पर्यट को आपस में विचार विमर्श कर आवश्यकता के अनुसार अतिरिक्त सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों की स्थापना सुनिश्चित करने का निदेश दिया गया है। अध्यक्ष महोदय द्वारा यह भी निदेश दिया गया कि जिलावार निर्धारित शय्या की संख्या एवं उपयुक्त स्थान चयन कर अतिरिक्त छः सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों की स्थापना सुनिश्चित किया जाय। अतिरिक्त सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों (CBWTFs) की स्थापना के सम्बन्ध में विमर्श करने हेतु राज्य स्तरीय सलाहकार समिति में इस पर विचार-विमर्श प्रस्तुत करने का निदेश दिया गया। अतिरिक्त CBWTFs सरकारी जमीन में अथवा निजी जमीन में स्थापित करने तथा जीव-चिकित्सा अपशिष्ट (BMW) के उपचार हेतु शुल्क आदि की निर्णय के साथ-साथ वर्तमान में संचालित चारों सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों (CBWTFs) के आलोक में अवधि विस्तार तथा पुनःरीक्षित शुल्क निर्धारण पर राज्य स्तरीय सलाहकार समिति (SLAC) में विमर्श कर निर्णय लिया जाय।



सदस्य सचिव, बिहार राज्य प्रदूषण नियंत्रण पर्षद् (BSPCB) द्वारा सूचित किया गया है कि वर्तमान में भाजपुर जिला के अर्न्तगत एक Treatment, Storage and Disposal Facility स्थापित किया गया है, जिसमें जीव-चिकित्सा अपशिष्ट उपचार केन्द्र (CBWTF) की भी सुविधा है। इस CBWTF की क्षमता क्रमशः (i). Incinerator- 250kg/hr (ii) Autoclave- 1250Litre/Batch (iii) Shredder- 250Kg/hr है। यह CBWTF Treatment, Storage and Disposal Facility का अंग है जो संचालन के लिए तैयार है।

(कार्रवाई-राज्य स्वास्थ्य स्वास्थ्य समिति, बिहार एवं वि0रा0प्र0नि0 पर्षद्)

- (5) राज्य स्वास्थ्य समिति, बिहार द्वारा सूचित किया गया कि ऑनलाइन के माध्यम से आवेदन समर्पित करने में कुछ तकनीकी कठिनाईयाँ उत्पन्न होती है। इस संबंध में निर्णय लिया गया कि राज्य प्रदूषण नियंत्रण पर्षद् राज्य स्तर पर ऑनलाइन के माध्यम से आवेदन जमा करने में राज्य स्वास्थ्य समिति, बिहार को जो कठिनाईयाँ उत्पन्न होगी उसे राज्य पर्षद् द्वारा हर संभव सहयोग प्रदान करने का निदेश अध्यक्ष महोदय द्वारा दिया गया है।

(अनुपालन-राज्य स्वास्थ्य समिति, बिहार एवं वि0रा0प्र0नि0 पर्षद्)

- (6) राज्य पर्षद् से प्राधिकार प्राप्त करने हेतु प्रति आवेदन शुल्क के रूप में ₹0 2000/- देय है जिसका भुगतान ऑनलाइन के माध्यम से किया जाना है। विहित शुल्क जमा करने हेतु स्वास्थ्य विभाग द्वारा व्यय होने वाली राशि का आवंटन कर सभी सरकारी स्वास्थ्य उपचार सुविधाओं जिसमें APHCs/HSCs भी सम्मिलित है इत्यादि के लिए शुल्क अदायी करने का निदेश दिया गया था। परन्तु अभी तक इसका अनुपालन नहीं किया जा सका है। इस सन्दर्भ में अध्यक्ष महोदय द्वारा पुनः राज्य स्वास्थ्य समिति को निदेशित किया गया कि इसका क्रियान्वयन शीघ्र सुनिश्चित किया जाय।

(कार्रवाई-राज्य स्वास्थ्य समिति)

- (7) पटना मेडिकल कॉलेज अस्पताल में जीव-चिकित्सा अपशिष्टों के उपचार हेतु संचालित Captive Treatment System के Upgradation नहीं होने के कारण जीव-चिकित्सा अपशिष्टों का समुचित उपचार नियमावली के प्रावधानों के अनुसार करना संभव नहीं है। इसलिए जीव-चिकित्सा अपशिष्ट प्रबंधन नियमावली, 2016 के प्रावधानों के अनुपालन हेतु राज्य पर्षद् के पत्रांक B-52 दिनांक 13.01.2022 द्वारा उक्त Captive Treatment System को बंद करने का निदेश पटना मेडिकल कॉलेज अस्पताल को निर्गत किया गया था साथ ही यह भी निदेशित किया गया था कि पी0एम0सी0एच0, पटना से जनित होने वाले



जीव-चिकित्सा अपशिष्टों का निपटान हेतु मेसर्स संगम मेडिसर्व प्रा०लि०, पटना से शीघ्र संवद्ध (Tie-up) स्थापित कर जनित होनेवाले जीव-चिकित्सा अपशिष्टों का निपटान सुनिश्चित किया जाना था। पी०एम०सी०एच०, पटना द्वारा इसका अनुपालन अभी तक नहीं किया जा रहा है। अध्यक्ष महोदय द्वारा बैठक में उपस्थित प्राचार्य श्री विद्यापति चौधरी, पी०एम०सी०एच०, पटना को निर्देशित किया गया कि संस्थान से जनित होनेवाले जीव-चिकित्सा अपशिष्टों का उपचार सुनिश्चित करने हेतु आवश्यक कार्रवाई यथाशीघ्र किया जाय।

(अनुपालन-पी०एम०सी०एच०)

- (8) राज्य में संचालित चार सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों एवं तीन Captive Treatment Facilities जो क्रमशः पटना, मुजफ्फरपुर, गया, भागलपुर, कटिहार एवं किशनगंज में स्थित हैं। माननीय राष्ट्रीय हरित अधिकरण, प्रधान बेंच, नई दिल्ली में दायर O.A.No.- 180/2021 में दिनांक 07.01.2022 को पारित आदेश के क्रम में दिनांक 22.02.2022 को सचिव, स्वास्थ्य विभाग, बिहार सरकार, पटना की अध्यक्षता में प्रथम बैठक संपन्न हुई थी। बैठक में अध्यक्ष महोदय द्वारा निर्देश दिया गया कि राज्य में स्थित सभी CBWTFs केंद्रों का नियमित रूप से निरीक्षण राज्य स्तरीय संयुक्त जाँच दल द्वारा किया जाय। राज्य स्तरीय समिति द्वारा संयुक्त जाँच दल गठित किया गया है। संयुक्त जाँच दल जिसमें राज्य पर्वद् के दो वैज्ञानिक एवं एक राज्य स्वास्थ्य समिति, बिहार के प्रतिनिधि, प्राधिकारी जो जीव-चिकित्सा अपशिष्ट प्रबंधन कार्य क्षेत्र से जुड़े हो, सदस्य के रूप में शामिल हैं। संयुक्त जाँच दल द्वारा संयुक्त रूप से राज्य में स्थित सभी CBWTFs केंद्रों का निरीक्षण किया गया। निरीक्षण के दौरान पाये गये त्रुटियों के आधार पर उन सात इकाईयों के विरुद्ध कारण बताओं नोटिस राज्य पर्वद् के पत्रांक संख्या 1667 से 1673 दिनांक 30.06.2022 द्वारा निर्गत किया गया। कारण बताओं नोटिस का जवाब प्राप्त है। राज्य स्तरीय समिति के द्वितीय बैठक दिनांक 04.08.2022 को संपन्न हुई। बैठक में अध्यक्ष महोदय द्वारा निर्देश दिया गया है कि राज्य में स्थित सभी सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केंद्रों एवं Captive Treatment Facilities के निरीक्षण हेतु गठित संयुक्त जाँच दल द्वारा नियमित रूप से प्रत्येक तीन माह में एक बार अवश्य निरीक्षण किया जाय तथा निरीक्षण के दौरान पाये गये कमियों को दूर करने हेतु उनके विरुद्ध सुसंगत आवश्यक कार्रवाई सुनिश्चित किया जाय।

(कार्रवाई-राज्य स्वास्थ्य समिति एवं बि०रा०प्रा०नि० पर्वद्)



- 94
- (9) सरकारी एवं गैर-सरकारी स्वास्थ्य उपचार सुविधाएँ, जो बिहार राज्य प्रदूषण नियंत्रण पर्यट से प्राधिकार प्राप्त किये हैं एवं बिना प्राधिकार प्राप्त किये अवैध रूप से संचालित हैं कि जिलावार सूची तैयार करने का निदेश अध्यक्ष महोदय द्वारा दिया गया है। तैयार किया गया दोनों प्रकार के सूची को अलग-अलग सी0डी0 में संधारित करने का भी निदेश अध्यक्ष महोदय द्वारा दिया गया। अध्यक्ष महोदय द्वारा यह भी निदेश दिया गया कि सी0डी0 (सूची को) कार्यपालक निदेशक, राज्य स्वास्थ्य समिति, बिहार को यथाशीघ्र उपलब्ध कराने की दिशा में पहल किया जाय। राज्य स्वास्थ्य समिति, बिहार को निदेश दिया गया कि बिना प्राधिकार प्राप्त किये राज्य में स्थित कोई भी सरकारी एवं गैर-सरकारी स्वास्थ्य उपचार सुविधाओं का संचालन को यथाशीघ्र बंद करने की दिशा में आवश्यक कार्रवाई किया जाय।

(अनुपालन-राज्य स्वास्थ्य समिति, बिहार एवं बि0रा0प्र0नि0 पर्यट)

- (10) सदस्य सचिव द्वारा राज्य स्तरीय समिति को सूचित किया गया है कि मुख्य सचिव, बिहार की अध्यक्षता में दिनांक 17.11.2021 को अपराह्न 04:00 बजे उनके कार्यालय कक्ष में सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केन्द्र की स्थापना संबंधित समीक्षा की गई। विस्तृत चर्चा के उपरांत निर्णय लिया गया कि पटना जिले में एक अतिरिक्त सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केन्द्र की स्थापना की जाय तथा इस हेतु राज्य स्वास्थ्य समिति, बिहार द्वारा केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी मार्गदर्शिका के अनुरूप यथाशीघ्र Expression of Interest (Eoi) जारी किया जाय। जारी किये जाने वाले Expression of Interest (Eoi) में सरकार द्वारा सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केन्द्र की स्थापना हेतु चिन्हित भूखण्ड के अतिरिक्त यदि कोई प्रस्तावक निजी जमीन पर भी सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केन्द्र स्थापित करना चाहता है तो उसका भी विकल्प दिया जाय। इस सम्बन्ध में सदस्य सचिव, द्वारा सूचित किया गया है कि एक उद्यमी द्वारा पटना जिला में अपने निजी जमीन में सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केन्द्र (CBWTF) स्थापित करने हेतु बिहार राज्य प्रदूषण नियंत्रण पर्यट (BSPCB) से विमर्श कर भूखण्ड का चिन्हित कर, उक्त सुविधा की स्थापना हेतु पर्यावरणिय स्वीकृति प्राप्त करने हेतु आवेदन SEIAA, Bihar में समर्पित किया गया है तथा उनको Terms of Reference निर्गत किया गया है।

(कार्रवाई-राज्य स्वास्थ्य समिति, बिहार)



(11) कोईलवर, भोजपुर में एक Treatment Storage and Disposal Facility (TSDF) M/s Resustainability Limited द्वारा स्थापित किया जा रहा है। इस TSDF में Incinerator की क्षमता-250Kg/hr, Autoclave की क्षमता-1250Litre/Batch एवं Shredder की क्षमता-250Kg/hr है। यह Dry Scrubbing Incinerator System Technology के आधार पर कार्य करता है। यह एक Integrated Facility इकाई है। इस Integrated Facility द्वारा जीव-चिकित्सा अपशिष्टों का भी उपचार एवं निपटान किया जा सकता है। यह इकाई भी एक सामूहिक जीव-चिकित्सा अपशिष्ट उपचार केन्द्र के रूप में कार्य करने के लिए सक्षम है। इस इकाई द्वारा संचालन सहमति प्राप्त करने हेतु आवेदन राज्य पर्यट को समर्पित किया गया है। राज्य पर्यट द्वारा उक्त सहमति आवेदन पर विचार कर यथोचित निर्णय लेने की ओर अग्रसर है।

(अनुपालन- वि0रा0प्र0नि0 पर्यट)

(12) अध्यक्ष महोदय द्वारा राज्य स्तरीय समिति की अगली बैठक हर माह पर आयोजित करने का निर्णय लिया गया।  
धन्यवाद ज्ञापन के साथ बैठक की कार्यवाही समाप्त किया गया।

ह0/-

(के0 सेन्थिल कुमार)

सचिव,

स्वास्थ्य विभाग,

बिहार सरकार, पटना।

पटना, दिनांक :-

ज्ञापक:

प्रतिलिपि:- समिति के सभी सदस्यों को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

ह0/-

(एस0 चन्द्रशेखर)

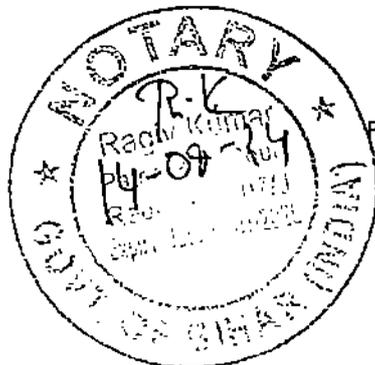
सदस्य-सचिव,

बिहार राज्य प्रदूषण नियंत्रण पर्यट।

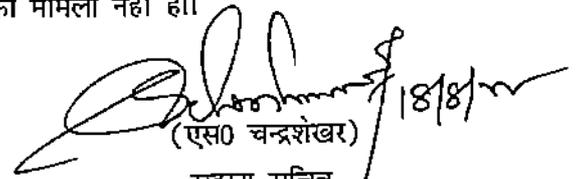
पटना, दिनांक :- 18.08.2022

ज्ञापक: B-2195

प्रतिलिपि:- सभी जिला पदाधिकारियों, बिहार को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित। अनुरोध है कि राज्य स्तरीय समिति द्वारा लिये गये निर्णयों का नियमित रूप से अनुश्रवण किया जाय तथा आपके अध्यक्षता में गठित जिला स्तरीय अनुश्रवण समिति (DLMC) की बैठकों को नियमित रूप से आयोजन किया जाय ताकि माननीय राष्ट्रीय हरित अधिकरण, (NGT) के आदेश उल्लंघन का मामला नहीं हो।



Page 7 of 7

  
(एस0 चन्द्रशेखर)

सदस्य-सचिव,

बिहार राज्य प्रदूषण नियंत्रण पर्यट।

Ashu



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:

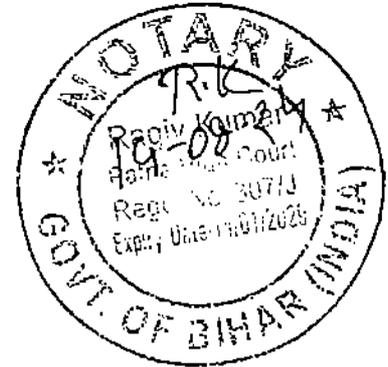
आत्मज: कामेश्वर ओझा, शिव  
मंदिर के पास, ऐनियो,  
पटना,  
बिहार - 803201

S/O: Kameshwar Ojha, Near Shiv  
Mandir, Ainio, Patna,  
Bihar - 803201

4848 0296 5236

MERA AADHAAR, MERI PEHACHAN

संतोष कुमार ओझा  
14/8/24.



**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-<br>KAMESHWAR OJHA | PROP        |
| 2.     |   |             |
| 3.     |   |             |
| 4.     |   |             |
| 5.     |   |             |
| 6.     |   |             |

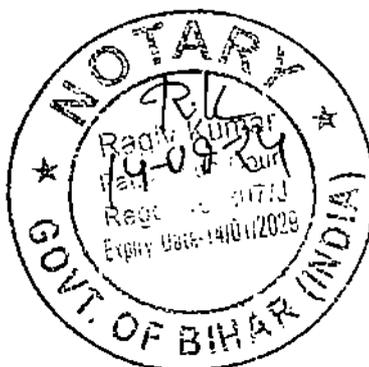
8. Maximum number of persons to be employed on any day : 2

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  
Prop  
14/02/19



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