

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

IN

ORIGINAL APPLICATION NO. 43 of 2017

Petitioner : The Tribunal on its own motion on the
Implementation of the Bio-Medical Waste
Management Rules, 2016 in Kerala

Versus

Respondent(s) : The State of Kerala & 7 Others

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER,
REGIONAL OFFICE, ERNAKULAM ON BEHALF OF THE KERALA
STATE POLLUTION CONTROL BOARD**

Adv. Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE RESPONDENT:

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VOLUME 1

Index

Sl.No.	Description	Pages
1	Report filed by the Environmental Engineer, Regional Office Ernakulam for and on behalf of the Kerala State Pollution Control Board	1- 3

Dated this the 17th day of December 2021

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

**APPLICATION NO 43 of 2017 (SZ)
[SUO MOTO]**

Applicant : The Tribunal on its own motion on the
Implementation of the Bio-Medical Waste
Management Rules, 2016 in Kerala

Respondents : The State of Kerala & 7 Others

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER ON
BEHALF OF KERALA STATE POLLUTION CONTROL BOARD**

- 1) I, Mini Mary Sam, aged 54 years, W/o Ranjan Jacob, Environmental Engineer do here by submit that I am authorised to represent the Kerala State Pollution Control Board, and that I am conversant with the facts of the above case and I may state as follows.
- 2) It is submitted that IMA/IMAGE had challenged the Proceedings of the Chairman, KSPCB bearing no. PCB/HO/EE2/BMW-03/GENERAL dtd 13.08 2021, before the Single Bench of the Hon'ble High Court along with Private Hospital Management Association and the writ petitions were dismissed on 27.09.2021. IMA/IMAGE and Private Hospital Management Association had filed Writ Appeals against this judgement also and had challenged the order of KSPCB in the Hon'ble Division Bench of High Court of Kerala. The Division bench also dismissed the Writ Appeals on 22.11.2021. A copy of the common judgement dated 22.11.2021 in writ appeals WA 1290/2021 filed by Kerala Private Hospitals Assosiation &WA 1303/2021 filed by IMAGE is attached as **Annexure 1**




Mini Mary Sam
Environmental Engineer(HG)

3) It is submitted that the Hon'ble NGT vide its order dated 17.11.2021 directed Kerala State Pollution Control Board to submit a district wise data regarding the number of hospitals in each district(both private and Government) including the clinics which are coming under the purview of the BMW Rule 2016 and the quantity of bio medical waste generated by them. In compliance to the order the district wise details of health care units is attached as **Annexure II**

4) The details of average BMW collection and disposal quantity received through e mail from IMAGE and KEIL for the period from 01.12.2021 to 09.12.2021 is furnished below:

CBWTF	COVID BMW TPD(9 day avg)	Non-COVID BMW TPD(9 day avg)	Total disposed TPD(9 days avg)	Consented capacity TPD
IMAGE	7	47	54	55.8
KEIL	1	6	7	16

It is also submitted that the Board's District Office at Palakkad reported that a considerable quantity of bio medical waste is remaining for treatment as backlog in the IMAGE plant at Palakkad. Hence an additional CBWTF need to come up in the southern part of the State and another one at the northern part of the State so that the disposal of BMW within 48 hours of its generation can be achieved effectively. Also the monitoring of the two CBWTFs and the upcoming CBWTFs can be effectively done by the Board.

It is requested that the order dated 13.08.2021 of the Chairman, KSPCB may be accepted and IMAGE and KEIL may be directed to comply with the order.




Mini Mary Sam
 Environmental Engineer(HG)

All that is stated above are true to the best of my knowledge information and belief.

Dated this 17th day of December 2021



Environmental Engineer

Mini Mary Sam
Environmental Engineer(HG)

