

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

**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**

VOLUME 1

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Dated this the 19th day of February 2021

Rema Smrithi, Advocate
ADDITIONAL STANDING COUNSEL FOR THE 5th RESPONDENT

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

ORIGINAL APPLICATION NO 43 of 2017 (SZ)

[SUO MOTU]

**REPORT FILED BY THE ENVIRONMENTAL ENGINEER ON
BEHALF OF THE 5th RESPONDENT**

Adv. Rema Smrithi.

ADDITIONAL STANDING COUNSEL FOR THE 5TH RESPONDENT:

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
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**APPLICATION NO 43 of 2017 (SZ)
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Applicant : The Tribunal on its own motion on the
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**REPORT FILED BY THE ENVIRONMENTAL ENGINEER ON
BEHALF OF THE 5th RESPONDENT**

1. I, Mini Mary Sam, aged 53 years, W/o. Ranjan Jacob, Environmental Engineer, Regional office, Ernakulum do hereby submit that I am authorized to represent the 5th respondent and that I am conversant with the facts of the said case and I may state as follows as per the direction of the Hon'ble National Green Tribunal in the above application.
2. In the order dated 19.01.2021 of the Hon'ble NGT in OA 43/2017, the Hon'ble NGT observed that a report has been received from the Chairman State Level Monitoring Committee, Kerala regarding improper and unscientific way of waste management in Government Medical College Kalamasserry, Ernakulam.




Mini Mary Sam
Environmental Engineer(HG)

3. It is submitted that based on the complaint received against the unauthorised dumping and burning of bio medical waste in the hospital, inspection was conducted by the Board on 31.12.2020. Based on the inspection a notice dated 04.01.2020 was issued to the Principal, Govt. Medical College Kalamassery to show cause for not initiating legal action and for not imposing Environmental Compensation against the hospital due to the following reasons.

- 1) The Bio Medical wastes generated in the hospital was seen stored in an open area and hence the waste was seen exposed to rain.
- 2) Food wastes from IP wards were seen half burned along with their aluminium foil packings in two pits without proper segregation.
- 3) During enquiry, it was also noted that the STP of the hospital was non functional thus violating Section 24 of Water (Prevention and Control of Pollution) Rules, 1976. The raw effluent was seen stored inside the tanks without any treatment, suspecting unauthorised discharge of sewage without any treatment.
- 4) The Board had already issued directions to operate the STP effectively and also to revamp the existing STP but the hospital had not complied with the board's direction and still functioning without adequate sewage treatment facility and not holding Board's valid consent to Operate.




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5) Operation of the Hospital without valid consent and without proper waste management systems is violation of the Environmental Legislations.

Copy of the show cause notice is produced to herewith and marked as **Annexure R5(a)**.

4. The matter was also brought to the attention of the Principal Secretary, Health & Family Welfare Department vide letter dated 19.01.2021 and the Director of Medical Education vide letter dated 02.01.2021. The matter was raised by the Board Chairman in the State Level Advisory Committee meeting held on 01.02.2021.

5. The hospital authorities submitted a reply dated 19.01.2021. In their reply they pointed out that since the hospital was a dedicated Covid Hospital, they had to manage huge quantity of Bio-Medical Waste with limited resources and they admitted some shortfalls in managing the situation. Regarding the revamping of sewage treatment plant, it was reported that the construction work was progressing in full swing which has been in a slow pace during the COVID period and requested 6 months time for completing the Material collecting Facility (MCF) and Sewage Treatment Plant. Copy of reply is submitted herewith and marked as **Annexure R5(b)**

6. It is submitted that based on the reply from the Hospital authorities, inspection was conducted again on 05.02.2020. During the inspection, it was noticed that the Sewage Treatment plant was not in operation and the effluent was



Mary Sam
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discharging without proper treatment and no proper storage facility was provided for biomedical waste generated.

7. Since, the works of Sewage Treatment Plant were seen started, they were directed to submit an affidavit in stamp paper of Rs.200/- stating that the following work will be completed within 3 months.

1. All the works of the Sewage Treatment plant will be completed and same will be in operations

2. Shed with roof will be constructed for storing biomedical waste.

8. The Medical College was further inspected on 18.02.2021. The STP was not in operation, legal Sample was collected. Necessary further action will be initiated after receiving the result of the legal sample. (In the meantime action has also been initiated to take legal action against the Kalamassery Medical College authorities).

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

Dated this 19th February 2021




Deponent

Mini Mary Sam
Environmental Engineer(HG)